



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

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

AGENDA REGULAR MEETING

**CITY COUNCIL
MONDAY, AUGUST 12, 2019**

**CITY OF ROLLING HILLS
7:00 P.M.**

Next Resolution No. 1243

Next Ordinance No. 363

1. CALL TO ORDER

2. ROLL CALL

PLEDGE OF ALLEGIANCE

3. OPEN AGENDA - PUBLIC COMMENT WELCOME

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

4. CONSENT CALENDAR

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

A. MINUTES – REGULAR MEETING OF MAY 29, 2019.

RECOMMENDATION: APPROVE AS PRESENTED

B. PAYMENT OF BILLS.

RECOMMENDATION: APPROVE AS PRESENTED

C. RECEIVE AND FILE A PROFESSIONAL SERVICES AGREEMENT WITH FORUM INFO-TECH FOR INFORMATION TECHNOLOGY ADMINISTRATIVE SERVICES.

RECOMMENDATION: APPROVE AS PRESENTED

5. COMMISSION ITEMS

A. CONSIDERATION TO RECEIVE AND FILE RESOLUTION NO. 2019-12 FROM THE PLANNING COMMISSION GRANTING APPROVAL FOR A SECOND MAJOR MODIFICATION TO PREVIOUSLY GRANTED SITE PLAN REVIEW, CONDITIONAL USE PERMIT, AND VARIANCE ENTITLEMENTS TO APPROVE A VARIANCE TO EXCEED THE MAXIMUM PERMITTED LOT DISTURBANCE IN ZONING CASE NO. 896 AT 11 SADDLEBACK ROAD (WARREN).

- B. CONSIDERATION TO RECEIVE AND FILE RESOLUTION NO. 2019-13 FROM THE PLANNING COMMISSION GRANTING APPROVAL FOR A SITE PLAN REVIEW FOR THE CONSTRUCTION OF A NEW RESIDENCE, INCLUDING ATTACHED GARAGE AND BASEMENT, RETAINING WALL, SWIMMING POOL, AND GRADING; CONDITIONAL USE PERMIT TO CONSTRUCT A GUEST HOUSE; AND VARIANCES TO EXCEED THE MAXIMUM PERMITTED DISTURBANCE OF THE LOT AND TO EXCEED THE MAXIMUM PERMITTED COVERAGE OF THE FRONT YARD SETBACK FOR CONSTRUCTION OF A DRIVEWAY IN ZONING CASE NO. 956 AT 8 MIDDLE RIDGE LANE SOUTH (ZHANG). AND

RECOMMENDATION FROM THE TRAFFIC COMMISSION TO APPROVE THE DRIVEWAY APRON.

6. PUBLIC HEARINGS

- A. REVIEW AND APPROVE RESOLUTION NO. 1242 DENYING A REQUEST FOR A VARIANCE IN ZONING CASE NO. 957 AT 5 FLYING MANE LANE.

7. OLD BUSINESS

NONE.

8. NEW BUSINESS

- A. CONSIDER AND APPROVAL OF A GRANT APPLICATION FOR MEASURE A, THE SAFE, CLEAN NEIGHBORHOOD PARKS, OPEN BENCHES, RIVERS PROTECTION, AND WATER CONSERVATION FUNDS.
- B. CONSIDER AND APPROVE JOINING SOUTHBAY CITIES COUNCIL OF GOVERNMENT (SBCCOG) FIBER NETWORK AND DIRECT STAFF TO SUBMIT THE LETTER OF COMMITMENT.
- C. DESIGNATE VOTING DELEGATE AND ALTERNATE TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE OCTOBER 16-18 TO BE HELD IN LONG BEACH, CA.
- D. CONSIDER AND APPROVE A LETTER OF SUPPORT FOR THE CITY OF RANCHO PALOS VERDES' PROPOSED RESOLUTION FOR THE LEAGUE OF CALIFORNIA CITIES 2019 ANNUAL CONFERENCE ON USING UTILITY UNDERGROUNDING AS AN EFFORT TO PREVENT/MINIMIZE WILDFIRES.

9. MATTERS FROM THE CITY COUNCIL AND MEETING ATTENDANCE REPORTS

- A. DISCUSS A JOINT SEWER MAIN PROJECT WITH THE CITY OF RANCHO PALOS VERDES. (ORAL)

- B. CONSIDER AND APPROVE THE PERSONNEL COMMITTEE'S RECOMMENDATION FOR A WORK PLAN TO UPDATE THE CITY'S EMPLOYEE HANDBOOK AND PERSONNEL POLICY MANUAL.

10. MATTERS FROM STAFF

- A. RECEIVE AND FILE QUARTERLY REPORT ON ENFORCEMENT OF THE FIRE FUEL ABATEMENT ORDINANCE APRIL 2019 – JULY 2019.
- B. RECEIVE A PRESENTATION ON THE DEVELOPMENT OF THE CITY'S NEW WEBSITE. (ORAL)

11. ADJOURNMENT

THE MEETING WILL BE ADJOURNED IN MEMORY OF COMMUNITY MEMBERS BILL HORN AND FRANK GARGAS. MR. HORN PASSED ON AN EVENING IN JULY AND MR. GARGAS PASSED AWAY ON JULY 20, 2019.

Next meeting: Monday, AUGUST 19, 2019 at 7:00 a.m. at 13 Portuguese Bend Road, Rolling Hills, California.

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.

All Planning Commission items have been determined to be categorically exempt pursuant to the California Environmental Quality Act (CEQA) Guidelines unless otherwise stated.

**MINUTES OF
A REGULAR MEETING
OF THE
CITY COUNCIL OF THE
CITY OF ROLLING HILLS, CALIFORNIA
MONDAY, MAY 29, 2019**

1. CALL TO ORDER

A regular meeting of the City Council of the City of Rolling Hills was called to order by Mayor Mirsch at 7:04p.m. in the City Council Chamber at City Hall, 2 Portuguese Bend Road, Rolling Hills, California.

2. ROLL CALL

Councilmembers Present:	Mayor Mirsch, Pieper, Dieringer, Black and Wilson.
Councilmembers Absent:	None
Others Present:	Elaine Jeng, P.E., City Manager. Yolanta Schwartz, Planning Director Michael Jenkins, City Attorney Terry Shea, Finance Director Jim Walker, Budget Consultant Alfred Visco, 15 Cinchuring

3. OPEN AGENDA - PUBLIC COMMENT WELCOME

Alfred Visco, resident of 15 Cinchring discussed the annual letter from the City to residents on fire fuel abatement should go out tomorrow and order compliance by June 30, 2019. Mr. Visco also noted that if the City's code enforcement officer is working one day per week that is too little. Mr. Visco suggested that the City have the code enforcement officer prioritize the canyons. Mr. Visco also mentioned that the City needs to reach out to Rancho Palos Verdes to handle the boundary with the Land Conservancy and that there needs to be 100 feet clearance along the border. Mr. Visco discussed evacuation routes and suggested several access points for potential evacuation routes. Mr. Visco inquired on the status of the Community Wilfire Protection Plan and grant assistance. Mr. Visco also noted that an inspection on private property is not sufficient when conducted from the roads.

Mayor Mirsch briefly responded noting that the Block Captain group is working on evacuation routes, the City is also in touch with Land Conservancy and the things Mr. Visco noted are all being worked on.

4. CONSENT CALENDAR

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

- A. MINUTES – REGULAR MEETING OF APRIL 22, 2019.
RECOMMENDATION: APPROVE AS PRESENTED.

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- B. PAYMENT OF BILLS.
RECOMMENDATION: APPROVE AS PRESENTED.
- C. REPUBLIC SERVICES RECYCLING TONNAGE REPORT FOR APRIL 2019
RECOMMENDATION: APPROVE AS PRESENTED
- D. CONSIDERATION AND APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) WITH ROLLING HILLS COMMUNITY ASSOCIATION TO COST SHARE DESIGN FEES ASSOCIATED WITH ASSESSMENT DISTRICT PROJECTS.
RECOMMENDATION: APPROVE AS PRESENTED
- E. FINANCIAL STATEMENT FOR THE MONTH OF APRIL 2019
RECOMMENDATION: APPROVE AS PRESENTED

City Manager Jeng informed the City Council that there are three more checks cut than the payment of bills in the agenda package. Also, there is a single check that was cut for an employee that resigned from the City. The parting employee wanted her last paycheck in the form of a check. City Manager Jeng also noted that the MOU with the Association was updated per the Association Board President to add a sentence in the recitals.

Mayor Pro Tem Pieper moved that the City Council approve the consent items as presented. Councilmember Pieper seconded the motion and the motion carried without objection by a voice vote as follows:

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

5. COMMISSION ITEMS

NONE

6. PUBLIC HEARINGS

- A. A HEARING TO CONSIDER WHETHER NONCOMPLIANCE WITH CITY COUNCIL RESOLUTION NO. 1196 AND THE COVENANT RECORDED AGAINST TITLE PURSUANT THERETO CONSTITUTES A PUBLIC NUISANCE WITH REGARD TO FAILURE TO ABATE A VIEW IMPAIRMENT AT 15 PORTUGUESE BEND ROAD (COVENANT RECORDED AS DOCUMENT NUMBER 20170547814 AND DATED 05/17/17) (OWNERS: WILLIAM AND JUDITH HASSOLDT).

Planning Director Schwartz gave a brief presentation and the history of Resolution No. 1196 and required the property to trim trees by March 1, 2019. The City staff provided additional days to comply, but the resident did not comply. The initial public hearing to hear the case was April 22, 2019. On May 13, 2019, the public hearing was continued to May 29, 2019. Mr. Hassoldt has trimmed all the trees in the resolution. At the site visit this morning, there is one or two trees that she noticed that are in the view that Mr. Hassoldt needs to trim. Mr. Hassoldt noted to her that he intends to do more maintenance work on his property. Planning Director Schwartz outlined to the Council their options on this item: declare nuisance

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or continue the public meeting for Mr. Hassoldt to perform additional maintenance work to address the remaining trees.

Councilmember Dieringer asked of clarification on the quantity of remaining trees to be addressed by Mr. Hassoldt and when the work will be performed.

Councilmember Wilson inquired if Mr. Hassoldt will perform the work within two weeks or schedule the work in two weeks.

Planning Director Schwartz responded that there is a cluster of trees and that Mr. Hassoldt said in two weeks.

Mayor Mirsch asked for public comments. There were no public comments.

Mayor Pro Tem Pieper suggested to continue the hearing for another two weeks and asked for Mr. Hassoldt to provide a signed proposal to show he is under contract like last time. Mayor Pro Tem Pieper moved that the Public Hearing be continued to the next meeting on June 10, 2019.

Mayor Mirsch inquired about the new growth and if the Planning Director was able to observe new growth into the view. Mayor Mirsch asked for confirmation that Mr. Hassoldt understands the new growth outlined in the resolution. Mayor Mirsch inquired about the olive tree, is that taken care of?

Councilmember Wilson inquired when was the new growth discovered to be in the viewing window? Did the Planning Director bring the new growth to the attention of the resident?

Councilmember Dieringer inquired about the trees, were they not visible until after other cuts were made, and should these trees have been noticed previously? Are they behind other trees?

Planning Director Schwartz responded that Mr. Hassoldt is aware of the new growth and that the olive tree is addressed by Mr. Hassoldt. Planning Director Schwartz confirmed that Mr. Hassoldt understand the provision of new growth. Planning Director Schwartz responded that the new growth was identified with Mrs. Nuccion at the site visit. Planning Director Schwartz responded the remaining trees were visible and not located behind other trees.

Mayor Pro Tem Pieper moved that the City Council continue the public hearing to the June 10, 2019 meeting. Councilmember Dieringer seconded the motion and the motion carried without objection by a voice vote as follows:

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

NOES: COUNCILMEMBERS: Black.

ABSENT: COUNCILMEMBERS: None.

ABSTAIN: COUNCILMEMBERS: None.

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7. OLD BUSINESS

- A. CONSIDERATION AND APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH WILL DAN ENGINEERING FOR THE SANITARY SEWER IMPROVEMENT FEASIBILITY STUDY PHASE 2 AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT FOR AN AMOUNT NOT-TO-EXCEED \$32,420.

Mayor Pro Tem Pieper the City Council initially voted down on this item but at the Budget Committee meeting he was informed that the expense for the current planning work is for a placeholder to reserve capacity in the pipeline. If the City was forced to put in sewer main at a later time, the City would have a safety valve having capacity reserved. The Budget Committee already agreed to put this line item in the budget.

The City Manager added that with additional information provided to the Budget Committee, the Budget Committee asked for the item to be brought back to City Council.

Councilmember Dieringer noted that she understands that the placeholder is not held indefinitely. She inquired what other developments could cause the placeholder to be lost. Councilmember Dieringer asked for more information to understanding how long the placeholder will be valid for. If the City is not willing to pay for the entire project at \$2M, then what is the value of the placeholder.

Mayor Pro Tem Pieper responded that the City must reserve the capacity regardless of additional projects that can take up capacity because the risk would be even greater to the City without the placeholder.

Councilmember Wilson inquired what is the deliverable on this task.

Mayor Mirsch inquired with the City Manager is there an ability to have the information Councilmember Dieringer asked for.

City Manager Jeng responded the County of Sanitation District has no control over land use. The District's pipeline travels through multiple jurisdiction and the future land use changes would come from local agencies. At the local agency level, this information is at best estimated, and or projected. For any projects or agency that want to discharge to the District's pipelines, they would have to go through the same planning work. As an example, the City reserves capacity and it is calculated that the pipeline would be 55% full. The next entity that comes after requesting for capacity would use 55% as the baseline. This is at a planning level. As projects get built with actual discharge into the pipeline, the City Manager is unsure how it is coordinated at that time.

Mayor Pro Tem Pieper noted that the current work would let us know the cost of the project and the City can apply for grants for the overall project. While there is risks and by no means is the perfect scenario, going forward with the current work would put us in a better position in the future going to the next step of the project.

Mayor Mirsch opened the item for public comments. There were no public comments.

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Mayor Pro Tem Piper moved that the City Council approve the item as presented. Councilmember Wilson seconded the motion and the motion carried without objection by a voice vote as follows:

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

NOES: COUNCILMEMBERS: None.

ABSENT: COUNCILMEMBERS: Black.

ABSTAIN: COUNCILMEMBERS: None.

- B. CONSIDERATION AND AWARD OF A CONSTRUCTION CONTRACT THROUGH THE CITY OF ROLLING HILLS ESTATES, TO ALL AMERICAN ASPHALT FOR THE RESURFACING OF THE CITY PARKING LOT AND PORTUGUESE BEND ROAD BETWEEN PALOS VERDES DRIVE NORTH TO ENTRY GATE FOR A NOT-TO-EXCEED AMOUNT OF \$238,480.96.

City Manager Jeng reported that bids opened on May 20, 2019. Four bids were received. The basis of bid is important. The City Manager explained add alternates and the basis of bid for the project. Rolling Hills Estates' project is listed as Schedule A and Rolling Hills is listed as Schedule B. The basis of bids for the project is the lowest of the sum of Schedule A and B and therefore the project cannot be awarded separately. City Manager Jeng reviewed the bid table and directed City Council page 2 of 71. Willdan previously gave an engineering estimate of \$125,000 and as the design was developed, the engineer's estimate was updated to \$177,500. While Hardy Harper is the lowest bidder for the City of Rolling Hills' portion but because the basis of bid is the addition of Schedule A and B, All American Asphalt is the lowest bidder. Willdan on behalf of the cities conducted the verification of the bids received. The parking lot is small with site constraints with difficulty maneuvering on the site, nighttime work and the market demand for paving work could possible be the reasons for the bids to come in higher than the engineer's estimate. City manager reported if the City rejects bids tonight, the City of Rolling Hills Estate will need to reject the bids and re-bid to carry forward their portion of the work.

City Manager also discussed the project funding referring the City Council to page 3 of 71.

Mayor Pro Tem Pieper inquired if the City paid for design work to date? Mayor Pro Tem expressed that the unit prices appear unreasonable.

City Manager Jeng responded that the City is committed to pay for the design fee. City Manager Jeng also commented on the \$40,000 bid item for replacement of two streetlight posts in the parking lot and appears to be inconsistent with the intended scope of work.

Discussion ensued on specific bid items and the basis of bid and re-bidding.

Mayor Mirsch inquired if there are any liability issues that drive the need to repave the parking lot. Mayor Mirsch inquired if the City will still give Rolling Hills Estates the transportation fund if the City doesn't go forward with the project. Mayor Mirsch also inquired if there are Measure funds that we can give to RHE for their project.

Councilmember Wilson inquire if there has been any maintenance work to the parking lot.

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Budget Consultant Walker added that he has not seen any maintenance work since he has been with the City.

City Manager Jeng responded that the parking lot is usable and has not reached its useful life but the parking lot needs to be on a maintenance schedule whether now or ten years from now. City Manager Jeng responded that Proposition C would still be gifted to Rolling Hills Estate regardless of the City Council's decision tonight. City Manager Jeng solicited professional feedback from a peer that worked on paving jobs in Los Angeles County and the opinion is that the bids received meet the "smell test."

Mayor Mirsch opened the item to the public. There was no public comments.

Mayor Pro Tem Pieper noted there is \$120,000 of Measure R and M monies. Mayor Pro Tem suggested to call Sanders Paving to come out and provide a bid. The parking lot is not atrocious and if the City Manger came to the City Council with a deal, we should re-do the parking lot but it is not a deal.

Discussions ensued on the bids of the parking lot and if the bid prices were confirmed by Sanders Paving, would the City Council move forward with the project. Discussion ensued if a decision is warranted tonight or can the decision can be delayed.

City Manager Jeng recommended the City Council to reject all bids so Rolling Hills Estates can continue their work on their project. The City Manager also recommended to roll up the transportation funds for the next few years to build up capital to do the project in the future without using General Funds.

Mayor Mirsch clarified that the plans prepared by Willdan will be given to the City and not Rolling Hills Estate.

Mayor Pro Tem Pieper moved that the City Council reject all bids. Mayor Mirsch seconded the motion and the motion carried without objection by a voice vote as follows:

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

C. CONSIDERATION AND APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) WITH ROLLING HILLS ESTATES FOR RESURFACING THE CITY HALL PARKING LOT AND PORTUGUES BEND ROAD BETWEEN PALOS VERDES DRIVE NORTH TO ENTRY GATES.

Mayor Mirsch inquired if item 7C is needed after rejecting all bids for item 7B.

City Manager responded that item 7C is not needed.

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8. NEW BUSINESS

A. CONSIDERATION AND APPROVAL OF A NEW FIVE-YEAR AGREEMENT WITH THE LOS ANGELES COUNTY ANIMAL CARE AND CONTROL

City Manager gave a brief background on the current contract with the Los Angeles County Animal Care and Control. The current contract will expire on June 30, 2019. Animal Care and Control provided a new template for another five-year contract. Staff is requesting that Council approve a new five-year contract and also approve the FY 19-20 Service Level Request, specific to each city, to mimic the Service Level Request from previous year. Staff spoke with the County to assist the City with aggressive dog cases. The County declined to serve the City in that capacity. In lieu of the County, the City Manager will be using internal staff to process aggressive dog cases.

Mayor Pro Tem Pieper moved that the City Council approve the item as presented. Councilmember Wilson seconded the motion and the motion carried without objection by a voice vote as follows:

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

NOES: COUNCILMEMBERS: None.

ABSENT: COUNCILMEMBERS: Black.

ABSTAIN: COUNCILMEMBERS: None.

9. MATTERS FROM THE CITY COUNCIL AND MEETING ATTENDANCE REPORTS

A. REPORT OUT BY REGIONAL LAW COMMITTEE MEMBERS ON THE MAY 9, 2019 MEETING (ORAL)

Councilmember Dieringer reported the committee discussed the School Resource Officer. The school wants the cities to pay for one of the SROs. Councilmember Dieringer reported she had many questions relating to training for the SROs and the school district did not have responses to her questions. Councilmember Dieringer noted there are many questions unanswered and that the item is not ready for the Council to join in on the effort until these questions are resolved.

Mayor Mirsch inquired if the SRO is not a law enforcement agent, would the school district abandon the SRO effort?

Councilmember Wilson asked the City Manager to give most recent information received on this item.

City Manager Jeng noted that the school district wants to have an SRO regardless of whether the SRO can carry a weapon or has policing powers. The school district wants two SROs. One SRO will be paid for by the school district. The fully burden rate for one SRO is estimated at \$135,000. The other SRO would be shared by four peninsula cities. Training, uniform, equipment and related expenses would be paid for by the school district. On the cost share formula among the four cities, the formula could use school population data or the law enforcement contract and add in Palos Verdes Estates. The school district is aiming to hire SROs before the next school year start in August. At the last Regional Law meeting, respective cities are asked to take the item back to City Councils and program the expense.

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Mayor Pro Tem Pieper recommended that for the City to contribute to SROs, the SROs must be able to carry a weapon and address liability issues. Mayor Pro Tem Pieper recommended that the City Council not budget the expense at this time even though the City's share is minimal.

Councilmember Dieringer agreed with Mayor Pro Tem Pieper that the liability concerns need to be addressed.

Mayor Mirsch gave staff direction to continue discussions with the school district before electing to participate in funding one SRO.

Councilmember Dieringer reported that the committee also discussed funding a peninsula wide emergency preparedness staff member. Councilmember Dieringer recommended for the support of the position however this item is still in development.

Mayor Pro Tem Pieper reported when he leaves for work in the morning, the sprinkler is broken and often observed to have large amounts of water running.

B. REPORT OUT BY BUDGET/AUDIT/FINANCE COMMITTEE MEMBERS ON THE MAY 16, 2019 COMMITTEE MEETING

City Manager reported that the committee is comprised of Councilmember Black and Mayor Pro Tem Pieper. Finance Director will summarize notes from the May 16, 2019 meeting.

Finance Director reported that the City Manager took a different approach and inquired the committee members' priorities to kick off the budget discussion this year. Councilmember Black noted three priorities: undergrounding, properties for parks and sewer lines. Mayor Pro Tem Pieper agreed but wanted to purchase additional properties for open space. Councilmember Black wanted to commence the ADA improvements at City Hall. An organizational chart was provided by the City Manager and the committee members approved the proposed organizational chart.

Mayor Pro Tem Pieper provided additional details on property purchase at two locations, one at Crest Road and the other the horse property at the corner Crest and Portuguese Bend Road.

Councilmember Black joined the meeting.

Finance Director reported that the committee member accepted staff's proposal except for programing the next phase of the sewer feasibility study beyond the item that was discussed earlier in the evening. Vision and Dental were proposal to commence the same time as the medical. Committee members wanted the cost difference for the vacant positions before deciding on the proposal. Budget Consultant Walker reported the different is \$1,200. City Manager has the ability to move funds and the committee members wanted the City Manager to keep the Council informed of changes. Finance Director summarized the overall budget.

Budget Consultant Walker reiterated the April 22, 2019 meeting when the CPI increase takes place. Currently the City's policy calls for the use of May CPI and have the rates go into effect in August. It was discussed in the April meeting to change the policy to use March CPI and have the rates go into effect on

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July 1 to be aligned with the new budget year.

Finance Director summarized the personnel proposal to add a full-time code-enforcement officer and not fund the Senior Planner position but create a Senior Management Analyst position. The solid waste service rate is recommended to be absorbed by the City.

Discussions ensued about the proposed budget deficit.

City Manager Jeng noted that the proposed numbers are budgetary numbers. Throughout the year, the revenue and expenses will be monitored to match up to have a balance budget. Councilmember Wilson inquired if there is a \$185,000 contribution this year to PARS.

Finance Director Shea confirmed no additional payment into PARS in Fiscal Year 2019-20.

Discussion ensued on PERS obligations and the use of the PARS fund.

Councilmember Dieringer inquired if \$30,000 is enough to complete ADA improvements.

City Manager Jeng responded that \$30,000 is to prepare design plans for ADA improvements.

10. MATTERS FROM STAFF

- A. CONSIDERATION AND APPROVAL OF A RESOLUTION ELECTING TO JOIN OTHER COMMUNITIES IN LOS ANGELES COUNTY IN OPTION OUT OF THE REQUIREMENTS OF THE CONGESTION MANAGEMENT PROGRAM (CMP) ESTABLISHED IN 1990 BY PROPOSITION 111.

Planning Director Schwartz gave a brief background on Proposition 111 and the CMP. Mandated by the State, cities receiving funds from Proposition 111 shall report their expenditures. The City does not get this funding because the city's roads are privately owned. Cities may opt out on reporting and so 45 cities within the County opt out. Performance measures listed in the mandates are outdated and being changed by Metro. The County planning organization is encouraging cities to opt out on the CMP by adopting a resolution and to date 34 cities have adopted to opt out resolutions and 9 are coming up. Staff is requesting the City Council to approve the opt out resolution.

Mayor Mirsch opened for public comments. Mr. Visco if we don't opt out then everyone has to submit reports. This is not a bad thing.

Mayor Pro Tem Pieper moved that the City Council approve the item as presented. Mayor Mirsch seconded the motion and the motion carried without objection by a voice vote as follows:

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

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B. FISCAL YEAR 2019/20 BUDGET WORKSHOP

City Manager advised the City Council to conduct a workshop next year in March. The City Council should drive the budget. The 2019-20 budget is a carry over of what was not done last year, and the routine expenses. The 2019-20 budget is not strategic but a look at the past backlogs. Strategic spending would be to take the Council priorities and program items accordingly. The budget presented is comprised of the committee's recommendation to you. If there are no feedback, the budget is scheduled for adoption in June.

Mayor Mirsch recommended to go over the proposed budget line by line.

Mayor Mirsch opened the item to the public. Mr. Visco commented on the Association's expenditure.

Councilmember Dieringer inquired if the draft budget included long range goals.

City Manager Jeng responded that the draft budget does not include long range goals. The draft budget includes the past projects not completed and routine expenses.

Councilmember Black noted that no long-range goals were included because they were not discussed with the full council.

Mayor Mirsch moved to conduct a strategic session next year around March. Councilmember Black seconded the motion and the motion carried without objection by a voice vote as follows:

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

NOES: COUNCILMEMBERS: None.

ABSENT: COUNCILMEMBERS: None.

ABSTAIN: COUNCILMEMBERS: None.

Discussion ensued on budget line items.

Councilmember Wilson directed staff to contact the City of Rancho Palos Verdes to tell them of the City position on the SRO to apply pressure to have the SRO armed.

Councilmember Dieringer recommended to increase the aggressive dog appeals fee.

Discussions ensued on the aggressive dog cases.

Mayor Mirsch called for a vote keeping the dog appeal fee at \$40.

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

NOES: COUNCILMEMBERS: Dieringer.

ABSENT: COUNCILMEMBERS: None.

ABSTAIN: COUNCILMEMBERS: None.

Discussion continued on budget line items.

Minutes

City Council Meeting

05-29-19

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Mayor Pro Tem Pieper instructed staff to have data back-up onsite in addition to cloud base operations.

The City Council went through the draft budget line item by line item and did not make significant changes.

11. CLOSED SESSION

NONE.

12. ADJOURNMENT

Hearing no further business before the City Council, Mayor Mirsch adjourned the meeting at 9:56p.m. The next regular meeting of the City Council is scheduled to be held on Monday, June 10, 2019 beginning at 7:00 p.m. in the City Council Chamber at City Hall, 2 Portuguese Bend Road, Rolling Hills, California.

Respectfully submitted,

Elaine Jeng, P.E.
City Clerk / City Manager

Approved,

Leah Mirsch
Mayor



City of Rolling Hills

Agenda Item No: 4B

Mtg. Date: 08/12/2019

INCORPORATED JANUARY 24, 1957

NO. 2 PORTUGUESE BEND ROAD

ROLLING HILLS, CALIF. 90274

(310) 377-1521

FAX: (310) 377-7288

8/12/2019 CHECK RUN A

CHECK NO.	CHECK DATE	PAYEE	DESCRIPTION	AMOUNT
25995	7/30/2019	JENNIFER SANCHEZ	SUMMER INTERN EXPENSE	1,500.00
25996	8/1/2019	Alliant Insurance Services Inc.	19-20 CRIME ANNUAL PREM	750.00
25997	8/1/2019	California JPIA	ANNUAL CONTRIBUTION 2019-20: LIABILITY AND WORKER'S COMP	30,149.00
25998	8/1/2019	Total Compensation Sys, Inc.	GASB75 FULL VALUATION	2,700.00
25999	8/12/2019	Abila	JULY 2019 SERVICES	175.00
26000	8/12/2019	Best Best & Krieger LLP	JUNE 2019 SERVICES - LAND USE	6,897.00
26001	8/12/2019	Best Best & Krieger LLP	JUNE 2019 SERVICES - VIEW PRESENTATION	38.00
26002	8/12/2019	Best Best & Krieger LLP	JUNE 2019 SERVICES- CITY OF RH	4,826.00
26003	8/12/2019	Cadwest Digital Design & Print	PUBLIC RECORDS REQUEST - 24 AND 26 CINCHRING ROAD	250.23
26004	8/12/2019	California Water Service Co.	RH WATER USAGE : 05/25/19 TO 7/25/19	1,981.49
26005	8/12/2019	Cell Business Equipment	INK & TAPE SUPPLIES	266.97
26006	8/12/2019	Chandler's Air Conditioning & Refrigeration	AC REPAIR AND REPLACE COMPRESSOR	2,526.42
26007	8/12/2019	Civioplus	1ST AND 2ND QTR SERVICES FEES AND SSL CERTIFICATE RENEWAL	2,979.79
26008	8/12/2019	Cox Communications	INTERNET AND PHONE SERVICES 7/26/19 TO 8/25/19	417.51
26009	8/12/2019	Delta Dental	AUGUST 2019 INSURANCE	380.47
26010	8/12/2019	DFM Associates	2019 CALIFORNIA ELECTIONS CODE BINDER	71.86
26011	8/12/2019	Divergeit	APRIL AND MAY 2019 SERVICES	2,703.75
26012	8/12/2019	Executive Suite Services Inc.	JULY 2019 JANITORIAL SERVICES	600.00
26013	8/12/2019	The Gas Company	GAS USAGE 6/7/19 TO 7/9/19	21.84
26014	8/12/2019	Honeycutt Companies	PERMIT NO.731 REFUNDABLE DEPOSIT-11 CREST ROAD WEST	750.00
26015	8/12/2019	Konica Minolta Business Solutions USA Inc.	SERVICE 6/11/19 TO 7/10/19	302.84
26016	8/12/2019	County of Los Angeles	JUNE 2019 ANIMAL SERVICES	409.69
26017	8/12/2019	LA County Sheriff's Department	JUNE 2019 TRAFFIC ENFORCEMENT	3,281.52
26018	8/12/2019	Municipal Code Corporation	ONLINE CODE HOSTING 7/1/19 TO 6/30/2020	550.00
26020	8/12/2019	Opus Bank	JUNE 2019 OFFICE SUPPLIES AND OTHER EXPENSES	2,156.12
26021	8/12/2019	Pacific Coast Landscape & Design Inc.	JULY 2019 LANDSCAPE SERVICES	565.00
26022	8/12/2019	Peninsula Seniors	GRANT FOR 2019 COMMUNITY SERVICES	2,000.00
26023	8/12/2019	Petty Cash	TO REPLENISH PETTY CASH	281.93
26024	8/12/2019	Pitney Bowes	JULY 2019 POSTAGE	580.60
26025	8/12/2019	Palos Verdes Peninsula Unified School District	PRINTING SERVICES	459.90
26026	8/12/2019	Rogers, Anderson, Malody & Scott, LLP	JUNE 2019 ACCOUNTING SERVICES	8,700.00
26027	8/12/2019	Rosa Cursage	38 SADDLEBACK POLE REMOVAL	3,295.00
26028	8/12/2019	Remote Satellite Sys Int'l	AUGUST 2019 SERVICES AND JUNE 2019 AIRTIME	108.00
26029	8/12/2019	South Bay Chamber Music Society Inc.	2019-2020 GRANT	600.00
26030	8/12/2019	Southern California Edison	USAGE 6/18/19 TO 7/24/19	2,245.26
26031	8/12/2019	Standard Insurance Company	AUGUST 2019 INSURANCE	120.87
26032	8/12/2019	USCM	DEFERRED COMPENSATION - 7/19 AND 8/2/19	1,200.00
26033	8/12/2019	Vantagepoint Transfer Agents - 306580	DEFERRED COMPENSATION - 7/19 AND 8/2/19	1,467.60
26034	8/12/2019	Vision Service Plan - (CA)	AUGUST 2019 INSURANCE	44.59
26035	8/12/2019	Xerox Corporation	JULY 2019 SERVICES	46.00
26036	8/12/2019	Divergeit	JULY 2019 SERVICES	1,924.00
26037	8/12/2019	McGowan Consulting	JUNE 2019 SERVICES	3,809.30
EFT	8/1/2019	CALPERS	HEALTH INSURANCE AUGUST 2019	4,759.24
EFT	8/1/2019	CALPERS	RETIREMENT INSURANCE JULY 2019	4,545.44
PR LINK	7/19/2019	PR LINK - PAYROLL PROCESSING	PROCESSING FEE	60.20
PR LINK	7/19/2019	PR LINK - PAYROLL 8 & PR TAXES	PAY PERIOD - JULY 3, 2019 THROUGH JULY 16, 2019	15,194.49
PR LINK	8/2/2019	PR LINK - PAYROLL PROCESSING	PROCESSING FEE	52.85
PR LINK	8/2/2019	PR LINK - PAYROLL 8 & PR TAXES	PAY PERIOD - JULY 17, 2019 THROUGH JULY 30, 2019	15,811.09
				\$ 134,556.86
				103,438.23

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 \$134,556.86 for the payment of above items.

Elaine Jeng, P.E., City Manager

08/07/2019



Printed on Recycled Paper



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

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

Agenda Item No: 4C
Mtg. Date: 08/12/2019

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: ELAINE JENG, P.E., CITY MANAGER

SUBJECT: CONSIDER AND APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH FORUM INFO-TECH FOR INFORMATION TECHNOLOGY SERVICES.

DATE: AUGUST 12, 2019

ATTACHMENT:

1. PROFESSIONAL SERVICES AGREEMENT

BACKGROUND

At the July 22, 2019 meeting, City Council selected Forum Info-Tech to serve as the City's IT Department and directed staff to prepare a Professional Services Agreement (Agreement). City Council gave authorization for the City Manager to execute the Agreement.

DISCUSSION

Forum Info-Tech responded to the City's Request for Proposal that called for a three year service term. At the July 22, 2019 meeting, members of the City Council discussed that the proposed contract term of three years should be shortened to one year. The City Council expects that there would be less services needed in the out years of the contract once transition to cloud based programs are completed in the initial year. Members of the City Council's concern is that with a term of three years the City may be locked in without any flexibility to evaluate needs against service and pricing.

Staff discussed this term change with Forum Info-Tech. In lieu of changing the duration, staff and Forum Info-Tech agreed to evaluate and agree upon the pricing for year two, before entering into year two of the contract. Similar discussion and agreement would take place prior to entering into year three. Although the contract term is not shorten to one year, staff determine that the service and pricing discussion built into the contract responds to the City Council's concern of being locked into a rate for three years.

With the Council's action from the July 22, 2019 meeting, staff is following up with the Agreement for consideration and approval.

FISCAL IMPACT

In the approved Fiscal Year 2019-2020 budget, IT infrastructure overhaul and a new IT vendor are programmed in this year's work plan. Based on the cost proposals received, the amount programmed this year is sufficient to fund an IT Department.

RECOMMENDATION

Staff recommends that the City Council approve the Agreement with Forum Info-Tech to serve as the City's IT Department.

INFORMATION TECHNOLOGY MASTER SERVICES AGREEMENT

This Information Technology Master Services Agreement (this “Agreement”) is by and between Forum Info-Tech, Inc., a California corporation doing business as LevelCloud, whose principal place of business is 160 W. Foothill Parkway, Suite 105, Corona, California 92882 (“LevelCloud”) and the City of Rolling Hills, a municipal corporation, whose principal place of business is 2 Portuguese Bend Road, Rolling Hills, CA 90274 (“Customer”). This Agreement includes the Order and all documents that are incorporated herein by reference.

LevelCloud provides professional services related to the implementation and management of cloud-based information technology systems. The parties have agreed that LevelCloud will provide such professional services as the parties may agree, now and pursuant to future statements of work. Therefore, in consideration for the commitments set forth below, the adequacy of which consideration the parties hereby acknowledge, the parties agree as follows.

1. DEFINITIONS. The following capitalized terms shall have the following meanings whenever used in this Agreement.

- 1.1. “Deliverables” means any software or other deliverable created pursuant to Professional Services, through the LevelCloud Workspace customized for Customer in accordance with the Order.
- 1.2. “LevelCloud Workspace” means the custom environment created by LevelCloud in order for its customers to have a streamlined access to their work environment and cloud-based computer systems by various methods and from various devices, consisting of a customized dashboard and user interface.
- 1.3. “Customer Data” shall mean information stored by Customer, or LevelCloud on behalf of Customer, on the System including, without limitation, email data, documents and databases. “Customer Data” includes (a) the Customer’s data that is collected, used, processed, stored, or generated as a result of the use of LevelCloud’s Professional Services; and (b) personally identifiable information (PII) collected, used, processed, stored, or generated as the result of the use of LevelCloud’s Professional Services, including without limitation, any information that identifies an individual, such as the individual’s social security number or other government-issued identification number, date of birth, address, telephone number, biometric data, mother’s maiden name, email address, credit card information, or an individual’s name in combination with any other of the elements listed herein. Customer will own all rights, including all intellectual property rights, in and to Customer Data to the extent allowable by law and any derivative works of Customer Data will remain the exclusive property of Customer.
- 1.4. “Data Breach” shall mean any access, destruction, loss, theft, use, modification or disclosure of Customer Data by an unauthorized party that is in violation of the Agreement terms or applicable local, state, or federal law.

- 1.5. “Order” means the quote or order form executed by each party and outlining the Professional Services to be provided by LevelCloud to implement Customer’s cloud-based system, as well as the hosting services, software applications and hardware to be provided by third parties as components of that system, or any additional Professional Services to be provided after implementation.
- 1.6. “Professional Services” means such LevelCloud services as are set forth in the Order or in a subsequent Order.
- 1.7. “Support Agreement” means LevelCloud’s standard agreement regarding its support of its customer’s systems, which is attached as Exhibit B and incorporated herein by reference.
- 1.8. “System” means Customer’s private cloud-based system, including the components shown on the Order and otherwise incorporated for the Customer and managed by LevelCloud
- 1.9. “Third Party Offerings” means components of Customer’s System, whether software, hardware or services, provided (or proposed to be provided) by vendors other than LevelCloud, as further described in Section 2.3.
- 1.10. “User” means any company or individual who uses the LevelCloud Workspace on Customer’s behalf or through Customer’s account or passwords, whether authorized or not.
- 1.11. “Migration Services” shall mean the combination of technology, processes and services necessary for the transfer of Customer Data from Customer’s current system to the Customer Cloud.

2.PROFESSIONAL SERVICES.

- 2.1. Provision of Professional Services. LevelCloud shall provide the Professional Services, and Customer shall provide any assistance and cooperation necessary or convenient to facilitate the Professional Services, or called for in the Order. LevelCloud may not employ or use subcontractors in the provision of Professional Services. If the Order calls for any of the types of Professional Services listed below, the following terms shall apply to such Professional Services:
 - (a) *Setup & Implementation:* LevelCloud (i) will consult with Customer and make recommendations regarding the components of Customer’s System needed to provide or supplement an infrastructure for Customer’s operations and (ii) will manage the integration of such components into Customer’s System, which may include installing applications, migrating electronic mail, testing Customer’s System, training Customer’s staff, and such additional services listed on the applicable Order. The LevelCloud Workspace is the only Deliverable required pursuant to Setup & Implementation Professional Services; all other components of the System are Third Party Offerings.
 - (b) *Cloud Managed Services:* LevelCloud will manage the System on Customer’s behalf in accordance with the options selected by Customer, as shown in the Order. These management services may include adding and removing Users, monitoring updates to Third

Party Offerings and incorporating upgrades into the System and monitoring data storage and backup needs.

- (c) *Support:* LevelCloud will provide access to its technical support personnel to help Customer resolve issues with Customer's System in accordance with the Support Agreement. LevelCloud's personnel will initiate contact with and work with support personnel of the vendors providing Third Party Offerings to address such issues, subject to the terms of the vendors' support policies, but LevelCloud is not responsible or liable for any outcome of such third parties' support efforts. In no event will LevelCloud be required to provide support for Third Party Offerings if Customer has not entered into a support agreement with the vendor of the Third Party Offering. The Support Agreement outlines procedures for obtaining support from LevelCloud, priority levels, estimated response times and service levels.
- (d) *Consolidated Billing:* LevelCloud will consolidate fees charged to Customer by vendors of Third Party Offerings incorporated into the System and provide Customer with a single monthly invoice including all fees. LevelCloud will pay the third party vendors on Customer's behalf out of the monthly fees LevelCloud charges to Customer. LevelCloud's consolidated billing and payment services will include fees charged for Microsoft Office 365 offerings and any other Third Party Offerings identified on the applicable Order.
- (e) *Additional Services and Custom Projects:* LevelCloud will provide additional Professional Services not included in LevelCloud's standard LevelCloud Workspace solution in response to requests for modifications to the System for the fees shown in Exhibit B. Such Professional Services may include, without limitation, configuring hardware or software specific to Customer's existing operating system to interface with the LevelCloud Workspace (which may include working on-site at Customer's premises); consulting with Customer on modifications to the infrastructure of Customer's System and implementing any such modifications; providing on-site training or remote training through GoToMeeting sessions, providing migrations from existing platforms, network monitoring, collecting business intelligence and assisting Customer with other custom projects, as requested.

2.2. Deliverables.

- (a) *License to Deliverables Reflected in Order.* Effective upon delivery of each Deliverable, LevelCloud grants Customer a nonexclusive, fully paid, royalty-free license to access and use such Deliverable as necessary for Customer's internal business purposes, provided Customer complies with the restrictions set forth below in Subsection 2.2(b).
- (b) *Restrictions on Deliverables Rights.* Unless the Order for a Deliverable expressly states otherwise, Customer shall not sublicense the Deliverables. Customer may not develop, or hire a third party to develop, any user interface based on or similar to the design of the LevelCloud Workspace. LevelCloud retains ownership of all Deliverables, and Customer receives no right,

title, or interest in or to Deliverables except as specifically set forth in Subsection 2.2(a) above.

2.3. Third Party Offerings. In providing the Professional Services, LevelCloud may (a) procure, install and configure Third Party Offerings on Customer's behalf, (b) incorporate Third Party Offerings into Deliverables provided by LevelCloud, (c) facilitate support of Third Party Offerings through LevelCloud's support services, (d) purchase and bill for Third Party Offerings on Customer's behalf, and (e) otherwise assist Customer in obtaining and using Third Party Offerings. LEVELCLOUD DOES NOT SELL OR LICENSE THE THIRD PARTY OFFERINGS, EVEN IF CUSTOMER PAYS FOR THEM THROUGH LEVELCLOUD'S CONSOLIDATED BILLING SERVICE. LEVELCLOUD MAKES NO REPRESENTATIONS OR WARRANTIES CONCERNING THE THIRD PARTY OFFERINGS, INCLUDING BUT NOT LIMITED TO THE IMPLIED WARRANTIES DISCLAIMED IN SECTION 7.4 BELOW, AND LEVELCLOUD HAS NO RESPONSIBILITY OR LIABILITY FOR THIRD PARTY OFFERINGS, INCLUDING WITHOUT LIMITATION FOR DAMAGES RESULTING FROM MALFUNCTIONS IN THIRD PARTY OFFERINGS. Customer agrees that it will rely on the third party vendor in question, and not on LevelCloud, for representations and warranties concerning such Third Party Offerings and will be bound by the terms of separate agreements with such vendors, as shown in the applicable Order. In particular:

- (a) *Vendor Support*. Customer acknowledges that LevelCloud's implementation, cloud management and support services will only apply to Third Party Offerings to the extent that their vendors provide support through their separate agreements with Customer. LevelCloud will not pay such vendors for assistance, except to the extent that it makes payments on Customer's behalf through LevelCloud's consolidated billing service. If Customer acquires such additional third party vendor support, Customer will be responsible for any additional charges, including reimbursement to LevelCloud for any charges paid to a vendor on Customer's behalf.
- (b) *Vendor Security*. LevelCloud arranges for Customer to obtain basic or enhanced security features, at Customer's option, which are provided with Third Party Offerings or as separate Third Party Offerings. Customer recognizes and agrees that the security of the System depends on the security tools and other safeguards provided by vendors of the Third Party Offerings and not on LevelCloud's acts or omissions, and that, without limiting the generality of the foregoing, LEVELCLOUD SHALL HAVE NO RESPONSIBILITY OR LIABILITY FOR DATA BREACHES, BREACH OR PRIVACY RIGHTS, OR OTHER LOSS OF DATA SECURITY ARISING OUT OF OR RELATED TO THE SYSTEM.
- (c) *Vendor Fees*. Customer is responsible for all fees and costs charged by vendors of Third Party Applications. Fees for Third Party Applications may increase from time to time with or without notice, according to vendors' billing policies. LevelCloud will pass increased fees through to Customer in LevelCloud's monthly consolidated bills as soon as such increase becomes effective.

- (d) *Vendor Transitions.* If at any time LevelCloud is required to replace a Third Party Offering, for any reason, or chooses to stop providing Professional Services in connection with a Third Party Offering, Customer shall transition to a replacement Third Party Offering upon reasonable notice from LevelCloud and shall enter into a separate agreement with the vendor of the replacement Third Party Offering.

3.CUSTOMER'S RESPONSIBILITIES AND RESTRICTIONS.

- 3.1. Customer Resources. Customer shall provide LevelCloud with reasonable access (either at Customer's site or remotely) to Customer's personnel and other resources in order to facilitate LevelCloud's Professional Services.
- 3.2. Customer Equipment. Except to the extent that the applicable Order expressly provides otherwise, Customer shall be responsible for obtaining and maintaining throughout the Term, all computer hardware, mobile devices, third party software, communication lines, ports, interface equipment, terminals, internet access, bandwidth, network routing equipment, and other materials ("Customer Equipment") necessary for each User to access and use Customer's System and the LevelCloud Workspace. In all cases Customer is responsible for meeting all requirements and paying all fees necessary to obtain warranties and service agreements from the manufacturers of the Customer Equipment. If LevelCloud provides Professional Services at Customer's site, Customer will allow LevelCloud reasonable access to on-site Customer Equipment. LevelCloud may recommend additional Customer Equipment to Customer upon request. Also, if in providing Professional Services, LevelCloud determines that certain Customer Equipment consistently fails to perform as intended, Customer agrees to consult with LevelCloud and to consider authorizing LevelCloud to select and obtain replacement Customer Equipment on Customer's behalf, at Customer's expense. LevelCloud will have no liability for the performance of any Customer Equipment, even if LevelCloud has recommended or obtained it, including without limitation for incorrect parts ordered.
- 3.3. Changes to the System. Customer shall notify LevelCloud in advance of any changes to its System and Users prior to the 15th of the month including but not limited to changes to any network configuration, hardware or software applications, and any upgrades or modifications not initiated by or ordered through LevelCloud. If requested by Customer, LevelCloud will prepare a proposed Order for additional Professional Services related to Customer's changes. Except to the extent set forth in an Order executed by both parties, LevelCloud will not be responsible for any issues with the System, the Third Party Offerings, or the LevelCloud Workspace arising out of Customer's changes.
- 3.4. Third Party Vendor Actions. Customer shall be responsible for any costs arising out of actions of vendors of Third Party Applications (for example and without limitation, in accessing Customer's System to diagnose problems with Third Party Applications) that may affect the System or the LevelCloud Workspace.

- 3.5. User Information. Customer shall provide LevelCloud with detailed information for each authorized User, including without limitation such authorized User's username, password, email addresses, application assignments, and security rights. Customer will notify LevelCloud by the 25th day of the calendar month of any change in authorized Users (including addition or removal of an authorized User) or User information in order for that change to be effective at the beginning of the following month. Customer agrees to pay any fees charged per User until the effective date of a User's removal.
- 3.6. No License to Trademarks. Customer acknowledges and agrees that it has no license to use trademarks and trade names of LevelCloud and its affiliates, including without limitation "LevelCloud," "I.T.AnytimeAnywhere," "IT Solutions That LevelCloud," and "LevelCloud Workspace," except as may be authorized in writing by LevelCloud.
- 3.7. Customer Data. Customer is responsible for all data collected by or transmitted through the System. LevelCloud does not access Customer's data except as necessary to provide Professional Services ordered by Customer. In no event will LevelCloud be responsible for claims arising out of Customer's data.

4. FEES & REIMBURSEMENT. Customer shall: (a) pay LevelCloud the fees as set forth in any Order (including both fees due to LevelCloud and fees LevelCloud is collecting on behalf of third party vendors); and (b) reimburse such expenses as LevelCloud reasonably incurs in provision of Professional Services. Amounts listed in an Order are estimates of Professional Services fees and may be adjusted by LevelCloud. Except as otherwise stated in an Order, fees related to the setup and implementation of Customer's System and the LevelCloud Workspace will be payable in advance, and all other fees will be paid monthly; provided that fees paid directly to a third party vendor outside LevelCloud's consolidated billing procedures must be paid separately to such vendor according to such vendor's payment terms.

- 4.1. Taxes. The fees under this Agreement are exclusive of any national, state, municipal, or other governmental excise, sales, value-added and occupation taxes all of which, if applicable, shall be paid by Customer.
- 4.2. Payments. Setup fees are due upon execution of the initial Order. For month-to-month agreements, the first monthly payment is due upon execution of the Order, and subsequent payments are due in advance by the 1st day of each calendar month. LevelCloud will provide monthly invoices and is currently providing a customer portal through which Customer may make payments online. Unless otherwise agreed by Customer and LevelCloud, all payments shall be by automatic ACH/electronic check (eCheck) or credit card auto-payment. Customer authorizes LevelCloud to debit Customer's bank account for any fees and charges incurred, without advanced notice, via the payment method selected on the Order. All checks sent by Customer will be processed as e-checks.

- 4.3. Changes to Payment Method. LevelCloud may discontinue its use of the payment portal at any time by notifying Customer, which will not relieve Customer of its payment obligations. LevelCloud will accept a change to a Customer's automatic payment method for monthly fees only if it receives written notice of the change by the 25th day of the month before a payment is due. Customer is responsible for keeping its payment information updated at all times.
- 4.4. Billing Disputes. Customer must submit all billing disputes concerning fees for LevelCloud's Professional Services, as well as for Third Party Offerings billed to Customer through LevelCloud consolidated billing, in writing to LevelCloud's accounting department, at accounting@foruminfotech.net, within 15 days after the receipt of the disputed invoice, accompanied by a reasonably detailed explanation for the basis of such dispute. Customer may not withhold payment of disputed fees. LevelCloud may request additional information or supporting documentation or, if Customer's claim is unverifiable based on LevelCloud's records, may reject the claim. If LevelCloud determines that a credit is due pursuant to the terms and conditions of this Agreement, LevelCloud will notify Customer and will credit Customer with such amount on the next invoice sent after such determination.
- 4.5. Rejected and Late Payments. A \$25.00 service charge shall apply to all returned checks and reversed or rejected transactions. If Customer fails to pay any fees and charges when due to LevelCloud, including fees for Third Party Offerings included in LevelCloud's consolidated billing, then in addition to any rights and remedies available to LevelCloud, LevelCloud (a) may suspend Professional Services to Customer if LevelCloud has sent a reminder to Customer for payment 5 days after the payment has become due and such fees and charges are more than 10 days past due; or (b) may impose a late charge of \$500 if LevelCloud has sent a reminder to Customer for payment 5 days after the payment has become due and such fees and charges are more than 10 days past due. Customer shall be liable for any costs and expenses, including attorneys' fees, incurred by LevelCloud in collecting any amounts due and payable hereunder.

5. FEEDBACK. Nothing in this Agreement or in the parties' dealings arising out of or related to this Agreement will restrict LevelCloud's right to use Feedback, without compensating or crediting Customer or the User in question. ("Feedback" refers to any suggestion or idea for improving or otherwise modifying the LevelCloud Workspace or any of LevelCloud's other products or services.) LevelCloud shall keep the identity of Customer confidential as it relates to Feedback provided to LevelCloud.

6. CONFIDENTIAL INFORMATION. "Confidential Information" refers to the following items one party to this Agreement ("Discloser") discloses to the other ("Recipient"): (a) all Customer Data stored as well as any document Discloser marks as "Confidential"; (b) any information Discloser orally designates as "Confidential" at the time of disclosure, provided Discloser confirms such designation in writing within 10 business days; and (c) any information marked or designated as "Confidential" by third party vendors providing components of Customer's System, whether or not disclosed by Discloser. Notwithstanding the foregoing, Confidential Information does not include information that: (i) is in Recipient's possession at the time of disclosure; (ii) is independently developed by Recipient without use of or reference to

Confidential Information; (iii) becomes known publicly other than as a result of Recipient's improper action or inaction; or (iv) is approved for release in writing by Discloser.

- 6.1. Nondisclosure. Recipient shall not use Confidential Information for any purpose other than to facilitate the Professional Services (the "Purpose"). Recipient: (a) shall not disclose Confidential Information to any employee of Recipient unless such person needs access in order to facilitate the Purpose of this Agreement; and (b) shall not disclose Confidential Information to any other third party, including without limitation any competitor of LevelCloud, without Discloser's prior written consent. Without limiting the generality of the foregoing, Recipient shall protect Confidential Information with the same degree of care it uses to protect its own confidential information of similar nature and importance, but with no less than reasonable care. Recipient shall promptly notify Discloser of any misuse or misappropriation of Confidential Information that comes to Recipient's attention. Notwithstanding the foregoing, Recipient may disclose Confidential Information as required by applicable law or by proper legal or governmental authority. Recipient shall give Discloser prompt notice of any such legal or governmental demand and reasonably cooperate with Discloser in any effort to seek a protective order or otherwise to contest such required disclosure, at Discloser's expense.
- 6.2. Injunction. Recipient agrees that breach of this Article would cause Discloser irreparable injury, for which monetary damages would not provide adequate compensation, and that in addition to any other remedy, Discloser will be entitled to injunctive relief against such breach or threatened breach, without proving actual damage or posting a bond or other security.
- 6.3. Termination & Return. With respect to each item of Confidential Information, the obligations of Section 6.1 above (*Nondisclosure*) will not terminate upon termination of this Agreement. Upon termination of this Agreement, Recipient shall return all copies of Confidential Information to Discloser and certify, in writing, the destruction of Confidential Information in Recipient's possession thereafter.
- 6.4. Retention of Rights. This Agreement does not transfer ownership of Confidential Information. Discloser will retain all right, title, and interest in and to all Confidential Information.

7. REPRESENTATIONS & WARRANTIES.

- 7.1. From LevelCloud. LevelCloud represents and warrants: (a) that all Professional Services will be performed in a professional and workmanlike manner; and (b) that the Deliverables will conform to their specifications set forth in the applicable Order during the term specified in the Order, if applicable, and otherwise during the term of this Agreement. In the event of a breach of the warranty in this Section, and provided that Customer notifies LevelCloud in writing of such breach, LevelCloud, at its own expense, shall re-perform the Professional Services or repair and redeliver the Deliverable in question within 30 days following such notice, or if such performance or repair is not feasible within 30 days, then within a reasonable period following such notice. The preceding sentence, in conjunction with Customer's right to terminate this Agreement for breach where

applicable, states Customer's sole remedy and LevelCloud's entire liability for breach of the warranty in this Section.

- 7.2. From Customer. Customer represents and warrants that data collected or transmitted through its System will comply with the policies of vendors of Third Party Offerings and will not violate the rights of any third parties or any applicable laws.
- 7.3. From Each Party. Each party represents and warrants that it has the full right and authority to enter into, execute, and perform its obligations under this Agreement and that no pending or threatened claim or litigation known to it would have a material adverse impact on its ability to perform as required by this Agreement.
- 7.4. Warranty Disclaimers. LEVELCLOUD PROVIDES NO REPRESENTATIONS OR WARRANTIES OF ANY KIND ARISING OUT OF OR RELATED TO THIRD PARTY OFFERINGS. Except as set forth above in this Article, LEVELCLOUD PROVIDES NO REPRESENTATION OR WARRANTY OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATION IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, OR ANY IMPLIED WARRANTY ARISING FROM STATUTE, COURSE OF DEALING, COURSE OF PERFORMANCE, OR USAGE OF TRADE. WITHOUT LIMITING THE GENERALITY OF THE FOREGOING: (a) LEVELCLOUD DOES NOT REPRESENT OR WARRANT THAT THE LEVELCLOUD WORKSPACE, ANY OTHER DELIVERABLE, OR THE SYSTEM WILL PERFORM WITHOUT INTERRUPTION OR ERROR; AND (b) LEVELCLOUD DOES NOT REPRESENT OR WARRANT THAT THE LEVELCLOUD WORKSPACE, ANY OTHER DELIVERABLE, OR THE SYSTEM WILL BE SECURE FROM HACKING OR OTHER UNAUTHORIZED INTRUSION OR THAT CUSTOMER'S DATA WILL REMAIN PRIVATE OR SECURE.

8. INDEMNIFICATION.

- 8.1. Indemnified Claims. Customer shall indemnify and defend LevelCloud and LevelCloud's Associates (as defined below in Section 8.2) against an "Indemnified Claim," meaning a third party claim, suit, or proceeding arising out of or related to: (a) Customer's alleged or actual use of, misuse of, or failure to use the System, including without limitation Deliverables and Third Party Offerings; (b) injury to or death of any individual, or any loss of or damage to real or tangible personal property, caused by the act or omission of Customer or of any of its agents, subcontractors, or employees; and (c) professional services provided to Customer by service providers other than LevelCloud, including without limitation professional services obtained by LevelCloud on behalf of Customer and (d) hardware, software or equipment purchased by Customer through vendors or resellers other than LevelCloud. Indemnified Claims listed in Subsection 8.1(a) above include, without limitation: (i) claims by Users or by Customer's employees; (ii) claims by the vendors of Third Party Offerings related to payment, infringement of intellectual property, or breach of any Customer contract with such vendor; and (iii) claims related to unauthorized disclosure or exposure of personally identifiable information or other private information.

- 8.2. Litigation & Additional Terms. Customer's obligations pursuant to Section 8.1 above: (a) include retention and payment of attorneys and payment of court costs, as well as settlement at customer's expense and payment of judgments. Customer will control the defense of any Indemnified Claim, including appeals, negotiations, and any settlement or compromise thereof; provided LevelCloud will have the right, not to be exercised unreasonably, to reject any settlement or compromise that requires that it admit wrongdoing or liability or subjects it to any ongoing affirmative obligations. (LevelCloud's "Associates" are its officers, directors, shareholders, parents, subsidiaries, agents, successors, and assigns.)

9.INSURANCE REQUIREMENTS.

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

- (a) **Workers' Compensation Coverage.** LevelCloud shall maintain Workers' Compensation Insurance and Employer's Liability Insurance for its employees in accordance with the laws of the State of California.
- (b) **General Liability Coverage.** LevelCloud shall maintain commercial general liability insurance in an amount of not less than one million dollars (\$1,000,000) per occurrence for personal injury and property damage, including products liability, for all activities of LevelCloud arising out of or in connection with the work to be performed under this Agreement.
- (c) **Automobile Liability Coverage.** LevelCloud shall maintain automobile liability insurance covering bodily injury and property damage for all activities of LevelCloud arising out of or in connection with the work to be performed under this Agreement, including coverage for hired and non-owned vehicles, in an amount of not less than one million dollars (\$1,000,000) combined single limit for each occurrence. Should LevelCloud own any vehicles used for activities of LevelCloud arising out of or in connection with the work to be performed under this Agreement, it shall also procure such coverage for owned vehicles.
- (d) **Media Liability Coverage.** LevelCloud shall maintain a Media Liability Insurance with limits of not less than one million dollars (\$1,000,000) per occurrence to cover errors and omissions arising out of or in connection with the work to be performed under this Agreement.

- 9.2. LevelCloud shall furnish certificates of insurance confirming such coverage to Customer upon execution of this Agreement.

10.LIMITATION OF LIABILITY.

- 10.1. Dollar Cap. LEVELCLOUD'S LIABILITY ARISING OUT OF OR RELATED TO THIS AGREEMENT WILL NOT EXCEED THE FEES PAID BY CUSTOMER TO LEVELCLOUD FOR LEVELCLOUD'S PROFESSIONAL SERVICES UNDER THE ORDER UNDER WHICH THE CLAIM AROSE DURING THE THREE MONTHS

BEFORE THE EVENT GIVING RISE TO THE CLAIM. SUCH AMOUNT SHALL NOT INCLUDE FEES PASSED THROUGH BY LEVELCLOUD TO THIRD PARTY VENDORS.

10.2. Exclusion of Consequential Damages. IN NO EVENT WILL LEVELCLOUD BE LIABLE TO CUSTOMER FOR ANY CONSEQUENTIAL, INDIRECT, SPECIAL, INCIDENTAL, OR PUNITIVE DAMAGES ARISING OUT OF OR RELATED TO THIS AGREEMENT.

10.3. Clarifications & Disclaimers. THE LIABILITIES LIMITED BY THIS ARTICLE APPLY: (a) TO LIABILITY FOR NEGLIGENCE; (b) REGARDLESS OF THE FORM OF ACTION, WHETHER IN CONTRACT, TORT, STRICT PRODUCT LIABILITY, OR OTHERWISE; (c) EVEN IF LEVELCLOUD IS ADVISED IN ADVANCE OF THE POSSIBILITY OF THE DAMAGES IN QUESTION AND EVEN IF SUCH DAMAGES WERE FORESEEABLE; AND (d) EVEN IF CUSTOMER'S REMEDIES FAIL OF THEIR ESSENTIAL PURPOSE. If applicable law limits the application of the provisions of this Article, LevelCloud's liability will be limited to the maximum extent permissible. For the avoidance of doubt, LevelCloud's liability limits and other rights set forth in this Article apply likewise to LevelCloud's directors, officers, employees, consultants, and other representatives.

11. TERM & TERMINATION.

11.1. Term. Except as set forth below, the term of this Agreement shall commence on the Effective Date and continue for the period of one-year term unless extended in advance through written amendment to this Agreement. At the expiration of the term, LevelCloud's services will terminate immediately.

11.2. Termination for Cause. Either party may terminate this Agreement for the other's material breach by written notice, effective in 30 days unless the other party first cures such breach. Without limiting LevelCloud's other rights and remedies, LevelCloud may suspend or terminate Customer's or other authorized User's access to the System at any time, without advanced notice, if LevelCloud reasonably concludes such Customer or other authorized User has conducted itself in a way that subjects LevelCloud to potential liability.

11.3. Termination Assistance. Subject to the Customer's payment of any and all fees and charges due through the date of expiration or termination and provided that Customer is not in breach or default of any of its obligations hereunder, LevelCloud shall (i) deliver to Customer a digital copy of all Customer Data on a standard digital backup medium provided by the Customer to LevelCloud to Customer's physical address, and (ii) at Customer's request and sole cost and expense, Customer and LevelCloud shall cooperate in good faith in order to provide for the orderly transition of the Customer Data stored on the Customer Cloud to Customer's designated computer servers. Customer acknowledges that termination assistance constitutes Additional Services and additional fees and charges will apply. If Additional Services for termination assistance is requested, LevelCloud and Customer will express their mutual agreement by completing and signing an Order Form, which shall set forth the service charges and rates for performance of termination

assistance. LevelCloud reserves the right to require all or part of such fees and charges to be paid in advance prior to providing any termination assistance to Customer.

11.4. Survival. The following provisions will survive termination or expiration of this Agreement: (a) any obligation of Customer to pay fees incurred before termination; (b) Articles and Sections 2.2(b) (*Restrictions on Deliverables Rights*), 3.6 (*No License to Trademarks*), 5 (*Feedback*), 6 (*Confidential Information*), 7.4 (*Warranty Disclaimers*), **Error! Reference source not found.**8 (*Indemnification*), and 11 (*Limitation of Liability*); and (c) any other provision of this Agreement that must survive to fulfill its essential purpose.

12.MISCELLANEOUS.

12.1. Independent Contractors. The parties are independent contractors and will so represent themselves in all regards. Neither party is the agent of the other, and neither may make commitments on the other's behalf. The parties agree that no LevelCloud employee or contractor is or will be considered an employee of Customer. LevelCloud will control the place, time and manner in which it provides the Professional Services.

12.2. Notices. Notices pursuant to this Agreement shall be sent in writing to the electronic mail addresses below, or to such others as either party may provide in writing. Such notices will be deemed received at such addresses 24 hours after transmission.

(a) *For LevelCloud:* mgmt@foruminfotech.net

(b) *For Customer:* ejeng@cityofrh.net

12.3. Force Majeure. No delay, failure or default will constitute a breach of this Agreement to the extent caused by acts of war, terrorism, hurricanes, earthquakes, other acts of God or of nature, strikes or other labor disputes, riots or other acts of civil disorder, embargoes, or other causes beyond the performing party's reasonable control.

12.4. Assignment & Successors. LevelCloud may not assign this Agreement or any of its rights or obligations hereunder without Customer's express written consent, except in the case of a merger or the sale of substantially all of LevelCloud's stock or assets. Except to the extent forbidden in this Section, this Agreement will be binding upon and inure to the benefit of the parties' respective successors and assigns.

12.5. Severability. In the event that a provision of this Agreement is held to be invalid or otherwise unenforceable, the remaining provisions of this Agreement will continue in full force and effect.

12.6. No Waiver. Neither party will be deemed to have waived any of its rights under this Agreement by lapse of time or by any statement or representation other than by an authorized representative in an explicit written waiver. No waiver of a breach of this Agreement will constitute a waiver of any other breach of this Agreement.

- 12.7. Choice of Law & Jurisdiction: This Agreement will be governed solely by the internal laws of the State of California, without reference to: (a) any conflicts of law principle that would apply the substantive laws of another jurisdiction to the parties' rights or duties; (b) the 1980 United Nations Convention on Contracts for the International Sale of Goods; or (c) other international laws. The parties consent to the personal and exclusive jurisdiction of the federal and state courts of Riverside County, California.
- 12.8. Conflicts. In the event of any conflict among the attachments to this Agreement and this main body, the following order of precedence will govern, with lower numbers governing over higher ones: (1) this main body of this Agreement; (2) the initial Order; and (3) any subsequent Order, with more recent Orders taking precedence over earlier ones.
- 12.9. Construction. The parties agree that the terms of this Agreement result from negotiations between them. This Agreement will not be construed in favor of or against either party by reason of authorship.
- 12.10. Entire Agreement. This Agreement sets forth the entire agreement of the parties and supersedes all prior or contemporaneous writings, negotiations, and discussions with respect to its subject matter. Neither party has relied upon any such prior or contemporaneous communications.
- 12.11. Execution in Counterparts. This Agreement may be executed in one or more counterparts. Each counterpart will be an original, but all such counterparts will constitute a single instrument.
- 12.12. Amendment. This Agreement may not be amended except through a written agreement by authorized representatives of each party, except that LevelCloud may modify the Support Agreement on 30 days' notice by posting a new version on its website and notifying Customer in writing. The new Support Agreement terms will go into effect at the beginning of the next calendar month beginning after the 30-day notice period unless Customer terminates the Agreement pursuant to Article 11.

IN WITNESS THEREOF, the parties have executed this Agreement as of the Effective Date.

NAME OF CUSTOMER

LEVELCLOUD

By: _____

(signature)

By: _____

(signature)

Name: _____

(print)

Name: _____

(print)

Title: _____

Title: _____

Date: _____

Date: _____

EXHIBIT A

Order

Description	Qty.	Monthly	Total
Cloud Infrastructure (Third Party, AWS) Cloud Infrastructure (This is an estimate only. Actual costs may vary.) AWS charges includes Compute (CPU, Memory), storage, Business support and other services. The line item will capture all the client AWS consumption.	9	\$50	\$450.00
AWS Management Fixed monthly cost to manage your AWS Private Cloud Environment.	1	\$199	\$199
Cloud Managed Services (LevelCloud) – Gold Plan Cloud Managed Services - 24/7 Network Operations Center - Proactive Monitoring and Problem Prevention of AWS Infrastructure - Security and Windows Patch Management - User Management (Add/Remove/Update Users) - Backup Configuration and Management - Security Patching (Anti-Virus) - Office 365 Administration and Management - Microsoft Application Upgrades(Office, SQL, etc.) - Third-Party Application Upgrades(Vendor Support Required) - Cloud Helpdesk(Troubleshooting Access, Performance, etc.)	9	\$120	\$1080.00
Office 365 Bus. Essentials Email Office 365 (Business Essentials) Email	9	\$12.50	\$112.50
Microsoft Exchange Email Hosting Microsoft Office 365 Email Hosting	14	\$4.00	\$56

RDS license to access the Cloud	9	\$10.00	\$90.00
Proactive Managed Workstation (LevelCloud) Includes: - Support (phone, remote control and microsoft application) - Workstation End Point Protection Software - Management (adding, removing users, online trouble ticket management, software upgrades, printer management) - Scheduled Workstation Maintenance (Scans, Defrag, Windows Updates)	10	\$20	\$200
Managed Local Network Includes: - Manage on Premise Firewall Configurations - -DNS support - Assist in diagnosis of local network issue - ISP Management - Web Host support - Router Management - Antivirus Management - Firewall Management - VPN Management	1	\$100	\$100
Vendor Management Manage 3 rd party IT related vendors such as: - Phone vendor - Internet service provider vendor - Website Hosting company - Copier/Scanner vendor	1	\$299	\$299
LevelCloud Dashboard Branding your workspace, access to security features, access to user features, profile management, submit a helpdesk ticket	9	\$10	\$90
Backup As a Service LevelCloud uses a third party cloud software called CPM (Cloud Protection Manager) which is a good software to backup important data in the cloud.	1	\$199	\$199

Multi Factor Authentication	9	\$10.00	\$90.00
FIT Detective : Dark Web Monitoring Service <ul style="list-style-type: none"> - Monitor 1 domain for any breaches - Provide access to a dashboard for Key Executives to see a list of their compromises 	1	\$99.00	\$99.00
FIT Phishnet- Security Testing and Training	9	\$5.00	\$45.00
Total Monthly Fees			\$3,109.50.00
One Time Fees	Qty		One-Time Fee
Setup Fee Set up costs, AWS account creation, AWS Management Access set up, provision of cloud servers, installation of applications (vendor support required), data sync, testing, training, go live, email migration	1	\$5,800.00	\$5,800.00
TS Print Application for Remote Desktop	1	\$425.00	\$425.00
Total Start Up Fees (Due upon signing)			\$6,225.00

Hosted Applications: Same as Current Cloud environment

Term: Annual

Order Terms and Conditions:

1. The purchase includes Professional Services and its applicable description can be found at www.levelcloud/support/terms
2. Customer's "system" is primarily built on EC2(<https://aws.amazon.com/ec2/>) , S3 (<https://aws.amazon.com/s3/>), VPC(<https://aws.amazon.com/vpc/>) and other products offered by AWS. Customer agrees to the Service Level Agreement for each of those products found at <https://aws.amazon.com/ec2/sla/> , <https://aws.amazon.com/s3/sla/> and AWS Acceptable Use Policy("AUP") <https://aws.amazon.com/aup/> respectively.
3. If indicated on the Order, Customer agrees to the terms of Office 365 plans offered by Microsoft and is available at <https://www.microsoft.com/en-us/Licensing/product-licensing/products>
4. You may contact your sales representative with obtaining a copy of any of these documents.

5. LevelCloud reserves the right to cancel orders as a result of pricing or other errors. By signing and submitting this Order, Customer acknowledges having read, and agrees to be bound by, these terms and conditions. LevelCloud may reject his Order and decline to accept the order if: (1) the signatory does not have the authority to bind Customer to this Order, (2) changes have been made to this Order (other than completion of the requested information and the signature block) or (3) the requested information or signature block is incomplete or does not align with the other.

Payment Information:

SELECT ONE	AUTOMATIC ACH/ELECTRONIC CHECK ACCOUNT INFORMATION		
<input type="checkbox"/>	Bank Account #:	Routing #:	
	AUTOMATIC CREDIT CARD PAYMENT (VISA AND MASTERCARD ONLY)		
<input type="checkbox"/>	VISA or MasterCard (circle one)	NOTE: FIT does not accept American Express	
	Account #:	Exp. Date:	CID:
	Name on Card:		
	Billing Address:		

EXHIBIT B SUPPORT AGREEMENT

1. ProActive IT Managed Services Plan

Business Hours Remote Support Monday-Friday, 8am PST to 5pm PST	Included
Business Hours Onsite Support Monday-Friday, 8am PST to 5pm PST	\$150/hour
Emergency* After Hours Remote Support All other times and on observed	\$250/hour
Emergency* After Hours Onsite Support All other times and on	\$250/hour
Non-Emergency After Hours Remote Support All other times and on observed	\$250/hour
Non-Emergency After Hours Onsite Support All other times and on observed	\$250/hour

Note: All support is billed in 15-minute increments and a 4 hour minimum applies for each onsite visit since Client is located more than 15 miles from FIT office, located at 160 W. Foothill Parkway, Suite 105, Corona, CA 92882. Travel time will be included in the 4 hour minimum.

*Emergency shall be defined as a Priority 1 event as detailed below.

Observed Holidays:

- New Year's Day (January 1)
- Memorial Day (Last Monday in May)
- Independence Day (July 4)
- Labor Day (First Monday in September)
- Thanksgiving (Fourth Thursday in November)
- Day After Thanksgiving (Fourth Friday in November)
- Christmas Day (December 25)
- Day After Christmas

2. Helpdesk SLA & Workflow

The following table shows the targets of response and resolution times for each priority level:

Trouble	Priority	Response time (in hours)	Resolution time (in hours)	Escalation threshold (in
Service not available (all users and functions unavailable).	1	Within 1 hour	ASAP – Best Effort	2 hours

Significant degradation of service (large number of users or business critical functions affected)	2	Within 4 hours	ASAP – Best Effort	8 hours
Limited degradation of service (limited number of users or functions affected, business process can continue).	3	Within 24 hours	ASAP – Best Effort	48 hours
Small service degradation (business process can continue, one user affected).	4	Within 48 hours	ASAP – Best Effort	96 hours

3. Support Tiers

The following details and describes our Support Tier levels:

Support Tier	Description
Tier 1 Support	All support incidents begin in Tier 1, where the initial trouble ticket is created, and the issue is identified and clearly documented, and basic hardware/software troubleshooting is initiated.
Tier 2 Support	All support incidents that cannot be resolved with Tier 1 Support are escalated to Tier 2, where more complex support on hardware/software issues can be provided by more experienced Engineers.
Tier 3 Support	Support Incidents that cannot be resolved by Tier 2 Support are escalated to Tier 3, where support is provided by the most qualified and experienced Engineers who have the ability to collaborate with 3rd Party (Vendor) Support Engineers to resolve the most complex issues.

4. Service Request Escalation Procedure

1. Support Request is Received
2. Trouble Ticket is Created
3. Issue is Identified and documented in Help Desk system
4. Issue is qualified to determine if it can be resolved through Tier 1 Support

If issue can be resolved through Tier 1 Support:

5. Level 1 Resolution - issue is worked to successful resolution.
6. Quality Control –Issue is verified to be resolved
7. Trouble Ticket is closed, after complete problem resolution details have been updated in Help Desk system

If issue cannot be resolved through Tier 1 Support:

1. Issue is escalated to Tier 2 Support
2. Issue is qualified to determine if it can be resolved by Tier 2 Support

If issue can be resolved through Tier 2 Support:

3. Level 2 Resolution - issue is worked to successful resolution
4. Quality Control –Issue is verified to be resolved
5. Trouble Ticket is closed, after complete problem resolution details have been updated in Help Desk system

If issue cannot be resolved through Tier 2 Support:

6. Issue is escalated to Tier 3 Support
7. Issue is qualified to determine if it can be resolved through Tier 3 Support

If issue can be resolved through Tier 3 Support:

8. Level 3 Resolution - issue is worked to successful resolution
9. Quality Control –Issue is verified to be resolved
10. Trouble Ticket is closed, after complete problem resolution details have been updated in Help Desk system

If issue cannot be resolved through Tier 3 Support:

11. Issue is escalated to Onsite Support
12. Issue is qualified to determine if it can be resolved through Onsite Support

If issue can be resolved through Onsite Support:

13. Onsite Resolution - issue is worked to successful resolution
14. Quality Control –Issue is verified to be resolved
15. Trouble Ticket is closed, after complete problem resolution details have been updated in Help Desk system

Should the Customer require on-site support that falls outside the scope of Managed Services, LevelCloud shall charge \$250.00 per hour for such on-site support subject to a 4 hour minimum since Customer is not located within 15 miles of the FIT office, located at 160 W. Foothill Parkway, Suite 105, Corona, CA 92882. Travel time will be included in the 4 hour minimum.



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

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

Agenda Item No: 5A
Mtg. Date: 08/12/2019

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: YOLANTA SCHWARTZ, PLANNING DIRECTOR

THROUGH: ELAINE JENG, P.E., CITY MANAGER

SUBJECT: CONSIDERATION TO RECEIVE AND FILE RESOLUTION NO. 2019-12 FROM THE PLANNING COMMISSION GRANTING APPROVAL FOR A SECOND MAJOR MODIFICATION TO PREVIOUSLY GRANTED SITE PLAN REVIEW, CONDITIONAL USE PERMIT, AND VARIANCE ENTITLEMENTS TO APPROVE A VARIANCE TO EXCEED THE MAXIMUM PERMITTED LOT DISTURBANCE IN ZONING CASE NO. 896 AT 11 SADDLEBACK ROAD (WARREN).

DATE: August 12, 2019

ATTACHMENT:
1. RESOLUTION NO. 2019-12

BACKGROUND

The Planning Commission at their July 16, 2019 meeting adopted Resolution No. 2019-12 granting a Variances to exceed the maximum permitted disturbance of the lot (58%) in order to construct two biofiltration units along the slopes. The Planning Commission found that the project is not objectionable, that the filtration units will be screened by vegetation, that they're located in an area of the lot that would not be visible from the street or neighbors (on a descending portion of the slope facing the property) and that their function is an approved method of prevention of storm water run-off. No one testified in opposition of the project.

REQUEST

The applicant is proposing a major modification to a previous approval resulting in a Variance for greater than approved disturbance of the lot in Zoning Case No. 896. No other changes are proposed with this application, and the previously approved structures and coverages will remain unchanged. The disturbance is due to the proposed construction of two biofiltration units built on shallow slopes and will result in additional disturbance of the lot to up to 58%, or 57,024 square feet.

Previously Approved Project

In March 2016, the applicant was granted a Lot Line Adjustment to merge two lots which resulted in a lot having 3.2 acres gross and 2.258 acres net, as calculated by the City for development purposes.

In conjunction with the lot merger, the applicant received approval for a Conditional Use Permit to construct a 13,860 square foot dressage arena, to convert the existing garage, partially located in the front setback to a 2,415 square foot stable and add a 625 square foot loft and 1,685 square foot corral; Site Plan Review for a 4,745 square foot residence plus 659 square foot garage, and other accessory structures, a not to exceed 5' wall that would encircle the majority of the dressage arena, 950 square foot swimming pool, 23,700 cubic yards total grading, and Variances to locate the equestrian facilities in the front yard area of the lot and for 83% of lot disturbance.

In May 2017 the Planning Commission approved a major modification to relocate the stable and construct a one story 2,340 sq.ft. stable next to the dressage arena, redesign the grading for the arena, which resulted in elimination of retaining walls along 3-sides of the arena, construct a shorter (in length) wall along the rear slope outside the arena, reconfigure the residential garage and add a basement and retain the existing detached garage. This modification resulted in substantially reducing grading quantities and disturbance.

In March of 2018, additional modification was requested and was granted in Zoning Case No. 937, to encroach with the arena into the front setback and to relocate a retaining wall from the rear of the arena to the front.

Staff consolidated the previous approvals into one new resolution; therefore rescinding Planning Commission Resolution Nos. 2016-08, 2017-08, and 2018-05, which are superseded by this Resolution and which contains all findings and conditions applicable to the project.

Biofiltration/Bioretenention Basins

In order to comply with stormwater management requirements, the applicant proposes to construct two biofiltration/bioretenention units. The agents for the project consulted

Z.C. No. 896
11 Saddleback Road

LA County Building and Safety Grading and Drainage Engineer, who approved the units, pending City approval of the increased disturbance on the lot. Two biofiltration/bioretenention basins are proposed, one 100' x 15' in size and one 60' x 75' cut into the slopes. The biofiltration/bioretenention units are designed to temporarily hold and filter stormwater runoff created by the increase in the impermeable surfaces of the project including the stable. Storm drains constructed throughout the project will carry the water to the biofiltration/bioretenention units, which will be released into dissipaters in a controlled manner. These basins are vegetated and in time will become part of the landscaping of the site.

Environmental Review

The project has been determined to be categorically exempt pursuant to Section 15304 (Class 4) Minor Alteration to Land of the California Environmental Quality Act (CEQA).

RECOMMENDATION

Staff recommends that the City Council receive and file this report.

RESOLUTION NO. 2019-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING A SECOND MAJOR MODIFICATION TO PREVIOUSLY GRANTED SITE PLAN REVIEW, CONDITIONAL USE PERMIT, AND VARIANCE ENTITLEMENTS TO APPROVE A VARIANCE TO EXCEED THE MAXIMUM PERMITTED LOT DISTURBANCE IN ZONING CASE NO. 896 AT 11 SADDLEBACK ROAD (WARREN).

THE PLANNING COMMISSION DOES HEREBY FIND, RESOLVE AND ORDER AS FOLLOWS:

Section 1. Recitals.

A. In 2015, Ms. Candice Warren (Applicant) filed an application for Site Plan Review, Conditional Use Permits, Variances, and corresponding administrative approvals to construct a 4,745 square foot residence with a 342 square foot basement, 659 square foot attached garage, 370 square feet covered patio, 450 square foot swimming pool, 50 square foot spa, 50 square foot pool equipment area; to convert an existing detached garage to a 2,415 square foot stable and add a 625 square foot loft located in the front yard area of the lot (in front of the leading edge of the residence) with a 135 square foot porch at the stable, 1,685 square foot corral, and two trellises 210 square feet each; and to construct a 60 square foot outdoor kitchen/bbq, 18 square foot fire place, 96 square foot service yard, 950 square foot pool decking, 2,050 square foot patio, 1,060 square feet of additional paving, a not to exceed 3.5' high seating wall along the pool decking, and 13,860 square foot, (70' by 198'), dressage arena, a portion of which would be located in the front yard area of the lot, with not to exceed 5' high retaining wall along the front portion of the arena and not to exceed 4' high retaining wall along a path leading from the stable to the arena above the pool area. The application also proposed grading of 23,700 cubic yards of dirt total to be balanced on site which included overexcavation and recompaction, and disturbance of the net lot area of 75%.

B. The Planning Commission conducted duly noticed public hearings to consider the application at their regular meeting on December 15, 2015, January 19, 2016, and March 15, 2016, and in the field on January 19, 2016. Neighbors within 1,000-foot radius were notified of the public hearings and a notice was published in the Peninsula News on December 3, 2015 and March 3, 2016. The applicants and their agents were notified of the public hearings in writing by first class mail and the applicants and their agents were in attendance at the hearings. Evidence was heard and presented from all persons interested in affecting said proposal and from members of the City staff. Three residents visited the site during the noticed field trip on January 19, 2016. Commissioners and these residents expressed concern about the driveway access to the stable being made primarily of concrete, the access to the dressage arena coming off of Saddleback Road, and the dressage arena encroaching into the front setback. The applicant's responded with a revised plan to address all of these concerns. The revised plan reflected the driveway being made of decomposed granite, access to the dressage arena being relocated to be accessed from the primary driveway, and the dressage arena being "pushed back" on the lot to no longer encroach into the front yard setback.

C. The Planning Commission found that the project was exempt from the California Environmental Quality Act, (CEQA) pursuant to section 15303 (new construction of single family residence and accessory structures), and section 15061(b)(3) (common sense exemption) of the CEQA guidelines.

D. At its regular meeting on March 15, 2016, the Planning Commission approved Resolution No. 2016-08 granting the requested Site Plan Review, Conditional Use Permits, and Variances for the above mentioned project.

E. On January 11, 2017, Applicant filed a Major Modification application relating to the previously granted Site Plan Review, Conditional Use Permit, and Variance entitlements to construct a 4,805 square foot residence (1,736 s.f. new addition and remodel of 3,069 s.f. existing residence), a 1,056 square foot basement, 468 square foot attached garage, to reduce in size but retain a 971 square foot detached garage; 2,430 square foot new stable with a portion located in the front yard area of the lot (in front of the leading edge of the residence), 1,350 fenced open turnout paddocks, and 13,930 square foot dressage arena, a portion of which would be located in the front yard area of the lot, and a not to exceed 5' high retaining wall (at its highest) along the southerly portion of the arena in the side setback. The application also proposed grading of 8,026 cubic yards of dirt total to be balanced on site (4,013 cubic yards cut and 4,013 fill) which caused the disturbed area of the lot to be 43% ("First Major Modification"). Applicants also sought accompanying administrative approvals to construct a 425 square foot swimming pool, a 50 square foot spa, a 50 square foot pool equipment area, a 60 square foot outdoor kitchen/bbq, 18 square foot fire place, 96 square foot service yard, 950 square foot pool decking, 1,050 square foot patio, and 1,060 square feet of paving. In effect, the plans underlying the First Major Modification superseded the plans approved in Resolution No. 2016-08.

F. The Planning Commission conducted duly noticed public hearings to consider the application at their regular meeting on February 21, 2017 and March 21, 2017, and in the field on March 21, 2017. Neighbors within 1,000-foot radius were notified of the public hearings and a notice was published in the Peninsula News on February 9, 2017, and March 9, 2017. The applicant's and their agents were notified of the public hearings in writing by first class mail and email and the applicant's agents were in attendance at the hearings. Evidence was heard and presented from all persons interested in affecting said proposal, and from members of the City staff. No neighbors testified against the modified project.

G. The Planning Commission found that the project was exempt from the California Environmental Quality Act, (CEQA) pursuant to section 15303 (new construction of single family residence and accessory structures), and section 15061(b)(3) (common sense exemption) of the CEQA guidelines.

H. At its regular meeting on April 18, 2017, the Planning Commission approved Resolution No. 2017-05 granting the requested First Major Modification to the Site Plan Review, Conditional Use Permit, and Variance entitlements.

I. Applicant later abandoned the entitlement for the not to exceed 5' high retaining wall (at its highest) along the southerly portion of the arena in the side setback.

J. On June 15, 2017, Applicant obtained a grading permit for the dressage arena and the stable from the Building and Safety Department.

K. On January 18, 2018 Applicant filed an application, in Zoning Case No. 937, for additional Variances to construct a portion of a retaining wall on the southeasterly side of the dressage arena to be located in the side and front setback and to permit encroachment of an as-built dressage arena ("2018 Variances"). The southeasterly wall is 4 ½ feet in height at its highest point tapering off to 2 ½ feet on one side and approximately 18 inches on the other side. The average wall height is less than 2 ½ feet high. The as-built dressage arena encroaches a maximum of 10 feet into the front yard setback. The original approved plan allowed for the arena to be partially located in the front yard area outside of the required setback.

L. On April 18, 2018, Applicant obtained a building permit for the construction of the stable, wash area and porch. The stable and dressage arena are completed. On May 10, 2018 the Applicant obtained a building permit for the retaining wall. The retaining wall is completed.

M. The Planning Commission conducted duly noticed public hearings to consider the application beginning at their field visit on February 20, 2018. The hearing was continued to the evening Planning Commission meeting held on that same date. After review and discussion of additional landscaping for the project, the Planning Commission directed staff to prepare a Resolution of Approval.

N. The Planning Commission found that the project is categorically exempt pursuant to Section 15303, Class 3 of the California Environmental Quality Act (CEQA).

O. At its regular meeting on March 20, 2018, the Planning Commission approved Resolution No. 2018-03 granting the requested 2018 Variances, in Zoning Case No. 937, ("2018 Variances").

P. On May 13, 2019 Applicant filed another Major Modification application for an additional Variance to construct two biofiltration units that will increase the disturbance on the lot to 58% ("Second Major Modification").

Q. The Planning Commission conducted duly noticed public hearings to consider the application beginning at their field visit on June 18, 2019. The hearing was continued to an adjourned Planning Commission meeting held on June 25, 2019. After review and discussion of the project, the Planning Commission directed staff to prepare a Resolution of approval.

R. The Planning Commission found that the project is categorically exempt pursuant to Section 15303, Class 3 of the California Environmental Quality Act (CEQA).

Section 2. The findings for Site Plan Review entitlements relating to the First Major Modification from Resolution No. 2017-05 for the 4,805 square foot residence (1,736 square foot addition and 3,069 square foot remodel), including 1,056 square foot basement and 468 square foot attached garage, retaining wall along the southerly portion of the arena, and grading are restated below except as it relates to the retaining wall along the southerly portion of the arena because it was abandoned.

Section 17.46.030 requires a development plan to be submitted for Site Plan Review and approval before any grading requiring a grading permit or any new building or structure may be constructed or any expansion, addition, alteration or repair to existing buildings may be made which involve changes to grading or an increase to the size of the building or structure by not more than 999 square feet in any thirty-six (36) month period. The grading for the ancillary outdoor structures (swimming pool, decking, and patio) require Site Plan Review, but the actual structures themselves do not. With respect to the Site Plan grading and the proposed structures the Planning Commission makes the following findings of fact:

A. The proposed development is compatible with the General Plan, the Zoning Ordinance and surrounding uses because the proposed structures comply with the General Plan requirement of low profile, low-density residential development with sufficient open space between surrounding structures and maintaining sufficient setbacks to provide buffers between residential uses. Although the disturbed area exceeds the maximum permitted amount of 40%, a large portion of it is for the proposed 13,930 square foot dressage arena (which requires a Conditional Use Permit). The dressage arena promotes the rural, equestrian aesthetic of Rolling Hills. The existing paved driveway leading to the stable will have a portion for a horse pathway replaced with decomposed granite, which also promotes a feeling of open space.

The project conforms with Zoning Code lot coverage requirements, except for disturbance. The net lot area of the lot is 98,358 square feet. The structural net lot coverage is proposed at 10%, which includes all of the structures (no deductions were taken), (20% max. permitted); and the total lot coverage proposed, including the stable would be 19.7%, (35% max. permitted). The disturbed area of the lot is proposed to

increase from 36% to 50.8% due in large part to the dressage arena (which is a reduction from 75% from the original proposal).

B. The project substantially preserves the natural and undeveloped state of the lot by minimizing building coverage. The topography and the configuration of the lot, have been considered, and it was determined that the proposed development will not adversely affect or be materially detrimental to adjacent uses, buildings, or structures, because the proposed project will be constructed largely on an existing building pad of the currently developed lot, will be the least intrusive to surrounding properties, will be screened and landscaped with trees and shrubs, is of sufficient distance from nearby residences so that it will not impact the view or privacy of surrounding neighbors, and will permit the owners to enjoy their property without deleterious infringement on the rights of surrounding property owners. The lot is 2.25 acres net in size and will feature a dressage arena and stable. The proposed 4,805 square foot home is only 1,736 square feet larger than the existing home that will be largely retained and remodeled as part of this project. A portion of the existing garage will be demolished with the rest of the structure retained. The dressage arena will be developed on the currently vacant portion of the lot and will remain open space.

C. The proposed development, as conditioned, is harmonious in scale and mass with the site, and is consistent with the scale of the neighborhood when compared to new residences in the vicinity of said lot, located on much smaller lots. Portions of the lot will be left undeveloped. The project will be screened from the road and all neighbors. The residences on neighboring properties average to 4,447 square feet. The proposed residence is 4,805 that bring it in-line with homes nearby.

D. The development will introduce additional landscaping for vegetated slopes, which is compatible with and enhances the rural character of the community, and will provide a transition area between private and public areas.

E. The proposed development is sensitive and not detrimental to the convenience and safety of circulation for pedestrians and vehicles because the applicants will continue to utilize the existing driveway to the residence and the stable, and the dressage arena will be accessed from the main driveway for heavier vehicles ingress/egress.

F. The project is exempt from the requirements of the California Environmental Quality Act pursuant to section 15303 (new construction of single family residence and accessory structures), and section 15061(b)(3) (common sense exemption) of the CEQA guidelines.

Section 3. The findings for Conditional Use Permit entitlements relating to the First Major Modification from Resolution No. 2017-05 for the 2,50.80 square foot stable, 1,350 square foot fenced open turnout paddocks, and 13,930 square foot dressage arena are restated below.

Section 17.18.040E of the Rolling Hills Municipal Code permits approval of a stable over 200 square feet and riding arena with a Conditional Use Permit provided the uses are not located in the front yard or in any setbacks. Portions of both, the stable and dressage arena are proposed to be located in the front yard area of the lot. With respect to this request for a Conditional Use Permit, the Planning Commission finds as follows:

A. Conditionally permitted uses are not outright permitted by the Rolling Hills Municipal Code. The Commission must consider applications for conditional use permits and may, with such conditions as are deemed necessary, approve a conditional use which will not jeopardize, adversely affect, endanger or to otherwise constitute a menace to the public health, safety or general welfare or be materially detrimental to the property of other persons located in the vicinity of such use.

B. The granting of a Conditional Use Permit for the new stable and for the dressage arena would be consistent with the purposes and objectives of the Zoning Ordinance and General Plan because the uses are consistent with similar uses in the community, and except for their location, meet all the applicable code development standards for a stable and arena, and they are located in an area on the property that is adequately sized to accommodate such uses. The proposed uses are appropriately located in that they will be sufficiently separated from nearby structures used for habitation or containing sleeping quarters. The development would be constructed in furtherance of the General Plan goal of promoting and encouraging equestrian uses. The existing, legally constructed detached garage will be reduced in size and a portion removed from the front yard setback.

C. The nature, condition, and development of adjacent structures have been considered, and the project will not adversely affect or be materially detrimental to these adjacent uses, buildings, or structures because the proposed stable orientation is not towards neighbors and its general location is of sufficient distance from nearby residences so as to not impact the view or privacy of surrounding neighbors. The proposed stable is to be located next to the arena and is separate from the other outdoor living areas on the property. The dressage arena would be located in an area of the lot that is not in proximity to any residents. The existing detached garage remains in its previous approved location.

D. The project is harmonious in scale and mass with the site, the natural terrain, and surrounding residences because the garage, stable and dressage arena comply with the low profile residential development pattern of the community and will not give the property an over-built look. The lot is 2.25 acres net in size and is sufficiently large to accommodate the proposed uses.

E. The proposed equestrian conditional uses, other than being proposed in the front yard area, comply with all applicable development standards of the zone district and require a Conditional Use Permit pursuant to Sections 17.18.090 and 17.18.100 of the Zoning Ordinance.

F. The proposed conditional uses are consistent with the portions of the Los Angeles County Hazardous Waste Management Plan relating to siting criteria for hazardous waste facilities because the project site is not listed on the current State of California Hazardous Waste and Substances Sites List.

Section 4. The findings for Variance entitlements from Resolution No. 2017-05 relating to the First Major Modification for the 2,50.80 square foot stable with a portion located in the front yard area, 13,930 square foot dressage arena with a portion located in the front yard area, a 5 foot high retaining wall (at its highest) along the southerly portion of the dressage arena in the side setback, and proposed grading resulting in disturbed area in the amount of 43% exceeding the 40% maximum are restated below except as it relates to the 5 foot high retaining wall (at its highest) along the southerly portion of the dressage arena in the side setback as it was abandoned.

Sections 17.38.010 through 17.38.050 of the Code permit approval of a variance from the standards and requirements of the Zoning Ordinance when, due to exceptional or extraordinary circumstances applicable to the property and not applicable to other similar properties in the same zone, strict application of the Code would deny the property owner substantial property rights enjoyed by other properties in the same vicinity and zone. The applicant seeks a variance from the requirement 17.18.060A.2. and 17.18.100.3 that stables and riding rings not be located in the front yard; and from 17.16.070B. that disturbance be limited to 40% of the net lot area. With respect to this request for Variances, the Planning Commission finds as follows:

A. There are exceptional and extraordinary circumstances and conditions applicable to the property or to the intended use that do not apply generally to the other property or class of use in the same zone because Saddleback Road wraps around the

property and constrains the lot with a large roadway easement. The topography of the lot, specifically the steep slopes on the western portion of the lot further confine where development can be located. The existing garage is located in the front yard and the applicant proposes to retain the existing structure after demolition of a small portion of it. At 36%, the disturbance is already close to the 40% maximum and is proposed to increase to 43% to accommodate the proposed dressage arena.

B. The Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone, but which is denied to the property in question because Saddleback Road wraps around the property and the large roadway easement substantially reduces the net lot area for development. The residential building pad and the existing garage pad are largely developed already, and there are no other options for locating structures on new pads due to the steepness of the surrounding slopes. The existing garage is not easily seen from the road. There were no concerns voiced by neighbors about where the existing garage is located nor where the stable and arena will be located.

The exceedance of the disturbance is due in large part to the proposed dressage arena. The other structures (pool, remodeled residence, and stable) on the residence building pad are located fairly close to one another and make best use of the shape of the lot as it is constrained by Saddleback Road.

C. The granting of the Variance would not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located because the proposed stable and arena is not in any setbacks. The stable will be compatible with desired rural aesthetic of Rolling Hills and therefore would not affect property values. The dressage arena will remain as open space.

D. The variance is consistent with the portions of the County of Los Angeles Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities.

E. The variance request is consistent with the General Plan. The proposed project, together with the variance, will be compatible with the objectives, policies, general land uses and programs specified in the General Plan and will uphold the City's goals to protect and promote construction that is rural in nature.

Section 5. The findings for the 2018 Variance entitlements from Resolution No. 2018-03 for the retaining wall from the rear of the arena to be located in the side and front yard setbacks and for the dressage arena to encroach into the front yard setback are restated below.

Sections 17.38.010 through 17.38.050 of the Code permit approval of a variance from the standards and requirements of the Zoning Ordinance when, due to exceptional or extraordinary circumstances applicable to the property and not applicable to other similar properties in the same zone, strict application of the Code would deny the property owner substantial property rights enjoyed by other properties in the same vicinity and zone. The applicant seeks a variance from the requirement from 17.16.110. that maintains every lot shall have a 50 foot front setback. With respect to this request for a Variance, the Planning Commission finds as follows:

A. There are exceptional and extraordinary circumstances and conditions applicable to the property or to the intended use that do not apply generally to the other property or class of use in the same zone because the subject property has roadway easement frontage on three sides of the property increasing the area of setback.

B. The Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same vicinity and zone, but which is denied to the property in question because many properties in the

immediate vicinity have equestrian uses located in front of the existing residences. Further, once the property is landscaped, the as-built encroachment into the setback will not be visible from the roadway easement. The newly proposed 4 ½ foot wall is in a better location than the previously approved retaining wall and will not be visible from the roadway easement.

C. The granting of the Variance would not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located because it would reduce the area on the property used for equestrian purposes. The dressage arena is compatible with the desired rural aesthetic of Rolling Hills and therefore would not affect property values. The arena will remain as open space.

D. The variance is consistent with the portions of the County of Los Angeles Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities.

E. The variance request is consistent with the General Plan. The proposed project, together with the variances, will be compatible with the objectives, policies, general land uses and programs specified in the General Plan and will uphold the City's goals to protect and promote construction that is rural in nature.

Section 6. A variance from the requirements of Section 17.16.070 of RHMC is required due to the increased disturbance to 58% which is above the 40% maximum allowed pursuant to the RHMC so that Applicant can construct two biofiltration units on the property. This variance supersedes the variances issued by the City in 2016 and 2017 relating to the maximum disturbance area. Sections 17.38.010 through 17.38.050 of the Rolling Hills Municipal Code permit approval of Variances granting relief from the standards and requirements of the Zoning Ordinance when exceptional or extraordinary circumstances applicable to the property prevent the owner from making use of a parcel of property to the same extent enjoyed by similar properties in the same vicinity or zone. With respect to the aforementioned request for a variance, the Planning Commission finds as follows:

A. There are exceptional circumstances and conditions on the subject property. The property is encumbered by a very long roadway easement as Saddleback Road wraps around the property resulting in the net lot area to be diminished in size and therefore the disturbance of the lot becomes greater than if the roadway easement was shorter. The grading required for the biofiltration units causes the disturbance to increase to 58% of the net lot area. The disturbance will allow for two biofiltration units to be built on shallow slopes. Each property with new development is required to control runoff volume from the property site by minimizing the impervious surface area and controlling runoff through infiltration or bioretention. The two bioretention basins will control runoff on the property.

B. The variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property owners in the same vicinity and zone but which is denied to the property in question by strict application of the code. Saddleback Road wraps around the property and the large roadway easement substantially reduces the net lot area for development. There are no other options for locating the biofiltration units, which are part of the drainage system. The topography and hydrology of the lot dictate the location of the biofiltration units, so that an acceptable drainage design for the property may be accomplished. There were no concerns voiced by neighbors about the devices or their location.

C. The granting of the variance would not be materially detrimental to the public welfare or injurious to the properties or improvements in such vicinity. The biofiltration units are necessary for the drainage system and will be located on shallow slopes and will remain vegetated. Run off will be collected in a managed fashion, so as not to flood the property and to discharge clean water into the street. They will not be

visible to anyone from the street or other properties and therefore will not be materially detrimental to the public or other properties.

D. In granting the variance, the spirit and intent of the Zoning Ordinance will be observed. The biofiltration units cannot be located on any other portion of the property and are necessary for proper drainage on the property. Proper drainage on the property will serve the property and the neighborhood to prevent flooding.

E. The variance does not grant a special privilege to the Applicant. The new development must comply with the stormwater management provisions of the RHMC. There are no other options for locating the biofiltration units, which are part of the drainage system. The units are vegetated basins that work with gravity to drain the site and clean the runoff. The biofiltration basins will eventually become a part of the site landscaping and will perform long term, with minimal maintenance.

F. The variance is consistent with the portions of the County of Los Angeles Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities. There are no hazardous waste facilities at issue in this case.

G. The variance is consistent with the general plan of the City of Rolling Hills. The proposed project, together with the variances, will be compatible with the objectives, policies, general land uses and programs specified in the General Plan to protect health and safety of the residents by developing a drainage system that would protect the property during heavy rainstorms and meet the state requirements for clean water draining to the storm drain system. These biofiltration units will collect water in a managed fashion, so that flooding is prevented.

Section 7. The Planning Commission finds that the project qualifies for a Class 3 Exemption (State of CA Guidelines, Section 15303 - New Construction or Conversion of Small Structures) and is therefore categorically exempt from environmental review under the California Environmental Quality Act.

Section 8. Based upon the foregoing findings and the evidence in the record, the Planning Commission hereby conditions the grants of approval for the entitlements subject to this resolution as follows:

A. The Conditional Use Permit, Site Plan, and Variance approvals shall expire in accordance with RHMC Sections 17.46.080, 17.42.070 and 17.38.070, unless otherwise extended pursuant to the requirements of those sections.

B. If any condition of this resolution is violated, the entitlement granted by this resolution shall be suspended and the privileges granted hereunder shall lapse and upon receipt of written notice from the City, all construction work being performed on the subject property shall immediately cease, other than work determined by the City Manager or his/her designee required to cure the violation. The suspension and stop work order will be lifted once the Applicant cures the violation to the satisfaction of the City Manager or his/her designee. In the event that the Applicant disputes the City Manager or his/her designee's determination that a violation exists or disputes how the violation must be cured, the Applicant may request a hearing before the City Council. The hearing shall be scheduled at the next regular meeting of the City Council for which the agenda has not yet been posted; the Applicant shall be provided written notice of the hearing. The stop work order shall remain in effect during the pendency of the hearing. The City Council shall make a determination as to whether a violation of this Resolution has occurred. If the Council determines that a violation has not occurred or has been cured by the time of the hearing, the Council will lift the suspension and the stop work order. If the Council determines that a violation has occurred and has not yet been cured, the Council shall provide the Applicant with a deadline to cure the violation; no construction work shall be performed on the property until and unless the violation is cured by the deadline, other than work designated by the Council to accomplish the cure. If the violation is not cured by the deadline, the

Council may either extend the deadline at the Applicant's request or schedule a hearing for the revocation of the entitlements granted by this Resolution pursuant to Chapter 17.58 of the Rolling Hills Municipal Code (RHMC).

C. All requirements of the Buildings and Construction Ordinance, the Zoning Ordinance, and of the zone in which the subject property is located must be complied with unless otherwise set forth in this permit, or shown otherwise on an approved plan.

D. The lot shall be developed and maintained in substantial conformance with the site plans on file dated as follows: March 3, 2017, February 14, 2018, and May 16, 2019 except as otherwise provided in these conditions. The working drawings submitted to the Department of Building and Safety for plan check review shall conform to the approved development plan. All conditions of the Conditional Use Permit, Site Plan Review, and Variance approvals shall be incorporated into the building permit working drawings, and where applicable complied with prior to issuance of a grading or building permit from the building department. The conditions of approval of this Resolution shall be printed onto building plans submitted to the Building Department for review and shall be kept on site at all times. Any modifications and/or changes to the approved project, including resulting from field conditions, shall be discussed and approved by staff prior to implementing the changes. A modification may require a public hearing before the Planning Commission if the modification represents a major modification to the project.

E. A licensed professional preparing construction plans for this project for Building Department review shall execute a Certificate affirming that the plans conform in all respects to this Resolution approving this project and all of the conditions set forth therein and the City's Building Code and Zoning Ordinance. Further, the person obtaining a building and/or grading permit for this project shall execute a Certificate of Construction stating that the project will be constructed according to this Resolution and any plans approved therewith.

F. Structural lot coverage of the lot shall not exceed 11,969 square feet or 12.1% of the net lot area, in conformance with lot coverage limitations (20% maximum). The total lot coverage proposed, including structures and flatwork shall not exceed 18,098 square feet or 18.4%, of the net lot area, in conformance with lot coverage limitations (35% max).

G. Grading for this project shall consist of 8,026 cubic yards with 4,013 cubic yards of cut and 4,013 cubic yards of fill. The disturbed area of the lot, including the approved stable and corral shall not exceed 58%.

H. The residential building pad will be 22,804 square feet and will have coverage of 7,799 square feet (including deductions) or 34.2%.

I. The dressage arena may not have lights anywhere within it or around it. Should a mirror be installed in the future at the Arena, and if reflection of the sun off the mirror causes glare on adjoining properties, it shall be the responsibility of the property owner or installer to mitigate this problem in a timely manner.

J. The applicant shall provide documented proof that the Southern California Edison Easement has been vacated by SO Cal Edison, or the applicant has permission from them to locate the dressage arena in the easement.

K. The applicant shall provide verification from Los Angeles County Land Development Division that the dressage arena can be located in the restricted use area.

L. The dissipaters and pool equipment area shall be screened with landscaping. Sound attenuating equipment shall be installed to dampen the sound from the pool equipment area and the pool pump. The project shall utilize the most quiet and

technologically advanced equipment to dampen the sound. Per LA County Building Code, pool barrier/fencing shall be required.

M. The applicant shall comply with all requirements of the Lighting Ordinance of the City of Rolling Hills (RHMC 17.16.190) pertaining to lighting on said property and roofing material requirements of properties and all other ordinances and laws of the City of Rolling Hills.

N. All utility lines to the residence, detached garage and stable shall be placed underground, subject to all applicable standards and requirements.

O. A drainage plan, as required by the Building Department shall be prepared and approved by City Staff prior to issuance of a construction permit. Such plan shall be subject to LA County Code requirements. Hydrology, soils, geology and other reports, as required by the Building and Public Works Departments, and as may be required by the Building Official, shall be prepared.

P. All graded slopes shall be landscaped. Prior to issuance of building permit, a detailed landscaping plan shall be submitted to the City in conformance with Fire Department Fuel Modification requirements and shall be subject to the requirements of the City's Water Efficient Landscape Ordinance, (Chapter 13.18 of the RHMC).

The landscaping plan shall include vegetation and trees, pepper or other like species, near the south and western portion of the dressage arena to the satisfaction of City staff; with a minimum of 24-inch box trees on the top row and a minimum of 15-gallon trees on the lower rows surrounding the south side of the arena. The detailed landscaping plan shall provide that any trees and shrubs used in the landscaping scheme for this project shall be planted in a way that screens the project development from adjacent streets and neighbors, such that shrubs and trees as they grow do not grow into a hedge or impede any neighbors' views. The landscaping plan shall utilize to the maximum extent feasible, plants that are native to the area, are water-wise and are consistent with the rural character of the community. The project shall be continually maintained in substantial conformance with the landscaping plan. Prior to issuance of a final construction or grading approval of the project, all graded slopes shall be landscaped.

Q. The existing portion of the concrete driveway leading directly to the proposed stable shall be removed and direct access to the stable and to the arena shall be decomposed granite or like 100% pervious roughened material. A revised driveway plan shall be submitted to City in compliance with this requirement.

R. The setback lines and roadway easement line in the vicinity of the construction for this project shall remain staked throughout the construction. A construction fence may be required.

S. Minimum of 65% of any construction materials must be recycled or diverted from landfills. The hauler of the materials shall obtain City's Construction and Demolition permit for waste hauling prior to start of work and provide proper documentation of compliance to the City. A permit fee and a deposit shall be required.

T. *During construction*, the property owners shall be required to schedule and regulate construction and related traffic noise throughout the day between the hours of 7 AM and 6 PM, Monday through Saturday only, when construction and mechanical equipment noise is permitted, so as not to interfere with the quiet residential environment of the City of Rolling Hills.

U. A minimum of five-foot level path and/or walkway, which does not have to be paved, shall be provided around the entire perimeter of all of the proposed structures, or as otherwise required by the Fire Department.

V. At any time there are horses on the property, Best Management Practices (BMPs) shall be applied for manure control, including but not be limited to removal of the manure on a daily basis or provision of a receptacle with a tight closing lid that is constructed of brick, stone, concrete, metal or wood lined with metal or other sound material and that is safeguarded against access by flies. The contents of said receptacles shall be removed once a week. It is prohibited to dispose of manure or any animal waste into the Municipal Separate Storm Sewer System (MS4), into natural drainage course or spread on the property.

W. The contractor shall not use tools that could produce a spark, including for clearing and grubbing, during red flag warning conditions. Weather conditions can be found at:

http://www.wrh.noaa.gov/lox/main.php?suite=safety&page=hazard_definitions#FIR

E. It is the sole responsibility of the property owner and/or his/her contractor to monitor the red flag warning conditions. Should a red flag warning be declared and if work is to be conducted on the property, the contractor shall have readily available fire distinguisher.

X. *During construction*, to the extent feasible, all parking shall take place on the project site, on the new driveway and, if necessary, any overflow parking may take place within the unimproved roadway easements along adjacent streets, and shall not obstruct neighboring driveways, visibility at intersections or pedestrian and equestrian passage. During construction, to the maximum extent feasible, employees of the contractor shall car-pool into the City. To the extent feasible, a minimum of 4' wide path, from the edge of the roadway pavement, for pedestrian and equestrian passage shall be available and be clear of vehicles, construction materials and equipment at all times. A flagmen shall be used to direct traffic when necessary.

Y. The property owners shall be required to conform with the Regional Water Quality Control Board and County Public Works Department Best Management Practices (BMP's) requirements related to solid waste, drainage and storm water drainage facilities management and to the City's Low Impact development Ordinance (LID). Further the property owners shall be required to conform to the County Health Department requirements for a septic system.

Z. Prior to finaling of the project an "as graded" and an "as constructed" plans and certifications shall be provided to the Planning Department and the Building Department to ascertain that the completed project is in compliance with the approved plans. In addition, any modifications made to the project during construction, shall be depicted on the "as built/as graded" plan.

AA. The applicant shall execute an Affidavit of Acceptance of all conditions of this permit pursuant to Zoning Ordinance, or the approval shall not be effective. The affidavit shall be recorded together with the resolution.

AB. The entire project and the basement access shall be approved by the Rolling Hills Community Association and shall not appear as a second story from any roadway easement vantage point.

AC. Any work, structure, device or utility, including dissipaters in the easements must be reviewed and approved by the RHCA.

AD. The Plans shall be submitted to the LA County Building and Safety Department for review, issuance of permits and inspections. Prior to submittal of final working drawings to Building and Safety Department for issuance of building permits, the plans for the project shall be submitted to City staff for verification that the final plans are in compliance with the plans approved by the Planning Commission.

AE. The encroachment of the dressage arena shall be a maximum of 10 feet into the front setback area.

AF. During construction, if required by the building official, protection of slopes shall be provided in a form of a jute mesh or suitable geofabrics or other erosion control methods implemented.

AG. Placement of one construction and one office trailer may be permitted for the duration of on-site construction activities during an active building permit; each shall be no larger than 8' x 40' in size, and must be authorized by City staff with such authorization being revoked at any point deemed reasonable by City staff. Such trailers, to maximum extent practicable shall be located in a manner not visible from the street. Unless otherwise approved by staff, with proof of a good cause, such trailers shall not be located in any setback or front yard, may be placed on the site no more than 15 calendar days prior to commencement of construction and must be removed within 15 calendar days of expiration of a building permit, revocation, or finalization of the project.

A construction fence may be allowed or may be required by the City or the Building Department staff for the duration of the construction of the project. City staff shall approve the location and height of the fence. The construction fence shall not be placed more than 15 calendar days prior to commencement of the construction and shall be removed within 15 calendar days of substantial completion of the project as determined by City staff or at any given time at the discretion of City staff.

AH. *During construction*, conformance with the air quality management district requirements, storm water pollution prevention practices, county and local ordinances and engineering practices shall be required, so that people or property are not exposed to undue vehicle trips, noise, dust, and objectionable odors.

AI. Construction vehicles or equipment, employees vehicles, delivery trucks shall not impede any traffic lanes to the maximum extend practical; and if necessary to block traffic in order to aid in the construction, no more than a single lane may be blocked for a short period of time and flagmen utilized on both sides of the impeded area to direct traffic.

Section 9. The Planning Commission hereby rescinds Planning Commission Resolution Nos. 2016-08, 2017-08, and 2018-05, which are superseded by this Resolution which contains all findings and conditions applicable to the project.

PASSED, APPROVED AND ADOPTED THIS 16TH DAY OF JULY 2019.


BRAD CHELF, CHAIRMAN

ATTEST:


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 Code of Civil Procedure Section 1094.6.

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

I certify that the foregoing Resolution No. 2019-12 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING A SECOND MAJOR MODIFICATION TO PREVIOUSLY GRANTED SITE PLAN REVIEW, CONDITIONAL USE PERMIT, AND VARIANCE ENTITLEMENTS TO APPROVE A VARIANCE TO EXCEED THE MAXIMUM PERMITTED LOT DISTURBANCE IN ZONING CASE NO. 896 AT 11 SADDLEBACK ROAD (WARREN).

was approved and adopted at regular meeting of the Planning Commission on July 16, 2019 by the following roll call vote:

AYES: CARDENAS, KIRKPATRICK, SEABURN, AND CHAIR CHELF.

NOES: NONE.

ABSENT: NONE.

ABSTAIN: COOLEY.

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

Administrative Offices


CITY CLERK



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

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

Agenda Item No.: 5B
Mtg. Date: 08/12/2019

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: YOLANTA SCHWARTZ, PLANNING DIRECTOR

THROUGH: ELAINE JENG, P.E., CITY MANAGER

SUBJECT: CONSIDERATION TO RECEIVE AND FILE RESOLUTION NO. 2019-13 FROM THE PLANNING COMMISSION GRANTING APPROVAL FOR A SITE PLAN REVIEW FOR THE CONSTRUCTION OF A NEW RESIDENCE, INCLUDING ATTACHED GARAGE AND BASEMENT, RETAINING WALL, SWIMMING POOL, AND GRADING; CONDITIONAL USE PERMIT TO CONSTRUCT A GUEST HOUSE; AND VARIANCES TO EXCEED THE MAXIMUM PERMITTED DISTURBANCE OF THE LOT AND TO EXCEED THE MAXIMUM PERMITTED COVERAGE OF THE FRONT YARD SETBACK FOR CONSTRUCTION OF A DRIVEWAY IN ZONING CASE NO. 956 AT 8 MIDDLE RIDGE LANE SOUTH (ZHANG). AND

RECOMMENDATION FROM THE TRAFFIC COMMISSION TO APPROVE THE DRIVEWAY APRON.

DATE: AUGUST 12, 2019

ATTACHMENT:

1. RESOLUTION NO. 2019-13

BACKGROUND

The Planning Commission at their July 18, 2019 meeting adopted Resolution No. 2019-13 granting a Site Plan Review, Conditional Use Permit and Variance for the construction of a new residence with a basement, garage, swimming pool, guest house,

driveway and other outdoor amenities on a vacant parcel. The Planning Commission found that the final project is compatible with the neighborhood, that the lot is not overbuilt nor the structures obtrusive and the project meets the development standards for coverages and setbacks, leaving a substantial portion of the lot in its natural state. They also find that the Variance for the coverage of the setback by a driveway is a health and safety compliance driven by the Fire Department.

DISCUSSION

Site Plan Review

The applicant is requesting a Site Plan Review, (SPR), to construct a 6,201 square foot residence with 3,000 square foot basement, 880 square foot garage, 1,222 square feet porches, an entryway, 1,172 square foot swimming pool with 40 square foot pool equipment, 400 square foot outdoor kitchen, service yard area and grading of 6,790 cubic yards of cut and 5,955 cubic yards of fill, with 835 cubic yards of dirt to be exported from the excavation of the basement and pool. A SPR is also requested for one not to exceed 5' high retaining wall along the driveway.

Conditional Use Permit

A Conditional Use Permit is requested to construct an 800 square foot guest house with 337 square foot attached porch.

Variances

Variances are requested to exceed the maximum permitted disturbance of the lot to up to 49.9%, where maximum permitted is 40%; and to exceed the 20% maximum permitted coverage of a setback with a driveway. The driveway is proposed to cover 33.3% of the front setback. The proposed driveway follows the length of the house and its configuration is dictated by the Fire Department.

Zoning and Land Size

The property is zoned RAS-2 and excluding roadway easement the lot is 3.45 acres in size. For development purposes the net lot area is 3.1 acres, (137,810 sq.ft.). The lot is vacant. The lot is long and narrow, having a very long frontage along Middleridge Lane South.

Development Standards

The project will be developed to the following development standards:

- 8.2% - Structural Coverage of the net lot
- 20.5% - Total coverage of the net lot (structures and hardscape)
- 35.9% - Building pad coverage
- Grading - 6,790 cubic yards cut and 5,955 cubic yards fill; 835 cubic yards to be exported (basement and/or pool)
- 49.9% -Disturbance of the net lot (variance requested)
- 33.3% - Driveway coverage of the front setback (variance requested)

- Height - The highest ridgeline of the house is proposed at 18'2" from the finished grade. The ridge is then stepped down to 13'3". The guest house will have a height of 14'10" along the north elevation and 13'10' elsewhere.
- 1,000 square foot set aside area has been designated for a future stable and corral

Environmental Review

The project has been determined to be categorically exempt pursuant to the California Environmental Quality Act (CEQA) under Class 3, Section 15303. New construction of a single family residence and accessory structures.

TRAFFIC COMMISSION REVIEW

Driveway

Prior to applying to the City for development and a driveway, the architect developed a conceptual plan of the house, fitting it on the flattest portion of the lot, where least amount of grading would be required, and submitted the plan to the Fire Department. The Fire Department informed the applicant that regardless of the shape and location of the house, a 20' wide driveway would be required and a turn around area for fire engines.

Subsequently, the architect submitted an application to the Traffic Commission for a driveway apron. Due to Middleridge Lane South residents' comments and opinion on preferred location of the apron and Traffic Engineer's recommendations, the Traffic Commission reviewed several iterations of the driveway apron. Due to the curved nature and steepness of the lot, the applicant had difficulty in meeting the required sight distances for visibility of on-coming traffic. Ultimately, the Traffic Engineer concurred that the proposed location would be acceptable. At the May 23, 2019 Traffic Commission meeting, members of the Traffic Commission memorialized the recommendation to approve the driveway apron. The City Council makes the final decision on Traffic Commission's recommendations.

PUBLIC PARTICIPATION AND AMENDED PROJECT

Throughout the public input process during the Planning Commission proceedings, the project was substantially decreased in scope. The Planning Commission held four public hearings and 2 field trips, before approving the project. Many of the residents of Middleridge Lane South provided input, correspondence and were present at all of the meetings.

The applicant made the following changes since the first submittal in February:

- Reduced the size of the house by 1,163 sq.ft.
- Reduced the size of the garage by 277 sq.ft.
- Reduced the size of porches by 478 sq.ft.
- Increased the basement by 1,000 sq.ft.
- Shrunk the length of the house/garage by 30'
- Lowered the building pad by 6'

- Stepped down the roof line on both sides of the entry
- Eliminated a long retaining wall along the driveway and a wall along the guest house
- Moved the guest house away from the street
- Moved the house footprint about 6-10' east and south for additional separation to northerly neighbor.
- Created gentler grades with 2.5:1 and 3:1 slopes throughout the graded areas

RECOMMENDATION

It is recommended that the City Council receive and file this report and approve the driveway apron.

RESOLUTION NO. 2019-13.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL FOR A SITE PLAN REVIEW FOR THE CONSTRUCTION OF A NEW RESIDENCE, INCLUDING ATTACHED GARAGE AND BASEMENT, RETAINING WALL, SWIMMING POOL, AND GRADING; CONDITIONAL USE PERMIT TO CONSTRUCT A GUEST HOUSE; AND VARIANCES TO EXCEED THE MAXIMUM PERMITTED DISTURBANCE OF THE LOT AND TO EXCEED THE MAXIMUM PERMITTED COVERAGE OF THE FRONT YARD SETBACK FOR CONSTRUCTION OF A DRIVEWAY IN ZONING CASE NO. 956 AT 8 MIDDLE RIDGE LANE SOUTH (ZHANG).

THE PLANNING COMMISSION DOES HEREBY FIND, RESOLVE, AND ORDER AS FOLLOWS:

Section 1. An application was duly filed by Mr. Kevin Zhang (Applicant) for Site Plan Review for grading of 6,790 cubic yards of cut and 5,955 cubic yards of fill with 835 cubic yard of dirt to be exported from the excavation of the basement and pool; to construct a 6,201 square foot residence with 3,000 square foot basement and 880 square foot attached garage; to construct a 1,172 square foot swimming pool; and to construct a not to exceed 5' high retaining wall along the driveway; a Condition Use Permit to construct an 800 square foot guest house; and Variances to exceed the maximum permitted disturbance of the lot by 9.9% to up to 49.9%, where maximum permitted is 40%; and to cover 33.3% of the front yard setback with a driveway, where the maximum permitted is 20%. A new driveway apron was approved by the Traffic Commission. Applicant also seeks accompanying administrative approvals to construct the following: 1) 1,222 square feet of covered porches for the residence; 2) 238 square foot entryway for the residence; 3) 40 square foot pool equipment area; 4) 100 square foot water feature; 5) 400 square foot outdoor kitchen; 6) 100 square foot service yard area; and 7) 337 square foot attached porch for the guest house.

Section 2. During the Traffic Commission and Planning Commission proceedings, several residents along Middleridge Lane South expressed concerns about the project relating to the location of the driveway apron, massing and size of the house, grading amount, potential loss of privacy, loss of views, visibility of the long driveway from the street, and screening of the project. The applicant revised the project three times; by reducing the size of the house, attached garage, covered porches, eliminating two retaining walls, lowering the building pad by over 6' from the original proposed development, lowering the ridge line of the house, and moving the house away from the side setback line to provide for a greater distance between the project and adjacent house.

Section 3. The Planning Commission conducted duly noticed public hearings to consider the application at their regular meetings on February 19, 2019, April 16, 2019, May 21, 2019, and June 18, 2019 including site visits on April 16, 2019 and on June 18, 2019. The Planning Commission at the June 18, 2019 regular meeting directed staff to prepare a Resolution approving the project. Neighbors within a 1,000-foot radius were notified of the public hearings and notices were published in the Peninsula News on January 3, 2019 and April 4, 2019. The Applicant and his agent were notified of the public hearings in writing by first class mail and the Applicant's agent was in attendance at the hearings. Evidence was heard and presented from all persons interested in affecting said proposal and from members of the City staff. The Planning Commission reviewed, analyzed, and studied said proposal.

Section 4. The property is zoned RAS-2, and the lot is 3.45 acres in size excluding roadway easement. For development purposes the net lot area is 3.1 acres, (137,810 sq.ft.). The lot is vacant. The lot is long and narrow, having a very long frontage along Middleridge Lane South. The rear of the lot slopes to a bridle trail that crosses the lot.

Section 5. The Planning Commission finds that the development project is exempt from the California Environmental Quality Act, (CEQA) pursuant to Section 15303 (new construction of single family residence and accessory structures) of the CEQA guidelines.

Section 6. Site Plan Review is required for the construction of the 6,201 square foot residence, including 3,000 square foot basement and 880 square foot attached garage pursuant to Rolling Hills Municipal Code (RHMC) Section 17.46.020; the 1,172 square foot swimming pool pursuant to RHMC Section 17.46.020; the grading of 6,790 cubic yards of cut and 5,955 cubic yards of fill pursuant to RHMC Section 17.46.020; and a not to exceed 5 foot retaining wall along a portion of the driveway pursuant to RHMC Sections 17.16.190 and 17.16.210. With respect to the Site Plan Review, the Planning Commission makes the following findings of fact:

A. The project complies with and is consistent with the goals and policies of the general plan and all requirements of the zoning ordinance. The 6,201 square foot residence, including 3,000 square foot basement and 880 square foot attached garage, and the 1,172 square foot swimming pool comply with the General Plan requirement of low profile, low-density residential development with sufficient open space between surrounding structures and maintain sufficient setbacks to provide buffers between residential uses. The construction of these features also does not require variances from any zoning requirement.

The property is unimproved, and therefore a new driveway and a building pad must be created. The 6,790 cubic yards of cut and 5,955 cubic yards of fill of grading complies with the general plan and all requirements of the zoning ordinance subject to the two variances to increase the disturbance above the maximum allowable and to increase the coverage of the front yard set back above the maximum allowable to construct the driveway. The grading is necessary to create the building pad for the residence and a driveway of 20' in width with a turn around area is required by the Fire Department. The net lot area of the lot is over 3 acres but is constrained by the shape of the lot which is long and narrow, having a very long frontage along Middleridge Lane South. The lot is adjacent to other large lots along Middleridge Lane South.

The not to exceed 5 foot retaining wall along the driveway complies with the general plan and all requirements of the zoning ordinance. The topography of the lot and the requirement for a 20' wide driveway dictates the location of a wall. The wall will not be visible from the street or by any neighbors; it will only be visible to the Applicant. The retaining wall supports the General Plan as it will provide safety to the property owners, reduce the need for additional grading and meet the building code and Fire Department requirements.

B. The project substantially preserves the natural and undeveloped state of the lot by minimizing building coverage. The topography and the configuration of the lot have been considered, and the proposed project will be constructed on the least steep area of the lot, so that the lot experiences the least disruption. The lot coverage is 28,243 square feet or 20.5%, which is below the maximum lot coverage limitation of 35%. The grading for the building pad leaves the steeper and more densely vegetated areas in their existing state. The project in general will retain the existing slopes and vegetation. The not to exceed 5' retaining wall supports the slope along the driveway to reduce the need for additional grading.

C. The project is harmonious in scale and mass with the site, the natural terrain and surrounding residences. The proposed development, as conditioned, is consistent with the scale of the neighborhood when compared to new residences in the City. The proposed project is screened from the road so as to reduce the visual impact of the development. The development plan takes into consideration the views from Middleridge Lane South. The development will be set back from the road so that views from the road will not be blocked. Significant portions of the lot will be left

undeveloped. The development location will be the least intrusive to surrounding properties, is of sufficient distance from nearby residences so that it will not impact the view or privacy of surrounding neighbors, and will allow the owners to enjoy their property without significantly impacting surrounding property owners. The grading for the building pad leaves the steeper and more densely vegetated areas in their existing state. The proposed 5' retaining wall is necessary to support the slope along the driveway. The wall is harmonious in scale as it will be only visible from the yard of the subject residents and not by any other neighbors.

D. The project preserves and integrates into the site design, to the greatest extent possible, existing topographic features of the site, including surrounding native vegetation, mature trees, drainage courses and land forms (such as hillsides and knolls). The area of the proposed construction does not contain any native vegetation; part of the area is flat and through the years has been cleared for fire prevention. There are several mature trees and shrubs that will be preserved and other native vegetation will be planted. A good portion of the lot will remain in its natural condition as it slopes into the canyon and a bridle trail. This area of the lot will not be affected by the construction of the project. The building pad is created with a cut of earth that parallels the existing topography and the road. The dirt will be placed in a natural appealing curved shape to fill an existing depression. The resulting slopes will range from 3:1 gradient in the front area to 2.5:1 and 2:1 gradient in the rear of the house.

The not to exceed 5 foot high and 50 foot long retaining wall along the driveway limits preserves and integrates existing topographic features of the site because it follows the contours of the lot and is required to support the width of the driveway. The wall will not affect native vegetation or mature trees. It will aid in the design of the drainage on the property as the run off will travel along the driveway curb and the wall into a dissipator located near the driveway apron and into the street. This will protect the building pad and the structure from flooding during heavy rains. The rear of the building pad will continue draining in sheet flow fashion to the natural drainage course below the property.

E. Grading has been designed to follow natural contours of the site and to minimize the amount of grading required to create the building area. The building pad is created with grading that parallels the existing topography and the road. The dirt will be placed in natural appealing curved shape to fill an existing depression. The resulting slopes will range from 3:1 gradient in the front area to 2.5:1 and 2:1 gradient in the rear of the house. With the pad pitched as the existing site slopes, the fill slopes follow Middleridge in a natural form. There is no grading in the canyon and all drainage courses remain the same. Run off will be collected in a managed fashion, so as not to flood the property and to discharge water through the dissipator into the street.

F. Grading will not modify existing drainage channels nor redirect drainage flow, unless such flow is redirected into an existing drainage course. The topography and hydrology of the lot dictate the location of the development so that an acceptable drainage design for the property may be accomplished. The project will not affect any drainage course as the drainage will mimic the existing drainage course; however due to the introduction of impervious surfaces to the lot the lot run off will be collected in a managed fashion, so as not to flood the property and to discharge water through a dissipator into the street. The design incorporates a drainage swale behind the wall to further direct the water along the wall and into a dissipater. This will protect the building pad and the structures from flooding during heavy rains.

G. The project preserves surrounding native vegetation and mature trees and supplements these elements with drought-tolerant landscaping which is compatible with and enhances the rural character of the community, and landscaping provides a buffer or transition area between private and public areas. The project will retain many of the existing vegetation, and add new vegetation compatible with the rural character of the City. A large portion of the lot will remain undisturbed and the existing vegetation will remain. A large portion of the area proposed for construction does not contain any

native or mature vegetation as it was cleared for fire prevention through the years. The development will be screened and landscaped with additional trees and shrubs. The landscaping will provide a buffer or transition area between the property and surrounding properties. The retaining wall will not disturb surrounding native vegetation or mature trees. The retaining wall is only visible to the Applicant and not from adjacent properties.

H. The project is sensitive and not detrimental to the convenient and safe movement of pedestrians and vehicles. This is an unimproved lot and a new driveway must be constructed. Following several reiterations for a proposed driveway reviewed by the Traffic Commission including at a field visit, the Traffic Commission recommended approval of the driveway in its currently proposed location. The Traffic Engineer agreed on the location of the driveway apron. The neighbors at the field visit also supported the location of the driveway apron. A path for pedestrians is preserved at the street and there is ample off-street parking due to Fire Prevention access requirement.

The new 20' wide driveway, as required by the Fire Department, will be safe for two cars to drive past each other. There is ample parking in the garages and in the turnaround area at the front of the house so visitor parking will be contained on site outside of the setbacks.

I. The project conforms to the requirements of the California Environmental Quality Act. The development project is exempt from CEQA pursuant to Section 15303 (new construction of single family residence and accessory structures) of the CEQA guidelines.

Section 7. Conditionally permitted uses are not outright permitted by the RHMC. The Planning Commission must consider applications for a Conditional Use Permit and may, with such conditions as are deemed necessary, approve a conditional use which will not jeopardize, adversely affect, endanger or to otherwise constitute a menace to the public health, safety, or general welfare or be materially detrimental to the property of other persons located in the vicinity of such use. A Conditional Use Permit is required for construction of a 800 square foot guest house pursuant to RHMC Section 17.16.040. Section 17.16.210 (A)(5) of the RHMC contains conditions for a guest house subject to approval of a conditional use permit. With respect to this request for a Conditional Use Permit, the Planning Commission finds as follows:

A. The proposed conditional use is consistent with the General Plan. The guest house is consistent with the General Plan because it is consistent with similar uses in the community, meets all the applicable code development standards for such use, and is located in an area on the property that is adequately sized to accommodate such use. The guest house is appropriately located in that it will be sufficiently separated from nearby structures. The guest house is a common amenity in the City. The guest house complies with the General Plan requirement of low profile, low-density residential development with sufficient open space between surrounding structures and maintains sufficient setbacks to provide buffers between residential uses.

B. The nature, condition, and development of adjacent uses, buildings, and structures have been considered, and the use will not adversely affect or be materially detrimental to these adjacent uses, buildings, or structures. The guest house is located of sufficient distance from nearby residences so as to not impact the view or privacy of surrounding neighbors. The height of the guest house will not be obtrusive or block views and is located sufficient distance from the road so as to not be visible from adjacent residences. As part of the approval, a condition is imposed that the guest house will not be rented and will not be located within 50-feet of a driveway or a parking pad.

C. The site for the proposed conditional use is of adequate size and shape to accommodate the use and building proposed. The lot is over 3 acres net in size and is sufficiently large to accommodate the proposed use. The guest house blends in with the

house and will not give the property an over-built look. Sufficient areas of the lot will remain open and unobstructed and sufficient distance has been put between the house and the guest house to leave open spaces in between. Sufficient distance has also been put between the street and the guest house to leave open space between.

D. The proposed conditional use complies with all applicable development standards of the zone district (RAS-2). The guest house complies with all conditions for guest houses pursuant to Section 17.16.210(A)(5) of RHMC. No walls or any variances are requested for the guest house use. The height of the guest house will not be obtrusive or block views. It is located a sufficient distance from the road so as to not be visible from adjacent residences.

E. The proposed conditional use is consistent with the portions of the Los Angeles County Hazardous Waste Management Plan relating to siting criteria for hazardous waste facilities because the project site is not listed on the current State of California Hazardous Waste and Substances Sites List.

F. The proposed conditional use observes the spirit and intent of this title. A guest house is a common amenity in the City. The construction meets all the development standards including the allowable size of 800 square feet. The proposed guest house is located a sufficient distance from nearby residences so as to not impact the view or privacy of surrounding neighbors. A stable and corral set aside area is preserved on the lot and the location of the guest house would not prevent the construction of a stable and corral should the owners wish to develop one in the future.

Section 8. Sections 17.38.010 through 17.38.050 of the RHMC permit approval of a Variance from the standards and requirements of the Zoning Ordinance when exceptional or extraordinary circumstances applicable to the property and not applicable to other similar properties in the same zone prevent the owner from making use of a parcel of property to the same extent enjoyed by similar properties in the same vicinity. A variance from Section 17.16.070 is required because it states that the lot disturbance shall be limited to 40% of the net lot area and a variance from Section 17.16.150 is required because it states that driveways may not cover more than 20% of the setback in which they're located. The Applicant is requesting a variance for 49.9% disturbance of the net lot area and to cover 33.3% of the front setback with a driveway. With respect to this request for Variances, the Planning Commission finds as follows:

A. There are exceptional and extraordinary circumstances or conditions applicable to the property that do not apply generally to the other property in the same vicinity and zone. Unlike most other properties in this zone, this lot is long and follows the curve of the road. The lot is also narrower than most typical lots and therefore it is suitable for development of a rambling, long house. This type of design requires more grading than if a "U" or an "L" shape house was feasible on the lot. In addition, the property is unimproved, and therefore a new driveway and a building pad must be created. The Traffic Commission determined that the best location for the driveway apron was to be located towards the north-east corner of the property, which required the driveway to be long; thus more disturbance of the lot was required. The Fire Department requires a 20' wide driveway with a turn around area and a path of at least 5' all around the structures to access all points of the structures, which also adds to the disturbance of the lot.

The Fire Department requires access to the east and north-east wings of the home and access all around the home through provision of a path. These requirements force the driveway to be long. Due to the narrow site, there is no room for the entire driveway to be moved out of the front setback. Therefore the front yard coverage of 33.3% with the driveway becomes necessary.

B. The Variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity and zone but which is denied to the property in question.

Unlike most other properties in this zone, this lot is long and follows the curve of the road. The lot is also narrower than other typical lots and therefore it is suitable for development of a rambling, long house. This type of design requires more disturbance than if a "U" or an "L" shape house was developed on the lot. Middleridge Lane South has exceptionally poor sight lines due to tight curves and steepness. After several proposals for location of the driveway apron, the Traffic Commission, Traffic Engineer, and the residents at the site visit supported the location of the apron as a safe location along the meandering street. The selected driveway apron location leads to a long driveway in the front setback and requires additional disturbance. The shape of the lot, the Fire Department requirements, and the recommended location of the apron control design parameters. Therefore the Variances are necessary. Other properties in the vicinity have on average wider lots, which is denied to 8 Middleridge Lane South property.

C. The granting of the Variance would not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity. The driveway extending across the front yard setback will be screened from the adjacent properties by new vegetation. Additionally, the existing vegetation already provides a buffer between the street, other properties, and the subject site. The development has been carefully designed and the driveway apron studied for sight distance, making it safe and therefore the improvement and the new driveway will not be injurious to the neighboring properties or subject site. The grading, which will result in greater than the maximum allowable disturbance of the lot, will also not be materially detrimental to the public welfare or injurious to the property as it has been carefully designed to minimize grading and does not greatly exceed the 40% maximum disturbance allowable at 49.9%. This grading is required for construction of the safe driveway in addition to construction of the remaining portion of the building pad.

D. In granting the variance, the spirit and intent of the Zoning Code will be observed. The Zoning Ordinance in the RHMC allows for the construction of single family residences on a lot. The property is unimproved, and therefore a new driveway must be constructed. The lot is unique in size and topography. The Traffic Commission determined that the best location of the apron was to be located towards the north-east corner of the property. This triggered more disturbance of the lot and the location of the driveway in the setback. The narrow nature of the lot makes it difficult to move the driveway out of the front setback. No other variances are requested for this project and the project meets all other development standards of the Zoning Ordinance, and therefore the spirit and intent of the Zoning Code is observed.

E. The variance does not grant special privilege to the Applicant. The lot is unique in size and topography. The driveway apron which requires the driveway to traverse through the front yard setback would allow the owners and visitors to enjoy a safe ingress and ingress from the property and provide for on-site parking. The exceedance in the disturbance of the lot is triggered by the requirements of the Fire Department for the wide driveway and access around the property. The Traffic Commission and Traffic Engineer determined that the driveway apron was in the best location for the lot. The residents at the site visit supported the location of the driveway apron. Without the variances, the Applicant would be required to significantly decrease the size of the residence to provide the Fire Department with sufficient access around the property. Such reduction in size would also constrain orderly development of the interior of the residence, attached garage, and guest house.

F. The variances are consistent with the portions of the County of Los Angeles Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities because there are no hazardous waste facilities at issue in this case.

G. The variance requests are consistent with the General Plan. The proposed variances for the project will provide for residential uses which are in line with the

General Plan, as it allows construction of a single family single story home on a lot. The location of the driveway apron largely causes the disturbance to exceed the maximum allowable and causes the driveway to traverse through the front yard setback in excess of the maximum allowable. The driveway apron will provide the Applicant with a safe access to and from the property, on site parking so that parking will not spill over on the roadway easement, and will protect the views that the adjacent properties currently enjoy. These items are consistent with the General Plan, meeting the goal of maintaining the City's one story height limitations and preserving scenic vistas.

Section 9. Based upon the foregoing findings, the Planning Commission hereby approves Zoning Case No. 956 a request for Site Plan Review for grading of 6,790 cubic yards of cut and 5,955 cubic yards of fill with 835 cubic yard of dirt to be exported from the excavation of the basement and pool; to construct a 6,201 square foot residence with 3,000 square foot basement and 880 square foot attached garage; to construct a 1,172 square foot swimming pool; and to construct a not to exceed 5' high retaining wall along the driveway; a Condition Use Permit to construct an 800 square foot guest house; and Variances to exceed the maximum permitted disturbance of the lot by 9.9% to up to 49.9%, where maximum permitted is 40%; and to cover 33.3% of the front yard setback with a driveway, where the maximum permitted is 20% subject to the following conditions:

A. The Site Plan, Variances, and Conditional Use Permit approval shall expire within two years from the effective date of approval if construction pursuant to this approval has not commenced within that time period, as required by Sections 17.46.080, 17.42.070 and 17.38.070 of the RHMC, or the approval granted is otherwise extended pursuant to the requirements of those sections.

B. If any condition of this resolution is violated, the entitlement granted by this resolution shall be suspended and the privileges granted hereunder shall lapse and upon receipt of written notice from the City, all construction work being performed on the subject property shall immediately cease, other than work determined by the City Manager or his/her designee required to cure the violation. The suspension and stop work order will be lifted once the Applicant cures the violation to the satisfaction of the City Manager or his/her designee. In the event that the Applicant disputes the City Manager or his/her designee's determination that a violation exists or disputes how the violation must be cured, the Applicant may request a hearing before the City Council. The hearing shall be scheduled at the next regular meeting of the City Council for which the agenda has not yet been posted; the Applicant shall be provided written notice of the hearing. The stop work order shall remain in effect during the pendency of the hearing. The City Council shall make a determination as to whether a violation of this Resolution has occurred. If the Council determines that a violation has not occurred or has been cured by the time of the hearing, the Council will lift the suspension and the stop work order. If the Council determines that a violation has occurred and has not yet been cured, the Council shall provide the Applicant with a deadline to cure the violation; no construction work shall be performed on the property until and unless the violation is cured by the deadline, other than work designated by the Council to accomplish the cure. If the violation is not cured by the deadline, the Council may either extend the deadline at the Applicant's request or schedule a hearing for the revocation of the entitlements granted by this Resolution pursuant to Chapter 17.58 of the RHMC.

C. All requirements of the Building and Construction Ordinance, the Zoning Ordinance, and of the zone in which the subject property is located must be complied with unless otherwise set forth in the Permit, or shown otherwise on an approved plan.

D. Prior to submittal of final working drawings to Building and Safety Department for issuance of building permits, the plans for the project shall be submitted to City staff for verification that the final plans are in compliance with the plans approved by the Planning Commission.

E. The lot shall be developed and maintained in substantial conformance with the site plan on file dated May 15, 2019 except as otherwise provided in these conditions. All conditions of the Site Plan Review, Variances and Conditional Use Permit approvals shall be incorporated into the building permit working drawings, and where applicable complied with prior to issuance of a grading or building permit from the building department.

The conditions of approval of this Resolution shall be printed onto building plans submitted to the Building Department for review and shall be kept on site at all times.

Any modifications and/or changes to the approved project, including resulting from field conditions, shall be discussed and approved by staff prior to implementing the changes.

F. A licensed professional preparing construction plans for this project for Building Department review shall execute a Certificate affirming that the plans conform in all respects to this Resolution approving this project and all of the conditions set forth therein and the City's Building Code and Zoning Ordinance.

Further, the person obtaining a building and/or grading permit for this project shall execute a Certificate of Construction stating that the project will be constructed according to this Resolution and any plans approved therewith.

G. The structural net lot coverage shall not exceed 11,603 sq.ft. or 8.4% (w/out deductions) and 8.2% w/deductions in conformance with the lot coverage limitations; the proposed total coverage, (structures and flatworks) shall not exceed 28,243 sq.ft. (w/deductions) or 20.5% and 20.6% w/out deduction in conformance with the lot coverage limitations.

The proposed residential building pad will be 30,600 sq.ft. with 35.9% structural coverage-accounting for allowable deductions, and includes the guest house.

H. The disturbed area of the lot shall not exceed 49.9%. Grading for this project shall not exceed 6,790 cubic yards of cut and 5,955 cubic yards of fill, with 835 cubic yard of dirt to be exported.

I. A driveway and a turn-around shall be provided per the Fire Department requirements.

J. A minimum of five-foot path and/or walkway, which does not have to be paved, shall be provided around the entire perimeter of all of the proposed structures, or as otherwise required by the Fire Department.

K. The highest ridgeline of the residence shall not exceed 18.2' feet from the finished grade to the finished surface of the roof along west elevation, and then step down to as low as 13'3". The guest house may not exceed the height of 14'10" along the north elevation and 13'10' elsewhere. Three chimneys are permitted, two shall run in a north south direction, which is parallel to views from behind, minimizing impact.

L. The dissipaters and pool equipment area shall be screened with landscaping. Sound attenuating equipment shall be installed to dampen the sound from the pool equipment area and the pool pump. The project shall utilize the most quiet and technologically advanced equipment to dampen the sound. Per LA County Building Code, pool barrier/fencing shall be required.

M. The applicant shall comply with all requirements of the Lighting Ordinance of the City of Rolling Hills (RHMC 17.16.190) pertaining to lighting on said property and roofing material requirements of properties and all other ordinances and laws of the City of Rolling Hills.

N. The guest house shall not exceed 800 square feet as measured from the outside wall. All provisions of Section 17.16.210(A)(5) of the zoning ordinance, shall be complied with; including, and not be limited to: only one sanitary facility consisting of a shower, sink, and a toilet and a kitchenette is permitted in the guest house; there shall be no parking area within 50-feet of the guest house and no renting of the guest house is permitted. A guest house floor plan shall be submitted to the Planning Department prior to obtaining a building permit.

O. The property on which the project is located shall contain a set aside area to provide an area meeting all standards for a stable and corral with adequate access. The stable and corral set aside area may not be graded, unless an application is filed with the City for construction of a stable.

P. A drainage plan, as required by the Building Department shall be prepared and approved by City Staff prior to issuance of a grading permit. Such plan shall be subject to LA County Code requirements. Hydrology, soils, geology and other reports, as required by the Building and Public Works Departments, and as may be required by the Building Official, shall be prepared.

Q. All graded slopes shall be landscaped. Prior to issuance of building permit, a detailed landscaping plan shall be submitted to the City in conformance with Fire Department Fuel Modification requirements and shall be subject to the requirements of the City's Water Efficient Landscape Ordinance, (Chapter 13.18 of the RHMC).

The landscaping plan shall include vegetation and trees, that when planted, to the maximum extent feasible, screen the development from the adjacent properties; minimum of 24 inch plant boxes and 15 gallon plants shall be utilized for screening. The detailed landscaping plan must provide that any trees and shrubs used in the landscaping scheme for this project shall be planted in a way that screens the development from adjacent street and neighbors, but as plants grow, they would not grow into a hedge or impede any neighbors views. The landscaping plan shall utilize to the maximum extent feasible, plants that are native to the area, are water-wise and are consistent with the rural character of the community. The project shall be continually maintained in substantial conformance with the landscaping plan.

R. All utility lines to all structures on the lot shall be placed underground, subject to all applicable standards and requirements.

S. Hydrology, soils, geology and other reports, as required by the Building and Public Works Departments, and as may be required by the Building Official, shall be prepared.

T. A construction fence may be allowed or may be required by the City or the Building Department staff for the duration of the construction of the project. City staff shall approve the location and height of the fence. The construction fence shall not be placed more than 15 calendar days prior to commencement of the construction and shall be removed within 15 calendar days of substantial completion of the project as determined by City staff or at any given time at the discretion of City staff.

U. Placement of one construction and one office trailer may be permitted for the duration of on-site construction activities during an active building permit; each shall be no larger than 8' x 40' in size, and must be authorized by City staff with such authorization being revoked at any point deemed reasonable by City staff. Such trailers, to maximum extent practicable shall be located in a manner not visible from the street. Unless otherwise approved by staff, with proof of a good cause, such trailers shall not be located in any setback or front yard, may be placed on the site no more than 15 calendar days prior to commencement of construction and must be removed within 15

calendar days of expiration of a building permit, revocation, or finalization of the project.

V. Minimum of 65% of any construction materials must be recycled or diverted from landfills. The hauler of the materials shall obtain City's Construction and Demolition permits for waste hauling prior to start of work and provide proper documentation to the City upon completion of the project.

W. *During construction*, conformance with the air quality management district requirements, stormwater pollution prevention practices, county and local ordinances and engineering practices so that people or property are not exposed to undue vehicle trips, noise, dust, and objectionable odors shall be required.

X. *During construction*, to the extent feasible, all parking shall take place on the project site, but if necessary, any overflow parking may take place within the unimproved roadway easements along adjacent streets, and shall not obstruct neighboring driveways, visibility at intersections or pedestrian and equestrian passage. During construction, to the maximum extent feasible, employees of the contractor shall car-pool into the City. To the extent feasible, a minimum of 4' wide path, from the edge of the roadway pavement, for pedestrian and equestrian passage shall be available and be clear of vehicles, construction materials and equipment at all times. A flagmen shall be used to direct traffic when necessary, including during delivery of large construction equipment or materials.

Y. *During construction*, the property owners shall be required to schedule and regulate construction and related traffic noise throughout the day between the hours of 7 AM and 6 PM, Monday through Saturday only, when construction and mechanical equipment noise is permitted, so as not to interfere with the quiet residential environment of the City of Rolling Hills.

Z. The contractor shall not use tools that could produce a spark, including for clearing and grubbing, during red flag warning conditions. Weather conditions can be found at:
http://www.wrhn.noaa.gov/lox/main.php?suite=safety&page=hazard_definitions#FIR

E. It is the sole responsibility of the property owner and/or his/her contractor to monitor the red flag warning conditions. Should a red flag warning be declared and if work is to be conducted on the property, the contractor shall have readily available fire extinguisher.

AA. The property owners shall be required to conform with the Regional Water Quality Control Board and County Public Works Department Best Management Practices (BMP's) requirements related to solid waste, drainage, cisterns, and storm water drainage facilities management and to the City's Low Impact development Ordinance (LID). Further the property owners shall be required to conform to the County Health Department requirements for a septic system.

AB. Prior to finaling of the project an "as graded" and "as constructed" plans and certifications, including certifications of ridgelines of the structures, shall be provided to the Planning Department and the Building Department to ascertain that the completed project is in compliance with the approved plans. In addition, any modifications made to the project during construction, shall be depicted on the "as built/as graded" plan.

AC. The Applicant shall execute an Affidavit of Acceptance of all conditions of this permit pursuant to Zoning Ordinance, or the approval shall not be effective. The affidavit shall be recorded together with the resolution.

PASSED, APPROVED AND ADOPTED THIS 16th DAY OF JULY, 2019.


BRAD CHELF, CHAIRMAN

ATTEST:


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 Code of Civil Procedure Section 1094.6.

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

I certify that the foregoing Resolution No. 2019-13 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL FOR A SITE PLAN REVIEW FOR THE CONSTRUCTION OF A NEW RESIDENCE, INCLUDING ATTACHED GARAGE AND BASEMENT, RETAINING WALL, SWIMMING POOL, AND GRADING; CONDITIONAL USE PERMIT TO CONSTRUCT A GUEST HOUSE; AND VARIANCES TO EXCEED THE MAXIMUM PERMITTED DISTURBANCE OF THE LOT AND TO EXCEED THE MAXIMUM PERMITTED COVERAGE OF THE FRONT YARD SETBACK FOR CONSTRUCTION OF A DRIVEWAY IN ZONING CASE NO. 956 AT 8 MIDDLE RIDGE LANE SOUTH (ZHANG).

was approved and adopted at a regular meeting of the Planning Commission on July 16th, 2019 by the following roll call vote:

AYES: CARDENAS, COOLEY, KIRKPATRICK, SEABURN, AND CHAIR CHIEF.

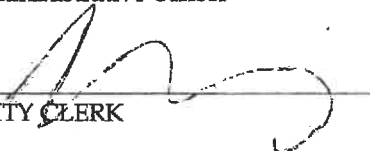
NOES: NONE.

ABSENT: NONE.

ABSTAIN: NONE.

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

Administrative Offices


CITY CLERK



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

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

Agenda Item No: 6A
Mtg. Date: 08/12/2019

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: YOLANTA SCHWARTZ, PLANNING DIRECTOR

THROUGH: ELAINE JENG, P.E., CITY MANAGER

SUBJECT: REVIEW AND APPROVE RESOLUTION NO. 1242 DENYING A REQUEST FOR A VARIANCE IN ZONING CASE NO. 957 AT 5 FLYING MANE LANE.

DATE: AUGUST 12, 2019

BACKGROUND

The applicant has recently completed a 990 square foot addition and major renovation on the house. Pursuant to Section 17.27.030 of the Zoning Code, one of the conditions of the residential approval was to underground the utility lines. The provision does not dictate which pole on or off the property one must underground to.

At the June 10, 2019 City Council meeting, following a report from staff on the Planning Commission's action to approve the Variance, the City Council took the case under jurisdiction. Pursuant to Section 15.54.015 of the Rolling Hills Municipal Code, review hearing for cases taken under jurisdiction by the City Council shall be conducted as de novo hearings. The City Council held public hearings at a field trip on July 2, 2019 and at the regular City Council meeting on July 22, 2019.

The applicant based his justification not to underground on several professionals, who submitted letters claiming difficulty in undergrounding the lines.

DISCUSSION

At the July 22, 2019 meeting, councilmembers directed staff to prepare a Resolution denying the request for a variance not to underground the utility lines to the residence.

Members of the City Council found that there are no exceptional or extraordinary circumstances applicable to the property to prevent the owner from complying with the requirement of Section 17.16.03 to underground the utility lines. They also found that there exists a viable alternative to allow the owner to underground the lines.

The enclosed Resolution contains finding of facts and conditions for the denial of the variance.

CEQA

The project has been determined to be categorically exempt pursuant to the California Environmental Quality Act (CEQA).

RECOMMENDATION

It is recommended that the City Council review and approve Resolution No. 1242 denying the request for a Variance in Zoning Case No. 957.

VARIANCE REQUIRED FINDINGS
A. That there are exceptional or extraordinary circumstances or conditions applicable to the property that do not apply generally to other properties in the same vicinity and zone; and
B. That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity and zone but which is denied the property in question; and
C. That the granting of such variance will not be materially detrimental to the public welfare or injurious to properties or improvements in the vicinity; and
D. That in granting the variance, the spirit and intent of this title will be observed; and
E. That the variance does not grant special privilege;
F. That the variance is consistent with the portions of the County of Los Angeles Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities; and
G. That the variance request is consistent with the General Plan of the City of Rolling Hills.

RESOLUTION NO. 1242

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS DENYING A REQUEST FOR A VARIANCE FROM THE REQUIREMENT THAT UTILITY LINES BE PLACED UNDERGROUND IN CONJUNCTION WITH CONSTRUCTION OF AN ADDITION AND MAJOR REMODEL IN ZONING CASE NO. 957, AT 5 FLYING MANE LANE, ROLLING HILLS (LOT 45-SF), (WALKER).

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

Section 1. In February 2013, the property owner (Mr. Richard Walker) at 5 Flying Mane Lane, Rolling Hills (Lot 45-SF) received administrative approval (over-the-counter) for a 992 square foot addition and major renovation to his residence. In June 2015, he received administrative approval for a new 790 square foot swimming pool. In or around December 2018, the property owner completed construction and has since been awaiting final sign off of the residential structure. Section 17.27.030 of the Rolling Hills Municipal Code ("RHMC") states in part that "[a]ll utilities servicing the building in question or any residentially zoned parcel shall be installed underground upon: (B) [r]emodeling of a primary or accessory building which entails enlargement of the structure or alteration of the building footprint."

Section 2. On March 7, 2019, an application was duly filed by Mr. Richard Walker ("Applicant") requesting a variance from the requirement that utility lines be placed underground. Sections 17.38.010 through 17.38.050 of the Rolling Hills Municipal Code permit approval of a variance granting relief from the standards and requirements of the Zoning Ordinance when exceptional or extraordinary circumstances applicable to the property prevent the owner from making use of a parcel of property to the same extent enjoyed by similar properties in the same vicinity or zone.

Section 3. The Planning Commission considered the application for the requested variance and conducted several duly noticed public hearings on April 16, 2019 at a field trip and at its regular meeting and also on May 21, 2019 at its regular meeting.

Section 4. Following Planning Commission approval of Zoning Case No. 957, the City Council took jurisdiction of the case at its June 10, 2019 meeting. Pursuant to Section 17.54.015 of the Rolling Hills Municipal Code, a review hearing for cases taken under jurisdiction by the City Council must be conducted *de novo*.

Section 5. On July 2, 2019, the City Council held a duly noticed public meeting in the field to conduct a public hearing and to observe the project. It reviewed and considered the staff report, reviewed and considered the Applicant's request, took brief public testimony, and considered other information on the record. The City Council continued the public hearing to its regularly scheduled meeting on July 8, 2019.

Section 6. At the July 8, 2019 regular City Council meeting, the City Council conducted a duly noticed public hearing during which interested parties testified and the City Council considered all the information on record. The City Council directed staff to consult with Southern California Edison regarding the safety of the low hanging utility lines on the property and the available methods for undergrounding the utility lines and also continued the public hearing to its regularly scheduled meeting on July 22, 2019.

Section 7. At the July 22, 2019 regular City Council meeting, the City Council conducted a duly noticed public hearing during which it reviewed and considered the staff report, took brief public testimony, and considered other information on the record. Staff reported that a Southern California Edison Planner visited the site on July 17, 2019 and made the following findings:

- The main utility lines between the lower pole and the upper pole are low due to a very large tree branch leaning on them, not because of the ascending slope. Edison would remove the brush around the lines but it would not cut such a large branch.
- The main utility lines running from the lower pole to the upper pole are telecommunication lines for 5 Flying Mane Lane and electrical and telecommunication lines feeding other properties.
- It would be difficult to underground from Applicant's existing electrical panel to the upper pole due to the shallow bedrock and soft, uncompacted dirt on the surface of the slope.
- An alternate solution would be to install a new pole in the flat portion of the easement between the lower and upper pole. Applicant could underground to the new pole and eliminate lines currently feeding Applicant's residence from the upper pole.
- Applicant would also need to relocate the existing electrical panel to the north wall of the house.
- The two existing poles (the lower and upper poles) and the lines between them (other than lines to 5 Flying Mane Lane) would remain since they feed other properties.
- Edison would need an easement from the owner of 5 Flying Mane Lane to place the new pole.

Based on the evidence in the record, the City Council directed staff to prepare a resolution of denial for the requested variance.

Section 8. Applicant was notified of the public hearings in writing. The Applicant's representative was in attendance at the hearings. Evidence was presented by all persons interested in affecting said proposal and from members of City staff. The City Council reviewed, analyzed, and studied the proposal.

Section 9. Having considered the evidence, the City Council makes the following findings of fact:

- A. There are not exceptional and extraordinary circumstances and conditions applicable to the property that do not apply generally to other properties in the same vicinity and in the same zone. Although Applicant consulted with several experts, including T.I.N. Engineering Company (Geotechnical, Structural, Environmental engineer), Checker Construction, Earth, Construction & Mining (explosive manager), and Southern California Edison for opinions on undergrounding the utility lines on the property and was advised that it would be difficult to underground due to the soils condition over the slope between the electrical panel on the residence and the upper utility pole on the property, an alternate route for the undergrounding was identified as available to Applicant by Southern California Edison making it feasible to underground the utility lines with the use of a third pole. The alternative route would allow Applicant to fulfil the requirements of RHMC Section 17.27.030. Hence, in view of the available route, there is no exceptional circumstances or condition on the property that would justify varying from the otherwise applicable Code requirement.
- B. The requested variance is not necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same vicinity and zone, but which would be denied to the property in question absent a variance. Applicant received permission to construct an addition to an existing single-family residence and to undertake a major remodel with knowledge that undergrounding of utility lines is a necessary requirement. This requirement is applicable to all other property owners in the vicinity and zone absent the granting of a variance. Based on evidence presented by Southern California Edison, Applicant is able to comply with the undergrounding requirement by utilizing another pole and relocating the electrical panel on the residence. Therefore, the requested variance is not necessary for Applicant's enjoyment of a substantial property right as there is an identified method for undergrounding.
- C. The requested Variance would be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located. The City is located in the Very High Fire Hazard Severity Zone (VHFHSZ) where fires have occurred in the past. Many of the fires in California have started from a spark or blown transformer from an above ground utility line. Undergrounding of the utility lines would protect the property and

those in vicinity in case of a fire and would be beneficial to the public welfare, the subject property, and improvements in the vicinity. Granting the requested variance from the undergrounding requirement when there is method for undergrounding would be materially detrimental to the public welfare and injurious to the property and improvements in the vicinity and zone in which the property is located.

- D. The requested variance, the spirit and intent of the Zoning Ordinance will not be observed. The purpose of the Zoning Ordinance is to regulate development in an orderly fashion and in a manner consistent with the goals and policies of the General Plan. The Zoning Ordinance requires undergrounding of utility lines. Granting the variance would allow a property to maintain visible utility lines and compromise the safety of the property and other properties in the vicinity by posing an additional risk of fire hazard when such risk is not necessary due to an identified method for undergrounding.
- E. The requested variance would grant special privileges to Applicant. Section 17.27.030 of RHMC states in part that "[a]ll utilities servicing the building in question or any residentially zoned parcel shall be installed underground upon: (B) [r]emodeling of a primary or accessory building which entails enlargement of the structure or alteration of the building footprint." Section 17.27.030 applies to all properties within the City absent a variance based on exceptional or extraordinary circumstances applicable to the property. Evidence was presented by Southern California Edison that there is an identified method to underground the utility lines. Granting the requested variance would provide Applicant with a special privilege that is not afforded to other residents.
- F. The requested variance is not consistent with the General Plan. One of the goals of the Safety Element in the General Plan is to reduce threats to public safety and protect property from brush fire hazards. Allowing Applicant to avoid the undergrounding requirement even though there is an identified method to underground the utility lines on the property would not contribute to reducing threats to public safety or contribute to protection of property from brush fire hazards. Instead, it would leave the property and surrounding properties more vulnerable to the threat of brush fire hazards even when a method of undergrounding has been identified.

Section 10. Having considered the evidence, the City Council denies the request for variance from the requirement that utility lines be placed underground in conjunction with construction of an addition and major remodel in Zoning Case No. 957.

PASSED, APPROVED, AND ADOPTED THIS 12th DAY OF AUGUST 2019.

Leah Mirsch
Mayor

ATTEST:

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 Code of Civil Procedure Section 1094.6.

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

I certify that the foregoing Resolution No. 1242 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS DENYING A REQUEST FOR A VARIANCE FROM THE REQUIREMENT THAT UTILITY LINES BE PLACED UNDERGROUND IN CONJUNCTION WITH CONSTRUCTION OF AN ADDITION AND MAJOR REMODEL IN ZONING CASE NO. 957, AT 5 FLYING MANE LANE, ROLLING HILLS (LOT 45-SF), (WALKER).

was approved and adopted at a regular meeting of the City Council on August 12, 2019 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

Administrative Offices.

CITY CLERK



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

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

Agenda Item No: 8A
Mtg. Date: 08/12/2019

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: ELAINE JENG, P.E., CITY MANAGER

SUBJECT: CONSIDER AND APPROVAL OF A GRANT APPLICATION FOR MEASURE A, THE SAFE, CLEAN NEIGHBORHOOD PARKS, OPEN BENCHES, RIVERS PROTECTION, AND WATER CONSERVATION FUNDS.

DATE: AUGUST 12, 2019

ATTACHMENT:

- 1. LETTER FROM LA COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT, DATED JUNE 3, 2019**

BACKGROUND

On June 6, 2019, staff received a letter from Los Angeles County Regional Park and Open Space District (Park District) regarding the availability of Measure A funds.

Measure A is also known as the Safe, Clean Neighborhood Parks, Open Space, Beaches, Rivers Protection, and Water Conservation Measure. On November 8, 2016, voters of Los Angeles County approved Measure A, a parcel tax that generates over \$90 million in funding annually to be used to improve, acquire, develop and maintain park and recreational facilities within Los Angeles County. Measure A has no sunset date.

Cities that were incorporated at the time Measure A was passed receive two types of funding annually: capital improvement and maintenance and service fund. Annual allocations can be accessed by applying for a grant to perform eligible park projects.

The Park District informed staff that cities with a population of less than 2,500 can share its annual allocation with adjacent high need, or very high-need study area provided the project meets certain conditions.

DISCUSSION

On July 9, 2019 staff held a conference call with Parks District Grants Section Manager and staff to discuss the City's potential use of Measure A funds or if the City would allow the County Supervisor to access the City funds for regional park projects. According to the Parks District Grants Section Manager, the City has the following allocations:

2018	2019	Total
\$8,700 CIP	\$8,700 CIP	\$17,400
\$2,089 M&S	\$2,089 M&S	\$4,178
\$10,789	\$10,789	\$21,578

To access these funds, the City will need to propose an eligible project by providing details of the project and a high level project cost estimate via a letter to the Parks District by mid-August 2019. Cities can also elect to roll up the allocations for a period of 5 years to have sufficient funds or more funds for the proposed project.

POTENTIAL PROJECT

The City Council considered rehabilitating the City Hall campus parking lot this past May but decided to delay the work until additional transportation funds are rolled up. When the pavement rehabilitation project was discussed, several other improvements were noted such as parking count increase, landscaping, lighting enhancement and drainage. The landscaping component could be changing plant species with strategic planting to accommodate additional parking spaces, park benches, picnic tables, and to utilize the City Hall campus as open space. Discussing the potential landscaping component with the Parks District, the Grant Section Manager determined that the scope of work can be funded using Measure A funds.

Although the above described potential project has not been discussed in depth, staff recommends that the City Council to direct staff to submit the landscaping component of the potential City Hall campus project to the Parks District and request the annual allocations starting with 2018 be rolled up for five years for improvements.

FISCAL IMPACT

The use of Measure A funds would offset the use of General Fund.

RECOMMENDATION

Staff recommends that the City Council submit the landscaping component of the potential City Hall campus project to the Parks District and request the annual allocations starting with 2018 be rolled up for five years to fund and maintain the improvements.



**LOS ANGELES COUNTY
REGIONAL PARK AND
OPEN SPACE DISTRICT**

RPOSD.lacounty.gov
ParksProjects.lacounty.gov
twitter.com/RPOSD

1000 S. Fremont Ave., Unit #40 • Building A-9 East, Ground Floor • Alhambra, CA 91803

(626) 588-5060

June 3, 2019

RECEIVED

JUN 06 2019

Ms. Elaine Jeng, P.E.
City Manager
City of Rolling Hills
2 Portuguese Bend Road
Rolling Hills, CA 90274

City of Rolling Hills
By _____

Dear Ms. Jeng:


**WELCOME TO MEASURE A
THE SAFE, CLEAN NEIGHBORHOOD PARKS, OPEN SPACE,
BEACHES, RIVERS PROTECTION, AND WATER CONSERVATION MEASURE**

The voters of Los Angeles County approved Measure A on November 8, 2016 at a 75% approval rate. Measure A is a parcel tax that generates over \$90 million in funding per year to be used to improve, acquire, develop, and maintain park and recreational facilities within Los Angeles County including recreational access and youth and veteran job training programs through grants. Measure A has no sunset date.

All cities, that were incorporated in Los Angeles County at the time Measure A was passed receive at least two different types of funding annually. Annual Allocations can be accessed by applying for a grant to perform an eligible park project. Once the project has been completed and the grant has been closed, the city could then apply to use its Maintenance and Servicing Funds to maintain it.

Your City has a population small enough that Section 6(n) of Measure A is applicable (see the attached policy document). The District is reaching out to you to discuss this and your City's plans for the utilization of the Annual Allocations from Measure A. The District requests a meeting or conference call with you and the appropriate city staff members. Please contact Mr. Agie Jordan, Grants Section Manager at (626) 588-5045 or by email at ajordan@rposd.lacounty.gov to set a date and time to discuss your agency's options to use Measure A funds. We look forward to hearing from you.

Sincerely,


Jane I. Beesley
District Administrator

JIB:AJ:lr

Attachment

Measure A Annual Allocation Funds to Low Populated Study Area/Cities

Measure A, Section 6(n): *The District shall have the authority to grant funds from any study area with a population of 2,500 or less, to an adjacent high-need, or very high-need study area.*

The following study areas have a population lower than 2,500:

City of Bradbury / Unincorporated (UI) Bradbury #7

City of Hidden Hills #1

City of Industry #25

City of Irwindale #57

City of Rolling Hills #2

City of Vernon / Unincorporated (UI) Vernon #3

A study area with less than 2,500 in population may elect to share its Measure A grant funds provided:

1. The funds will be expended on a specific project eligible for Measure A funds
2. The project is in an adjacent study area
3. The project is located within a high or very high need study area
4. All study areas involved will benefit from the completed project
5. Governing bodies for study areas involved has authorized such sharing of funds

Measure A funds that can be shared include allocations from Community Based Park Investment Program (Category 1), Neighborhood Parks, Healthy Communities and Urban Greening Program (Category 2), Maintenance and Servicing (limited to projects that received Prop A or Measure A funding).

The elected Supervisor can request that these Annual Allocation funds be directed to a specific project, if the Study Area is within their Supervisorial District. The funds must be directed to a Study Area of Very-High-Need or High-Need with adjacency to the initial Study Area. If there are no eligible adjacent Study Areas, then the funds could be allocated to the closest eligible Study Area within the same Supervisory District.

The process will be the following:

- RPOSD will communicate with the Agency of Record for the Study Area about the language in Measure A, ensuring that the Agency doesn't have a project coming forward to utilize these funds, as well as about the intent of the Supervisor to allocate these funds for a project that benefits the residents of the initial Study Area as well.
- The Supervisor's Office informs RPOSD that there is a priority project that will benefit the affected Study Area and its adjacent Study Area (the project site). Identify the applicant/agency to provide the project and its ongoing operations and maintenance, the amount of funds to be awarded.

- RPOSD will evaluate the project and grantee for eligibility, and the amount of funds available to allocate.
- RPOSD will communicate with the Supervisor's Office what response was received and about the award of the identified funds.
- RPOSD will follow-up with the applicant/agency about the project and next steps.



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

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

Agenda Item No: 8B
Mtg. Date: 08/12/2019

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: ELAINE JENG, P.E., CITY MANAGER

SUBJECT: CONSIDER AND APPROVE JOINING SOUTHBAY CITIES COUNCIL OF GOVERNMENT (SBCCOG) FIBER NETWORK AND DIRECT STAFF TO SUBMIT THE LETTER OF COMMITMENT

DATE: AUGUST 12, 2019

ATTACHMENT:

- 1. SOUTHBAY FIBER NETWORK INFORMATION SHEET**
- 2. SOUTHBAY FIBER NETWORK COMMITMENT LETTER**

BACKGROUND

On July 2019, the Southbay Cities Council of Governments (SBCCOG) contracted with American Dark Fiber (ADF) to provide a broadband network for its 16 member cities and unincorporated communities. ADF is engaged to build a fiber ring that will connect the Southbay cities and become the member cities' Internet Service Provider. SBCCOG's Fiber Network information sheet is attached to this report and provides technical information about the network.

The network is proposed to be a ring architecture that will automatically re-route data traffic in the event of a system disruption. Bandwidth available starts with 1 gigabit (Gb) service. The system will have two diverse internet "hubs" or "points of presence" (POP) (data-centers in El Segundo and Hawthorne) interconnected to it. The price for 1 Gb level of service is \$1,000 per month. ADF will price protect by including automatic price reviews as additional buildings get connected to the network or after set periods have elapsed (i.e., every three years). SBCCOG member price points will drop by 5%

after the aggregate monthly revenue from a combination of internet and transport services provided to SBCCOG members exceeds \$55,000. Further price reviews (for reductions) would continue periodically over time.

DISCUSSION

The City currently use Cox Business as its Internet Service Provider with 10Mb service for \$80 per month. At this speed, staff often experience interruptions when downloading and or uploading large files. This happens most often when staff attempts to upload the City Council agenda to the City's website. Interruptions and multiple attempts to complete file transfer also occur when responding to Public Records Requests.

In an effort to improve efficiency, City staff worked with a previous Information Technology vendor to solicit pricing for broadband with higher services than 10Mb. For 100Mb for 36 months term, the cost was \$975 per month. If the term was shortened to 24 months or 12 months, there would be an installation fee. Through SBCCOG, ADF is offering a price point of \$1,000 per month for 1Gb (1000 Mb) service for 36 months term.

On July 22, 2019, the City Council selected Forum Info-Tech to serve as the City's Information Technology (IT) Department. As a part of Forum Info-Tech's scope of work, the City will be transitioning to cloud-based operation necessitating fast, reliable and resilient internet services. Additionally, based on discussions with ADF, 1Gb capacity can be allocated to multiple sites such as the Hix Ring, Hesse's Gap and or the Rolling Hills Community Association. Users of the Hix Ring and Hesse's Gap can have internet connection tapping off the fiber network wirelessly, if line of sight and or the use of repeaters to City Hall is possible. Similarly, the RHCA building can tap in to the fiber network through the City's capacity using hard connection or wireless connection.

Discussing the RHCA's interest in using the fiber network, RHCA's staff expressed interest and noted that with the proposed price point the RHCA Board would likely switch their current carrier to use the fiber network. RHCA will be discussing this item at their August 15, 2019 Board meeting.

To join the SBCCOG Fiber Network, the ADF will be constructing a lateral line from City Hall to the fiber network ring. The capital cost to construct the lateral line will be absorbed by the SBCCOG as they received approval from Los Angeles County Metropolitan Transportation Authority (Metro) to use Regional Measure M transportation funds to build the ring network and laterals for member cities. The City can connect to the fiber network system at a later time but then would be responsible for the cost of the lateral line.

FISCAL IMPACT

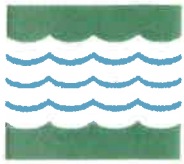
Joining the SBCCOG Fiber Network will increase the City's current cost of internet services. The network is expected to be built by April - June 2020, with services to commence shortly after. The Fiscal Year 2019-20 approved budget only includes funds for the existing internet services. If the City Council decides to join the fiber network, staff will program the expense in Fiscal Year 2020-2021.

RECOMMENDATION

Staff recommends that the City Council join the SBCCOG Fiber Network and direct staff to submit the Letter of Commitment to SBCCOG.

NOTIFICATION

RHCA Manager

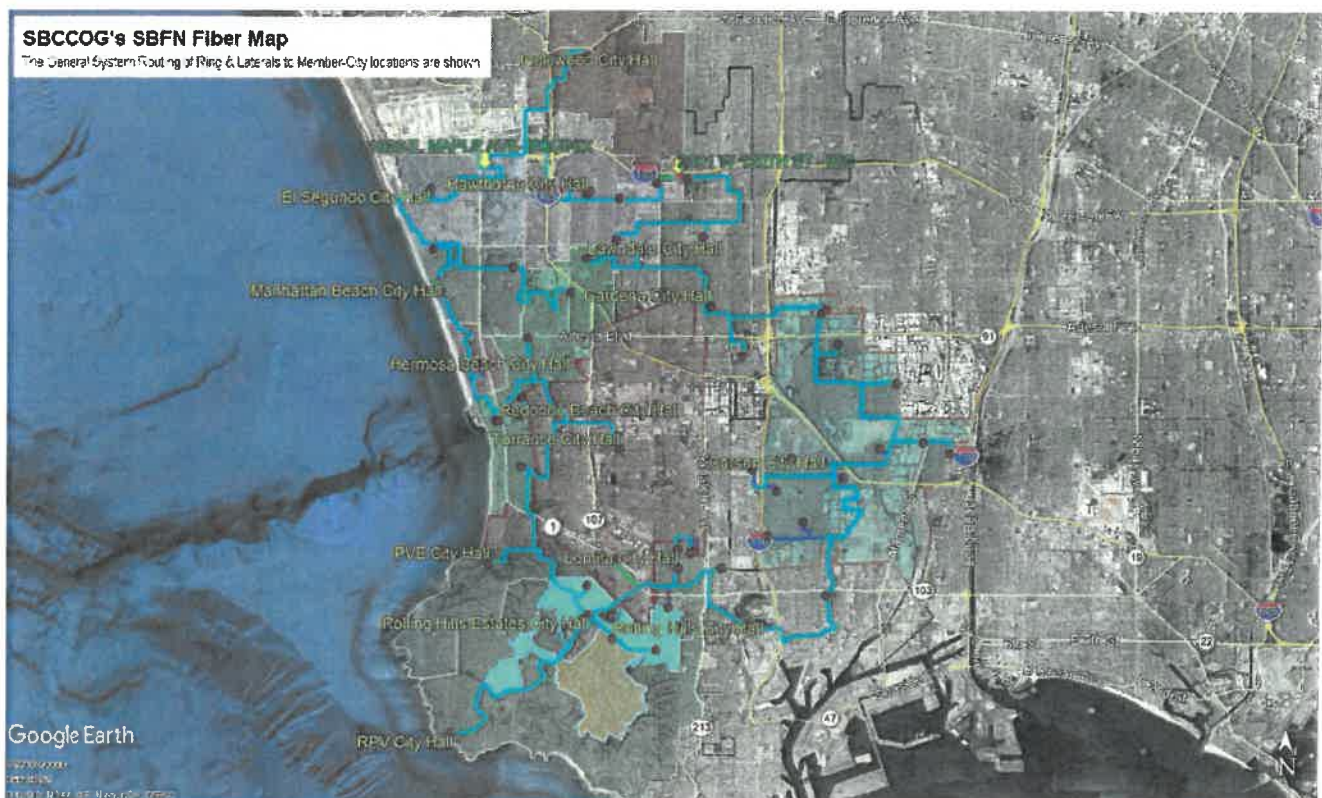


SBCCOG's South Bay Fiber Network (SBFN)

What is the "SBFN"? The South Bay Fiber Network is a dedicated fiber-optic system being developed for the use of the SBCCOG and its membership. The system will provide access points into all member cities, high-speed connectivity for carrier-grade internet service and point to point transport connections with a service level commitment of 99.99% system availability. Also included will be the Beach Cities Health District, LA BioMed, the South Bay Workforce Investment Board, LA Metro and the LA County Dept. of Public Works (last 2 not shown in the diagram). The core network is protected via ring architecture which will automatically re-route traffic in the event of a system disruption. Bandwidth availability starts with 1 gigabit (Gb) service and will scale to 2 Gb, 10 Gb, and higher speeds as members require. The system will also have two diverse internet "hubs" or "points of presence" ("POP") interconnected to it located at world-class data-centers in El Segundo and Hawthorne.

Who will build the network? A team led by American Dark Fiber (ADF) won the competition to assemble the network from existing fiber systems owned by wholesale providers, construct new elements to close the gaps, maintain the network, and provide customer service. The ADF team includes HP Communications to manage new construction and Race Communications to provide customer service. All capital costs for the initial South Bay buildings will be paid for by the SBCCOG with Measure M Subregional Funds. The participating agencies will pay NO capital costs.

Where does the SBFN Go? ADF's Internet Service Provider (ISP) partner, Race Communications, will distribute its internet services to the SBCCOG network participants from the points of presence as stated above. The map below shows the general routing that is expected to be operational by June of 2020.



How is the Network Configured? The primary system, as generally shown above, will include a ring-based network with lateral connections from each building interconnected to the ring. The SBCCOG initially identified primary 55 node locations (i.e., city halls, parks, public safety nodes, etc.) that ADF has modeled for delivery to the membership. Buildings will be connected via fiber-optic lateral extensions from the ring to an address where service(s) are ordered. SBCCOG members can add new buildings to the network as desired (additional costs may apply). ADF expects to extend services to new SBCCOG-member locations and affiliates (i.e., municipal anchors, NGO's, and other locations) that are located within the region.

What are the initial price points for service on the network? ADF and its service provider (Race Communications) have created a menu of services for the SBCCOG membership and participating agencies. The services include dedicated internet connectivity and/or point-to-point "transport" service connections. The ADF-led team has developed special price points for the initial participants that start with Internet pricing of \$1000/month for 1 Gb level of service. Additional service levels are available (i.e., 2 Gb, 10 Gb, etc.) as needed by respective COG members and participating agencies.

ADF has also provided price-protection by including automatic price reviews as additional buildings get connected or after set periods have elapsed (i.e., every 3-years). The baseline circuit costs include the costs of the underlying SBFN-ring and connections to the IP POP's (located in El Segundo and Hawthorne).

SBCCOG "SBFN" Service Pricing Schedule

Service Speed	Internet Pricing	Transport Pricing
1 Gb (1000 Mbps)	\$1,000/mo.	\$ 900/mo.
2 Gb (2000 Mbps)	\$2,000/mo.	\$1,800/mo.
10 GB (10000 Mbps)	\$2,750/mo.	\$2,475.00
Other (i.e., 40Gb, 100 Gb, etc.)	ICB	ICB

ICB = Individual Case Basis priced to be negotiated with the SBCCOG subject to core network upgrade to 100 Gb

Additionally, SBCCOG member price points will drop by 5% after the aggregate monthly revenue from a combination of internet and transport services provided to SBCCOG members exceeds \$55,000. Further price reviews (for reductions) would continue periodically over time.

What benefits does the SBCCOG and its member's get from the system? Aside from incredibly low pricing of high-speed internet services:

- Additional low-cost broadband capacity will allow participating agencies to:
 - Create resiliency for IT services (i.e. emergency preparedness and data back-up)
 - Efficiently use cloud-based software applications for day to day business
 - Provide necessary IT capacity for future video and audio-based municipal software applications
 - Provide for shared municipal software platforms with other public agencies
 - On-line permitting or applications with Los Angeles County
 - Sub-regional GIS tools with other cities and the SBCCOG
 - Regional transportation and planning tools with Metro and LA County
 - Provide free municipal WIFI in public spaces, parks and buildings
 - Provide infrastructure that may be developed for commercial and residential use

Having high-speed broadband available throughout the SBCCOG-region will be an economic driver. ADF and its team will coordinate with the SBCCOG and its membership to actively leverage the network for maximum economic development purposes (providing advanced high-speed services at low-cost/wholesale rates) throughout the region.



**South Bay Fiber Network (SBFN)
Letter of Commitment**

To: South Bay Cities Council of Governments:

On behalf of the City/Agency of Rolling Hills ("City"), we confirm our organization's commitment to connect to the South Bay Fiber Network (SBFN). We commit to participate in the SBFN at a minimum service level of at least 1 GB at \$1,000/month for each city/agency designated building/site. We understand that, for sites in the South Bay region, up-front capital costs will be paid by South Bay Cities Council of Governments (SBCCOG) using approved sub-regional Measure M funds. Sites outside the South Bay will be addressed on a case by case basis. We commit to paying the monthly recurring costs for our elected term of either a three- or five-year period.

We commit to:

- Execute an addendum to the final SBCCOG contract with American Dark Fiber, LLC (ADF), the selected vendor, to provide broadband services;
- Work with SBCCOG and ADF personnel to:
 - Meet to address and resolve our questions;
 - Enumerate buildings and sites within the South Bay Cities region to be connected, by **August 16, 2019**;
 - Define a timeline for permitting, construction, and installation to enable SBFN network connections;
 - Assist with expediting necessary permits;
 - Jointly agree with SBCCOG the date that ADF will provide initial service to your designated, expected in April-June 2020.

At this time, we commit to a count of _____ (number) sites to be connected. (Confirm addresses on the next page and complete the table.)

City Manager (signature)

Elaine Jeng

City Manager

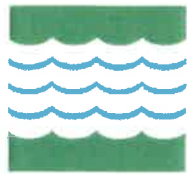
City of Rolling Hills

City/Agency

CIO / IT Director (signature)

CIO / IT Director (Name)

Date



City / Agency: City of Rolling Hills

Number	Address	Term (3-yr / 5-yr)	Requested Bandwidth	Lit Services? Or Transport Only?
1.	2 Portuguese Bend Road; Rolling Hills, CA; 90274; City Hall			
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
11.				
12.				
13.				
14.				
15.				
16.				
17.				
18.				
19.				
20.				



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

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

Agenda Item No: 8C
Mtg. Date: 08/12/2019

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: ELAINE JENG, P.E., CITY MANAGER

**SUBJECT: DESIGNATE VOTING DELEGATE AND ALTERNATE TO THE
LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE
OCTOBER 16-18, TO BE HELD IN LONG BEACH, CA**

DATE: AUGUST 12, 2019

ATTACHMENT:

- 1. LETTER FROM CALIFORNIA LEAGUE OF CITIES**
- 2. 2019 ANNUAL CONFERENCE VOTING DELEGATE/ALTERNATE
FORM**

DISCUSSION

On June 13, 2019, staff received a letter from the California League of Cities requesting the designation of voting delegates and alternates to participate in the League's 2019 Annual Conference scheduled for October 16-18 in Long Beach, California. The Annual Business Meeting is scheduled for 12:30pm on Friday, October 18, 2019 at the Long Beach Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy. In order to vote at the Annual Business Meeting, the City' Council must designate a voting delegate. Each city may appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

FISCAL IMPACT

There is no fiscal impact to designate voting delegates. There will be a cost associated with attending the League's Annual Conference. The approved budget for Fiscal Year 2019-20 programmed funds for Councilmembers to attend conferences.

RECOMMENDATION

Staff recommends that the City Council discuss and designate one Councilmember as the voting delegate and one Councilmember as the alternate voting delegate.



copy to mayor and council members

RECEIVED

JUN 13 2019

Council Action Advised by August 30, 2019

City of Rolling Hills
By _____

June 10, 2019

TO: Mayors, City Managers and City Clerks

**RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference – October 16 - 18, Long Beach**

The League's 2019 Annual Conference is scheduled for October 16 – 18 in Long Beach. An important part of the Annual Conference is the Annual Business Meeting (during General Assembly), scheduled for 12:30 p.m. on Friday, October 18, at the Long Beach Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

Please complete the attached Voting Delegate form and return it to the League's office no later than Friday, October 4. This will allow us time to establish voting delegate/alternate records prior to the conference.

Please note the following procedures are intended to ensure the integrity of the voting process at the Annual Business Meeting.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates must be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.
- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. To register for the conference, please go to our website: www.cacities.org. In order to cast a vote, at least one voter must be present at the

Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.

- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.
- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the Sacramento Convention Center, will be open at the following times: Wednesday, October 16, 8:00 a.m. – 6:00 p.m.; Thursday, October 17, 7:00 a.m. – 4:00 p.m.; and Friday, October 18, 7:30 a.m.–11:30 a.m.. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but will be closed during roll calls and voting.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League's office by Friday, October 4. If you have questions, please call Darla Yacub at (916) 658-8254.

Attachments:

- Annual Conference Voting Procedures
- Voting Delegate/Alternate Form



Annual Conference Voting Procedures

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.
2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.
3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.
4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.
5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.
6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.
7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.



CITY: _____

**2019 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM**

Please complete this form and return it to the League office by Friday, October 4, 2019. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.

OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: _____

Email: _____

Mayor or City Clerk _____

Date: _____ Phone: _____

(circle one)

(signature)

Please complete and return by Friday, October 4, 2019

League of California Cities
ATTN: Darla Yacub
1400 K Street, 4th Floor
Sacramento, CA 95814

FAX: (916) 658-8240
E-mail: dyacub@cacities.org
(916) 658-8254



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

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

Agenda Item No: 8D
Mtg. Date: 08/12/2019

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: ELAINE JENG, P.E., CITY MANAGER

SUBJECT: CONSIDER AND APPROVE A LETTER OF SUPPORT FOR THE CITY OF RANCHO PALOS VERDES' PROPOSED RESOLUTION FOR THE LEAGUE OF CALIFORNIA CITIES 2019 ANNUAL CONFERENCE ON USING UTILITY UNDERGROUNDING AS AN EFFORT TO PREVENT/MINIMIZE WILDFIRES.

DATE: AUGUST 12, 2019

ATTACHMENT:

- 1. PROPOSED RESOLUTION**
- 2. SUPPORT LETTER**

BACKGROUND

In mid-July 2019, the City of Rancho Palos Verdes (RPV) contacted staff to request a support letter to a proposed resolution to the League of California Cities that calls on the California Public Utilities Commission (CPUC) to amend Rule 20A to add projects to Very High Fire Hazard Severity Zones to the list of criteria for eligibility. Rancho Palos Verdes noted to staff that the proposed resolution also calls on the CPUC to increase funding allocations for Rule 20A projects to make more of them possible.

The proposed resolution stemmed from RPV's City Council discussion on undergrounding projects in their City. To date, RPV has received support letters on the proposed resolution from the cities of Moorpark and Laguna Beach. Palos Verdes Estates confirmed that they will be submitting a support letter. Rolling Hills Estates will be discussing the support letter at the August 13 City Council meeting.

The League of California Cities requires concurrence from at least five other cities for a conference resolution to be considered at the annual conference.

DISCUSSION

Located in a Very High Fire Severity Zone, residents of Rolling Hills prioritizes wildfire prevention measures. City Council has amended the Fire Fuel Abatement ordinance and instructed staff to actively enforce the ordinance as an effort to prevent wildfires within the City. To support the residents and the City Council, as a part of the rule making process for enforcing Investor Utility Owned Wildfire Mitigation Plans mandated by SB901, staff submitted a comment letter to the CPUC in December 2018 urging CPUC to require Southern California Edison use the undergrounding of overhead lines as a strategy to prevent wildfires. Most recently staff is tracking CPUC's rule making on amending Rule 20A and the program's current method of allocating credits.

While tracking CPUC's rule making on amending Rule 20A, staff found that in May 2019 the League of California Cities filed and achieved "party" status to the rule making. Party status means that the League of California Cities will be served official documents. Comments to the rule making process made by the League of California Cities will be made a part of the official records and shall be responded to by the CPUC.

Staff inquired if the proposed Resolution is being coordinated with the CPUC rulemaking for amending the Rule 20A program. RPV responded that it is currently a standalone effort however through the League of California Cities, the urging of CPUC to act can be folded into the rulemaking process.

Consistent with the goals of the residents and the City Council, staff recommends the City Council approve a letter of support for RPV's proposed resolution to the League of California Cities to amend Rule 20A to add projects to Very High Fire Hazard Severity Zones to the list of criteria for eligibility and to increase funding allocations for Rule 20A projects to make more of them possible.

FISCAL IMPACT

There is no fiscal impact to the City to provide a support letter.

RECOMMENDATION

Staff recommends that the City Council approve a letter of support for the City of Rancho Palos Verdes' Proposed Resolution for the League of California Cities 2019 Annual Conference on using utility undergrounding as an effort to prevent/minimize wildfires.

**RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES
CALLING ON THE CALIFORNIA PUBLIC UTILITIES
COMMISSION TO AMEND RULE 20A TO ADD PROJECTS IN
VERY HIGH FIRE HAZARD SEVERITY ZONES TO THE LIST OF
ELIGIBILITY CRITERIA AND TO INCREASE FUNDING
ALLOCATIONS FOR RULE 20A PROJECTS**

WHEREAS, the California Public Utilities Commission regulates the undergrounding conversion of overhead utilities under Electric Tariff Rule 20 and;

WHEREAS, conversion projects deemed to have a public benefit are eligible to be funded by ratepayers under Rule 20A; and

WHEREAS, the criteria under Rule 20A largely restricts eligible projects to those along streets with high volumes of public traffic; and

WHEREAS, the cost of undergrounding projects that do not meet Rule 20A criteria is left mostly or entirely to property owners under other parts of Rule 20; and

WHEREAS, California is experiencing fire seasons of worsening severity; and

WHEREAS, undergrounding overhead utilities that can spark brush fires is an important tool in preventing them and offers a public benefit; and

WHEREAS, brush fires are not restricted to starting near streets with high volumes of public traffic; and

WHEREAS, expanding Rule 20A criteria to include Very High Fire Hazard Severity Zones would facilitate undergrounding projects that would help prevent fires; and

WHEREAS, expanding Rule 20A criteria as described above and increasing funding allocations for Rule 20A projects would lead to more undergrounding in Very High Fire Hazard Severity Zones; and now therefore let it be,

RESOLVED that by adoption of this resolution on October 18, 2019, the General Assembly of the League of California Cities, assembled in Long Beach, calls on the California Public Utilities Commission to amend Rule 20A to include projects in Very High Fire Hazard Severity Zones to the list of criteria for eligibility and to increase funding allocations for Rule 20A projects.

Background

Source: City of Rancho Palos Verdes

Rancho Palos Verdes is the most populated California city to have 90 percent or more of residents living in a Cal Fire-designated Very High Fire Hazard Severity Zone. Over the years, the Palos Verdes Peninsula has seen numerous brush fires that were determined to be caused by electrical utility equipment.

Across the state, some of the most destructive and deadly wildfires were sparked by power equipment. But when it comes to undergrounding overhead utilities, fire safety is not taken into account when considering using ratepayer funds to pay for these projects under California's Electric Tariff Rule 20 program. The program was largely intended to address visual blight when it was implemented in 1967. Under Rule 20A, utilities must allocate ratepayer funds to undergrounding conversion projects chosen by local governments that have a public benefit and meet one or more of the following criteria:

- Eliminate an unusually heavy concentration of overhead lines;
- Involve a street or road with a high volume of public traffic;
- Benefit a civic or public recreation area or area of unusual scenic interest; and,
- Be listed as an arterial street or major collector as defined in the Governor's Office of Planning and Research (OPR) Guidelines.

As we know, brush fires are not restricted to erupting in these limited areas. California's fire season has worsened in severity in recent years, claiming dozens of lives and destroying tens of thousands of structures in 2018 alone.

Excluding fire safety from Rule 20A eligibility criteria puts the task of undergrounding power lines in Very High Fire Hazard Severity Zones squarely on property owners who are proactive, willing and able to foot the bill.

The proposed resolution calls on the California Public Utilities Commission to amend Rule 20A to include projects in Very High Fire Hazard Severity Zones to the list of criteria for eligibility. To facilitate more undergrounding projects in these high-risk zones, the proposed resolution also calls on the CPUC to increase funding allocations for Rule 20A projects.

If adopted, utilities will be incentivized to prioritize undergrounding projects that could potentially save millions of dollars and many lives.

Jan Arbuckle, President
League of California Cities
1400 K St., Ste. 400
Sacramento, CA 95814

Dear President Arbuckle:

The City of Rolling Hills supports the City of Rancho Palos Verdes' effort to bring a resolution for consideration by the General Assembly at the League's 2019 Annual Conference in Long Beach.

Undergrounding power lines is an important tool in preventing destructive wildfires that have devastated communities across our state. But California's Rule 20A program, which allows local governments to pay for these costly projects with ratepayer funds, does not factor in fire safety for eligibility. Unless projects meet the program's limited eligibility criteria, they are left to be funded by property owners who are proactive, willing and able to foot the bill. We believe Rule 20A offers an important opportunity for fire prevention and that the California Public Utilities Commission should expand this program so more communities can utilize it.

The resolution calls on the CPUC to amend Rule 20A to include projects in Very High Fire Hazard Severity Zones to the list of criteria for eligibility. To facilitate more undergrounding projects in these high-risk zones, the resolution also calls on the CPUC to increase funding allocations for Rule 20A projects.

The resolution is also in line with one of the League's 2019 Strategic Goals of improving disaster preparedness, recovery and climate resiliency.

For these reasons, we concur that the resolution should go before the General Assembly.

Sincerely,

Leah Mirsch
Mayor



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

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

Agenda Item No: 9B
Mtg. Date: 08/12/2019

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM YOHANA CORONEL, MBA, CITY CLERK

THROUGH: ELAINE JENG, P.E., CITY MANAGER

SUBJECT: CONSIDER AND APPROVE THE PERSONNEL COMMITTEE'S RECOMMENDATIONS TO UPDATE THE CITY'S EMPLOYEE HANDBOOK AND PERSONNEL POLICY MANUAL.

DATE: AUGUST 12, 2019

ATTACHMENT:

- 1. PERSONNEL COMMITTEE MEETING AGENDA JULY 23, 2019**
- 2. PERSONNEL COMMITTEE MEETING NOTES JULY 23, 2019**

BACKGROUND

The Personnel Committee met on July 23, 2019 to discuss the following:

- Work plan to update the City of Rolling Hills Employee Handbook and Personnel Policy Manual., including employee salary ranges;
- Update job specifications for current staff positions; and
- Define the Human Resource function presently assigned to the Finance Director.

The Personnel Committee recommend to approve the below work plan:

TASK DESCRIPTION	COMMENCE DATE	COMPLETION DATE	RESPONSIBLE PARTY
1. Review manual for legislation and mandate updates	August 19, 2019	September 30, 2019	City Attorney (BBK)

2. Conduct salary survey for all current positions	July 29, 2019	August 30, 2019	Finance Department (RAMS)
3. Present work plan to the City Council	August 12, 2019	August 12, 2019	Personnel Committee/City Manager
4. Review and provide feedback to draft handbook with City Attorney and Finance Department updates	October 7, 2019	October 21, 2019	Personnel Committee/City Manager
5. Present salary survey data and adjustments, if any to the Finance Committee	October 22, 2019	October 25, 2019	Finance Committee/City Manager
6. Additional revisions to draft handbook	October 28, 2019	November 15, 2019	City Attorney, Finance Department, City Manager
7. Review final handbook	November 18, 2019	November 22, 2019	Personnel Committee
8. Present final handbook to City Council for approval	November 25, 2019	November 25, 2019	Personnel Committee/City Manager/City Council
9. Updated handbook in effect	January 1, 2020	January 1, 2023	City Manager
10. Repeat update process (3 year cycle)	June 30, 2022		City Manager

The Personnel Committee also recommended for the City Manager's office to update the job specifications for all positions with the assistance of the City Attorney's office.

Discussing the Human Resources function, the Personnel Committee recommended to provide clarification as a part of the update to the handbook the role of the Finance Department to be limited to payroll, retirement benefits, and health insurance coverages. As written if a city employee were to file a grievance, the handbook states that all grievances shall go to the City Manager. The Personnel Committee recommended modifying the grievance process to add if there is a grievance filed against the City Manager, the grievance shall go to the Personnel Committee.

FISCAL IMPACT

The Fiscal Year 2019-20 approved budget includes funds to update the City of Rolling Hills Employee Handbook and Personnel Policy Manual, and the update to the job specifications. The salary survey will be conducted by the Finance Department and the scope of work is included in RAMS' contract.

RECOMMENDATION

It is recommended that the Council members consider and approve the Personnel Committee's recommendations.



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

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

**AGENDA
PERSONNEL COMMITTEE MEETING**

**CITY OF ROLLING HILLS
CITY HALL
2 PORTUGUESE BEND ROAD, ROLLING HILLS, CALIFORNIA**

**TUESDAY, JULY 23, 2019
6:00 PM**

PARTICIPANTS

Leah Mirsch, Mayor
Bea Dieringer, Councilmember
Elaine Jeng, P.E., City Manager

1. CALL TO ORDER

2. DISCUSSION ITEMS

- A. WORKPLAN TO UPDATE THE CITY OF ROLLING HILLS EMPLOYEE HANDBOOK AND PERSONNEL POLICY MANUAL, INCLUDING EMPLOYEE SALARY RANGES
- B. UPDATE JOB SPECIFICATIONS FOR CURRENT STAFF POSITIONS.
- C. DEFINE THE HUMAN RESOURCE FUNCTION PRESENTLY ASSIGNED TO THE FINANCE DIRECTOR.

3. PUBLIC COMMENT

This is the appropriate time for members of the public to make comments regarding items listed on this agenda.

4. ADJOURNMENT

Pursuant to the Brown Act, no action will take place on any items not on the agenda.

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.

**Personnel Committee
July 23, 2019 6:00 PM
Meeting Notes**

Participants

Leah Mirsch, Mayor
Bea Dieringer, Councilmember
Elaine Jeng, P.E., City Manager
Terry Shea, Finance Director

The Committee met to discuss the following items:

1. Work plan to update the Employee Handbook and Personnel Policy Manual, including Employee Salary Ranges
2. Update Job Specifications for current staff positions
3. Define the Human Resource Function presently assigned to Finance

1. Employee Handbook

The City Manager indicated the first step in the process is to provide our current Employee Handbook and Personnel Policy Manual to our City Attorney's Office for a legal review to ensure the City's Policy is in accordance with all applicable Federal and State Laws.

At the same time Finance would perform a Salary Survey for the nine cities as listed in the Policy.

There was some discussion on the nine cities and why they were chosen and the City Manager indicated she wanted to not include Carson or Signal Hill. Part of the reason those cities were included is that these are the cities Rolling Hills is competing with for possible employees and not just the size of the city. The Committee then discussed eliminating those two and adding Hidden Hills and La Habra Heights.

Councilmember Dieringer asked why Salary Ranges are in the Handbook to begin with, the City Manager indicated she would find out if they are required and if not they would be taken out and just updated annually or as needed on the City's Website.

The City Manager asked if the Committee Members were okay with providing Best, Best & Krieger with our current Personnel Policy for a legal review and for Staff to prepare a new Salary Survey and report to the full Council at the next Council Meeting, both Members were okay with that.

The City Manager went over the timeline as listed in the Staff Report and have the Employee Handbook and Personnel Policy Manual updated and presented to the City Council to approve at the November 25, 2019 City Council Meeting and become effective January 1, 2020.

The Committee Members asked what they could do in the meantime to assist Staff in the process and the City Manager asked if they could read the current policies and come up with questions or concerns and make recommendations if they have any.

2. Job Specifications

The City's Job Specifications have not been updated in a number of years. Some new positions do not even have Job Specifications. The City Manager indicated she would like to have all of the job specifications updated either by herself or the use of a human resource professional. Once they are written she would like to have them reviewed by Best, Best & Krieger.

The City Manager asked if the Committee Members were okay with her updating all of the job specifications and having Best, Best & Krieger review the updated job specifications, and she would report this to the full Council at the next Council Meeting, both Member s were okay with that.

3. Define the Human Resource Function presently assigned to Finance

The Finance Department is assigned the human resources responsibility for the City, but the roles are not clearly defined. The City Manager feels the Finance Department roles should be for payroll, PERS and health insurance coverages. If a City employee were to file a grievance, our current policy is that all grievances should go the City Manager. If the grievance is against the City Manager this is possibly a conflict of interest and the employees might not feel safe doing this.

The City needs a process for the filing of grievances, and one solution would be an on call HR company on an as needed basis.

The Committee Members did not feel that was necessary but the Personnel Committee could play a role in the grievance procedures.

Notes prepared by: Terry Shea



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

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

Agenda Item No.: 10A
Mtg. Date: 08/12/2019

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: DELIA ARANDA, PART-TIME CODE ENFORCEMENT OFFICER

THROUGH: YOLANTA SCHWARTZ, PLANNING DIRECTOR

**SUBJECT: RECEIVE AND FILE QUARTERLY REPORT ON ENFORCEMENT OF
THE FIRE FUEL ABATEMENT ORDINANCE APRIL 2019 - JULY 2019**

DATE: AUGUST 12, 2019

ATTACHMENT:

- 1. CODE ENFORCEMENT ACTIVITIES LOG (WITH EMPHASIS ON
FIRE FUEL CASES)**

BACKGROUND

Between April 1, 2019 and July 31, 2019, the City received and/or observed 12 dead vegetation violations. 12 violations were resolved, some from prior quarters.

14 cases are outstanding from the inception of the program on July 1, 2018.

Since the start of the pro-active code enforcement program for fire fuel management, the City obtained an opinion from Arborists in 4 cases. Last February, an arborist was hired to determine if trees on 3 properties were dead or still alive. He determined that the trees were dead and the property owners removed them. In a recent case, vegetation was removed from around a sports court, exposing the sports court to neighbors' view. A condition of approval of the sports court is that it be screened. The City's on-call Arborist was asked to evaluate and provide recommendation on plant material that would be suitable for screening off the sports court.

Case Status

A comprehensive list (log) of recent code enforcement activities is attached to this report. The log labeled all fire fuel cases under the Vegetation category, highlighted in light green. The log is inclusive of all enforcement cases since tracking and monitoring began more than a year ago.

In general, there are three status categories on the enforcement list: Resolved, Monitoring, and Outstanding.

- ***Resolved*** means a case for the property was created but the violation was addressed and no further action is needed. All resolved cases have a date of resolution, which represents when sufficient information was provided to clear the violation or the violation was remediated.
- ***Monitoring*** are cases where the property owner is aware of the violation and is in the process of taking steps to resolve it but the case has not been fully resolved or the plan of resolution has not yet received full approval. This is frequently when a discretionary action is required or the property owner has opened a current zoning application but it has not yet been processed, or if it has been processed but is still under construction. If the resolution takes time it can also be when an action is scheduled to take place but has not yet happened. Often, the property owner will contact staff to let staff know the violation is being addressed, however, abatement may take additional time.
- ***Outstanding*** are cases where the property owner was notified and needs a follow up.

RECOMMENDATION

Staff recommends that the City Council receive and file the updated report regarding the proactive enforcement of Rolling Hills Municipal Code Chapter 8.30 (Fire Fuel Ordinance).

Code Enforcement Cases 2019

Rcvd Date	No.	Street	Inquiry/Complaint/Issue	Category	Status	Date Resolved	Comments
1/25/16	5	El Concho Lane	Excavation under house, wall, and grading without a permit and broken pipe	Illegal Construction	Resolved	6/7/19	Plans and permits submitted, case closed.
2/3/16	5	El Concho Lane	Light on garage and no trash enclosure; Security camera pointing at neighbor (4/14)	Light	Resolved	8/31/16	All issues have been resolved.
3/1/16	38	Portuguese Bend Rd	Stairs, walls, and water feature being built without permits	Illegal Construction	Monitoring		Work in progress.
3/11/16	1	Middleridge Lane North	Pathway graded out	Grading	Resolved	7/16/18	Conditions on the property have been resolved.
4/8/16	2	Crest Road East	RV's location of and recreational vehicles stored outdoor exceeds allowed number	Vehicle	Resolved	11/28/17	The RV is properly located and the number of recreational vehicles stored outdoors is within limits of the code
5/16/16	17	Cinchring Road	Dead vegetation	Vegetation	Follow Up		Property owner is addressing dead vegetation and addressing the violation.
5/18/16	6	Maverick Lane	Parking pad in easement	Vehicle	Resolved	11/30/17	RHCA has granted permission for parking pads in easements if it remains unpaved
7/1/16	15	Portuguese Bend Road	Trailer in front yard	Vehicle	Resolved	7/26/16	RV was moved proper distance behind setback.
7/13/16	38	Portuguese Bend Road	Dumping of dirt and rocks and loose concrete into canyon	Grading	Monitoring		Under construction, project not final.
7/18/16	3	Outrider Road	Construction/demolition on house	Illegal Construction	Resolved	7/18/16	Permits have been pulled.
7/19/16	1	Buckboard Lane	Basement construction and exterior wall demolition	Illegal Construction	Resolved	7/22/16	Willdan inspector confirmed they are not building a basement and are renovating per plans.
7/19/16	19	Southfield Drive	Illegally burning wood	Nuisance	Resolved	7/20/16	Property owner confirmed that no wood would be burned in the firepit.

Code Enforcement Cases 2019

Rcvd Date	No.	Street	Inquiry/Complaint/Issue	Category	Status	Date Resolved	Comments
7/22/16	1	Middleridge Lane South	Hooking water hose up to fire hydrant for construction	Nuisance - Construction	Resolved	7/22/16	LA County inspector informed City that owner was approved to use hydrant for construction as long as they have a meter and confirmed meter is on fire hydrant.
7/26/16	18	Portuguese Bend Road	Building a wall near to pool and parking their car on roadway easement overnight	Illegal Construction	Resolved	03/01/17	Property owner secured permits for wall to house pool equipment. Owner notified about parking requirements and has complied.
8/2/16	21	Buggy Whip Drive	Railroad ties for walls along a graded pathway AND trellis in front setback	Illegal Construction	Resolved	4/4/18	Trellis and RR ties removed. Hillside restored.
8/19/16	26	Cinchring Road	Dirt dumped near canyon	Grading	Resolved	09/30/16	Movement of dirt part of permitted development project
8/22/16	9	Middleridge Lane North	RV parking overnight on street	Vehicle	Resolved	09/12/16	RV stored properly on private property
8/23/16	35	Saddleback Road	Terracing a slope to create vegetable beds with "keystone" walls	Illegal Construction	Resolved	04/27/17	Keystone walls removed. Area restored.
9/16/16	3	Running Brand Road	"Drilling sound" reported	Nuisance	Resolved	n/a	Source of noise identified and addressed. No additional noise complaints have been received.
9/20/16	2	Eucalyptus Lane	Horse manure waste container in easement	Nuisance	Resolved	04/19/17	9/20/16 Complaint received. 10/5/16 Letter sent to property owner.
10/12/16	70	Portuguese Bend Road	Lighting along driveway on every night.	Light	Resolved	10/12/16	Lighting along the driveway is compliant with the code
10/13/16	7	Acacia Road	house remodeled - items mainly in road easement: POD storage, lumber, dumpster; car parking overnight on easement	Illegal Construction	Resolved	3/29/18	Construction work completed and storage removed from roadway easement.

Code Enforcement Cases 2019

Rcvd Date	No.	Street	Inquiry/Complaint/Issue	Category	Status	Date Resolved	Comments
10/13/16	9	Williamsburg Lane	Composting structures with no permits	Illegal Construction	Resolved	11/9/16	Permits secured by owner
10/17/16	10	Middleridge Lane North	Illegal grading	Grading	Resolved	Aug. 2016	City staff inspected property and found no violation (no unapproved grading had occurred)
11/8/16	3	Apaloosa Lane	Limit frequency of watering and subsequent water runoff	Drainage	Resolved	n/a	Property manager notified to turn down limit on watering
11/8/16	19	Middleridge Lane North	Illegal wood deck built	Illegal Construction	Resolved	08/22/17	The original condition has been restored.
11/15/16	11	Saddleback Road	Grading without a permit	Grading	Resolved	n/a	Vegetation only was being removed
12/22/16	15	Bowie Road	Lights on all night and do not seem to be typical "holiday lights"	Light	Resolved	Feb. 2017	Lighting was for holiday and was not operating in February. No additional complaints received.
12/27/16	15	Upper Blackwater Canyon Road	dirt across road, pile of dirt, hillside failure	Nuisance	Resolved	1/9/17	Property owner complied with terms of Notice of Violation issued by
12/29/16	27	Crest Road West	Construction restrooms visible from the street; parking complaints	Nuisance - Construction	Resolved	1/4/17	Restrooms were moved and cars were parked in a manner that was
12/30/16	7	Crest Road East	bathrooms visible, dirt piles	Nuisance - Construction	Resolved	Jan. 2017	Portable toilet was moved from the street; dirt piles were covered.
12/30/16	56	Eastfield Drive	Water in street	Drainage	Resolved	12/30/16	Water in the street coming from the property; was from sprinklers. Owner
1/5/17	15	Portuguese Bend Road	Porta potty visible from street	Nuisance - Construction	Resolved	1/17/17	Resolved
1/11/17	25	Georgeff Road	Light post near driveway	Light	Resolved	2/27/17	Light post was removed

Code Enforcement Cases 2019

Rcvd Date	No.	Street	Inquiry/Complaint/Issue	Category	Status	Date Resolved	Comments
2/2/17	37	Chuckwagon Road	Illegal pathways and drainage	Illegal Construction	Resolved	2/28/17	Resolved
4/13/17	4	Buggy Whip Drive	Report of pool water, possibly not declorinated, running down street	Drainage	Resolved	4/13/17	Resolved.
4/17/17	38	Portuguese Bend Road	Letter to remove dead trees	Vegetation	Monitoring		Trees removed; stump remaining to be removed. Must be removed prior to
4/20/17	2	Roadrunner	Check for Building Permit bounced	Illegal Construction	Resolved	4/26/17	Resolved
4/26/17	27	Buggy Whip Drive	Check for Building Permit bounced	Illegal Construction	Resolved	5/1/17	Resolved
5/11/17	49	Eastfield Drive	Construction in front and side yards and construction of a tennis court	Illegal Construction	Resolved	5/11/17	Resolved.
5/22/17	15	Caballeros Road	Complaint that site under construction for 2 years with no work going on	Nuisance - Construction	Resolved	5/23/17	Resolved.
7/19/17	3	Buckboard Lane	Complaint about a golf cart parked/being stored between 1 and 3 Buckboard	Vehicle	Resolved	7/24/17	Resolved.
8/1/17	8	Bowie Road	Concrete work and possibly caissons being constructed illegally; Illegal construction, possibly involving pool	Illegal Construction	Monitoring		Monitoring
8/11/17	1	Chuckwagon Road	Work being done on property without permits for plumbing, electrical, or mechanical	Illegal Construction	Resolved	Sept. 2016	Resolved.
8/14/17	14	Bowie Road	Re-roof without permit	Illegal Construction	Resolved	10/12/17	Re-roofing permit signed off.
8/28/17	23	Crest Road East	Illegal parking of construction vehicles	Vehicle	Resolved	8/30/17	Vehicles removed
9/18/17	4	Chuckwagon Road	Illegal grading	Grading	Resolved	9/25/17	No illegal activity on property
9/18/17	5	Lower Blackwater Canyon Road	BBQ/Outdoor Kitchen	Illegal Construction	Resolved	10/2/14	Owner came into City Hall for a signature to secure a permit after being notified of violation
9/27/17	4	Ringbit Road West	Spa construction	Illegal Construction	Resolved	11/27/17	Applicant secured City approval
12/4/17	15	Portuguese Bend Road	Trellis construction	Illegal Construction	Monitoring		Inquiry if trellis.
Jan-18	77	Saddleback Road	Illegal grading	Grading	Resolved	2/1/18	Resolved

Code Enforcement Cases 2019

Rcvd Date	No.	Street	Inquiry/Complaint/Issue	Category	Status	Date Resolved	Comments
1/29/18	1	Packsaddle Road West	Bee Hives on Vacant Property	Animals	Resolved	5/14/18	Owner of bees made aware that hives were on another resident's separate property. Bees properly removed.
2/13/18	30	Portuguese Bend Road	Bright pilaster lights	Light	Resolved		Resolved
4/2/18	17	Portuguese Bend Road	Retaining Wall	Illegal Construction	Resolved	8/9/18	Resolved.
4/4/18	5	Williamsburg Lane	Hardscape and pool demo.	Illegal Construction	Resolved	4/5/18	Resolved
4/5/18	54	Portuguese Bend Road	Grading without a permit	Grading	Resolved	4/5/18	Resolved.
4/11/18	9	Open Brand Road	Light on all night	Light	Resolved	4/12/18	Resolved
4/17/18	19	Bowie Road	Trailer on street	Vehicle	Resolved	5/8/18	Resolved
4/17/18	7	Chuckwagon Road	Trailer storage in front yard	Vehicle	Monitoring		Monitoring
5/24/18	0	Chestnut Lane	Broken sprinkler causing water to run down street	Drainage	Resolved	5/23/19	Resolved
5/24/18	3	Hummingbird Lane	Broken sprinkler causing runoff	Drainage	Resolved	8/1/18	Resolved
6/18/18	3	Appaloosa Lane	Dead vegetation	Vegetation	Monitoring		Waiting on reponse from property owner.
6/20/18	2950	Palos Verdes Dr N	Building buckling and slope failing	Health & Safety	Monitoring		Property owner is moving forward with permits.
6/20/18	77	Portuguese Bend Road	Dead vegetation along trail	Vegetation	Monitoring		Met owners on property.
7/18/18	63	Crest Road East	Construction vehicle parked on street w/o flagman	Vehicle	Resolved	7/18/18	Resolved
7/31/18	16	Buggy Whip Drive	Dead tree in the front yard	Vegetation	Resolved	6/19/19	Resolved.
7/31/18	85	Saddleback Road	Dead vegetation along roadway next to utility pole	Vegetation	Resolved	6/7/19	Has Been resolved.
7/31/18	80	Saddleback Road	Storage of a boat, materials, and story poles	Nuisance	Resolved		Resolved
8/8/18	0	Poppy Trail	Storage of a boat, materials, and story poles	Nuisance	Resolved	3/18/19	Under Construction.
8/20/18	77	Saddleback Road	Light glaring onto neighbors property	Light	Resolved	8/20/18	8/20/18 Spoke to property owner who mentioned it was a 1-time event and lights were accidentally left on.

Code Enforcement Cases 2019

Rcvd Date	No.	Street	Inquiry/Complaint/Issue	Category	Status	Date Resolved	Comments
8/22/18	2	Southfield Drive	Workers smoking	Nuisance	Resolved	8/22/18	Left message with contractor who called back saying it will not happen again. Contacted complainant to provide update.
9/13/18	1	Ringbit Road West	Interior improvements to stable w/o permits	illegal Construction	Outstanding		9/13/18 Site visit to confirm work was being done. Bldg. Inspector issued stop work notice. Owners stopped all work.
2/4/19	3	Chuckwagon Rd	Excessive lights; lights on gazebo, drwy and house	Light	Monitoring	2/4 partly resolved	To be checked after Febr 1, possibly Holiday lights. As of 2/4/ gzebo lights were turned off
2/4/19	32	Portuguese Bend Road	Dead Tree	Vegetation	Resolved	5/6/19	Has Been resolved.
2/4/19	21	Portuguese Bend Road	Dead Tree	Vegetation	Resolved	3/15/19	Has Been resolved.
2/4/19	74	Portuguese Bend Road	Illegal lighting	Light	Resolved	7/18/19	Resolved.
2/4/19	20	Portuguese Bend Road	Dead Tree	Vegetation	Resolved	6/7/19	Resolved
2/8/19	4	Buckboard Lane	Noise indicating possible illegal construction	Nuisance	Resolved	2/8/19	Noise was determined to be regular tree
2/8/19	4	Buckboard Lane	Screening of sports court	Screening	Monitoring		Owner agreed on screening.
2/8/19	12	Crest Road East	Excessive lights on barn and pathway	Light	Resolved		Left voice message with property owner; site visit
2/8/19	5	Johns Canyon	Illegal lighting	Light	Resolved	5/6/19	Resolved
2/8/19	3	Packsaddle Road West	Screening of sports court and trellis	Screening	Resolved		Resolved.
2/8/19	2854	Palos Verdes Dr N	Driveway changes	Illegal Construction	Resolved	3/8/19	Resolved
2/8/19	19	Southfield Drive	Dead Trees	Vegetation	Resolved	4/18/19	Resolved.
2/8/19	11	Upper Blackwater Canyon Road	Dead trees	Vegetation	Resolved	6/14/19	Resolved
2/12/19	34	Portuguese Bend Rd	Tree branches down on property; tree branches in power lines	Vegetation	Monitoring		Utility company evaluating.
2/12/19	1	Sagebrush	Dead tree	Vegetation	Resolved	6/14/19	Has Been resolved.
2/21/19	26	Cinchring Road	Illegal Water Line (not to code)	Illegal Construction	Resolved		Resolved
2/21/19	58	Saddleback Road	Wire down		Resolved		Resolved

Code Enforcement Cases 2019

Rcvd Date	No.	Street	Inquiry/Complaint/Issue	Category	Status	Date Resolved	Comments
2/26/19	28	Chuckwagon Rd	Dead tree	Vegetation	Resolved	6/7/19	Has Been resolved.
2/26/19	49	Eastfield Drive	Illegal conversion of stable to Rec. rm.	Illegal Construction	Resolved		Approved.
2/26/19	15	Upper Blackwater Canyon Road	Dead Trees	Vegetation	Outstanding		Outstanding
4/18/19	8	Georgeff Road	Maintenance	Property Maintenance	Monitoring		Property owners are addressing all violations and keeping in contact via email.
5/3/19	20	Cinchring Road	Dead Tree	Vegetation	Resolved	6/7/19	Has Been Resolved
5/3/19	2	Crest Road East	Illegal Construction	Illegal Construction	Resolved	5/22/19	Has Been Resolved
5/3/19		Morgan LN/ Johns Canayon	Water in street	water	Monitoring		
5/3/19	14/15	Portuguese Bend Rd	Tree	Vegetation	Resolved	6/13/19	Has Been Resolved
5/3/19	2	Possum	feeding animals	Animal	Monitoring		Staff will investigate
5/16/19	67	Portuguese Bend Rd	Foundation Construction	Construction	Follow Up		Owner discussed with building department and safety.
5/16/19	77	Saddleback Road	Noise	Noise	Resolved		Noise due to construction.
5/23/19	5	Chesterfield	Solar Panel/dry weed	plans	Monitoring		RHCA and I had made attempts and property owner is working in getting company to address the glare.
5/24/19	5	Pine Tree Lane	Dead vegetation /construction	Vegetation	Outstanding		Follow up
5/24/19	15	Portuguese Bend Rd	Illegal Construction	Permits	Resolved		Resolved.
5/24/19	71	Saddleback Road	Gardening Shed	Plans/ setbacks	Resolved	5/27/19	Has been resolved
6/1/19	77	Saddleback Road	Drainage	Drainage	Monitoring		Met with contractor.
6/3/19	2	Cinchring Road	Bees	Bees	Resolved	6/3/19	Has been resolved
6/4/19	26	Crest Road East	Dead vegetation	Vegetation	Monitoring		Monitoring
6/12/19		Buggy Whip	Dead vegetation	Vegetation	Follow Up		Follow up
6/14/19		Cal Water Property	Dead vegetation	Vegetation	Follow Up		Water Company has hired a compnay and removing all required dead vegetation.
6/14/19	2	Pheasant Lane/25 Portuguese Bend Rd	Dead Vegetation	Vegetation	Follow Up		Follow up
6/14/19	6	Pine Tree Lane	Dead Tree	Dead Tree	Follow Up		Follow up
6/14/19	14	Upper Black Water	Dead vegetation	Vegetation	Follow Up		On going

Code Enforcement Cases 2019

Rcvd Date	No.	Street	Inquiry/Complaint/Issue	Category	Status	Date Resolved	Comments
6/26/19	7	Ranchero	Dead vegetation/tree	Vegetation	Monitoring		Property owner is obtaining bids for his property for the dead vegetation.
6/28/19	1	Buggy Whip	View	View	Follow Up		Correspondence sent to owner.
7/11/19	21	Buggy Whip	Foundation		Outstanding		Chris from Los Angeles county will be inspecting
7/18/19	40	Eastfield Drive	plans and permit	Plans and permit	Follow Up		Property Owner will be getting engineer for his project
7/22/19	14	Portuguese Bend Road	Dead vegetation/tree	Vegetation	Follow Up		Possible dead tree
8/6/19	1	Maverick Lane	Overgrown Vegetation		Follow Up		Blocking view into intersection, RHCA will remove.
1/16/19	4	Poppy Trail	Illegal Horse Trail Outdoor Storage	Storage	Resolved	2/1/19	Horse trailer observed to be removed
8/6/19	1	Pinto Road	Excessive lights on structure	Lighting	Follow up		