



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
TUESDAY, November 12, 2019

CITY OF ROLLING HILLS
7:00 P.M.

Next Resolution No. 1246

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 JULY 22, 2019, REGULAR MEETING OF SEPTEMBER 09, 2019 AND REGULAR MEETING OF SEPTEMBER 23, 2019.
RECOMMENDATION: APPROVE AS PRESENTED
- B. PAYMENT OF BILLS.
RECOMMENDATION: APPROVE AS PRESENTED
- C. CONSIDER AND APPROVE PROPOSED DATES FOR THE CITY COUNCIL STRATEGIC PLANNING WORKSHOPS IN 2020.
RECOMMENDATION: APPROVE AS PRESENTED
- D. RESOLUTION 1245: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS AUTHORIZING THE DESTRUCTION OF CERTAIN CITY RECORDS AS PROVIDED BY SECTION 34090 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA.
RECOMMENDATION: APPROVE AS PRESENTED
- E. RECEIVE AND FILE ANNUAL REPORT FOR FISCAL YEAR 2018-2019 TO THE LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD AS MANDATED BY THE LOS ANGELES COUNTY MUNICIPAL STORM WATER PERMIT ORDER NO. R4-2012-0175, AMENDED BY ORDER NO. WQ 2015-0075.

RECOMMENDATION: APPROVE AS PRESENTED

PRESENTATION

Recognition of Planning Director, Yolanta Schwartz

RECESS TO RECEPTION

5. COMMISSION ITEMS

- A. RECEIVE AND FILE RESOLUTION NO. 2019-14 FROM THE PLANNING COMMISSION GRANTING APPROVAL FOR A SITE PLAN REVIEW TO CONSTRUCT AN ABOVE GRADE DECK IN ZONING CASE NO. 958 AT 3 ROUNDUP ROAD (LOT 67-A-EF) ROLLING HILLS, CA, (BOGDANOVICH).

6. PUBLIC HEARINGS

NONE.

7. OLD BUSINESS

NONE.

8. NEW BUSINESS

- A. CONSIDER RECOMMENDATION FROM THE PERSONNEL COMMITTEE FOR APPOINTMENTS TO THE PLANNING COMMISSION AND TRAFFIC COMMISSION.
- B. CONSIDER MEETING WITH THE PLANNING COMMISSION ON A THREE-YEAR FREQUENCY.
- C. CONSIDER AND APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH PACIFIC LAND CONSULTANTS, INC. FOR LAND SURVEYING SERVICES FOR AN AMOUNT NOT-TO-EXCEED \$13,250.
- D. CONSIDER AND APPROVE THE PURSUIT OF SB2 PLANNING GRANT FUNDS AND AMEND THE PROFESSIONAL SERVICES AGREEMENT WITH CSG CONSULTANTS TO PREPARE THE GRANT APPLICATION FOR AN AMOUNT NOT-TO-EXCEED \$5,700.

9. MATTERS FROM THE CITY COUNCIL AND MEETING ATTENDANCE REPORTS

NONE.

10. MATTERS FROM STAFF

NONE.

11. ADJOURNMENT

THE MEETING WILL BE ADJOURNED IN MEMORY OF DR. MICHAEL ISHAK, A 40 YEAR RESIDENT OF ROLLING HILLS.

Next meeting: Monday, November 25, 2019 at 7:00 p.m. in the City Council Chamber, Rolling Hills City Hall, 2 Portuguese Bend Road, Rolling Hills, California, 90274.

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.

**MINUTES OF
A REGULAR MEETING
OF THE
CITY COUNCIL OF THE
CITY OF ROLLING HILLS, CALIFORNIA
MONDAY, JULY 22, 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 7:00p.m. in the City Council Chamber at City Hall, 2 Portuguese Bend Road, Rolling Hills, California.

2. ROLL CALL

Councilmembers Present: Mayor Mirsch, Pieper, Black, Dieringer and Wilson.
Councilmembers Absent: None
Others Present: Elaine Jeng, P.E., City Manager.
Yolanta Schwartz, Planning Director
Michael Jenkins, City Attorney
Susan Wilcox, Land Conservancy
Alfred Visco
Arvel Witte
Joe Spierer

3. OPEN AGENDA - PUBLIC COMMENT WELCOME

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

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 JULY 2, 2019.
RECOMMENDATION: APPROVE AS PRESENTED.
- B. PAYMENT OF BILLS.
RECOMMENDATION: APPROVE AS PRESENTED
- C. REPUBLIC SERVICES RECYCLING TONNAGE REPORT FOR JUNE 2019
RECOMMENDATION: APPROVE AS PRESENTED
- D. FINANCIAL STATEMENT FOR THE MONTH OF JUNE 2019.
RECOMMENDATION: APPROVE AS PRESENTED
- E. SECOND READING – WAIVE THE FULL READING OF ORDINANCE NO. 362 OF THE CITY OF ROLLING HILLS, CALIFORNIA, AMENDING

SECTION 8.08.580 CONSTRUCTION AND DEMOLITION WASTE OF THE
CITY OF ROLLING HILLS MUNICIPAL CODE.

RECOMMENDATION: APPROVE AS PRESENTED.

Councilmember Black moved to approve the consent calendar. Councilmember Wilson seconded the motion. Councilmember Wilson also noted that the very last page of the balance sheet is illegible. The motion carried as follows:

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

5. COMMISSION ITEMS

- A. RECEIVE AND FILE RESOLUTION NO. 2019-11 FROM THE PLANNING COMMISSION GRANTING APPROVAL OF A CONDITIONAL USE PERMIT TO CONVERT AN EXISTING 689 SQUARE FOOT STABLE, TO A MIXED-USE STRUCTURE IN ZONING CASE NO. 959 AT 49 EASTFIELD DRIVE (LOT 33-EF) ROLLING HILLS, CA (WALDMAN).

Planning Director Schwartz summarized the project and responded that at the last City Council meeting, Council members requested staff to verify the distance from the proposed set aside area for the stable and corral to the closest neighboring structure. She stated that the distance from the set aside to the closest structure is 53 feet.

Councilmember Black inquired why was the elevation not included in the plans.

Planning Director responded that the set aside at 49 Eastfield is considerably lower than the adjacent lot.

Councilmember Dieringer inquired if the mixed-use structure allows for showers.

Planning Director responded that the code allows showers in detached recreation rooms.

Mayor Pro Tem Pieper moved to receive and file the item. Councilmember Black seconded the motion and the motion carried as follows:

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

6. PUBLIC HEARINGS

- A. REVIEW AND APPROVE ZONING CASE NO. 957, REQUEST FOR A VARIANCE AT 5 FLYING MANE LANE.

Planning Director Schwartz noted that the City Council took the project under its jurisdiction and proceeded to give a brief summary of the City Council's field trip to the project site. Planning Director Schwartz outlined the City Council's instruction to staff to contact Edison to convey the condition observed at the site. Edison informed staff that an additional pole can be installed on the building pad to raise the low hanging overhead lines. The applicant would then have the ability to underground to the new pole.

Discussions ensued on Edison's response to staff's inquiry regarding trimming the trees.

Planning Director Schwartz stated that Edison's policy is to trim trees around their lines; but the applicant has to request it..

Councilmember Dieringer asked for confirmation that the applicant would give Edison the necessary easement for the new pole. Councilmember Dieringer inquired what is the most economical alternative for the applicant.

Joe Spierer, Architect for the project, noted that his client Mr. Walker knew that he had to underground and fully intended to but due to circumstances he is requesting a variance. Mr. Spierer noted that there was similar variance granted previously. Mr. Walker would hate to have to install a third pole on his property but does want safe conditions. Mr. Spierer responded to Councilmember Dieringer that if Mr. Walker was forced to provide the easement, he would do it, but he is focused on pursuing the variance. Mr. Spierer noted that the additional pole would likely be the most economical option.

Councilmember Black moved to deny the variance request and added that no explosive be used on the project. Mayor Mirsch seconded the motion.

City Attorney Jenkins noted that the action to be taken is to direct staff to prepare a denial resolution. And that a denial is just that – a denial. The property owner must in some way comply with the undergrounding requirement. The City cannot impose other conditions in a denial. The applicant can provide the easement to Edison for the additional pole and underground to the new pole. It is entirely up to the applicant and Edison in the approach to meet the requirement.

Mayor Mirsch noted that she is not entirely insensitive to the cost issue. She also noted that the City Council does not like to make exceptions.

Councilmember Black amended his motion to have staff bring back a denial resolution to the City Council. Councilmember Dieringer seconded the motion and the motion carried as follows:

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

7. OLD BUSINESS

NONE.

8. NEW BUSINESS

- A. CONSIDERATION TO ENGAGE THE SERVICES OF FORUM INFO-TECH FOR INFORMATION TECHNOLOGY ADMINISTRATIVE SERVICES FOR THREE YEARS, STARTING AUGUST 1, 2019; DIRECT THE CITY ATTORNEY'S OFFICE TO PREPARE A PROFESSIONAL SERVICES AGREEMENT; AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT.

City Manager Jeng gave a brief history of the City's IT infrastructure. The temporary IT vendor currently serving the City costs about \$2,400. She stated that bids were received through a competitive RFP process. The RFP requested vendors to provide professional judgement to meet the City's needs and plan for the future. City Manager Jeng summarized the differences between the two proposals received and noted that she attempted to extract proposal elements to give an apples to apples comparison.

Mayor Pro Tem Pieper inquired if \$199 includes the hosting or managing the hosting. Mayor Pro Tem Pieper inquired about the quantity count of 9 for the AWS hosting and questioned the amount of work beyond year 1 of service.

City Manager Jeng responded that \$199 is managing the hosting. She directed Council to page 20 of 71 of the staff report for the hosting cost.

Discussions ensued on specific cost items from both proposals and the proposed contract term.

City Manager Jeng noted that the current cost of maintaining the City's existing IT infrastructure is \$2,500 per month, without the data migration to the cloud and/or future planning work.

Mayor Pro Tem Pieper voiced concerns about fire walls and expressed the need to have data onsite. Once the system is set up, he doesn't think that there would be much work on the part of the vendor and to pay \$2,000 a month for the next three years seems high.

City Manager Jeng inquired would Mayor Pro Tem Pieper be more comfortable if the contract term was shortened to one year? And that pricing can be discussed and be agreed upon before extending into year 2 and or 3.

Mayor Pro Tem Pieper responded that he would agree and be comfortable with engagement of service if it were on a shorter term and if City staff's process would be more efficient with the vendor's support.

Councilmember Wilson provided his own experience with IT vendors for his business.

Councilmember Dieringer inquired if it would be fair to go back to CBE Solutions to ask them to

provide services provided by Forum Info-Tech to get an apples to apples comparison.

City Manager Jeng summarized the solicitation process including the clarification questionnaire with both proposers. She noted that it is important in a competitive environment that all competitors are treated the same and get the same information to provide proposals.

Mayor Mirsch expressed that she would like to see a company that can provide a good level of service with their professional judgement. She would not want to go back out to bid.

Mayor Pro Tem Pieper expressed that proposers will recommend what they are comfortable in recommending. He stated that if the contract term can be shortened, then the City should move forward with the overhaul.

Councilmember Dieringer inquired about the Southbay Smart Net Project and how is it related to this work.

City Manager Jeng outlined the service to be provided by the Southbay Smart Net project compared to the City's current internet service. She added that the Smart Net project can be integrated by the IT vendor.

Mayor Pro Tem Pieper motioned to shorten the contract term to one year and approve staff's recommendation. Councilmember Wilson seconded the motion.

Discussions ensued on the scenario where the vendor changes the price with the term being reduced from 3 years to 1 year. Councilmembers asked that the item be brought back to the City Council.

City Manager Jeng noted that she would bring the contract back to Council for approval regardless of the answer to the amended term.

The motion carried as follows:

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

Prior to this discussion (Item 8B) Councilmember Black left the meeting.

- B. CONSIDERATION AND APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH CSG CONSULTANTS FOR ON-CALL PLANNING CONSULTING SERVICES TO SUPPLEMENT THE PLANNING DEPARTMENT ON AN AS-NEEDED BASIS FOR FISCAL YEAR 2019-2020 FOR AN AMOUNT NOT-TO-EXCEED \$30,000.

City Manager Jeng outlined resource change turning the Senior Planner position to a jack-of-all trade position. This contract is not meant to farm out the planning function but to meet the fluctuating demands of the Planning Department on an as needed basis with a consulting firm. Also, the consulting service can provide expertise not available in-house such as CEQA analysis.

Planning Director Schwartz briefly outlined the solicitation process and noted that she recommends CSG because they seem to have staff with expertise in different planning fields. She also stated that the firm is geared to serve smaller cities.

Ethan Edwards, Director Planning Services from CSG gave a brief background of the company of 300 employees. They have a partner planner approach. He also stated that CSG is an employee owned company.

Mayor Pro Tem Pieper motioned to approve the item as presented. Mayor Mirsch seconded the motion and the motion carried 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 PROFESSIONAL SERVICES AGREEMENT WITH ENVIRONMENTAL DESIGN ASSOCIATES (EDA) TO REVIEW AND RECOMMEND ISSUANCE OF PERMITS PER THE ROLLING HILLS WATER EFFICIENCY LANDSCAPE ORDINANCE.

Planning Director Schwartz noted that in order to be compliant with the Model Water Efficiency Ordinance that was recently adopted by the City, City staff needs additional assistance to review the submittal data. The City Council through the budget process did approve the hire of a landscape architect to assist staff in processing the plans to comply with the ordinance. There were two proposers. She stated that both firms are qualified to perform the service but that one does not have the license called out in the RFP and therefore is not recommended. She recommends the selection of Environmental Design Associates. She stated that the plan check fees would be collected from applicants, and the consultant would be paid from those fees.

Mayor Mirsch asked why the license is needed even though staff thought Sarah Noel was qualified to do the work.

Planning Director Schwartz responded that the City's ordinance stipulates certain licenses requirements and in order to compare apples to apples this criteria was used to disqualify the second proposer.

Mayor Pro Tem Pieper motioned to approve the item as presented. Councilmember Wilson seconded the motion and the motion carried as follows:

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

Mayor Mirsch inquired if there is opportunity to use a consultant for multiple purposes.

City Manager Jeng responded yes. Staff could have inquired if CSG has a certified arborist but because different tracks started at different times, the opportunity to have joint purposes was missed.

D. CONSIDERATION AND APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH WARRINER ASSOCIATES FOR ON-CALL ARBORIST SERVICES TO SUPPORT STAFF IN FIRE FUEL ABATEMENT CODE ENFORCEMENT CASES.

Planning Director Schwartz outlined code enforcement cases that needed the expert opinion of a certified arborist. Even though the City will have a full-time code enforcement officer shortly, a professional arborist would still be needed to provide professional opinions as to whether a tree is dead or not. She stated that the arborist would provide other landscaping and related services, on an as needed basis. She is recommending Warriner because they are local and would not charge the city for travel time despite the fact that their hourly rate is more expensive than the other proposer.

Councilmember Dieringer inquired if the arborist will be used also for view ordinance cases. Certified arborists are a dime a dozen. The other firm at \$150 per hour is cheaper and they have a registered arborist. The registered arborist is a higher level certification than a certified arborist. It would be worth it for them to travel here from Duarte. Councilmember Dieringer noted that there would be a conflict of interest if Warriner is being used by the Community Association. She noted that both arborists can be contracted to serve the City to allow the City to have the ability to select the appropriate expert for certain service.

City Manager Jeng responded that yes, the on-call arborist can be utilized for view ordinance cases should the need arise. The City can use both arborists for on-call services. She stated that JTL did not receive a negative review from staff through the RFP process and is a qualified firm.

Mayor Mirsch inquired with City Attorney Jenkins does he see any conflicts if the Association uses the same arborist. Mayor Mirsch inquired who is on the hook to pay for the services of the arborist. Mayor Mirsch inquired regarding the statistics on challenges to the City's assessment of dead vegetation and if the \$6,000 will be sufficient to meet the demand.

City Attorney Jenkins expressed that he does not see any conflicts arising from using the same vendor.

City Manager Jeng responded that the City pays for the services of the arborist as a part of the code enforcement effort. Arborist call outs are clustered to maximize the site visits and often an arborist can use photographs taken by staff to render opinions.

Planning Director Schwartz noted that, in the challenges so far, the arborist has determined the vegetation to be dead and that there have been no follow-ups as of February of this year.

Mayor Pro Tem Pieper inquired with the City Attorney if the arborist fee can be recovered if the challenges by residents fail.

City Attorney Jenkins responded Mayor Pro Tem Pieper that cost recovery is possible.

Mr. Visco noted that it would be a great idea to have multiple arborists on-call. He also agrees with the challenging party to pay for arborist's fee.

Councilmember Dieringer motioned to employ two arborists for on-call services. Mayor Pro Tem Pieper seconded the motion and the motion carried as follows:

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

NOES: COUNCILMEMBERS: None.

ABSENT: COUNCILMEMBERS: Black.

ABSTAIN: COUNCILMEMBERS: None.

Mayor Pro Tem Pieper asked that the arborist expenditures be tracked.

9. MATTERS FROM THE CITY COUNCIL AND MEETING ATTENDANCE REPORTS

A. DISCUSS FIRE FUEL ABATEMENT ALONG THE CITY'S SOUTHERN BORDER, AREAS ADJACENT TO THE PALOS VERDES PENINSULA LAND CONSERVANCY (ORAL).

Susan Wilcox gave a brief background on the Land Conservancy. Thirty years ago, the Land Conservancy was formed as a non-profit to preserve land for the enjoyment of the community. In total, \$30M has been raised from Federal and State funds, and \$10M raised from the community. These funds have been used to purchase the Preserve. Once the land was purchased, the title was given to Rancho Palos Verdes. The Land Conservancy holds conservation easements over the land. The agreement between RPV and the Conservancy is to restore this land every five years. This year the Land Conservancy is looking to remove invasive and flammable vegetation from the Preserve. Ms. Wilcox gave a background on acacia plants and stated that acacia is highly flammable. The vegetation planned to be removed this year is acacia plants. The Land Conservancy requested \$30,000 from RPV to remove acacia. Ms. Wilcox noted she is here tonight to answer questions.

Councilmember Dieringer inquired regarding fire fuel abatement projects along the border between Rolling Hills and the Conservancy.

Ms. Wilcox responded that the Conservancy is proposing to start at the bottom of the hill to remove acacia and move up the hill. There is an area near RH's property area that the Conservancy is planning to remove mustard plants. She stated that goats are planned to be used to remove about 20 acres of the mustard plants. Ms. Wilcox noted that there is no excess budget and asked the City Council to consider contributing funding for the mustard removal work.

RPV, Wildlife Agencies and the Conservancy jointly participate in a Natural Community Conservation Planning (NCCP). The NCCP allows the city to streamline permitting. With three parties, it is confusing who is in charge of what. The Conservancy does not regulate the users, doesn't issue fines but is simply a land restoration entity. RPV gives the Conservancy \$160,000

annually to perform the restoration work. The work requires approximately \$500,000 so the Conservancy is always raising additional funds from the community.

Councilmember Wilson inquired regarding placing firebreaks between the City and the Conservancy and the decision protocol to determine where fire modification should take place.

Ms. Wilcox responded that when NCCP was formed, the three agencies along with the Fire Department predetermined the locations where the fire fuel modification work would take place on the Preserve side. Otherwise the fire fuel abatement falls on the homeowner. Ms. Wilcox noted that the locations of the fire ignition sites were the priorities for fire fuel modification work. Ms. Wilcox also noted that mustard is difficult to eradicate.

Councilmember Black expressed that some of the trails in the Preserve are overrun with mustard and that goats are not economical to remove mustard. He stated that the City would contribute funds to remove the mustard plants even if goats are considered for the removal work if it includes areas bordering the City of Rolling Hills.

Ms. Wilcox said that she is not a decision maker. Ms. Wilcox will take the request back and follow up. Ms. Wilcox noted that they have identified a 20-acre site to remove mustard.

Mayor Pro Tem Pieper inquired who is the person who signs off on the work. And how do we come up with a solution right now. Mayor Pro Tem Pieper discussed Rolling Hills' residents that donate monies to the Conservancy and their desire for progress. It is the end of July and nothing has happened.

Ms. Wilcox responded that the Conservancy's Executive Officer and the City of Rancho Palos Verdes would be the decision makers as well as the Wildlife agencies. Ms. Wilcox noted she will relay the urgency and be in touch with Mayor Mirsch and Elaine, City Manager. Ms. Wilcox noted that the Conservancy wants to remove mustard plants too. Ms. Wilcox clarified that the land is the Preserve and the Conservancy is the non-profit agency. Ms. Wilcox asked for understanding and said that she will be working on the request, but it may not be tomorrow.

Councilmember Dieringer noted that prioritization should occur closer to people's homes. If the City were to contribute money, that there should be some control on the quality of work ensured by the Conservancy leadership.

Mayor Mirsch asked if there are questions from the public and limited public questions and comments to 3 minutes.

Alfred Visco inquired about work planned by RPV and the status of the work.

City Manager Jeng responded to Mr. Visco that she spoke with RPV City Manager in the afternoon, the work is scheduled for next week, near Cinchring.

Arvel Witte, 5 Quail Road South, expressed that he walked the trails behind his house and along Cinchring and doesn't understand why are we stalled on a safety issue? He stated that he contributed to the Conservancy.

B. RECEIVE A PRESENTATION ON THE ELEMENTS OF A COMMUNITY WILDFIRE PROTECTION PLAN AND THE PROCESS TO COMPLETING A PLAN FOR ROLLING HILLS (ORAL)

City Manager Jeng provided a brief presentation on CWPP.

Councilmember Wilson inquired about the past community meetings on the subject and the low turnouts.

City Manager Jeng responded that the past community meetings are recorded and available on the City's website. The links have been shared with Block Captains. The Fire Department is coming to the next Block Captain meeting in August 2019. She is hoping that the Block Captains do a good job advertising the recorded meetings.

Councilmember Dieringer asked that these meetings be as inclusive as possible to attract additional residents.

City Manager Jeng responded that yes, additional meetings beyond the bi-monthly Block Captains will be held in the evening hours.

Mayor Mirsch inquired if staff is actually going to write something up and have it approved by someone.

City Manager Jeng responded that the plan would have to be signed off by the City Council, the Fire Department and the Sheriff. The plan can also go to California Fire Safe Council as it relates to wildfire. City Manager Jeng outlined the logistics of achieving an agreeable plan.

Councilmember Dieringer inquired if more effort needs to be focused to get more participation. Councilmember Dieringer inquired if the City Manager is getting the sense that the Peninsula wants to prepare one CWPP for the entire Peninsula.

City Manager Jeng noted that Block Captains should be holding zone meetings. She also responded that she is not getting a sense that cities are pursuing one Peninsula CWPP but that the individual plans would be coordinated peninsula wide.

Mr. Visco stated that he is trying to get the City Manager in touch with Elizabeth with the California Fire Safe Council. Mr. Visco added that if the City works with the California Fire Safe Council, the City can receive funding. Fire Safe Council are volunteers and can assist and help write grants.

Mr. Witte expressed that he is more interested in action. He suggested taking a tour along the City's border would help to act on the threat. He would like the Fire Department to see the threat.

Mayor Mirsch directed staff to follow up on Mr. Witte's suggestion to have the community take a tour along the border.

Mayor Pro Tem Pieper suggested to educate landscape companies on the City's dead vegetation ordinance to increase the dead vegetation abatement.

10. MATTERS FROM STAFF

A. CONSIDERATION AND APPROVAL OF \$1,500 FOR A SUMMER INTERN THROUGH EXP SUMMER INTERNSHIP PROGRAM.

City Manager Jeng gave a brief summary to the City Council regarding this item at the last meeting. To respond to the City Council's concerns, the City Attorney's office provided the opinion of a labor attorney on the issue of employing a summer intern. The labor attorney did not see any issues with hiring a summer intern. Additionally, staff provided the program's handbook showing the insurance policies and requirements for hiring interns, which address concerns voiced by the City Council at the last meeting.

Councilmember Wilson noted that he has participated in the summer intern program for many years. He is not brushed up on the program's handbook addressing the concerns expressed by the City Council. He reiterated that he had fully intended to sponsor the summer intern and it was the City Manager who suggested to have the City fund the intern at City Hall.

Councilmember Dieringer moved to approve staff's recommendation to fund the summer intern. Mayor Pro Tem Pieper seconded the motion and the motion carried as follows:

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

NOES: COUNCILMEMBERS: None.

ABSENT: COUNCILMEMBERS: Black.

ABSTAIN: COUNCILMEMBERS: None.

11. ADJOURNMENT

City Manager Jeng suggested to tentatively set August 19, 2019 for the field trip for 13 Portuguese Bend Road project. Staff will be checking with Councilmember Black's office to confirm his availability on August 19, 2019 at 7am.

Councilmembers agreed to set August 19, 2019 as a tentative meeting date.

Hearing no further business before the City Council, Mayor Mirsch adjourned the meeting at 9:55p.m. The next regular meeting of the City Council is scheduled to be held on Monday, August 19, 2019 beginning at 7:00 a.m. 13 Portuguese Bend Road, Rolling Hills, California.

Respectfully submitted,

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

Approved,

Leah Mirsch
Mayor

**MINUTES OF
A REGULAR MEETING
OF THE
CITY COUNCIL OF THE
CITY OF ROLLING HILLS, CALIFORNIA
MONDAY, SEPTEMBER 09, 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 7:03p.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, and Wilson.
Councilmembers Absent:	Black
Others Present:	Elaine Jeng, P.E., City Manager. Yolanta Schwartz, Planning Director Yohana Coronel, City Clerk Michael Jenkins, City Attorney Alfred Visco, 15 Cinchring Sue Breiholz, 6 Upper Blackwater Canyon Road David McKinney, President of RHCA

3. OPEN AGENDA - PUBLIC COMMENT WELCOME

Alfred Visco, resident of 15 Cinchring gave an update on his contacts with Ranch Palos Verdes and the Land conservancy. He stated that a fire fuel reduction and modifications plan would be presented to the Rancho Palos Verdes Board on September 17, 2019 by RPV staff. He urged the Council and the Rolling Hills Community Association to attend the meeting for this item. Mr. Visco also gave a review of the land conservancy ongoing projects and suggested that Council agendize this item for further discussion.

Mayor Mirsch thanked Mr. Visco for his comments and ongoing efforts. Mayor Mirsch reminded Mr. Visco of the time constraints Council faces daily with their schedules but also assured Mr. Visco that Council continues to have an open line of communication with Rancho Palos Verdes City Council, ongoing conversations with the land conservancy and discussions with the Rolling Hills Community Association.

Mrs. Breiholz, 6 Upper Blackwater Canyon Road, requested more lighting outside of City Hall. She also requested an update on the dead vegetation ordinance. She stated she is concerned over the enormous amount of dead vegetation around the city and requested this item be agendized for a future meeting.

Mayor Mirsch agreed to agendaize the item and asked City Manager Elaine Jeng for a brief update.

City Manager Jeng stated Council receives a quarterly report about code enforcement cases relating to dead vegetation. The last report submitted was a couple of meetings ago and it covered the months of June, July and August. City Manager Jeng informed Mrs. Breiholz that the City has data listing all the dead vegetation cases and the outcome. She stated that generally most residents are compliant but some have challenged the city on whether or not a plant is dead. In those cases, an arborist was called to give an opinion. For the most part, residents follow suggestions from staff and become compliant. City Manager Jeng noted that the current Code Enforcement Officer increased her hours from 12 hours to 19 hours per week. Once the recruitment is done to hire a full time code enforcement officer, the hours will increase to 40 hours a week.

Mrs. Breiholz suggested asking residents to report on dead vegetation and asked if more publicity and reminders could be sent out to residents about the importance of addressing dead vegetation.

City Manager Jeng reported the city will continue to publish information regarding dead vegetation in the blue newsletter, ask the Block Captains to spread information about the matter to their designated zones and ask the Rolling Hills Community Association to help spread the information.

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 JULY 22, 2019.
RECOMMENDATION: APPROVE AS PRESENTED
- B. PAYMENT OF BILLS.
RECOMMENDATION: APPROVE AS PRESENTED
- C. REVIEW AND APPROVE PLANNING/TRAFFIC COMMISSIONS
RECRUITMENT/APPOINTMENT SCHEDULE FOR TERMS EXPIRING IN
JANUARY 2020.
RECOMMENDATION: APPROVE AS PRESENTED

Councilmember Dieringer requested pulling item 4A to make corrections.

City Manager Jeng requested adding the date and time of October 30, 2019, 6PM to the calendar of events for item 4C.

Councilmember Dieringer moved to pull item 4A, and bring back for approval with corrections and have the City Council approve the consent items as presented along with corrections noted to item 4C. Councilmember Pieper 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.

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ABSENT: COUNCILMEMBERS: Black
ABSTAIN: COUNCILMEMBERS: None.

5. COMMISSION ITEMS

NONE.

6. PUBLIC HEARINGS

NONE.

7. OLD BUSINESS

- A. CONSIDER AMENDING MEMORANDUM OF UNDERSTANDING (MOU) WITH ROLLING HILLS COMMUNITY ASSOCIATION TO COST SHARE DESIGN FEES ASSOCIATED WITH ASSESSMENT DISTRICT PROJECTS AND TO INCLUDE OTHER CONSULTING FEES.

City Manager Jeng noted this item has been brought to the Council many times before and reminded the Council of the approved decisions made on March 11, 2019 with regard to policies for contributing funds for undergrounding projects. After several discussions it was decided on May 29, 2019 that the City Council would cost share the design fee with the Rolling Hills Community Association (RHCA) and the residents by paying a third of the design fee. During those discussions it was brought to Council as to whether they wanted to contribute to design fees while also contributing to assessment engineer fees and bond counsel fees. Feedback to staff from the Council was no. The Council wanted to limit their contribution to the design fee only since that was a critical part of getting the project started. Since then, the MOU has been executed between the City and the Rolling Hills Community Association specifically sharing the costs of the design fees only.

City Manager Jeng pointed out to the Council the presence of the President David McKinnie of the Rolling Hills Community Association in the audience. In a recent coordination meeting between the Mayor and the RHCA President, Mr. McKinnie stated he did not notice that the MOU only included design fees and did not include other consulting fees. Once he realized the MOU only included design fees, the Board President then requested the City to agendaize this item for further discussion. He stated the Board held a meeting on Thursday September 5th, 2019 and requested the MOU be amended to include the other costs. He noted that if the City Council were not interested in amending the MOU, the Association would withdraw from the MOU.

City Manager Jeng deferred to President McKinney to further articulate the request of the Association.

Mr. McKinnie gave a brief background of the undergrounding projects. He stated that the Eastfield project goes back five years with Marcia and Mike Schoettle being one of the first people to look at a large scale, multi-home undergrounding project. They started off with 35 homes but have dropped off to 12 homes. Details of their initial definition for the project were approved by Council

back in November 2016 and since then multiple discussions have happened with information gathered by the City Manager. The initial discussion was to set up a policy for the City and the Association to help support starting an undergrounding process in which the City and the Association help contribute a third of the front end cost which was assumed to be the cost which gets the project to a vote as to whether the project will go forward or not. All of those costs were generally considered to be utility, assessment engineer, construction, and bond counsel. It was his understanding that less than 100% of the fee for a bond counsel is needed upfront, prior to a vote from the homeowners, so that homeowners can be informed as to what they are voting on. Therefore, the assessment engineering needs to complete all of their work, making this the basis for the front-end cost, not just the engineering assessment. He further stressed that this has always been the case with projects he has worked on.

Mr. McKinnie proceeded to highlight his top two concerns, 1) making sure all frontend costs are covered and 2) making sure homeowners understand the additional monies needed. Mr. McKinnie stated that when the MOU was approved by the Association, he made an oversight and stated he did not focus on engineering only and was not aware of the discussion Council had about not including some of what he thought was part of the front end cost. Mr. McKinnie said that it was then discussed by the Association at a prior meeting as to what the Rolling Hills Community Association Boardmembers understood when they voted on cost sharing. Mr. McKinney chimed that the Boardmembers believed this cost sharing included ALL of the front end cost, which they understood to be utility, assessment engineer, construction, and bond counsel. President McKinney also stated that this was the agreement that he talked about with the previous City Manager, Ray Cruz, and it is what he understood and what he defined to the homeowners.

Councilmember Dieringer pointed out that looking at the MOU signed by President McKinnie on June 13, it clearly specifies that the only cost to be shared with the homeowners is the preliminary design for each assessment district and this is the only cost sharing that the Council had been discussing.

Mr. McKinnie responded that this limitation was not what was originally talked about and it is not the basis for the Eastfield group cost sharing.

Councilmember Dieringer stated that she did not recall the Council approving more than a city share for the preliminary design cost.

Mayor Mirsch stated that the Council had apparently approved more than just the design fee in the past for Eastfield but she did not realize they were doing so when they voted. She also stated that she does not recall any bond counsel fee, and any assessment district fees being included in design fees approved by the Council. If the Council would have had a discussion about it, she would have voted against it and it may or may not have passed.

Councilmember Dieringer asked if she could be shown a copy of the past paper work.

City Manager Jeng pointed out that the staff reports presented to Council on November 14, 2016 details the engineering design cost for each utility provider along with a rough estimate of a benefits study from the assessment district consultant.

Councilmember Dieringer asked if this benefit study was part of the engineering design cost.

City Manager Jeng and Mayor Mirsch both answered no.

Mr. McKinnie pointed out that the terminology is one of the problems he found troublesome.

Councilmember Dieringer stated that her intent and her understanding of the Council approval as to the Eastfield project was the same as the Mayors intent; this approval only included design cost and any other cost would be up to the homeowners.

Mr. McKinnie stated Councilmember Dieringer could define the terms however she saw fit, but that has not always been the case.

Councilmember Dieringer answered that the terms were always clear when Council discussed it.

Mayor Mirsch stated she understood how the terminology caused a misunderstanding.

Mr. McKinnie stated one of the directors on the Association board directed him to be clear about the terms going forward.

Councilmember Dieringer asked Mr. McKinnie for clarification on the board's vote. Did the board vote to contribute 1/3 of the cost for additional items - the benefit study and the bond counsel fees - with the condition that the Council would pay for 1/3 of those two additional costs along with 1/3 of the design fees.

Mr. McKinnie answered yes. He pointed out that it was stated at the bottom of his document submitted to Council and approved by the Association.

Councilmember Dieringer stated her understanding from speaking with the City Manager at their board meeting was, that Mr. McKinnie had stated that the Rolling Hills Community Association had discussed that if the City Council did not agree to pay for 1/3 of these additional costs, they were not going to pay for 1/3 of the design study. She asked if this was correct.

Mr. McKinnie answered, no. The Association Board stated they were willing to stand by the commitment to contribute 1/3 of the pre-vote cost but felt the MOU did not clearly state the cost. If the City Council did not agree to it, they were going to exercise their right to pull out of the MOU.

Discussion ensued among Council and staff about the cost of the overall project and how much money Council agreed to spend on projects.

Mayor Pro Tem Pieper commented that the Council wanted something that was predictable and reminded everyone of the cap of \$50,000 for any one project. He also stated that he would like to really understand the cost for these type of projects and not knowing what the cost is does not bring him comfort.

Mr. McKinnie suggested Council take no action on the item because more information may need to be reviewed.

Mayor Pro Tem Pieper stated that he feared the budget will get out of control and therefore a cap needed to be set. He stated that his other fear is that the project will not be completed. He gave the example of the Eastfield Project. Eastfield started with 30 houses and is currently down to 12. He understood the confusion with the MOU and suggested shelving this item until the numbers for the Eastfield project come in to see what the cost will be. Mayor Pro Tem Pieper stated he felt Council does not have enough information to alter the MOU and felt more information is needed.

Mr. McKinnie suggested looking at the Eastfield Project closely to have a better definition about what the cost will be for assessment engineering.

Mayor Pro Tem Pieper pointed out that when the memo for the Eastfield Project was presented it included 35 houses. Since then the project has lost 2/3 of the homes, bringing the total to 12 houses. He also stated that if they can complete the project for a third of \$75,000, that is money well spent in his eyes. He would like for the Council to understand the project a little better and he is willing to spend the money, but once the project reaches a vote, he would like a clear definition of what "all in" means because he felt no one really understood what was meant by that. He suggested shelving the item until everyone understands what it all means.

Councilmember Wilson asked what percentage is the additional cost going to be.

Mr. McKinnie stated he put a model together but does not trust his memory of what the numbers are. He does not know what the bond counsel or engineering cost is going to be.

City Manager Jeng pointed out that the engineering numbers are in and included in the staff report in item 8A. She highlighted that the additional \$28,000 needed in addition to the design money was already collected and explained that the bond counsel numbers would not be available until Edison goes out to bid. City Manager Jeng gave a brief overview of how bond counsel and the assessment engineering fee worked and briefly explained that bond counsel base their cost on the size of the bond, which will not be known until the bids are in, whereas assessment engineering base their cost on the size of the assessment district.

Mayor Mirsch thanked the City Manager for her brief explanation and stated that it was helpful not only for herself but also for others that are not familiar with how bond counsel and assessment engineering work.

Mr. McKinnie asked the City Manager if she had a fee from the bond counsel and continued to state that he believed that the bond counsel fee might come in two parts. He again suggested trying to "nail down" the front end cost so that the homeowners are fully informed of the estimate cost, then letting the Association and the City determine how to split the cost.

Mayor Pro Tem Pieper suggested tabling the MOU for now and informed Mr. McKinney the Association is free to undo the agreement. He would like to see an undergrounding project to the end to better understand the cost. He also stated that if Council spends the money that they are

spending on the Eastfield project and the project does not come through to completion then the Council needs to revisit their whole philosophy on its approach to these projects.

Councilmember Dieringer agreed with Mayor Pro Tem Pieper about tabling the MOU for now because she also felt that she did not fully understand that there was a separate cost called an assessment engineering fee. Now knowing that the assessment engineering fee depends on the size of the district, she is against paying for all these pieces, for example, design, assessment engineering and bond counsel fees with no curtailment regarding how much the ultimate amount is. She pointed out that what Council does for one project, they would do for all projects. She pointed out that the Eastfield Project is a different entity and that the Council has another pot of money i.e. Rule 20A monies that can be used to contribute to Eastfield. All other projects that do not qualify as a major city thoroughfare are limited to cost sharing from only the city's undergrounding fund and for such projects the Council needs to from make sure there is enough undergrounding money for everyone.

Mr. McKinnie stated that the Council adopted a policy but the Association's understanding of this policy was different than the Council's definition. He admitted that the Association missed some of the details and assumed some things were there. He proceeded to state that homeowners should expect that policies are set up to be followed consistently by both agencies. He asked the Council to set a policy, make a commitment and live by it.

Councilmember Dieringer stated that she felt that the MOU was clear regarding the undergrounding fees that the Council was willing to cost share.

Mr. McKinnie admitted he misrepresented the MOU to the Association and missed details in the MOU. He admitted that it was his fault and that it is why he took the MOU back to the Board and asked them what their understanding of it was. The Board reported to him that they understood before the vote, that everything was to be included. Mr. McKinney stated that this was what he recalled in his mind and missed the meetings that happened in March, April and May of 2019. He pointed out that the Council had some misunderstandings as well.

Mayor Mirsch explained that this was the purpose of the MOU. When the Eastfield Project came before the Council, they realized that they did not have a memorialized policy. The MOU was to help the Council memorialize a policy so, going forward, the Council could be consistent with all projects. Mayor Mirsch added that the Council is worlds ahead of understanding the process since City Manager Jeng has come on board and brought her wealth of knowledge. She proceeded to clarify that the purpose of tonight's discussion was to focus on what she understood to be the issue and it was to amend the MOU. She stated at this time there was no motion to amend the MOU. She asked for a motion from Council and/or to provide staff with directions.

Councilmember Dieringer moved that the City Council table the item to some future date when more information is available to revisit the issue. Mayor Pro Tem Pieper 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.

8. NEW BUSINESS

- A. CONSIDER ENGAGING NV5 TO PREPARE PETITION PACKAGE AND PROVIDE ASSESSMENT DISTRICT FORMATION SERVICES AND POST FORMATION SERVICES FOR THE EASTFIELD UNDERGROUNDING PROJECT (FROM INTERSECTION OF OUTRIDER ROAD AND EASTFIELD DRIVE TO SOUTH OF CHUCKWAGON ROAD, ALONG EASTFIELD DRIVE)

City Manager Jeng stated that given the last item discussed, she felt that enough information has been provided and proceeded to give a brief summary of the difficulties staff encountered in engaging an assessment engineer, as it is a specialty. City Manager Jeng informed Council that she looked at neighboring cities like Newport Beach and Manhattan Beach because those two cities are very aggressive in completing projects. Jeff Cooper from NV5 submitted a proposal which she felt answered a lot of questions that have come up tonight. For example, what does an assessment engineer do? What do they produce and how are they involved? City Manager Jeng asked the Council to refer to pages 21 and 23 of the staff report. Pages 21 and 23 of the staff report detailed the workflow of district formation and fee schedule for assessment engineering work for the Eastfield project.

Mayor Pro Tem Pieper asked if the \$28,000 plus the \$77,000 is the entire cost of the project.

City Manager Jeng answered yes, it is all the monies needed to get to the vote. She then proceeded to explain that a bond counsel could also serve to to put a petition together, so we can either pay the assessment engineer or the bond counsel to do the petition. Although she is not clear if the assessment engineer performs the petition work if there is some legal document that is needed. She also pointed out that there may be some left over piece from bond counsel work that may enter into this front end cost.

Mayor Pro Tem Pieper asked if the numbers presented to them were the final numbers.

City Manager Jeng stated the actual number the City started with was \$75,200. She pointed that it has gone over by \$15,000. The original numbers submitted by Frontier dramatically increased from \$800.00 to \$16,000.00.

Mayor Pro Tem Pieper asked if monies have been paid out. His understanding is that the Council has committed to paying \$25,066, which is a third of the \$75,200 which he is fine with. But he inquired if Council had to approve paying a third of the \$15,000 and a third of the \$28,000.

City Manager Jeng answered, saying that, of the \$75,200 that was collected from all three parties, the City has \$4,700 left in the escrow account. She pointed out that it is insufficient to pay for NV5 assessment cost of \$28,000 plus.

Mayor Pro Tem Pieper asked about the \$15,000 overrun.

City Manager Jeng responded it was paid for out of the collection and ate into the monies allocated for the benefit study.

Planning Director Yolanta Schwartz clarified that the \$75,000 allocated did include the costs of an engineer to do a cost benefit assessment, but not the cost of a bond counsel. This amount only included the engineering cost by utility companies, plus \$28,000 of the benefit analysis from the engineer and nothing past that. She went on to explain that when Frontier came back with \$16,000 up-front fee for their engineering we took that money from the \$75,000 that included the additional \$28,000pp and gave it to the three utility companies, which left the City with \$46,000.

Mayor Pro Tem Pieper again stated that he is still all in, and really wants to see the Eastfield Project all the way through to the end. He felt that seeing the project through would give the Council a better idea of what is going on moving forward. He is aware that it is going to cost more money but is willing to do it anyways. He also stated that if he were expected to make a motion to approve paying a third more then he would like to know what that third is. He then asked City Manager Jeng to confirm the total number.

City Manager Jeng responded that if that was approved, then the Council continues with a 1/3 contribution, the amount is \$8,100.

Mayor Mirsch asked for clarification on what is being voted on.

City Manager Jeng explained that she was operating under the premise that the contribution policy discussed earlier this year remains consistent in that Council would only contribute to design fees and NOT contribute to assessment engineer or bond counsel fees. The action being asked by the Council is to approve that the city engage NV5 based on their proposal and then engage the assessment district group to collect the necessary funds to pay for NV5.

Mayor Pro Tem Pieper asked if Council agrees to pay for 1/3 would that cover everything except for the bond counsel part. If Council continues to pay for 1/3 of it all, this would get them all the way through at \$8,100 additional funds. He stated he feels confident the Eastfield Project is their best shot and therefore he is willing to make a motion to approve that Council uses this company because they are properly bonded and they have all the right paper work.

1ST Motion

Mayor Pro Tem Pieper moved that the City Council approve to use NV5. 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: None.

ABSENT: COUNCILMEMBERS: Black

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ABSTAIN: COUNCILMEMBERS: None.

Mayor Mirsch asked Mayor Pro Tem Pieper if he was sure he was comfortable making a motion to agree to pay for services when the amount of the bond counsel is still unknown with no discussion.

Mayor Pro Tem Pieper answered yes, he was comfortable as he can be.

2nd Motion

Mayor Pro Tem Pieper moved that the City Council approve to pay 1/3 up to \$9,000 for the assessment engineer. 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: None.
ABSENT: COUNCILMEMBERS: Black
ABSTAIN: COUNCILMEMBERS: None.

- A. REPORT ON THE REGIONAL HOUSING NEEDS ASSESSMENT (RHNA) METHODOLOGY AND DETERMINATION BY THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) OF THE PROJECTED HOUSING NEED FOR THE 6TH CYCLE OF THE HOUSING ELEMENT FOR THE SCAG REGION.

Planning Director Schwartz gave a PowerPoint presentation of the Regional Housing Needs Assessment methodology. She proceeded to walk Council through what is being asked of the City of Rolling Hills by the California Department of Housing and Community Development.

City Manager Jeng gave clarification of what COG and SCAG mean to the state. When the state describes the SCAG region it is referring to the Councils of Governments. This describes regions of California, which include Los Angeles County, Orange County, Riverside County, Imperial County, San Bernardino County and Ventura County. Our SCAG region includes these six counties described by the Planning Director in the PowerPoint presentation. It is not to be confused with South Bay COG or the Westside COG.

City Manager Jeng mentioned that staff used SCAG's toolbox to run the city's population numbers, entered the statistics from other cities' populations to display the Housing Units Allocation slide presented tonight. She wanted to clarify that the numbers being shown on the PowerPoint presentation slide are not produced and/or approved by SCAG. She also answered Councilmember Dieringer's question earlier about where the information the Planning Director referred to came from. The information came from the SCAG 6TH RHNA Cycle book.

Councilmember Dieringer stated given that the Council is being asked to pick either door one, two or three she felt that the Council should have been given the raw data that the housing department used to make their determination and not the conclusions drawn from the data. She also pointed out that thirty days is not enough time for the Council to review all this information. She expressed that the Council would be able to respond if they had the raw data and received an extension of

the deadline to comment.

Councilmember Wilson asked about the average income of LA County and whether it was \$60,000.

City Manager Jeng and Planning Director Schwartz answered yes.

Planning Director Schwartz explained a factor called the housing burden: if a person puts 30% of their income or more into rent or mortgage, you are considered burdened.

Councilmember Dieringer expressed that the numbers for “vacant” were questionable because she felt that it is one thing to refer to a vacant apartment building with vacant units that could be filled, but “vacant” should not describe homes in Rolling Hills when a Rolling Hills resident is sharing time between their Rolling Hills community and their home within another community. She felt that these are the sorts of issues that have affected the numbers for Rolling Hills.

Mayor Mirsch expressed that she shares Councilmember Dieringers’ concerns and that the Council can take positions on how things were calculated and argue about the calculations but she also pointed out that those are State issues. She pointed out that the purpose of the staff report was to be informational. Mayor Mirsch asked if Council had the ability to act on Councilmember Dieringer’s suggestions by requesting additional time to respond.

City Manager Jeng responded that the staff would make this request.

Discussion ensued among the Council about the data presented to them by Planning Director Schwartz, the deadline of September 13, 2019 and how to respond.

Mayor Mirsch asked for public comment.

Mr. Visco agreed to send a letter to request more time and to focus on zoning capacity.

Mayor Mirsch thanked Mr. Visco for his comments

Mayor Mirsch asked Council if there was interest in forming an Ad Hoc Committee of the Council, and whether the Council could decide among themselves who would serve on the committee or whether she should come up with a method.

Mayor Pro Tem Pieper stated that he owned apartment buildings and looks at this sort of data all day long. He felt confident in processing the information.

Councilmember Wilson expressed he had the ability and the time to dedicate to the committee.

Councilmember Dieringer stated that she is very familiar with the housing issues from her participation on the Legislative Committees of the League and Contract Cities. She stated that she was interested in serving on this committee as well.

Mayor Pro Tem Pieper responded that he had been interested in serving again on the Personnel Committee but had allowed Councilmember Dieringer to serve on that committee instead of himself.

Mayor Pro Tem Pieper moved that the City Council approve to appoint Councilmember Wilson and himself to an Ad Hoc Committee of the Council. 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

NONE

10. MATTERS FROM STAFF

NONE.

11. ADJOURNMENT

Hearing no further business before the City Council, Mayor Mirsch adjourned the meeting at 9:10p.m. The next regular meeting of the City Council is scheduled to be held on Monday, September 23, 2019 beginning at 7:00 p.m. in the City Council Chamber at City Hall, 2 Portuguese Bend Road, Rolling Hills, California.

Respectfully submitted,

Yohana Coronel, MBA
City Clerk

Approved,

Leah Mirsch
Mayor

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**MINUTES OF
A REGULAR MEETING
OF THE
CITY COUNCIL OF THE
CITY OF ROLLING HILLS, CALIFORNIA
MONDAY, SEPTEMBER 23, 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 7:05p.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 Yohana Coronel, City Clerk Michael Jenkins, City Attorney Alfred Visco, 15 Cinchring Constance Turner, Government Relations Manager for Edison

Mayor Mirsch announced the birthday of Councilmember Wilson.

3. OPEN AGENDA - PUBLIC COMMENT WELCOME

Mr. Visco, resident of 15 Cinchring stated he submitted a letter to the Council regarding his thoughts, comments, and recommendations concerning the clear and present danger from potential wildfires due to Rancho Palos Verdes management of the Nature Preserve. He suggested the Council take legal recourse against Rancho Palos Verdes and the Land Conservancy as soon as possible for maintaining a nuisance in the preserve. Mr. Visco also gave an update on his conversations with Susan Brooks with regards to fuel fire reductions. He requested the Council consider this item for an executive session or closed session to explore if Rolling Hills has a legal recourse.

Mayor Mirsch thanked Mr. Visco for his comments and ongoing efforts and assured him the Council would seriously consider his comments.

Constance "Connie" Turner, Government Relations Manager for Edison introduced herself and gave a brief overview of Public Safety, Power Shut-offs. She informed the Council that the fears of wildfires are growing every year and therefore Edison is trying to stay proactive. Ms. Turner is asking for Rolling Hills customers to register on Edison's website (sce.com) in order to receive alerts about any power outages and/or catastrophes on the Peninsula. She also stated she works

very closely with her partner Vick Noel, who is assigned to Rancho Palos Verdes and Rolling Hills Estates to make sure they keep each other informed about any news on the Peninsula. Ms. Turner informed the Council that she is always available to City Manager Jeng twenty-four hours a day, seven days a week because she understands emergencies can happen at any time. She also stated that Edison tries its best to notify First Responders and the Cities it serves, when anticipating a Public Safety Power Shutoff (P.S.P.S.) but also pointed out that unplanned outages do happen. She suggested the Council read through the copies of her presentation at their convenience and if the Council has any questions, they can always reach out to her.

Mayor Mirsch asked about the likelihood of all four cities having a Public Safety Power Shutoff at the same time and if an evacuation would follow.

Ms. Turner answered no evacuation would be necessary, but the power would be shutoff. She further explained that all the circuits in the peninsula are interconnected, so if Edison did a power shutoff it would affect the majority of the Peninsula.

Mayor Mirsch further inquired about places that have underground lines and whether they would be affected.

Ms. Turner answered all lines, whether above or below, are part of the same circuit.

Mayor Mirsch thanked Ms. Turner for her time.

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 AUGUST 26, 2019.
RECOMMENDATION: APPROVE AS PRESENTED
- B. PAYMENT OF BILLS.
RECOMMENDATION: APPROVE AS PRESENTED
- C. FINANCIAL STATEMENTS FOR THE MONTH OF JULY 2019.
RECOMMENDATION: APPROVE AS PRESENTED

City Manager Jeng pointed out the Council was given corrected minutes with edits from Mayor Mirsch. She also mentioned Mr. Visco wanted staff to follow up on an open agenda item. Staff adjusted Mr. Viscos' comments accordingly.

Councilmember Dieringer pointed out the misspelling of Mr. Viscos' name on the minutes presented to the Council. She also pointed out a misspelling of the City Manager's name.

Councilmember Wilson inquired about how a vote is recorded when a Councilmember recuses himself from an item.

City Attorney Jenkins answered the vote should be recorded as absent.

Mayor Mirsch pointed out that the minutes recorded the recusal as abstain.

City Manager Jeng informed the Council that it will be corrected to capture Councilmember Pieper's vote to read as absent and the abstain line to read as none.

Councilmember Dieringer proceeded to point out grammatical errors in the minutes presented to the Council.

Mayor Pro Tem Pieper moved that the City Council approve the consent items as presented with corrections to the minutes. 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.

5. COMMISSION ITEMS

NONE.

6. PUBLIC HEARINGS

NONE.

7. OLD BUSINESS

NONE.

8. NEW BUSINESS

A. DISCUSS RESTRICTIONS TO MEASURE W, THE SAFE AND CLEAN WATER PROGRAM (DEDICATED FUNDING FOR STORMWATER AND URBAN RUNOFF) AND PLAN FOR FISCAL YEAR 2019-2020 BUDGET ADJUSTMENTS.

City Manager Jeng informed the Council that no action was needed for this item because the transfer agreement will be coming to the Council. She did, however, inform the Council of budgetary changes. City Manager Jeng proceeded to give a brief summary of Measure W and stated that the tax monies will be disbursed to the City by the end of the fiscal year in June 2020. 80% of the collected revenue is to go back to the local agencies, like the City of Rolling Hills. The City anticipates to collect \$120,000.

When the budget for Fiscal Year 2019-2020 was put together, staff was under the impression that the monies could be used for existing programs. The City's existing programs were shown and summarized in earlier staff reports presented to the Council. The total cost of the City's existing programs equals to approximately \$185,000. City Manager Jeng explained that the City thought that they could offset \$120,000 of the \$185,000 and only end up needing \$65,000 from the general fund. However, the Measure guidelines came out and stated that only 30% of the \$120,000 could be used towards funding existing programs. 70% of the \$120,000 must go towards new projects as of November 2018 when the Measure passed.

City Manager Jeng stated that the staff assumed that the general fund could be offset by the \$120,000 but that has been confirmed not to be the case. She pointed out to the Council that Attachment 3 of the staff report is a brief estimation of eligible items to be funded by the 30% category. Staff must figure out how to spend the remaining 70%. She also pointed out to the Council that the City can roll over unused funds from year to year up to five years just like the Measure A funds discussed previously for landscaping.

Mayor Pro Tem Pieper asked if the storm water money can be saved for five years and pay for paver stones and redo the entire parking lot at City Hall, since its purpose is to put water back in the ground. He further inquired if the City could sell its shares to other cities.

City Manager Jeng answered yes, the City can save the money and use it for paver stones and that would fall under the 70% category. She also stated that the City's shares cannot be sold but pointed out that joint projects with other cities are allowed.

Mayor Mirsch inquired about Kathleen McGowan's fees. She asked if Ms. McGowan was working on new programs that came after November 2018, could her fees be paid from the 70% category.

City Manager Jeng stated that programs existing prior to November 2018 cannot be paid under the 70% category. In order for programs to be considered new, a program would have to have started after November 2018.

Mayor Mirsch inquired about the new stable guidelines.

City Manager Jeng answered that it is not eligible because some of the work for the stable design started prior to November 2018. She further informed the Council that Ms. McGowan is tracking her work differently now, due to the new guidelines. She also informed the Council that she has spoken to the Finance Director about creating two separate accounts for the 30% category and the 70% category. City Manager Jeng reminded the Council that Ms. McGowan presented before the Planning Commission after November 2018 to recommend revisions to the guidelines, therefore that work is eligible.

Councilmember Black raised concerns about the cost of consultants and the inevitable annual increase.

City Manager Jeng stated that the Council could change consultants at their discretion, however, only the services would be considered new, not the programs. Thus, the programs will remain

ineligible for the 70% funding. She furthered explained that changing people does not make existing programs to become new programs.

Mayor Pro Tem Pieper suggested that the staff come up with new projects and the rest of the monies should be saved up to redo the parking lot or to figure out how to take on one canyon at a time and possibly place a catch basin in one or more canyons.

City Manager Jeng informed the Council that Ms. McGowan made two suggestions on how to spend the 70%. Suggestion one was to save the money for capital improvement projects. Suggestion two was to provide rebates to residents if residents can show they have placed a retention basin on their property, if allowed by the transfer agreement.

Councilmember Black stated that he is in full support of helping residents attain water retention on their property.

Mayor Mirsch asked if this item could be agendized for a future meeting date because she understands how important this topic is to Councilmember Black.

City Manager Jeng informed the Council that funds administered by the Los Angeles County and the District will not have a template for spending the money until January and/or when the City enters into the fund transfer agreement. She is hoping that by then she will have more information about the restrictions on funds and can bring the information back to the Council.

Councilmember Wilson asked if this money can be used for the preliminary discussion the Council is having with Rancho Palos Verdes about the water capture going down the canyon.

City Manager Jeng answered it may apply because there may be a benefit to the runoff. She reminded the Council that the primary purpose of this Measure is to make sure that the runoff is not being discharged into receiving waters.

Councilmember Dieringer asked for clarity as to what is defined as a new project.

City Manager Jeng answered that it includes anything new beyond November 2018. For example, the city can have a project that may require five million dollars to build. The city can roll over the monies for five years and it would not be considered a new project from year to year. It would be considered a new project from November 2018.

Mayor Mirsch raised a question about the last sentence in the McGowan attachment that read “non-point source pollution control, and diversion of stormwater or urban runoff to a sanitary sewer system.” She asked if Ms. McGowan was referring to the preliminary talks that the Council is having with Rancho Palos Verdes about maybe doing a sanitary sewer line instead of being on septic.

City Manager Jeng answered no and further explained that the urban runoff to a sanitary sewer system assumes that you already have a sewer system. Rather than having the water discharge to the bay, you put it into a sewer system to treat it.

Councilmember Wilson inquired about section 16.07 on Ms. McGowan report regarding independent audits and wondered about the cost.

City Manager Jeng answered that she does not know what the cost of this audit would be. She did point out that this is one account and cannot imagine the cost being more than what the City pays for its annual audits. She also informed the Council that she has spoken to Terry Shea, the City's Finance Director about the subject matter. He stated that when Metro audits the City for Measure R, M, A, and C, those audits are generally paid by Metro's administrative budget. She assumes this audit will have to be paid for out of the City's budget.

City Manager Jeng reminded the Council that she will be asking the Council to take action in January 2020, in time for next year's budget. She also informed the Council that staff is aware of added burden on the general fund side; spending will be curbed.

B. RECEIVE AND FILE WASTE DIVERSION AUDIT REPORT BY MSW CONSULTANTS.

City Manager Jeng reported on discussions held with Republic Services and gave a presentation of the work done by MSW Consultants. MSW Consultants were asked to audit Republic Services' diversion reports. She gave a brief description of diversion report. She explained that when trash is collected, the amounts that are diverted, recycled, sold off, or exported somewhere other than to a landfill are recorded. This is important because the State regulates each city to see if they are compliant with AB939 and meeting the stipulated diversion numbers. The Council approves these reports every two months, so City Manager Jeng felt that it is necessary to confirm the accuracy of these reports. The audit came back and stated Republic Services' reports are accurate.

City Manager Jeng reported MSW noted that the diversion numbers from the construction and debris category and regular trash was combined while the contract called for them to be separate numbers. The City is not in violation, but Republic Service is not doing what the contract requires them to do. This is important because the City is looking to re-engage Republic Services in a new contract. It is time to address the terms for diversion. City Manager Jeng requested the Council receive and file the report.

Councilmember Dieringer inquired if the error was something easily missed because it appeared to her to be deliberate.

City Manager Jeng stated it may be a matter of Republic Services not reading their contract carefully.

Mayor Mirsch stated that several changes in management over the last couple of years may have played a role. She also felt that this error won't happen again because it will surface during the writing of the new contract and the Council will make sure of it. It is important to remember that the City is responsible for not hitting their diversion numbers and would be fined, not Republic Services. Mayor Mirsch stated that the report is helpful in nailing down the final points.

Mayor Mirsch inquired about independent haulers. She asked how independent haulers are logging what they bring from different cities; their reporting can have impacts on the Rolling Hills numbers.

City Manager Jeng explained Rolling Hills does not have a monopoly, the City has to track what other service providers are doing. Independent haulers will pick up debris from Rolling Hills, go to a disposal center and they will log it and state the origin of the waste. Haulers may or may not get the city name correctly. In 2017, Rolling Hills reported high numbers for disposal and it was uncharacteristic from previous years. One thought was that waste that was erroneously reported as waste from Rolling Hills. City Manager Jeng pointed out that the compliance audit only works when there is only one single hauler. The other tracking mechanism is the reports from other providers doing business here, through the C&D program. She reminded the Council that a refundable deposit was instituted recent because of difficulties in getting reports back. Since implementing a refundable \$750.00 deposit on C&D permits, getting these reports back has become easier. Most haulers come back within days to submit their reports and get their money back. Another way to track other service providers is to match the C&D reports with the facility reports. (Every quarter or so, the City must review quarterly reports from Azusa Landfill and California Waste Services to get their quarterly reports to match up which deposits from Rolling Hills.) This has not been done in the past but it is something the City will be doing going forward.

Councilmember Dieringer asked about when the haulers are reporting where they are getting their construction materials from. Are they only required to give the name of the city or are they asked to give an address?

City Manager Jeng answered that her understanding is that the facilities have very loose standards. She informed the Council that she did communicate these concerns to the state. This is why she felt it that is imperative that the City keeps accurate records of the C&D permits and Republic Service reports.

Mayor Pro Tem Pieper moved that the City Council receive and file MSW's final waste diversion audit report. 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.

9. MATTERS FROM THE CITY COUNCIL AND MEETING ATTENDANCE REPORTS

Councilmember Black stated he would like to address the poor customer service from COX Communications. He requested that a COX representative be present at the next council meeting.

Councilmember Wilson agreed with Councilmember Black and shared his customer experiences with COX.

Councilmember Black expressed his concerns regarding actions taken by Land Conservancy with regard to fuel modification.

10. MATTERS FROM STAFF

NONE.

The City Council adjourned at 8:04pm to go into close session.

11. CLOSED SESSION

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

Assistant City Attorney Jane Abzug stated there was no reportable action.

12. ADJOURNMENT

Hearing no further business before the City Council, Mayor Mirsch adjourned the meeting at 8:23p.m. The next regular meeting of the City Council is scheduled to be held on Monday, October 14, 2019 beginning at 7:00 p.m. in the City Council Chamber at City Hall, 2 Portuguese Bend Road, Rolling Hills, California.

Respectfully submitted,

Yohana Coronel, MBA
City Clerk

Approved,


Leah Mirsch
Mayor

CITY OF ROLLING HILLS

11/11/2019 CHECK RUN A

CHECK	DATE	PAYEE	DESCRIPTION	AMOUNT
26061	9/9/2019	MCGOWAN CONSULTING	VOIDED -LOST CHECK	(1,626.60)
26140	10/29/2019	PETTY CASH	TO REPLENISH PETTY CASH	472.32
26141	10/29/2019	MCGOWAN CONSULTING	REPLACEMENT CK	1,626.60
26142	11/11/2019	AMERICAN PLANNING ASSOCIATION	APA MEMBERSHIP 1/1/2020 TO 12/31/2020	507.00
26143	11/11/2019	CALIFORNIA WATER SERVICE COMPANY	WATER 9/26/19 TO 10/24/19	1,093.69
26144	11/11/2019	COX COMMUNICATIONS	INTERNET & PHONE 10/26/19 TO 11/25/19	457.99
26145	11/11/2019	BEA DIERINGER	LOCC MTG., CIPIA CONF., PUBLIC SAFETY MTG. MAR - OCT 2019	2,146.62
26146	11/11/2019	BLAIR FILLER, M.D.	REFUND DEPOSIT FOR C&D PERMIT #740	750.00
26147	11/11/2019	GOVINVEST, INC.	PENSION MODULE RENEWAL FOR 2019-2021	3,500.00
26148	11/11/2019	COUNTY OF LOS ANGELES	COYOTE CONTROL FOR SEPTEMBER 2019	2,313.74
26149	11/11/2019	L.A. COUNTY SHERIFF'S DEPARTMENT	TRAFFIC ENFORCEMENT FOR SPECIAL EVENTS 9/3/19 TO 9/26/19	3,769.28
26150	11/11/2019	MCGOWAN CONSULTING	PERMIT CONSULTING SERVICES FOR SEPTEMBER 2019	8,055.20
26151	11/11/2019	PITNEY BOWES	POSTAGE REFILL ON 10/8/19	500.00
26152	11/11/2019	RAINBOW ROOFING COMPANY	REFUND DEPOSIT FOR C&D PERMIT #727	750.00
26153	11/11/2019	ROGERS, ANDERSON, MALODY & SCOTT, LLP	ACCOUNTING SERVICES FOR SEPTEMBER 2019	7,275.00
26154	11/11/2019	REMOTE SATELLITE SYSTEM INTERNATIONAL	SATELLITE PHONES FOR NOV. 2019 & AIRTIME SEPT. 2019	108.00
26155	11/11/2019	SOUTHERN CALIFORNIA EDISON	ELECTRICITY 9/23/19 TO 10/23/19	2,263.34
26156	11/11/2019	WARRINER ASSOCIATES	CONTRACTED ARBORIST FOR CODE ENFORCEMENT CASES	1,000.00
26157	11/11/2019	WILLDAN, INC.	PROFESSIONAL SERVICES FOR TRAFFIC ENGINEER SEPT. 2019	310.00
* EFT	11/6/2019	CALPERS	RETIREMENT OCTOBER 2019	6,580.90
* PR LINK	10/25/2019	PR LINK - PAYROLL PROCESSING	PROCESSING FEE	53.70
* PR LINK	10/25/2019	PR LINK - PAYROLL 22 & PR TAXES	PAY PERIOD - OCTOBER 9, 2019 THROUGH OCTOBER 22, 2019	22,952.60
* PR LINK	11/8/2019	PR LINK - PAYROLL PROCESSING	PROCESSING FEE	63.70
* PR LINK	11/8/2019	PR LINK - PAYROLL 23 & PR TAXES	PAY PERIOD - OCTOBER 23, 2019 THROUGH NOVEMBER 5, 2019	23,020.41
				\$ 89,570.09
				43,479.68

I, Elaine Jeng, City Manager of Rolling Hills, California certify that the above demands are accurate and there is available in the General Fund a balance of \$89,570.09 for the payment of above items.


 11/06/2019
 Elaine Jeng, P.E., City Manager



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: 11/12/2019

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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

SUBJECT: CONSIDER AND APPROVE PROPOSED DATES FOR THE CITY COUNCIL STRATEGIC PLANNING WORKSHOPS IN 2020.

DATE: NOVEMBER 12, 2019

RECOMMENDATION

At the October 28, 2019 City Council meeting, the proposed date of Saturday, January 11, 2020 to hold the Strategic Planning workshop conflicted with several Councilmember's calendars. Staff revised the calendar as follows and recommend the City Council approve the revised calendar.

	Description	Proposed Meeting Date
1.	Strategic planning workshop City Identify Mission, Vision, Core Values, Goal Setting	Saturday, January 11, 2020 Saturday, January 18, 2020 or Saturday, January 25, 2020 10am - 1pm City Hall
2.	Priority setting for the next two fiscal years	Monday, January 27, 2020 Monday, February 10, 2020 7pm (regularly scheduled City Council meeting)

3.	Develop budget items for FY 2020-2021	Monday, February 10, 2020 Monday, February 24, 2020 7pm (regularly scheduled City Council meeting)
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FISCAL IMPACT

Staff will be working on the agenda for the strategic planning workshops and getting recommendations from nearby local agencies that have conducted strategic planning sessions for reference. The City Manager will serve as the facilitator.



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

NO. 2 PORTUGUESE BEND ROAD
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(310) 377-1521
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Agenda Item No.: 4D
Mtg. Date: 11/12/2019

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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

SUBJECT: RESOLUTION 1245: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS AUTHORIZING THE DESTRUCTION OF CERTAIN CITY RECORDS AS PROVIDED BY SECTION 34090 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA.

DATE: NOVEMBER 12, 2019

ATTACHMENTS:
RESOLUTION NO. 1245 (WITH EXHIBIT "A" DESTRUCTION OF RECORDS SCHEDULE)

BACKGROUND

Government Code Section 34090 provides for the destruction of certain city records by resolution and the written consent of the City Attorney. It states "The head of a city department may destroy city record, document, instrument, book or paper, under his or her charge, without making a copy thereof, after the same is no longer required." This section does not authorize the destruction of:

- a.) Records affecting the title to real property or liens thereon.
- b.) Court records
- c.) Records required to be kept by statute.
- d.) Records less than two years old.
- e.) Minutes, ordinances, or resolutions of the legislative body of a city board or commission.

Staff and the City Attorney have reviewed the records listed on Exhibit A of the attached Resolution No. 1245 and have determined that they are not among the above exceptions.

Further, staff has reviewed the listed records to assure that they do not have any historical or research value to the City. Therefore, staff has determined that they are eligible for destruction. Similar action on older City records was taken by the City Council on August 23, 2010 by the adoption of Resolution No. 1089

RECOMMENDATION

It is recommended that members of the City Council adopt Resolution No. 1245 authorizing the destruction of certain City records as provided by Section 34070 of the Government Code of the State of California.

RESOLUTION NO. 1245

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS AUTHORIZING THE DESTRUCTION OF CERTAIN CITY RECORDS AS PROVIDED BY SECTION 34090 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA.

WHEREAS, the keeping of numerous records after a certain length of time is not necessary for the effective and efficient operation of the government of the City of Rolling Hills; and

WHEREAS, Section 34090 of the Government Code of the State of California provides a procedure whereby any City record which has served its purpose and is no longer required may be destroyed.

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

Section 1. The records of the City of Rolling Hills as set forth in the attached Destruction of Records Schedule attached hereto as Exhibit "A" are hereby authorized to be destroyed as provided by Section 34090 of the Government Code.

Section 2. The provisions of Section 1 above do not authorize the destruction of:

- a) Records affecting the title to real property or liens thereon.
- b) Court records.
- c) Records required to be kept by statute.
- d) Records less than two years old.
- e) Minutes, ordinances, or resolutions of the legislative body or a city board or commission.

Section 3. The written consent of the City Attorney has been obtained for this destruction.

PASSED, APPROVED AND ADOPTED this 12th day of November, 2019.

LEAH MIRSCH
MAYOR

ATTEST:

YOHANA CORONEL
CITY CLERK

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

I certify that the foregoing Resolution No. 1245 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ROLLING HILLS AUTHORIZING THE DESTRUCTION OF CERTAIN
CITY RECORDS AS PROVIDED BY SECTION 34090 OF THE
GOVERNMENT CODE OF THE STATE OF CALIFORNIA.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

YOHANA CORONEL
DEPUTY CITY CLERK

CONSENT TO DESTRUCTION OF RECORDS

The undersigned, City Attorney for the City of Rolling Hills hereby consents to the
destruction of the records of the City of Rolling Hills as set forth in the attached Destruction of Records
Schedule attached hereto as Exhibit "A" as provided by Section 34090 of the Government Code.

Dated _____

MICHAEL JENKINS
CITY ATTORNEY



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

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

RECORDS DESTRUCTION AUTHORIZATION FORM

The records listed below (or on the attached list) are scheduled for destruction as indicated on the Records Retention Schedule.

The records are not the subject of any claim, litigation, investigation or audit.

(List records below or attach list)

FILE #	RECORD DESCRIPTION	START DATE	END DATE	BOX #	RETENTION #	RET. PERIOD
	CASH RECEIPTS	7-1-2008	6-30-09	1	FN-013	5 YRS
	MONTHLY JOURNALS E.	7-1-08	6-30-09	1	FN-021	5 YRS
	CASH RECEIPTS	7-1-09	6-30-10	2	FN-013	5 YRS
	MONTHLY JOURNAL ENT.	7-1-09	6-30-10	2	FN-021	5 YRS
	A.P. POSTING JOURNALS	7-1-09	6-30-10	2	FN-021	5 YRS
	CASH RECEIPTS	7-1-10	6-30-11	3	FN-013	5 YRS
	MONTHLY JOURNAL ENT.	7-1-10	6-30-11	3	FN-021	5 YRS
	A.P. POSTING JOURNALS	7-1-10	6-30-11	3	FN-021	5 YRS
	FINANCIAL STATEMENTS	7-1-10	6-30-11	3	FN-022	5 YRS
	CASH RECEIPTS	7-1-11	6-30-12	4	FN-013	5 YRS

☐ Shredding Required (Documents contain private information.)

page 1 of 2

LIST OF DOCUMENTS HAS BEEN REVIEWED AND APPROVED FOR DESTRUCTION:



Department Manager

11-6-19

Date

City Clerk

Date

City Attorney

Date

(To be completed by the City Clerk after destruction has been performed, if done by City Employee. If destruction is performed by a commercial vendor, certificate to be provided by the vendor.)

I HEREBY CERTIFY that the items listed above (or attached) have been destroyed in accordance with City policies and procedures:

City Clerk

Date



City of Rolling Hills

INCORPORATED JANUARY 24, 1957

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

RECORDS DESTRUCTION AUTHORIZATION FORM

The records listed below (or on the attached list) are scheduled for destruction as indicated on the Records Retention Schedule.

The records are not the subject of any claim, litigation, investigation or audit.

(List records below or attach list)

FILE #	RECORD DESCRIPTION	START DATE	END DATE	BOX #	RETENTION #	RET. PERIOD
	Accounts Payable Files *	FY2005	FY2006		FN-009	5 YRS.
	Accounts Payable Files *	FY2006	FY2007		FN-009	5 YRS.
	Accounts Payable Files *	FY2007	FY2008		FN-009	5 YRS.
	Accounts Payable Files *	FY2008	FY2009		FN-009	5 YRS.
	Accounts Payable Files *	FY2009	FY2010		FN-009	5 YRS.
	Accounts Payable Files *	FY2010	FY2012		FN-009	5 YRS.
	Accounts Payable Files *	FY2012	FY2013		FN-009	5 YRS.
	*SEE ATTACHMENT FOR LIST OF VENDORS					

⑥ Shredding Required (Documents contain private information.)

page 1 of 1

LIST OF DOCUMENTS HAS BEEN REVIEWED AND APPROVED FOR DESTRUCTION:

Department Manager

Date

City Clerk

Date

City Attorney

Date

(To be completed by the City Clerk after destruction has been performed, if done by City Employee. If destruction is performed by a commercial vendor, certificate to be provided by the vendor.)

I HEREBY CERTIFY that the items listed above (or attached) have been destroyed in accordance with City policies and procedures:

City Clerk

Date

List of Vendors for Account Payable Files

Staples, Inc	Allied Waste
Peninsula Seniors	Beneficial Administration
SBCCOG	Ca Contract Cities
Thomson West Group	CJPIA
P&G Maintenance	CA Water Service
SOS Survival	Icon Enterprises
SCCCA	County of LA
Travers Tree Service	County of LA Auditor
Priority Mailing	County of LA Animal Control
Western Exterminator	County of LA Public Works
Sams Club	County of LA Registrar
Quality Fence Co	County of LA Sheriff
So. Bay Dispute	Cox Communications
StrataCom	Dial Long Distance
Wildland Resource Management	So Cal Edison
SWRCB Fees	First Bankcard
RT Quin & Associates	First Call Staffing
Tyler Technologies	Fountain Head
Xerox	The Gas Company
Wildan & Associates	GFOA
Verizon	John Hunter
Vantage Point	Jenkins & Hogin
US Post Office	League of CA Cities
Nationwide	Maneri Signs
City of Torrance	Martin & Chapman
Safeguard	Kathleen McGowan
Rolling Hills Estates	Metlife
Rolling Hills Community Assoc	Mulligan Landscapingx
City of Rancho Palos Verdes.	PERS
Principal Financial Group	PERS Health
Pitney Bowes	Palos Verdes Florist



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.: 4E
Mtg. Date: 11/12/2019

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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

SUBJECT: RECEIVE AND FILE ANNUAL REPORT FOR FISCAL YEAR 2018-2019 TO THE LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD AS MANDATED BY THE LOS ANGELES COUNTY MUNICIPAL STORM WATER PERMIT ORDER NO. R4-2012-0175, AMENDED BY ORDER NO. WQ 2015-0075.

DATE: NOVEMBER 12, 2019

ATTACHMENT: ROLLING HILLS FY 18-19 MS4 ANNUAL REPORT

RECOMMENDATION

Majority of the 88 cities in Los Angeles County are permittees of the Los Angeles County Municipal Storm Water Permit Order No. R4-2012-0175, amended by Order No. WQ 2015-0075. Rolling Hills is a permittee and as a permittee, the City is required to submit an annual report by December 15 for the prior fiscal year.

McGowan Consulting assists the City in preparing the annual report. The City's FY2018-2019 Annual Report is included with this report. The Annual Report has three attachments: A) Land Use Map of Rolling Hills, B) Machado Lake Trash TMDL Annual Report, and C) Santa Monica Bay Debris TMDL Annual report. Attachments B and C are prepared by John L. Hunter & Associates. The City participates in the Coordinated Integrated Monitoring Program (CIMP) with the Peninsula Watershed Group comprised of Rancho Palos Verdes, Rolling Hills Estates, Palos Verdes Estates and Los Angeles County (for the unincorporated portions of the County land on the Peninsula) with Rancho Palos Verdes as the lead agency. John L. Hunter & Associates Inc. is the

stormwater consultant for the Peninsula Watershed Group and as a part of John L. Hunter & Associates Inc.'s scope of work, separate reports are prepared for the Machado Lake Trash TMDL and the Santa Monica Bay Debris TMDL. The reports discuss the City's water quality monitoring activities as mandated by the permit and report on the effectiveness of measures implemented by the Agency to meet pollutant thresholds. For Fiscal Year 2018-2019, based on monitoring data, the City's existing instructional and source control measures are concluded to be effective.

Staff recommends the City Council receive and file this report.

FISCAL IMPACT

The cost of preparing the mandated Annual Report, and attachments (TMDL Annual Reports) are included in the funds for Fiscal Year 2019-2020.

**Los Angeles County Municipal Storm Water Permit
(Order No. R4-2012-0175 as amended by Order WQ 2015-0075)
NPDES No. CAS004001**

**Annual Report
Individual Form
Reporting Year 18-19**

This form includes items to be reported individually by each Permittee.

Permittee Name	City of Rolling Hills
Permittee Program Contact	Elaine Jeng
Title	City Manager
Address	2 Portuguese Bend Road
City	Rolling Hills
Zip Code	90274
Phone	310-377-1521
Email	ejeng@cityofrh.net

List of Attachments	
ATTACHMENT A:	Land Use Map of Rolling Hills
ATTACHMENT B:	Machado Lake Trash TMDL Annual Report
ATTACHMENT C:	Santa Monica Bay Debris TMDL Annual Report

1. Legal Authority and Certification

Complete the items on this page.

1.1 Answer the following questions on Legal Authority [VI.A.2.b]:

	Yes	No
Is there a current statement certified by the Permittee's chief legal counsel that the Permittee has the legal authority within its jurisdiction to implement and enforce each of the requirements contained in 40 CFR § 122.26(d)(2)(i)(A-F) and the Permit?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Has the above statement been developed or updated within the reporting year? If yes, attach the updated legal authority statement to this report.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

1.2 Complete the required certification below [Attachment D – V.B.5]:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Signature of either a principal executive officer, ranking elected official, or by a duly authorized representative of a principal executive officer or ranking elected official. A person is a duly authorized representative only if:

- a. The authorization is made in writing by a principal executive officer or ranking elected official.
- b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
- c. The written authorization is submitted to the Regional Board.

If an authorization of a duly authorized representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization will be submitted to the Regional Board prior to or together with any reports, information, or applications, to be signed by an authorized representative.

Signature

Title: City Manager

Date

2. Program Expenditures

Complete the following items in this section.

2.1 Source(s) of funds used in the past year, and proposed for the coming year, to meet necessary expenditures on the Permittee's stormwater management program [VI.A.3.b]:

The City funds the implementation of the MS4 Permit and TMDL compliance through its General Fund. The City's General Fund budget for all municipal operations and services, including MS4 Permit and TMDL compliance, is approximately \$2 million annually, while the City's expenditures for stormwater programs are approximately 5-8% of the City's annual budget. Los Angeles County Flood Control District has estimated that the City will receive approximately \$110,000 per year from the Safe Clean Water Program for its municipal stormwater program beginning in Fiscal Year 2019-20.

The City contracts with the Los Angeles County Building and Safety Division and a consulting engineering firm for development plan checking, permitting, inspections, and 2012 LA MS4 Permit implementation requirements pertaining to single family residential construction. The contract building officials collect permit fees from developers which are used to offset the cost of stormwater compliance review and inspection for development projects under the Planning and Land Development Program and the Development Construction Program. Time spent on stormwater management issues and contract services by City Staff, including the City Manager are part of the Planning Department and Administration budgets, respectively, and are not included in the table below.

2.2 Complete the table on program expenditures below [Attachment D – VII.A.5]:

Table 2a: Program Expenditures			
Category		Expenditures for Reporting Year	Program Budget for Next Reporting Year
(1) Program Management		\$17,817	\$17,700
(2) Minimum Control Measures (MCMs)	Public Information and Participation Program	\$2,866	\$4,484
	Industrial / Commercial Facilities Program	Not applicable	Not applicable
	Planning and Land Development Program	\$5,602	\$4,608
	Development Construction Program	-	-
	Public Agency Activities Program	\$1,174	\$1,200
	Illicit Connections and Illicit Discharges Program	\$1,760	\$4,500
Additional Institutional BMPs / "Enhanced" MCMs		Included in above items	Included in above items
(3) Projects	Distributed Projects and Green Streets	-	-
	Regional Projects	\$42,210	-
	Restoration Projects	-	-
(4) Monitoring		\$67,896	\$67,127

Table 2a: Program Expenditures		
Category	Expenditures for Reporting Year	Program Budget for Next Reporting Year
(5) NPDES MS4 Permit Fees	\$5,692	\$5,700
(6) TMDL Implementation and Watershed Management Group Participation	\$15,463	\$14,500
TOTAL	\$160,480	\$119,819

Please add any additional comments on stormwater expenditures below:

The City employs a very small staff. The staff is comprised of three professional staff, the City Manager, Planning Director, and Senior Planner, and two administrative staff, the City Clerk and Administrative Assistant. The City Manager is responsible for the implementation of the stormwater program. The City Manager, with the assistance of the City's stormwater consultant, represents the City at the Peninsula Watershed Management Group (WMG) and as necessary in committee meetings of the Greater LA Harbor Coordinated Compliance Monitoring Plan for the Los Angeles Harbor Toxics TMDL.

3. Discharge Prohibitions and Receiving Water Limitations

Complete the following items in this section.

- 3.1 Did you develop and implement procedures to ensure that a discharger, if not a named Permittee in this Order, fulfilled the requirements of Part III.A.4.a.i-vi? If so, provide a link to where the procedures may be found or attach to the Annual Report [III.A.4.a]:

The City does not own or operate an MS4 thus the provisions of Part III.A.4.a.i-vi do not specifically apply to the City.

- 3.2 Did you develop and implement procedures that minimize the discharge of landscape irrigation water into the MS4? If so, provide a link to where the procedures may be found or attach to the Annual Report [III.A.4.b]:

Since 2010 the City has been applying water efficient landscape requirements to projects subject to discretionary review. In 2015 the Governor of California issued Executive Order B29-15 instructing the Department of Water Resources to amend the 2010 Model Water Efficient Landscape Ordinance (MWELO) to increase water efficiency standards for new and retrofitted landscapes. During the reporting year the City amended its ordinance to reflect the statewide 2015 MWELO.

The City disseminates educational information on drought tolerant landscaping, water conservation, and water use restrictions through the City's website: <http://www.rollinghills.org/index.aspx?nid=93> Additionally, California Water Service, the retail water provider to all residents in the City, has instituted prohibitions on outdoor water use as described at: <https://www.calwater.com/conservation/drought/prohibited-uses-water/>

- 3.3 Where Receiving Water Limitations were exceeded, describe efforts that were taken to determine whether discharges from the MS4 caused or contributed to the exceedances and all efforts that were taken to control the discharge of pollutants from the MS4 to those receiving waters in response to the exceedances (e.g. BMPs that were implemented) [Attachment E – XVIII.A.5.e]:

Section 6.4 of the Palos Verdes Peninsula Integrated Monitoring Compliance Report (IMCR) identifies exceedances of receiving water limitations.

SANTA MONICA BAY:

As depicted in IMCR Section 6.4, Tables 14 and 16, during the reporting year there was one summer dry weather and one wet weather exceedance of the single sample recreational water quality standards at the receiving water monitoring station most representative of runoff from the City to Santa Monica Bay, site SMB 7-5 in Portuguese Bend. The wet weather exceedance day was within the final number allowable at that site as shown in Table 16, thus the site did not exceed its wet weather RWLs for the year. There were no exceedances of the rolling 30-day geometric mean at SMB 7-5 for any of the indicator bacteria species as shown in IMCR Section 6.4 Table 15.

The shoreline monitoring location in Portuguese Bend, also known as SMB 7-5, is an open beach site that is considered to be an anti-degradation location (i.e., it has historically exhibited a lower rate of exceedances than the reference monitoring location at Leo Carillo Beach [reference beach]). The City has conducted previous dry weather canyon screening and source investigation as provided in the report that accompanied the City's 2016-17 Individual Annual Report. Drainage from the

portion of the City that drains toward the Santa Monica Bay is conveyed via natural soft bottom canyons across significant areas of open space for a distance of one half (½) mile to one (1) mile before reaching improved storm drains operated by other agencies that outlet into the Portuguese Bend area of the Palos Verdes Peninsula shoreline. There is no evidence to suggest that non-stormwater discharges from the City caused or contributed to the single summer dry weather exceedance of the Santa Monica Bay Bacteria TMDL RWLs at SMB 7-5 based on the following: (1) the City's conveyances are through natural canyons, which allow for infiltration; (2) the City is a low-density community which incorporates LID by design; (3) there is a long overland distance through an undeveloped nature preserve between the City and the receiving water; (4) previous non-stormwater screening have found no evidence of non-stormwater discharges from the City to Santa Monica Bay; and (5) SMB 7-5 is an open beach monitoring site not directly associated with an MS4 outfall.

MACHADO LAKE:

As discussed in IMCR Section 6.4, the Machado Lake Ecosystem Rehabilitation Project was completed during the summer of 2017 and the lake is currently undergoing an optimization period. Receiving water monitoring data for the lake during the reporting year is discussed in the Peninsula IMCR.

The Machado Lake Nutrient TMDL final WLAs became effective on September 11, 2018. The Palos Verdes Peninsula Watershed Management Group monitoring site which is most indicative of runoff from the City to Machado Lake is the Lariat monitoring site. The tributary area to the Lariat site is estimated to be comprised of 94% tributary area from the City of Rolling Hills and 6% tributary area from the City of Rolling Hills Estates. For the past eight years, there has been no measureable flow of non-stormwater at the Lariat monitoring site during monthly dry weather observations, and this was also the case during the current reporting year. During the three wet weather monitoring events conducted during the reporting year, there was sampled flow at the Lariat monitoring site with concentrations of Total Nitrogen and Total Phosphorous contributing to exceedances of the monthly flow-weighted averages for Total Nitrogen and Total Phosphorus concentration-based WQBELs for the Peninsula WMG as a whole. These wet weather discharges appear to have contributed to RWL exceedances in Machado Lake for Total Nitrogen and Total Phosphorus during November 2018 and January 2019. Ongoing measures the City is taking to control the discharge of nitrogen and phosphorus in stormwater from the City are discussed in Section 6.5 of this report.

The Machado Lake Pesticides & PCBs final WLAs were not in effect during the reporting year. Concentrations in sediment from storm drain outfalls on the Peninsula to Machado Lake are presented in Section 6.3 of the Peninsula IMCR. For the Lariat site this data shows that sediment concentrations for DDT, DDD and PCBs are below the final WLAs based on a three-year average, while DDE and therefore also Total DDx currently exceed the final WLAs.

GREATER LOS ANGELES HARBOR:

The City is participating in the Greater Los Angeles and Long Beach Harbors Toxics TMDL Coordinated Compliance Monitoring and Reporting Program conducted by the Greater Harbor Waters Regional Monitoring Coalition. The annual monitoring report which discusses exceedances of Harbor Toxics TMDL limits in the receiving water, sediment and fish tissue, is being submitted by the City of Long Beach on behalf of the Greater Harbor Waters Monitoring Coalition concurrent with this annual report. Results of monitoring from the representative outfall from the Peninsula to Los Angeles Harbor are discussed in 6.3b and 6.4 of the Peninsula IMRC. The final WLAs for this TMDL are not yet in effect

TARGETED POLLUTANT CONTROL EFFORTS:

The City's Implementation Plan for Machado Lake Pesticides & PCBs, Greater Los Angeles Harbor Waters Toxic Pollutants and Santa Monica Bay DDT & PCBs TMDL submitted in July 2017 describes the measures the City is taking and proposes to take to address these TMDLs. The City also continues to implement source control measures identified in the approved Machado Lake Nutrient TMDL Implementation Plan. The BMPs described in these implementation plans and other ongoing measures targeted at pollutants of concern that are being implemented by the City are discussed in section 6.5 as well as throughout this report.

4. Non-Stormwater Outfall Screening and Monitoring

Complete the following items in this section.

4.1 Complete the following tables regarding your Non-Stormwater Outfall Based Screening and Monitoring Program [Attachment E – XVIII.A.3.a-g]. (These tables correspond to Tables 4a and 4b in the Watershed Form.)

Table 4a: Summary of Non-Stormwater Based Screening and Monitoring								
Receiving Water and/or WMP/EWMP Group	No. of Major Canyons	Total No. of Canyons Screened Since Dec 28, 2012	No. of Screening Events During Reporting Year	No. of Screening Events Since Dec 28, 2012	Outfalls with Significant Non-Stormwater Discharges ¹			
					Total Confirmed	Total Abated	Total Attributed to Allowable Sources ²	Total No. Being Monitored
Machado Lake	2	2	0	4	0	NA	NA	0
Santa Monica Bay	2	2	0	4	0	NA	NA	0
Greater LA Harbor	1	1	0	4	1	NA	1	0
Total	5	5	0	12	1	NA	1	0

Table 4b: Summary of Non-Stormwater Discharges Abated During Reporting Year	
Method	Total No.
Low Flow Diversion	0
IC/ID Eliminated	0
Permitted	0
Retention	0
Discharge No Longer Observed	0
Other (describe in Section 4.4)	0

4.2 How many of the conditionally exempt non-stormwater discharges in Part III.A.2.b of the Permit did you determine to be sources of pollutants that caused or contributed to an exceedance of receiving water limitations or WQBELs? If you made that determination, which type(s) of non-stormwater discharges in Part III.A.2.b were sources of pollutants? [III.A.4.d]

The City has not made a determination that any conditionally exempt non-stormwater discharges in Part III.A.2.b of the Permit are sources of pollutants that caused or contributed to an exceedance of receiving water limitations or WQBELs. The City submitted a source investigation report with the

¹ "Significant Non-Storm Water Discharges" as identified by the Permittee per Part IX.C.1 of the MRP

² "Allowable Sources" include NPDES permitted discharges, discharges subject to a Record of Decisions approved by USEPA pursuant to section 121 of CERCLA, conditionally exempt essential non-storm water discharges, and natural flows as defined in Part III.A.d of the permit.

reporting year 2016-17 Annual Report which found no conditionally exempt discharges from the City to the MS4.

- 4.3 State when the non-stormwater outfall-based screening and monitoring program will be (or was) re-assessed. If applicable, describe any changes to program (the program must be re-assessed once during the permit term) *[Attachment E – IX.B.2]*.

The City of Rolling Hills Non-Storm Water Screening and Monitoring Program (NSW Screening & Monitoring Program) was prepared in September 2014 and approved by Regional Board staff. The program was re-assessed during reporting year 2016-17 based on the results of the completed Source Investigation and the one modification that was recommended was to remove Purple Canyon from the list of canyons to be screened since it is documented to have natural flows consistent with its status as a blue-line stream tributary to George F Canyon, a known perennial stream.

- 4.4 Additional Information. If desired, provide additional information regarding Non-Stormwater Outfall Screening and Monitoring:

5. Minimum Control Measures

Complete the following items in this section.

5.1 Public Information and Participation Program [VI.D.5]

Complete the following item regarding the Public Information and Participation Program.

- 5.1a) Summarize stormwater pollution prevention public service announcements and advertising campaigns. What pollutants were targeted? What audiences were targeted? Note whether activities were performed by the jurisdiction or as part of a watershed, regional, or county-wide group.

The City is participating in the county-wide campaign led by Los Angeles County—see LA County Flood Control District Annual Report and/or County Unincorporated Individual Annual Report for this information.

The City utilizes its monthly newsletter to advise its residents of upcoming opportunities for participation in activities related to stormwater pollution prevention such as:

- greenwaste pickup events,
- e-waste collection events at City Hall,
- bulky item pickup events,
- reminders to remove debris, dirt and vegetation from private drainage control structures prior to the rainy season to protect natural drainage courses from discharges of debris,
- advice on removal of invasive tumbleweeds from properties and roadsides,
- Christmas tree recycling program,
- AQMD financial incentive programs for replacing gasoline-powered lawn and garden equipment with electric equipment,
- LA County Household Hazardous & E-waste Roundup held at nearby Rancho Palos Verdes City Hall, and
- Earth Day Events.

The City also disseminated flyers to its residents with information regarding the Rain Barrel Distribution Event held at the nearby Palos Verdes Peninsula High School in Rolling Hills Estates on Saturday, November 17, 2018 through West Basin Municipal Water District and SBESC, and a second local event held in the City of Lomita on February 2, 2019.

The South Bay Cities Council of Governments of which the City is a member, via the South Bay Environmental Services Center (SBESC), circulates numerous public service announcements (PSAs) via e-mail blasts to residents and businesses regarding opportunities to learn and become actively involved in water conservation and stormwater pollution prevention. Examples during the reporting year included PSAs regarding: Water Replenishment District of Southern California's Eco Gardener Series, Composting workshops, West Basin Municipal Water District's Rain Barrel Program with five (5) distribution events through the winter and spring of 2019, Metropolitan Water District's CA Friendly Landscaping and Turf removal series with five (5) events in the winter and spring 2019, West Basin's Annual Water Harvest Festival on October 20, 2018, Rainwater Harvesting and Greywater Workshop on September 8, 2018 at the Madrona Marsh, Household Hazardous

Waste Collection Events and Zero Waste Workshops held throughout the year. The City provides links on its website to SBESC's programs and opportunities.

5.1b) Which of the following public education materials did you distribute? (check yes or no)

	Yes	No
Information on the proper handling (i.e., disposal, storage and/or use) of vehicle waste fluids?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Household waste materials (i.e., trash and household hazardous waste, including personal care products and pharmaceuticals)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Construction waste materials?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pesticides and fertilizers (including integrated pest management practices [IPM] to promote reduced use of pesticides)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Green waste (including lawn clippings and leaves)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Animal wastes?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5.1c) Did you distribute activity specific stormwater pollution prevention public education materials at the following points of purchase? If yes, provide the number of points of purchase within each category (if available).

Category	Yes	No	Number of Points of Purchase
Automotive Part Stores	<input type="checkbox"/>	<input type="checkbox"/>	Not applicable, no such establishments in the City
Home Improvement Centers, Lumber Yards, Hardware Stores, Paint Stores	<input type="checkbox"/>	<input type="checkbox"/>	Not applicable, no such establishments in the City
Landscaping, Gardening Centers	<input type="checkbox"/>	<input type="checkbox"/>	Not applicable, no such establishments in the City
Pet Shops, Feed Stores	<input type="checkbox"/>	<input type="checkbox"/>	Not applicable, no such establishments in the City

5.1d) Did you maintain stormwater websites or provide links to stormwater websites via your website, which included educational material and opportunities for the public to participate in stormwater pollution prevention and clean-up activities listed in Part VI.D.4? Provide links to the stormwater websites that you maintained and/or the location on your website where you provide links to stormwater websites.

Yes, numerous educational materials and links to related websites are available on the City's website at: <http://rolling-hills.org/index.aspx?nid=93>

5.1e) Did you provide materials to educate school children (K-12) on stormwater pollution?

The City participates in the county-wide Environmental Defenders and Generation Earth programs. The Environmental Defenders Rock the Planet – You Can Change the World Tour is a 30-minute, high-energy assembly program that is offered free to all elementary schools in Los Angeles County, including the Palos Verdes Peninsula Unified School District schools attended by children living in Rolling Hills. Teachers or administrators can schedule the assembly online. The program includes an

interactive website where students can extend their learning experience after participating in the assembly. The Generation Earth program is an environmental education program that provides training and support to secondary school teachers and students at public and private schools within Los Angeles County. The program offers tools and techniques for service learning projects that meet state curriculum standards. These activities and publications are available to download by educators for free. The water pollution prevention toolkit explores the water pollution potential on a typical campus and guides students in conducting a water audit of the campus and choosing from a variety of options to reduce water waste and pollution.

The City in coordination with its neighbor, the City of Rolling Hills Estates, jointly staffed a public education booth at the Earth Day event held at the Promenade on the Peninsula shopping center in partnership with numerous other environmental groups and the mall management. Hands-on demonstrations for children and adults were conducted using an Enviroscape model—the demonstrations emphasized targeted pollutants of concern. Children were asked to take a pledge to take a specific action to aid in long-term behavioral change. This event is aimed at school age children as it is held on a weekday after school and there are many student groups that also have booths and participate in the event.

West Basin Municipal Water District also offers a wide array of educational programs, contests and tours to help students in grades 3 -12 find out more about water and water conservation. Educators and school administrators are notified about the programs through a quarterly newsletter, Waterworks. <http://www.westbasin.org/community/education>

5.1f) Additional Information. If desired, provide additional information regarding implementation of the Public Information and Participation Program:

The City contributes to the support of Environmentally Friendly Landscaping, Gardening, and Pest Control webpages being hosted on the South Bay Environmental Services Center through a joint outreach effort between the Peninsula WMG and the Beach Cities WMG. The City's own website provides a link to this website: <http://www.southbaycities.org/programs/environmentally-friendly-landscaping-gardening-and-pest-control>.

5.2 Industrial and Commercial Facilities Program [VI.D.6]

Complete the following items regarding the Industrial and Commercial Facilities Program.

5.2a) Watershed-Based Inventory:

	Yes	No
Did you maintain and update a watershed-based inventory or database containing the latitude / longitude coordinates of all industrial and commercial facilities within your jurisdiction that are critical sources ³ of stormwater pollution?	<input type="checkbox"/>	<input type="checkbox"/>
	Not Applicable	

5.2b) Commercial Facilities:

Question	Response
Number of Critical Commercial Sources⁴: How many critical commercial sources are within your jurisdiction (as of the end of the reporting year)?	0
Number of Facility Inspections Conducted during the Reporting Year: How many inspections of commercial facilities were conducted during the reporting year?	NA
First Round of Mandatory Compliance Inspections⁵: Did you complete a first round of mandatory compliance inspections of all commercial facilities identified in Part VI.D.6.d of the permit by 12/28/2014 ⁶ ? (Yes/No)	NA
Second Round of Mandatory Compliance Inspections: Describe your progress on the second round of mandatory compliance inspections of all commercial facilities identified in Part VI.D.6.d of the permit. (To be completed by 12/28/2018.)	NA

5.2c) Industrial Facilities:³ Part VI.D.6.b.i of the LA County MS4 Permit summarizes "critical sources" to be tracked⁴ Part VI.D.6.b.i of the LA County MS4 Permit summarizes "critical sources" to be tracked⁵ Permittees are required to inspect all commercial facilities identified in Part VI.D.6.b of the permit twice during the 5-year permit term, provided that the first mandatory compliance inspection occurs no later than 2 years after the effective date of the permit. A minimum interval of 6 months between the first and the second mandatory compliance inspection is required.⁶ Permit effective date = December 28, 2012

Question	Response
Number of Critical Industrial Sources: How many critical industrial sources are within your jurisdiction (as of the end of the reporting year)?	0
Number of Facility Inspections Conducted during the Reporting Year: How many inspections of industrial facilities were conducted during the reporting year?	NA
First Round of Mandatory Compliance Inspections⁷: Did you complete a first round of mandatory compliance inspections of all industrial facilities identified in Part VI.D.6.d of the permit by 12/28/2014? (Yes/No)	NA
Second Round of Mandatory Compliance Inspections: Describe your progress on the second round of mandatory compliance inspections of all industrial facilities that did not file a No Exposure Certification. (To be completed by 12/28/2017.)	NA
No Exposure Verification Inspections⁸: Describe your progress on performing a second mandatory compliance inspection at a minimum of 25% of facilities identified to have a filed a No Exposure Certification.	NA

5.2d) **Enforcement Actions:** Describe the number and nature of any enforcement actions taken related to the industrial and commercial facilities program.

None, not applicable.

5.2e) **Additional Information.** If desired, provide additional information regarding implementation of the Industrial and Commercial Facilities Program.

This program is not applicable because there are no industrial or commercial land uses within the City.

⁷ Permittees are required to perform an initial mandatory compliance inspection at all industrial facilities identified in Part VI.D.6.b no later than 2 years after the effective date of the permit. After the initial inspection, all facilities that have not filed a No Exposure Certification with the State Water Board are subject to a second mandatory compliance inspection. A minimum interval of 6 months between the first and second mandatory compliance inspection is required.

⁸ Approximately 3 to 4 years after the effective of the permit, each Permittee shall evaluate its inventory of industrial facilities and perform a second mandatory compliance inspection at a minimum of 25% of the facilities identified to have filed a No Exposure Certification. The purpose of this inspection is to verify the continuity of the non exposure status.

5.3 Planning and Land Development Program [VI.D.7 and Attachment E-XVIII]

Complete the following items regarding the Planning and Land Development Program.

- 5.3a) New Development Projects: Complete the table below for projects completed during the reporting year.

Table 5a: Summary of New Development Projects Subject to Implementation of Post-Construction Controls				
Receiving Water and/or WMP/EWMP	Number of Projects Completed Using On-Site Retention ⁹	Number of Projects Completed Using Alternative Compliance Measures ¹⁰	Total Drainage Area of Projects [acres]	Total Storm Water Quality Design Volume (SWQDv) [acre-feet] ¹¹
Santa Monica Bay	0	1	1.33	0.097

- 5.3b) Redevelopment Projects: Complete the table below for projects completed during the reporting year.

Table 5b: Summary of Redevelopment Projects Subject to Implementation of Post-Construction Controls				
Receiving Water and/or WMP/EWMP	Number of Projects Completed Using On-Site Retention	Number of Projects Completed Using Alternative Compliance Measures	Total Drainage Area of Projects [acres]	Total Storm Water Quality Design Volume (SWQDv) [acre-feet]
0	0	0	0	0

- 5.3c) Planning and Land Development Efforts beyond Permit Requirements. If applicable, describe Planning and Land Development activities that went above and beyond the permit requirements (e.g. stricter LID ordinance, small-site LID).

The City's Zoning Ordinance contains strict standards for development ratios on each property. Only 40% of the net area of a lot may be disturbed for construction, and the remaining area of the lot must remain in its natural state. Only 35% of the net lot area may be developed with impervious surfaces, including structures, patios and other paved areas. Driveways may not cover more than 20% of the area of the yard in which they are located. Uncovered motor courts/parking pads may not cover more than 10% of the yard in which they are located. Horse stable access-ways may not be entirely paved and use of 100% gravel or decomposed granite is encouraged. The City has developed a guide for construction of stables on residential properties which includes consideration of proximity to blue line streams and natural drainage courses so as not to negatively affect stormwater quality in the siting of stables, horse wash stations, and manure storage. Tennis and sports courts are encouraged to have pervious surfaces as well. Stormwater run-off that is not contained on properties is conveyed through the City via natural, soft bottom drainage courses/canyons, providing ample opportunity for runoff to infiltrate. Installation of cisterns and biofiltration devices are encouraged on projects even when they are not required.

⁹ "Number of Projects Completed" should only include projects that are completed and signed off by the Permittee during the reporting year. In progress projects that have been issued a permit, but are not completed should not be included.

¹⁰ "Alternative Compliance Measures" refer to the mitigation options listed in Part VI.D.7 of the permit. These options include: on-site biofiltration, offsite infiltration, groundwater replenishment projects, offsite retrofits of existing developments, and areas covered by a regional storm water mitigation program.

¹¹ "Total Storm Water Quality Design Volume (SWQDv)" should also include the SWQDv which would have been achieved on-site for projects completed using alternative compliance measures.

5.3d) Summary of New and Redevelopment Projects using Alternative Compliance Measures:
Complete the table below for projects completed during the reporting year.

Table 5c: Summary of Alternative Compliance Measures for Development/Redevelopment Projects (where onsite retention of the SWQDv is infeasible)					
Category¹²	Number of Projects Completed Utilizing Alternative Compliance Method	Area Addressed by Projects [acres]	Total Design Retention Volume of Projects¹³ [acre-feet]	Total Design Biofiltration Volume of Projects¹⁴ [acre-feet]	Total SWQDv Which Would Have Been Achieved by Retaining SWQDv on-site [acre-feet]
Onsite Biofiltration	1	1.33	0.064	0.064	0.097
Offsite Infiltration	NA				
Ground Water Replenishment Projects	NA				
Offsite Project – Retrofit Existing Development	NA				
Regional Storm Water Mitigation Program ¹⁵	NA				
TOTAL	1	1.33	0.064	0.064	0.097

5.3e) Alternative Compliance Measures – Regional Storm Water Mitigation Program [VI.D.7.c.vi]:
If applicable, complete the table below.

Table 5d: Alternative Compliance Measures – Regional Storm Water Mitigation Program				
Mitigation Program	Receiving Water and/or WMP/EWMP	Date Program Approved by Regional Water Board	Area Addressed by Mitigation Program [acres]	Cumulative Number of New and Redevelopment Projects Addressed by Project since Program Approval
NONE	NA	NA	NA	NA

¹² Alternative Compliance Measures refer only to the alternative measures used to comply with Planning and Land Development Program requirements as described in Part VI.D.7.c.iii.(1)-(7)

¹³ Design Retention Volume should correspond to the sum of the mitigation volume (Mv) and the volume of stormwater runoff reliably retained on-site (Rv) as noted in Equation 2 of Part VI.D.7.c.iii.(2).(c) and Part VI.D.7.c.iii.(3).(c) of the permit.

¹⁴ Design Biofiltration Volume should correspond to the biofiltration volume (Bv) noted in Equation 1 of Part VI.D.7.c.iii.(1).(a) of the permit.

¹⁵ "Regional Storm Water Mitigation Program" is only applicable where the Permittee (or Permittee Group) has received approval of such a program from the Regional Water Board. If a Permittee intends to use regional projects in an approved WMP or EWMP as the basis of a Regional Storm Water Mitigation Program, the Permittee must still receive approval of the program from the Regional Water Board.

- 5.3f) **Alternative Compliance Measures – Pending Offsite Projects¹⁶ [VI.D.7.c.iii.(5).(f)]:** If applicable, complete the table below.

Table 5e: Alternative Compliance Measures – Offsite Projects					
Pending Offsite Project	Location	General Design Concept	Volume of Water Expected to be Retained [acre-feet]	Total Estimated Budget	Total Project Funds Raised to Date
NONE	NA	NA	NA	NA	NA

- 5.3g) **Control Measures for Projects Greater than 50 Acres [Attachment E – XVIII.A.6.e]:** If applicable, provide a detailed description of control measures to be applied to new development or redevelopment projects disturbing more than 50 acres.

Not Applicable

- 5.3h) **Enforcement Actions:** Describe the number and nature of any enforcement actions taken related to the planning and land development program.

No such enforcement actions were necessary during the reporting year.

- 5.3i) **Additional Information.** If desired, provide additional information regarding implementation of the Planning and Land Development Program.

The City is a model of low-impact development by design. There is no industrial or commercial land use within the City. The City is developed with only single-family, single-story ranch style homes. Minimum lot size is 1 acre; the average lot size is 2.7 acres. There is no public infrastructure and no City-owned or maintained storm drains, roads, sewers, sidewalks or curb-and-gutter. Stormwater run-off that is not contained on properties is conveyed through the City via natural, soft bottom drainage courses/canyons, providing ample opportunity for runoff to infiltrate. Accordingly, few parcels are connected directly to an improved MS4 and most drainage is conveyed via primarily natural drainage courses (with some structural improvements to manage energy dissipation and protect slopes). Residential projects that do not trigger the numeric retention requirements of low-impact development are required to implement measures that pertain to single-family hillside homes consistent with the MS4 Permit including: conserving natural areas, protecting slopes and channels, and diverting roof runoff and surface flows to vegetated areas before discharge unless the diversion would result in slope instability.

All roads within the City are private, semi-rural in layout and are not equipped with curb-and-gutter so are not part of the MS4. As a consequence, green street BMP projects that would retain or treat stormwater are not feasible within the City. However, it is noteworthy that all the roads within the City were originally designed and continue to be maintained by the community association with features applicable to green street design such as: narrow widths and soft shoulders without paved sidewalks which minimizes impervious surface area, no extra paved width is provided for on-street parking, natural drainage courses and riparian areas have been preserved, and pedestrian movement through the City is accommodated via a pervious trail network.

¹⁶ "Offsite projects" refers only to offsite projects being used as an alternative compliance measure for development/redevelopment project applicants that have demonstrated technical infeasibility for on-site retention of the SWQDv. This does not include on-site biofiltration, however it does include off-site biofiltration projects.

5.4 Development Construction Program [VI.D.8]**Complete the following items regarding the Development Construction Program.****5.4a) Answer the following questions regarding your Development Construction Program:**

	Yes	No
For construction sites 1 acre or greater, did you use an electronic system to inventory grading permits, encroachment permits, demolition permits, building permits, or construction permits (and any other municipal authorization to move soil and/ or construct or destruct that involves land disturbance) that you issued?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
For construction sites 1 acre or greater, did you use procedures to review and approve an ESCP (or a SWPPP prepared in accordance with the requirements of the Construction General Permit) that contains appropriate site-specific construction site BMPs that meet the minimum requirements of a Permittee's erosion and sediment control ordinance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
For construction sites 1 acre or greater, did you track the date that you approved the Erosion and Sediment Control Plans (ESCP) or CGP SWPPPs for new sites permitted and sites completed?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
For construction sites less than 1 acre, did you require the implementation of an effective combination of erosion and sediment control BMPs from Table 12 of the LA County MS4 Permit to prevent erosion and sediment loss, and the discharge of construction wastes through the use of the Permittee's erosion and sediment control ordinance or building permit?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you ensure that all staff whose primary job duties are related to implementing the construction stormwater program is adequately trained? [VI.D.8.I]	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5.4b) Permits and Inspections: Complete the table below. Only report numbers for sites 1 acre or greater in area.

Table 5f. Construction Site Inspections for Construction Sites ≥ 1 Acre	
How many building/grading permits were issued to construction sites during the reporting year?	5
How many Erosion and Sediment Control Plans (ESCPs) did you approve during the reporting year?	5
How many inspections of construction sites were conducted during the reporting year?	166
How many final landscaping/site stabilization inspections (to ensure that all graded areas have reached final stabilization and that all trash, debris, and construction materials, and temporary erosion and sediment BMPs are removed) were conducted during the reporting year?	2

5.4c) Enforcement Actions: Describe the number and nature of any enforcement actions taken related to the development construction program.

One Notice of Violation was issued to a construction site contractor during the reporting year and the contractor complied by taking necessary corrective actions.

5.4d) Additional Information. If desired, provide additional information regarding implementation of the Development Construction Program.

Contracted plan check staff, engineers, office managers, and inspectors are annually trained for National Pollutant Discharge Elimination System (NPDES) compliance.

During the plan checking and/or permit issuance stage, plan checkers require that 2012 LA MS4 Permit and applicable Construction General Permit (CGP) requirements are met and that BMPs for construction activities are incorporated into the development plans. The contract building officials require that developers sign a Statement of Understanding Pertaining to BMPs and NPDES

Requirements. For any project involving a grading or excavation permit regardless of size, a pre-construction meeting is held between the City staff, RHCA staff, the building inspector, the property owner and the contractor and subcontractor to discuss construction BMP requirements and ensure that the property owner and contractors are aware of the requirements and understand their responsibility for implementing them. During this meeting, the Small Site Construction brochure developed jointly by the Peninsula WMG and the Beach Cities WMG is given to contractors of sites under one (1) acre to inform them of the required minimum BMPs.

Extra protection during construction is required for projects adjacent to environmentally sensitive areas and, in some cases, a biologist monitors the project and adjacent environmentally sensitive area during construction to ensure that proper protections are maintained.

5.5 Public Agency Activities Program [VI.D.9]

Complete the following items regarding the Public Agency Activities Program.

5.5a) Answer the following questions regarding the Pulic Agency Activities Program:

	Yes	No
Did you maintain an updated inventory of all Permittee-owned or operated (i.e., public) facilities within your jurisdiction that are potential sources of stormwater pollution?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you develop an inventory of retrofiting opportunities that meets the requirements of Part VI.D.9.d. of the LA MS4 Permit?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Were all Permittee-owned parking lots exposed to stormwater cleaned at least once per month?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you ensure effective source control BMPs for the activities listed in Table 18 of the Permit were implemented at Permittee-owned or operated facilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you ensure employees in targeted positions (whose interactions, jobs, and activities affect stormwater quality) were trained on the requirements of the overall stormwater management program, and contractors performing privatized/contracted municipal services were appropriately trained	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5.5b) Street Sweeping: Complete the table below.

Table 5g. Summary of Street Sweeping Activities				
	Total Miles of Street ¹⁷	Total Curb Miles of Street	Frequency of Street Sweeping	Additional Notes
Priority A (greater than once per month)	NA	NA	NA	All roads within the City are private so the City is not responsible for their maintenance. Furthermore, private roads within the City are not equipped with curb-and-gutter and so are not considered part of the MS4. City Hall Complex parking lot is swept once per week by the City's landscape contractor.
Priority B (once per month)	NA	NA	NA	
Priority C (as needed, once per year minimum)	NA	NA	NA	

¹⁷ Permittee may report the length of street swept in "total miles of street" and/or "total curb miles," depending on availability.

5.6 Illicit Connections and Illicit Discharges Elimination Program [VI.D.10]

Complete the following items regarding the Illicit Connections and Illicit Discharges Elimination Program.

5.6a) IC/ID Investigations: Complete the following table¹⁸

Table 5h. IC/ID Investigations				
	Number of Reported Illicit Discharges or Connections	Number of Investigations	Number Eliminated	Number Permitted or Documented
Illicit Discharges	0	0	0	0
Illicit Connections	NA	NA	NA	NA

5.6b) Enforcement Actions: Describe the number and nature of any enforcement actions taken related to the illicit connections and illicit discharges elimination program.

There were no illicit discharges that reached the MS4 or natural drainage courses during the reporting year.

5.6c) Answer the following questions regarding Public Hotline and Training [VI.D.10.d and VI.D.10.f]

	Yes	No
Did you maintain or provide access to a hotline to enable the public to report illicit discharges/connections?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Did you continue to implement a training program regarding the identification of IC/IDs for all municipal field staff, who, as part of their normal job responsibilities (e.g., street sweeping, storm drain maintenance, collection system maintenance, road maintenance), may come into contact with or otherwise observe an illicit discharge or illicit connection to the MS4?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

5.6d) Additional Information. If desired, provide additional information regarding implementation of the Illicit Connections and Illicit Discharges Elimination Program.

Since the City neither owns nor operates a municipal storm sewer system, the illicit connection (IC) provisions of the ICID permit requirements do not apply to the City. Accordingly, the City's program is focused on elimination of illicit discharges into the natural drainage courses and, as such, is called the Illicit Discharge Elimination Program (IDE Program). The City participates in the County-wide PIPP and Hotline and has provided its contact information for the 888 CleanLA website. The City's website includes a downloadable form for reporting illicit discharges. In addition, during the reporting year the City hired a part-time code enforcement officer who was trained in the MS4 Permit illicit discharge elimination requirements in May 2019.

¹⁸ Illicit discharges and connections detected through other inspection programs should be included.

6. Stormwater Control Measures Summary

Complete the following items in this section.

If the information on stormwater control measure implementation requested in the following section will be included in a Watershed Form submitted by the Permittee, the Permittee may reference the Watershed Form and skip those items.

Aside from the calculation of *Effective Impervious Area* (Section 6.1) and the *Summary of Projects that Retain Runoff* (Section 6.2), items in this section cover projects that are not part of the Planning and Land Development Program.

The tables within this section outline minimum information for reporting. The Permittee may reformat the sections regarding projects completed in the reporting year to include additional project descriptions and information (e.g. pictures, maps, funding information, etc.).

If any of the requested information cannot be obtained, please note in Section 11.

6.1 Effective Impervious Area and 85th Percentile, 24-Hour Runoff Volume [Attachment E, XVIII.A.1] (if available): Summarize the estimated cumulative change in percent EIA since the effective date of the Permit (i.e. 12/28/2012) for the entire area covered by the WMP/EWMP and, if possible, the estimated change in the stormwater runoff volume during the 85th percentile, 24-hour storm event for the entire area covered by the WMP/EWMP.

As stated in the May 25, 2017 memorandum from Ivar Ridgeway to Los Angeles County MS4 Permittees regarding the EIA Annual Reporting Requirement, the City is reporting cumulative area addressed by projects that retain runoff in lieu of percent EIA change. This information on cumulative area addressed by projects is provided in Table 6b below based on data on projects compiled via the WRAMPS system. The total area addressed by projects that retain runoff completed since the Permit effective date is 2.24 acres and the total BMP retention capacity (storage volume) of projects completed since 12/28/2012 is 0.13 acre-feet.

6.2 Summary of Projects that Retain Runoff (including New and Redevelopment Projects); Complete the summary tables below.

Table 6a: Summary of Projects that Retain Runoff Completed in the Reporting Year				
Receiving Water and/or WMP/EWMP Group	Number of New Development/Re-development Projects Completed in Reporting Year	Number of Other Projects Designed to Intercept Runoff Completed in Reporting Year	Area Addressed by Projects [acres]	Total BMP Retention Capacity of Projects [acre-feet]
Machado Lake				
Santa Monica Bay	1	0	1.33	0.10
Greater Los Angeles Harbor				
TOTAL	1	0	1.33	0.10

Table 6b: Cumulative Summary of Projects that Retain Runoff Completed since the Permit Effective Date					
Receiving Water and/or WMP/EWMP Group	Number of New Development/Re-development Projects Completed Since 12/28/2012	Number of Other Projects Designed to Intercept Runoff Completed Since 12/28/2012	Area Addressed by Projects [acres]	Total BMP Retention Capacity of Projects Completed Since 12/28/2012 [acre-feet]	Est. Total Runoff Volume Retained Onsite for the Reporting Year [acre-feet]
Machado Lake	1	-	0.63	0.0054	0.2064
Santa Monica Bay	2	-	1.61	0.1213	1.0348
Greater Los Angeles Harbor	-	-	-	-	-
TOTAL	3	0	2.24	0.13	1.24

6.3 Projects Designed to Intercept Stormwater Runoff Completed during the Reporting Year (excluding New Development and Redevelopment Projects): Complete the table below for projects designed to intercept stormwater runoff completed in the reporting year. If needed, information unsuitable for the table or additional information on projects may be provided in the space below table.

Table 6c: Projects Designed to Intercept Runoff Completed in the Reporting Year						
Receiving Water and/or WMP/EWMP Group	Name of Project(s)	Type of Project	Completion Date	Length (if Green Street) [miles]	Drainage Area of Project [acres]	Total BMP Retention Capacity ¹⁹ [acre-feet]
NA	NA					

6.4 Riparian Buffer and Wetland Restoration Projects: Complete the table below for any riparian buffer or wetland restoration projects completed in the reporting year.

Table 6d: Riparian Buffer/Wetland Restoration Projects Completed			
Receiving Water and/or WMP/EWMP Group	Name of Project	Completion Date	Description of Project ²⁰
NA	NA	NA	NA

¹⁹ If project not designed to retain stormwater, mark "N/A."

²⁰ For riparian buffer projects include width, length and vegetation type; for wetland restoration projects include acres restored, enhanced or created

6.5 Status of Multi-Year Efforts [Attachment E, Part XVIII.A.1.i]: Provide the status of multi-year efforts, including TMDL implementation (not including Trash TMDLs) that were not completed in the current year and will continue into the subsequent year(s).

For multi-year efforts, report on progress towards future milestones related to multi-year projects. Include the status of the project, which includes the status with regard to standard project implementation steps. These steps include, but are not limited to, adopted or potential future changes to municipal ordinances to implement the project, site selection, environmental review and permitting, project design, acquisition of grant or loan funding and/or municipal approval of project funding, contractor selection, construction schedule, start-up, and effectiveness evaluation (once operational), where applicable.

If applicable, for green streets implementation, Permittees shall report on progress toward a structured approach identifying a sufficient number of green streets projects to meet compliance milestones (e.g., a green streets master plan).

Also, include the following information:

- Name
- Receiving Water
- Project Type
- Location / Latitude and Longitude
- Permittee(s) Involved
- Status
- Expected Completion Date

COORDINATED INTEGRATED MONITORING PROGRAM IMPLEMENTATION (CIMP)

The City is participating in the multi-year implementation of the CIMP by the Peninsula CIMP WMG, which also incorporates the multi-year Coordinated Compliance Monitoring Program for the Greater Los Angeles and Long Beach Harbor Toxics TMDL. The City is also implementing activities in support of several TMDLs. During the reporting year the Peninsula CIMP WMG assumed responsibility for conducting SMBBB TMDL shoreline monitoring, along with the associated additional cost. In previous reporting years this effort had been performed by the Sanitation Districts of Los Angeles County (LACSD), however with the renewal of the JWPCP NPDES Permit in 2018, LACSD is no longer required to perform this monitoring.

SANTA MONICA BAY BEACHES BACTERIA TMDL IMPLEMENTATION

On July 15, 2005, responsible jurisdictions and agencies in Jurisdictional Group 7, including the City of Rolling Hills, submitted a final Implementation Plan for the Santa Monica Bay Beaches Bacteria TMDL (SMBBB TMDL). In Resolution No. 2006-008 the Regional Board acknowledged that there are no milestones in the final Implementation Plan for Jurisdictional Group 7 because existing water quality conditions at the beaches along the Palos Verdes Peninsula are equivalent to being in compliance with the SMBBB Wet Weather TMDL. The Implementation Plan committed to maintain and improve water quality and to address any unanticipated exceedances through investigations and corrective action. The Los Angeles Regional Water Quality Control Board has removed the monitored beaches of the Palos Verdes Peninsula (including Portuguese Bend) from the 303(d) list because results of long-term water quality monitoring demonstrate no impairment of recreational beneficial uses for indicator bacteria which is evidence of the effectiveness of the existing storm water quality control measures including the low impact nature of development in the City. Many of the implementation activities discussed for other TMDLs below also support maintenance of high quality recreational waters in Santa Monica Bay.

TORRANCE AIRPORT STORMWATER REGIONAL PROJECT

On June 25, 2018 the City Council of Rolling Hills entered into a Memorandum of Agreement (MOA) with the City of Torrance and other members of the Palos Verdes Peninsula Watershed Management Group for cost sharing of the preliminary design work in support of the Torrance Airport Stormwater

Regional Project. The design goal of the Torrance Airport Stormwater Regional Project is to capture the 85th% 24-hour design storm volume; if feasible this project would address both the Machado Lake Nutrient TMDL and the Machado Lake Pesticides and PCBs TMDL. The project would also address water quality impairments in Wilmington Drain which is tributary to Machado Lake.

During the reporting year the City, along with the other Peninsula WMG agencies, contributed proportionate shares based on tributary area to the funding of preliminary design work for the Torrance Airport Storm Water Regional Project to assess its feasibility for attaining the Machado Lake Nutrients and Pesticides & PCBs waste load allocations (WLAs). The preliminary engineering work included a geotechnical investigation and installation of groundwater monitoring wells, along with development of a groundwater model to evaluate several project scenarios. The preliminary design report includes an engineer's cost estimate for construction for each alternative evaluated and assessed.

A key constraint for the analysis and design was the known subsurface contamination in the soil and shallow groundwater underlying Torrance Airport north of the Nike Missile Silos. It was determined during the preliminary design process that infiltration into shallow depths could not be employed for pollutant load reduction or groundwater recharge due to this existing contamination. Alternative water use and treatment scenarios were therefore explored, including (1) diversion to the sanitary sewer for treatment at the adjacent Joint Water Pollutant Control Plant (JWPCP), and (2) use of very deep infiltration wells (dry wells) to inject treated storm water into the Gage Aquifer. Alternative 1 included a diversion by gravity flow from the storm drain into a subsurface storage reservoir with upstream pretreatment unit, and a pump station that subsequently dewater the facility to the sanitary sewer for treatment at the JWPCP. Alternative 2 also pumps from a subsurface storage reservoir to a post treatment unit before injection into the Gage Aquifer distribution via very deep dry wells.

The most feasible project concept alternative was assessed to be Alternative 1 due to the potential for Alternative 2 to impact the existing contaminant plumes. Alternative 1 would divert up to the 85th percentile, 24-hour design storm volume into subsurface storage galleries which would then be pumped to the Sanitation District's Joint Water Pollution Control Plant (JWPCP) and potentially to the Metropolitan Water Districts for advanced treatment and injection into the groundwater basin. The runoff stored in the underground storage galleries would be pumped nightly to the sanitary sewer lines at controlled rates when sewer capacity is available.

MACHADO LAKE NUTRIENT TMDL IMPLEMENTATION

The City continues to conduct implementation activities consistent with the approved Palos Verdes Peninsula Subwatershed Coordinated Implementation Plan in Compliance with the Machado Lake Eutrophic, Algae, Ammonia and Odors (Nutrient) TMDL submitted to the Regional Board on March 11, 2011. These activities include but are not limited to:

Phase 1 Activities

- Implementation of the water efficient landscape ordinance;
- Providing unlimited green waste collection to residents through the solid waste franchise contract to encourage the prompt removal of accumulated leaves and landscape debris, minimize the potential for leaching of phosphorus from accumulated vegetation, and to help prevent brush fires;
- Dissemination of information to residents and landscape contractors on the management of landscapes for brush and fire control;

- Providing manure collection and hauling services through the solid waste franchise hauler to residents who keep horses;
- Requiring residents that keep horses to remove manure from the premises at least once per week;
- Allowing residents to compost green waste, wood ashes, vegetable kitchen scraps so long as the compost piles or bins are not located next to a stream or drainage course and the pile or compost container does not produce surface run-off or leachate to other property or to drainage courses, waterways or streams;
- Requiring that horse stable access-ways have permeable surfaces and are not paved; this promotes infiltration while controlling the discharge of sediment;
- Developing outreach strategies for reaching the equestrian community regarding BMPs for horse keeping and manure management;
- Co-hosting a stormwater pollution prevention booth at the annual Promenade on the Peninsula Earth Day event using hands-on demonstration with pledge-based actions for change for targeted pollutants of concern.

Phase 2 Activities

- The City's environmental web page include links to resources and information on numerous topics including: stormwater pollution prevention, sustainable landscaping with native and regionally appropriate plants, preventing manure from entering the City's natural drainage courses, manure management, water conservation, landscaping, swimming pool maintenance, integrated pest management and more.
- The City disseminates a color brochure promoting and providing references for native and drought tolerant plant gardens and landscapes specific to the Palos Verdes Peninsula. The brochure is available via the City's website and includes a self-guided tour of five native plant gardens and landscapes accessible to the public on the Palos Verdes Peninsula to serve as a demonstration of the beauty, utility, and economy of native and drought-tolerant plants in gardens and landscapes.
- Sustainable Gardening and Landscaping and Integrated Pest Management (IPM) webpages hosted on the South Bay Environmental Services Center website
<http://www.southbaycities.org/programs/environmentally-friendly-landscaping-gardening-and-pest-control>
- Dissemination of information by the South Bay Environmental Services Center about classes available to the City's residents such as: West Basin Municipal Water District's Rain Barrel Program, West Basin's Lunch & Learn Classes, Water Replenishment District of Southern California's Eco Gardener Series, Rainwater/Greywater Classes, Greywater Workshop for laundry greywater, Turf Removal Classes and Landscape Irrigation Efficiency Program.
- Dissemination of stormwater pollution prevention messages and information via the City's newsletter, including: reminders to remove dead vegetation for fire prevention, reminders to inspect and clear drainage devices prior to the rainy season, proper management of horse manure and pet waste, bulky green waste pickup opportunities in conjunction with fall vegetation/fuel reduction, and opportunities for household hazardous waste and electronic waste collection events.

Phase 3 Activities

- The City has developed a Climate Action Plan to reduce Greenhouse Gas emissions within the City. The Land Use and Transportation measures contribute to reductions in atmospheric nitrogen deposition and support the Machado Lake Nutrient TMDL implementation. Between 2005 and 2012 the estimates of on-road transportation related emissions have been reduced by an estimated 38.1%. To continue to encourage these reductions, the City's website provides links to information on how to upgrade or install electrical panels for charging an electric vehicle. The Climate Action Plan is available through the City's website: <http://www.rolling-hills.org/documentcenter/view/1315>.
- The City has developed Equestrian Facility Guidelines for use in considering proposals for stable construction on residential properties. The Guidelines were developed with the goal of creating healthy spaces for horses and are to be utilized by the Planning Commission and City Council when considering proposals for the construction of equestrian facilities. Of particular note with respect to stormwater, the guidelines specify that when locating stables, manure cleanup and proximity to blue line streams should be taken into account. Additionally horse wash station placement should consider nearby natural drainage courses so as not to negatively affect stormwater quality.

MACHADO PESTICIDES & PCBs TMDL, GREATER LOS ANGELES HARBOR TOXICS TMDL AND SANTA MONICA BAY DDT & PCBs TMDL.

On July 12, 2017 during the 2017-18 reporting year, the City submitted an Implementation Plan for Machado Lake Pesticides & PCBs, Greater Los Angeles Harbor Waters Toxic Pollutants, and Santa Monica Bay DDT & PCBs Total Maximum Daily Loads (Implementation Plan), to satisfy the implementation planning requirements for both the Machado Lake Pesticides & PCB and the Dominguez Channel and Greater Los Angeles and Long Beach Harbor Waters Toxic Pollutants TMDLs established by the Regional Board, and also to support attainment of water quality objectives for the Santa Monica Bay DDT and PCBs TMDL issued by U. S. EPA.

Key strategies outlined in the Implementation Plan focus on control of erosion and sediment transport, prevention of wildfires, integrated pest management and household hazardous waste management in combination with ongoing implementation of low impact development and multi-year regulatory source control programs as summarized below:

Erosion and Sediment Control:

For toxic pollutants such as organochlorine pesticides that can be present as legacy pollutants in soils, erosion and sediment control to reduce sediment transport in stormwater during construction is an important source control measure. Additionally, toxic pollutants present in soils due to air deposition such as polynucleararomatic hydrocarbons (PAHs) are also amenable to control through erosion and sediment controls. Please refer to Section 5.4d for a summary of erosion and sediment control measures that are implemented under the Development Construction Program.

Wildfire Prevention Measures:

A substantial body of research demonstrates that wildfires can be a significant source of toxic pollutants in stormwater, thus the prevention of wildfires is an important measure for preventing toxic pollutant releases. This is especially critical in Rolling Hills which is in a very high fire hazard severity zone. The City has adopted the most recent fire standards in Title 32 of the Los Angeles County Code (Fire Code).²¹ These include more restrictive building standards relating to fire and

²¹ City of Rolling Hills Ordinance No. 351 adopted on April 10, 2017.

public safety than those adopted by the State Fire Marshal in the California Building Code. The City also adopted an ordinance that declares dead vegetation a public nuisance in order to provide the City authority to abate dead vegetation within the community which constitutes fire fuel and presents a threat to public safety. The ordinance requires that properties within the City be maintained free of dead trees, shrubs or plants and that properties with such conditions can be abated in accordance with the City's public nuisance code.²² The City disseminates information to residents and landscape contractors on the management of landscapes for brush and fire control. The City provides unlimited green waste collection to residents through its solid waste franchise contract to encourage the prompt removal of accumulated leaves and landscape debris to help prevent brush fires. In addition, during the reporting year the City hired a part-time code enforcement officer who is charged with proactively identifying and bringing enforcement actions against properties that fail to remove dead vegetation in a timely manner.

Integrated Pest Management and Household Hazardous Waste Management:

Integrated pest management is an essential tool in reducing toxicity of stormwater runoff. The City's website disseminates information to residents regarding Integrated Pest Management practices with links to USEPA, California Department of Pesticide Regulations and other relevant resources. The City's website also links to Sustainable Gardening and Landscaping and Integrated Pest Management (IPM) webpages that were developed jointly by the Peninsula WMG and the Beach Cities WMG and are being hosted on the South Bay Environmental Services Center website:

<http://www.southbaycities.org/programs/environmentally-friendly-landscaping-gardening-and-pest-control>.

The City's website also includes information on management and disposal of household hazardous waste with links to local drop off centers.

Copper Brake Pad Replacement Program:

SB 346 passed by the California legislature in 2010 and signed by the Governor on September 25, 2010, requires incremental reduction in the amount of copper in vehicle brake pads which constitutes the single largest source of copper in metropolitan environments. Under the most conservative scenario, a 55% reduction in copper loading to the Greater Los Angeles Harbor was projected. A report prepared for California Stormwater Quality Association by TDC Environmental, Brake Pad Copper Reduction Status Report 2018, provides updated information on the progress of implementation of SB 346. Key highlights from this report are excerpted below:

"Brake pad copper reductions are underway well ahead of regulatory deadlines in 2021 and 2025.

- "Copper Free" brake pads are widely available. Almost 60% of certified brake pad formulations contain <0.5% copper.
- Brake pads contain an average of 5% copper, a reduction of about 39% since 2006 (first industry-wide brake pad copper content report) and 31% since 2011 (first formal report after adoption of copper content restrictions).
- The relatively low fraction of brake pads containing between 5% and 0.5% copper (12.5% of all brake pads) indicates that most manufacturers are moving directly from prior formulations to "copper-free" brake pads by the first copper reduction compliance deadline in 2021."

²² City of Rolling Hills Ordinance No. 345 adopted on November 23, 2015.

- “Despite the positive changes in brake pad certifications, the pace of brake pad copper content reductions has slowed since 2016.”
- “Despite the slowed pace, continued brake pad copper reductions are expected due to the 2021 and 2025 compliance deadlines.”
- “CASQA is preparing to become involved in the upcoming California EPA process of reviewing manufacturer applications for extensions from the 2025 copper compliance date. Extensions may be allowed only in cases where no alternative is “safe and available” for a specific vehicle category.”²³

Lead Reduction Programs:

As of January 1, 2010, California law prohibits the manufacture, sale or installation of wheel weights containing more than 0.1% lead. The law took effect immediately, i.e., there was no grace period. If lead wheel weights are removed from a tire on an existing vehicle for any reason, the lead wheel weight may not be placed back on the tire. The language of the statute is worded broadly and does not limit the scope of the legislation to automobile weights only. Through the implementation of SB 757 a reduction in lead concentrations in stormwater runoff from vehicles is anticipated.

[\[http://www.dtsc.ca.gov/PollutionPrevention/ToxicsInProducts/LeadWheelWeights_FactSheetandFAQs.cfm\]](http://www.dtsc.ca.gov/PollutionPrevention/ToxicsInProducts/LeadWheelWeights_FactSheetandFAQs.cfm)

According to the Federal Aviation Administration (FAA), Avgas emissions have become the largest contributor to the relatively low levels of lead emissions produced in this country.”²⁴ “The Federal Aviation Administration (FAA) shares the Environmental Protection Agency’s (EPA) concerns about lead emissions from small aircraft. Owners and operators of more than 167,000 piston-engine aircraft operating in the United States rely on aviation gasoline (avgas) to power their aircraft. Avgas is the only remaining lead-containing transportation fuel. Lead in avgas prevents damaging engine knock, or detonation, that can result in a sudden engine failure. Lead is a toxic substance that can be inhaled or absorbed in the bloodstream, and the FAA and EPA and industry are partnering to remove it from avgas.” FAA is supporting research of alternate fuels, working with aircraft and engine manufacturers, fuel producers, USEPA and industry associations to overcome technical and logistical challenges to developing and deploying a new, unleaded fuel. The FAA Reauthorization Act of 2018 (HR 302), Section 565 Aviation Fuel, provided the Administrator with additional authorization for safety qualification and allowing the use of a replacement unleaded gasoline.

When implemented, this replacement unleaded gasoline will reduce air deposition of lead onto nearby areas including the Palos Verdes Peninsula from small general aviation airplanes operating out of the nearby Torrance Airport.

On June 20, 2019, the FAA issued a program update on its NextGen Aviation Fuel Technology. According to this update, testing was conducted during the first 6 months of 2019 on an optimized Shell fuel along with screening testing of 3 fuels not previously part of the program. These test results have revealed that additional refinement will be necessary to support continuation and successful completion. Shell has indicated it is committed to additional R&D efforts to make those adjustments in order to result in a safe and viable unleaded avgas.”

<https://www.faa.gov/about/initiatives/avgas/>.

²³ California Stormwater Quality Association. January 2019. Brake Pad Copper Reduction Status Report 2018. Prepared by TDC Environmental, LLC.

²⁴ <https://www.faa.gov/about/initiatives/avgas/>

Federal regulations under the Toxic Substances Control Act (TSCA) and Residential Lead-Based Paint Hazard Reduction Act of 1992 regulate lead-based paints and hazards and simultaneously serve as source control measures for dispersion of lead into the environment, including stormwater.

The Federal Code of Regulations 40 CFR Part 745 - Lead-Based Paint Poisoning Prevention in Certain Residential Structures establishes specific requirements summarized as follows:

- The Lead Renovation, Repair and Painting Program Rule requires that those engaged in renovation, repair and painting activities in homes or child-occupied facilities built prior to 1978 be trained and certified in lead-safe work practices, and use these work practices to guard against lead contamination.
- Lead Abatement Program: Training and Certification Program for Lead-based Paint Activities requires that those engaged in lead abatement, risk assessment and inspections in homes or child-occupied facilities built prior to 1978 must be trained and certified in specific practices to ensure accuracy and safety.
- The Residential Lead-Based Paint Disclosure Program requires that potential buyers and renters of housing built prior to 1978 receive certain information about lead and lead hazards in the residence prior to becoming obligated to buy or rent, and provides the opportunity for an independent lead inspection for buyers.
- Residential Hazard Standards for Lead in Paint, Dust and Soil sets standards for dangerous levels of lead in paint, household dust, and residential soil.²⁵

California has enacted additional measures to further regulate sources of lead to reduce childhood lead exposure.²⁶ Many of these measures also control the release of lead into the environment:

- California Health & Safety Code 105250 establishes a program to accredit lead-related construction training providers and certify individuals to conduct lead-related construction activities.
- California Civil Code 1941.1; California Health & Safety Code 17961, 17980, 124130, 17920.10, 105251 to 105257 deems a building to be in violation of the State Housing Law if it contains lead hazards, and requires local enforcement agencies to enforce provisions related to lead hazards. It is also a crime for a person to engage in specified acts related to lead hazard evaluation, abatement, and or to provide lead-related construction courses, unless they are certified or accredited.
- California Civil Code 1102 to 1102.16 requires the disclosure of known lead-based paint hazards upon sale of a property.

California Health & Safety Code 116875 to 116880 requires the use of lead-free pipes and fixtures in any installation or repair of a public water system or in a facility where water is provided for human consumption.

Zinc Reduction:

The California Stormwater Quality Association (CASQA) is working to utilize the Department of Toxic Substances Control Safer Consumer Product Regulations to reduce the zinc in tires which is one of the largest sources of zinc in urbanized areas. On May 31, 2018, a petition was submitted to DTSC by CASQA on the basis that:

²⁵ <https://www.epa.gov/lead/lead-regulations#paint>

²⁶ <https://www.cdph.ca.gov/programs/CLPPB/Pages/AboutCLPPB.aspx>

"Zinc is present in tires at a concentration of approximately 1% . The on-road abrasion of tire tread results in both airborne and surface particulates containing zinc. Some of this zinc remains on road surfaces and adjacent areas and may be washed off by rain and carried by stormwater into waterways. Aerially transported zinc-containing particles from tire treads can be deposited onto impervious surfaces such as roofs and other hardscapes and may also be carried by stormwater and other urban runoff (e.g., overwatering) into waterways. These waterways—streams, rivers, and lakes—contain aquatic organisms that are potentially impacted by zinc. The hazardous character of zinc released by tire abrasion onto roadways appears to be demonstrated by the frequent exceedances of water quality standards established by U.S. EPA and the State Water Resources Control Board (State Water Board) for the protection of aquatic species. The exceedances occur in stormwater runoff at the point of discharge into waterways and also in the streams and rivers receiving these discharges. The State Water Board has listed waterways in California as impaired by zinc from various sources under the provisions of section 303(d) of the Clean Water Act (CWA)."²⁷

6.6 Effectiveness Assessment of Stormwater Control Measures [Attachment E – XVIII.A.2]: Provide the following:

- An assessment as to whether the quality of stormwater discharges as measured at designated outfalls is improving, staying the same or declining;
- An assessment as to whether wet-weather receiving water quality within the jurisdiction of the Permittee is improving, staying the same or declining, when normalized for variations in rainfall patterns.

See Section 6.3(b) of the Peninsula IMCR for an assessment of stormwater discharges as measured at designated outfalls and observed trends. As noted previously, 94% of the tributary area to the Lariat monitoring site within the Machado Lake Watershed is estimated to lie within the City of Rolling Hills and thus samples collected at this site are the most representative of stormwater discharges from the City. Nutrient monitoring data from this site indicates that the quality of stormwater discharges has been generally consistent, with higher nutrient loading occurring in years when there is higher rainfall such as the current reporting year. Concentrations of total suspended solids (TSS) observed at the Lariat site in wet weather samples have decreased significantly during the current reporting year over the 2016-17 and 2017-18 reporting years such that the running average TSS concentration no longer exceeds 20% as it did in prior years.

See Section 6.3(a) of the IMCR for an assessment of wet weather receiving water quality and any observed trends.

6.7 Integrated Monitoring Compliance Report, Stormwater Control Measures [Attachment E – XVIII.A.5.d]: Provide a description of efforts that were taken to address stormwater discharges that exceeded one or more applicable water quality based effluent limitation, or caused or contributed to aquatic toxicity:

A discussion of multi-year efforts taken to address water quality based effluent limitations established based on adopted TMDLs for stormwater discharges is discussed in Section 6.5 above.

6.8 Additional Information (optional): If available, the Permittee may include / attach the following items to their report:

²⁷ <https://calsafer.dtsc.ca.gov/workflows/productchemicalpetition/11589/>

- Hydrographs and Flow Data: Hydrographs or flow data of pre- and post-control activity for the 85th percentile, 24-hour rain event, if control measures were designed to reduce impervious cover or stormwater peak flow and flow duration.
- Reference Watershed Flow Duration Curves: For natural drainage systems, develop a reference watershed flow duration curve and compare it to a flow duration curve for the subwatershed under current conditions.
- GIS Project Files: If available, submit a GIS project file that maps all implementation of on-the-ground projects (e.g. riparian buffer/wetland restoration; distributed/green streets; regional projects; new development and redevelopment on-site; and new development and redevelopment off-site).

7. Non-Stormwater Control Measures Summary

Complete the following items in this section.

- 7.1 Provide a description of efforts that were taken to mitigate and/or eliminate all non-stormwater discharges that exceeded one or more applicable water quality based effluent limitations, non-stormwater action levels, or caused or contributed to Aquatic Toxicity [*Attachment E – XVIII.A.5.c*]:

To date the City has not identified any non-stormwater discharges that exceeded one or more WQBEL, non-stormwater action level or caused or contributed to Aquatic Toxicity. Although the Peninsula IMCR reported a failure of the toxicity test during the June 2019 dry weather receiving water monitoring event of the reporting year at receiving water monitoring station RW-1 located in Malaga Cove, Rolling Hills is not tributary to this site.

- 7.2 Provide the status of multi-year efforts, including TMDL implementation, related to the implementation or effectiveness assessment of non-stormwater control measures, that were not completed in the current year and will continue into the subsequent year(s) [*Attachment E – XVIII.A.3.h*]:

Results of the City's Non-stormwater Screening and Monitoring Program has demonstrated the effectiveness of non-stormwater control measures. Nevertheless, the City continues to implement its water efficient landscape ordinance which over time will further reduce the potential for non-stormwater discharges associated with irrigation runoff as more properties are redeveloped.

- 7.3 Provide an assessment of the effectiveness of the Permittee control measures in effectively prohibiting non-stormwater discharges through the MS4 to the receiving water [*Attachment E – XVIII.A.4.b*]:

MACHADO LAKE AND GREATER LA HARBOR WATERSHEDS

Compliance with the Machado Lake Nutrient TMDL is evaluated based on a monthly average of TN and TP results across all monitoring sites on the Peninsula, as presented in Section 6 Integrated Monitoring Compliance Report of the Peninsula Watershed Annual Report, which is submitted separately. A discussion of specific monitoring data to which Rolling Hills is tributary is provided here in order to assess the effectiveness of non-stormwater control measures within the City. Within the Machado Lake Subwatershed, there are six years of dry weather monitoring data.

The Peninsula Cities Watershed Management Group monitoring site which is most indicative of runoff from the City is the Lariat monitoring site. The tributary area to the Lariat site is comprised of 94% area from the City and 6% area from the City of Rolling Hills Estates. For the past eight years, there has been no measureable flow of non-stormwater at the Lariat monitoring site during monthly dry weather observations. This is evidence that existing non-stormwater control measures within the City are effective in controlling discharges to Machado Lake. Furthermore, of the five canyons screened by the City, only one tributary to the Greater Los Angeles Harbor had observed significant flow during the non-stormwater screening, and the results of source identification indicate that this flow is caused by a natural source(s). Furthermore, there was no evidence of the flow being discharged from the City as it was observed to be infiltrating into the natural drainage canyon within the boundaries of the City. Thus, the City's control measures for prohibiting non-stormwater discharges are effective.

SANTA MONICA BAY WATERSHED

Drainage from the portion of the City that drains toward the Santa Monica Bay is conveyed via natural soft bottom canyons (Klondike Canyon, Paint Brush Canyon, and several smaller unnamed canyons) across significant areas of open space for a distance of ½ mile to one (1) mile before reaching improved storm drains operated by other agencies that outlet into the Portuguese Bend area of the Palos Verdes Peninsula. The shoreline monitoring location in Portuguese Bend, also known as SMB 7-5, is an open beach site that is considered to be an anti-degradation location (i.e., it has historically exhibited a lower rate of exceedances than the reference monitoring location at Leo Carillo Beach [reference beach]). Given: (1) that the City's conveyances are through natural canyons, which allow for infiltration; (2) the City is a low-density community which incorporates LID by design; (3) there is a long distance through an undeveloped nature preserve between the City and the receiving water; (4) exceedances of REC-1 objectives are rare; and (5) SMB 7-5 at Portuguese Bend has maintained its historically high water quality and has been removed from the 303(d) list for indicator bacteria impairment; there is no evidence to suggest that discharges from the City have caused or contributed to the rare dry weather exceedances of the Santa Monica Bay Bacteria TMDL single sample recreational water quality standards.

7.4 Provide an assessment as to whether the quality of non-stormwater discharges as measured at monitored outfalls is improving, staying the same or declining:

See Peninsula IMCR Section 6.3(b) for discussion of trends in Machado Lake monthly outfall monitoring data which consists of both non-stormwater and stormwater discharges.

7.5 Provide an assessment as to whether receiving water quality within the jurisdiction of the Permittee is impaired, improving, staying the same or declining during dry-weather conditions. Each Permittee may compare water quality data from the reporting year to previous years with similar dry-weather flows, conduct trends analysis, draw from regional bioassessment studies, or use other means to develop and support its conclusions [Attachment E, Part XVIII.A.4.a]:

See Peninsula IMCR Section 6.3(a) for a complete discussion.

Of particular note, data from Santa Monica Bay Shoreline Receiving Water Monitoring at SMB 7-5 substantiates that the dry weather receiving water quality in Portuguese Bend (to which drainage from the City would be tributary if there were dry weather discharges) has no evidence of degradation. Exceedances of the recreational water quality standards for bacterial indicators during dry weather are rare at this site. Furthermore, this beach has now been removed from the 303(d) list for indicator bacteria.

7.6 Describe sources of significant non-stormwater discharges determined to be a NPDES permitted discharge, a discharge subject to A Record of Decision approved by USEPA pursuant to section 121 of CERCLA, a conditional exempt essential non-stormwater discharge, or entirely comprised of natural flows. [Attachment E – IX.F.2]

Persistent flow in one canyon tributary to the Greater Los Angeles Harbor, Purple Canyon, has been investigated and is attributed to natural flows consistent with this canyon's status as a tributary to George F Canyon, a known perennial stream.

8. TMDL Reporting

Complete the following items in this section.

8.1 Trash TMDL Compliance Report [VI.E.5.c.i]

For Permittees subject to Trash TMDLs, attach a Trash TMDL compliance report for each applicable Trash TMDL detailing compliance with applicable interim and/or final effluent limitations. Indicate if compliance is being achieved through (1) full capture systems; (2) partial capture devices and/or institutional controls; (3) combined compliance approaches; (4) minimum frequency of assessment and collection (MFAC); or (5) an alternative compliance option.

The City is complying with the Machado Lake Trash TMDL and the Santa Monica Bay Debris TMDL through institutional controls and an MFAC program as described in its approved Trash Monitoring and Reporting Plan (TMRP). Results from this ninth year of monitoring found essentially zero trash within the canyon study areas, equating to an undetectable discharge rate and 100% reduction of trash from its baseline WLA. See attached Machado Lake TMDL Monitoring and Reporting Plan Annual Report and Santa Monica Bay Nearshore and Offshore Debris TMDL Monitoring and Reporting Plan Annual Report.

Both the Santa Monica Bay Debris TMDL and the Machado Lake Trash TMDL were reconsidered by the Regional Board on March 14, 2019. The Regional Board staff report for the reconsideration of these TMDLs accurately stated that the City has met the 100% reduction of trash from baseline waste load allocations. Accordingly, based on advice from the then Section Chief of Regional Programs (now Assistant Executive Officer), the City submitted its Revised Trash Monitoring and Reporting Plan (TMRP) for Machado Lake Trash and Santa Monica Bay Debris TMDL on June 17, 2019. Along with the submittal of the revised TMRP, the City requested a reduction in monitoring frequency from twice per year to once every five years based on data demonstrating a cumulative annual trash discharge rate of zero for the past five years, now six years including the data from the this reporting year. The City is awaiting the Regional Board staff's response to this request.

8.2 TMDL Reporting [Attachment E, XIX]

Report on progress towards achieving interim or final milestones/WQBELs/RWLs based on applicable compliance schedules in Attachments L-R and any additional milestones and corresponding deadlines in an approved WMP/EWMP. If this information is reported in another document (e.g. Annual Report Watershed Form) or an attachment, clearly state and provide a reference to the pertinent document and section.

See Peninsula IMCR Section 6.5. for a complete discussion of progress toward TMDL milestones/WQBELs/RWLs within the Peninsula CIMP area. Those of particular relevance to Rolling Hills are discussed below.

SANTA MONICA BAY BEACHES BACTERIA TMDL (SMBBB TMDL)

As discussed in Section 3.3 above, during the reporting year there was one wet weather exceedance of the single sample recreational water quality standards at the receiving water monitoring station most representative of runoff from the City to Santa Monica Bay, site SMB 7-5 in Portuguese Bend. The wet weather exceedance day was within the final number allowable at that site as shown in Table 16 of the Peninsula IMCR. Furthermore, during the reporting year there were no exceedances of the rolling 30-day geometric mean at SMB 7-5 for any of the indicator bacteria species. This was a relatively wet reporting year in terms of the number of wet days (69 days), though not as wet as the 90th percentile wet year (75 wet days). Although the final RWLs for the SMBBB TMDL are not yet in

effect, the SMB 7-5 site is an antidegradation site with historically and continuing high water quality, thus it is expected that the final RWLs will be met by the final TMDL deadline of July 15, 2021.

SANTA MONICA BAY DEBRIS TMDL

As discussed in Section 8.1 above, the City has attained the final WLAs for this TMDL.

SANTA MONICA BAY DDT AND PCBS TMDL

This is a USEPA established TMDL and therefore no schedule is in effect. However, WLAs for this TMDL are to be determined based on a three-year averaging period. This reporting year captured the third event needed to calculate the three-year averages and compare against the WLAs. As shown in Table 8 of the Peninsula IMCR, the results indicate that the group is meeting the WLAs.

MACHADO LAKE TRASH TMDL

As discussed in Section 8.1 above, the City has attained the final WLAs for this TMDL.

MACHADO LAKE NUTRIENT TMDL

Since August 2011, the Peninsula agencies have been monitoring four outfalls tributary to Machado Lake for Total Nitrogen (TN) and Total Phosphorous (TP). Attainment of the final objectives expressed as flow-weighted average concentrations of Total Phosphorous and Total Nitrogen during wet months presents significant challenges for the Peninsula agencies, and especially for Rolling Hills which has no public rights-of-way and no opportunities for construction of regional projects within its jurisdiction. Documented geologic and geotechnical constraints in many areas of the Palos Verdes Peninsula (including Rolling Hills) do not allow for infiltration-based stormwater control measures. Additionally, biofiltration systems do not reliably attain the 0.1 mg/L TP and 1.0 mg/L TN objectives of this TMDL. The City has participated in the pursuit of external regional projects such as participation in the Torrance Airport Regional Project's preliminary design work.

MACHADO LAKE PESTICIDES AND PCBS TMDL

As discussed in the Peninsula IMCR, Pesticides and PCBs results for the Lariat site shows that sediment concentrations for DDT, DDD and PCBs are below the final WLAs based on a three-year average, while chlordane, DDE and therefore also Total DDx currently exceed the final WLA. This suggests a phasing out of Total DDx from the environment, though additional monitoring is needed to confirm this. Additionally, concentrations of total suspended solids (TSS) observed at the Lariat site in wet weather samples have decreased significantly during the current reporting year over the 2016-17 and 2017-18 reporting years such that the running average TSS concentration no longer exceeds 20% as it did in prior years. Since Pesticides and PCBs are sediment-borne pollutants and the TMDL WLAs are expressed as such, the efforts on the City's part to limit sediment discharges from construction sites as described in the MAL Action Plan submitted with its 2016-17 Individual Annual Report appear to be yielding positive results suggesting a decrease in loading of sediment-borne pollutants to Machado Lake. It should be noted that the final WLAs for Machado Lake Pesticides and PCBs TMDL were not in effect during the reporting year.

GREATER LOS ANGELES HARBOR WATERS TOXIC POLLUTANTS TMDL

The Dominguez Channel and Greater Los Angeles and Long Beach Harbor Waters Toxic Pollutants TMDL (Harbor Toxics TMDL) contains interim and final WQBELs, with a final deadline of March 23, 2032. As part of the Coordinated Compliance Monitoring and Reporting Plan, the program including sampling for both water quality and sediment quality at 22 different monitoring locations, as well as fish tissue sampling at four different locations. The City is participating in and contributing financially to this multi-year reporting plan. The members of the Greater Harbor Waters Regional Monitoring Coalition continue to comply with the Harbor Toxics TMDL by conducting all required TMDL monitoring and reporting as stated in the Basin Plan Amendment. Attainment of interim sediment allocations for the Dominguez Channel Estuary and Greater Los Angeles and Long Beach Harbor Waters is being evaluated in accordance with the State of California's Sediment Quality Objective, Part 1 and is being reported as required in the annual monitoring reports submitted by the City of Long Beach on behalf of all the participants.

The City has also prepared and submitted an Implementation Plan for Machado Lake Pesticides & PCBs, Greater Los Angeles Harbor Waters Toxic Pollutants, and Santa Monica Bay DDT & PCBs Total Maximum Daily Loads, to satisfy the implementation planning requirements for both the Machado Lake Pesticides & PCB and the Dominguez Channel and Greater Los Angeles and Long Beach Harbor Waters Toxic Pollutants TMDLs established by the Regional Board, and also to support attainment of water quality objectives for the Santa Monica Bay DDT and PCBs TMDL issued by U. S. EPA.

9. WMP/EWMP Schedules and Implementation (If Applicable)

If you are participating in a WMP or EWMP and are reporting on your Adaptive Management Process for this reporting year, complete the following items in this section.

If the requested information will be included in a Watershed Form to be submitted, you may reference the Watershed Form and skip the corresponding item.

9.1 (If applicable) Provide comparison of control measures completed to date with control measures projected to be completed to date in the Permittee's jurisdictional area. List control measures projected to be completed within the next two years and the projected completion dates, as well as the status of implementation and funding. This also includes additional "enhanced" MCMs, institutional controls, and nonstructural BMPs that are not part of the permit's minimum control measures. [*Watershed Management Program Adaptive Management Process (VI.C.8.a)*]:

Table 9a: WMP/EWMP Schedules				
Control Measure	Projected Completion Date	Actual Completion Date	Status of Implementation	Status of Funding
NA	NA	NA	NA	NA

9.2 (If applicable) Describe any modifications, including where appropriate new compliance deadlines and interim milestones, with the exception of those compliance deadlines established in a TMDL, necessary to improve the effectiveness of the WMP/EWMP:

Not Applicable. City is not participating in a WMP or EWMP.

10. Watershed Hydrology**Complete the following items in this section.****If the information on watershed hydrology requested in the following section is included in a Watershed Form or was previously included in a WMP or EWMP, you may simply reference those documents.**

10.1 (If Applicable) Watershed Summary Information, Organization, and Content: Provide the information below in the odd year Annual Report (e.g., Year 1, 3, 5)²⁸, or any updates to the information below if previously provided. The requested information shall be provided for each watershed within the Permittee's jurisdiction [Attachment E – XVII]:

Provide the following information related to the Watershed Management Area:

- 1) Description of effective TMDLs, applicable WQBELs, receiving water limitations, implementation and reporting requirements, and compliance dates;
- 2) List of CWA Section 303(d) listings not addressed by TMDLs.
- 3) Results of regional bioassessment monitoring. (If applicable, a reference to the SMC will suffice here.)
- 4) Description of known hydromodification effects to receiving waters.
- 5) Description and location of natural drainage systems.
- 6) Description of groundwater recharge areas, including number and acres.
- 7) Maps and/or aerial photographs identifying ESAs, ASBS, natural drainage systems, and groundwater recharge areas.

1) TMDLs that have been developed and for which the City is identified as a responsible agency are listed in Table 10a below.

2) 303(d) listings not addressed by TMDLs are coliform bacteria in the Wilmington Drain which is a tributary of Machado Lake, and new listings for arsenic and mercury in Santa Monica Bay.

3) The City is not aware of any bioassessment monitoring that has been conducted within the City. Please see results of Regional Watershed Monitoring Program (Bioassessment Program) being managed by the Southern California Stormwater Monitoring Coalition (SMC).

4) The City is not aware of known hydromodification effects to receiving waters within its jurisdiction.

5) Natural drainage systems within the City as identified in the NSW Screening & Monitoring Program include: Agua Magna Canyon, Johns Canyon, Sepulveda Canyon, Blackwater Canyon, Upper Bent Spring Canyon in the Machado Lake Watershed; Swaffield Canyon, Purple Canyon and George F Canyon in the Greater LA Harbor Watershed; Paintbrush Canyon, Klondike Canyon, and one unnamed canyon in the Santa Monica Bay Watershed.

6) The City is not aware of any mapped areas of groundwater recharge within its boundaries. There is one groundwater recharge area that is outside the City but to which a portion of the Machado Lake Watershed area of the City is tributary, it is located on the site of the former Chandler Quarry, a Regional EWMP BMP that is within the neighboring City of Rolling Hills Estates.

7) A map of the City showing Significant Ecological Areas and natural drainage systems was previously provided and has not changed.

²⁸ Year 1 = 2012-13 Annual Report; Year 2 = 13-14; Year 3 = 14-15; Year 4 = 15-16; Year 5 = 16-17;...

Table 10a: Effective TMDLs Applicable to the City of Rolling Hills			
TMDL	Regional Board Resolution Number	Effective Date and/or Environmental Protection Agency (EPA) Approval Date	Final Compliance Date
Santa Monica Bay Beaches Wet Weather Bacteria TMDL – Jurisdictional Group 7	2002-022 Amended by R12-007	July 15, 2003 R12-007 effective July 2, 2014	July 15, 2021
Santa Monica Bay Beaches Dry Weather Bacteria TMDL – Jurisdictional Group 7	2002-004 Amended by R12-007	July 15, 2003 R12-007 effective July 2, 2014	Summer Dry: July 15, 2006 Winter Dry: Nov 1, 2009
Santa Monica Bay Nearshore and Offshore Debris TMDL	R10-010	March 20, 2012	March 20, 2020
Machado Lake Trash TMDL	2007-006	March 6, 2008	March 6, 2016
Machado Lake Nutrient TMDL	2008-006	March 11, 2009	September 11, 2018
Machado Lake Pesticides and PCBs (Toxics) TMDL	R10-008	March 20, 2012	September 30, 2019
Dominguez Channel and Greater Los Angeles and Long Beach Harbor Waters Toxic Pollutants TMDL	R11-008	March 23, 2012	March 23, 2032
Santa Monica Bay TMDL for DDTs and PCBs	EPA Established	March 26, 2012	No Implementation Schedule ¹

¹ This TMDL was established by the USEPA and therefore has no associated implementation schedule.

Provide the following information related to the Subwatershed (HUC-12):

- 1) Description including HUC-12 number, name and a list of all tributaries named in the Basin Plan.
 - 2) Land Use map of the HUC-12 subwatershed.
 - 3) 85th percentile, 24-hour rainfall isohyetal map for the subwatershed.
 - 4) One-year, one-hour storm intensity isohyetal map for the subwatershed.
 - 5) MS4 map for the subwatershed, including major MS4 outfalls and all low flow diversions.
- 1) The City is located on the drainage divide between two HUC 12 watershed boundaries on the Palos Verdes Peninsula: the Santa Monica Bay and Dominguez Channel (which includes the Machado Lake and Greater Los Angeles Harbor subwatersheds) such that portions of the City drain to each watershed as shown in Figure 1 in the Peninsula Watershed Annual Report, Section 6 IMCR. Table 10b below provides the list of tributaries named in the Basin Plan to which portions of the City are tributary along with the Hydrologic Unit Code (HUC 12) number and name for those tributaries.
 - 2) The City is a small (3 square miles), private, entirely single family residential community with fewer than 2,000 residents. A map of the Peninsula showing land use and the watershed divide is included in Figure 1 in the Peninsula Watershed Annual Report, Section 6 IMCR — the City of Rolling Hills' boundary is included on that map. A more detailed land use map of the City of Rolling Hills is provided as Figure LU-2 (attached).
 - 3) The City relies on the County of Los Angeles Hydrology Map, which contains the 24-hour 85th percentile isohyetal map throughout the County and can be found at: <http://www.ladpw.org/wrd/hydrologygis/>
 - 4) The City relies on the NOAA Atlas 14 Point Precipitation Frequency Estimates for California map and can be found at: https://hdsc.nws.noaa.gov/hdsc/pfds/pfds_map_cont.html?bkmrk=ca
 - 5) The City does not own or operate any portion of the MS4. A map of the major MS4 outfalls in the Peninsula CIMP WMG was included as Figure 2 of the Peninsula CIMP—none of the major MS4 outfalls are located in the City of Rolling Hills.

Table 10b: HUC 12 Tributaries ²⁹ for Rolling Hills		
Waterbody	Hydrologic Unit Code	Tributary of
Los Angeles County Coastal Streams		
Altamira Canyon	180701040500	Santa Monica Bay
Klondike Canyon	180701040500	Santa Monica Bay
Portuguese Canyon	180701040500	Santa Monica Bay
Dominguez Channel Watershed		
Agua Magna Canyon	180701060701	Wilmington Drain
Bent Spring Canyon	180701060701	Machado Lake
George F Canyon	180701060701	Los Angeles Harbor
Sepulveda Canyon	180701060701	Agua Magna Canyon

Provide the following information related to the Permittee(s) Drainage Area(s) within the Subwatershed:

- 1) A subwatershed map depicting the Permittee(s) jurisdictional area and the MS4, including major outfalls (with identification numbers), and low flow diversions (with identifying names or numbers) located, within the Permittee's jurisdiction.
- 2) Provide the estimated baseline percent of effective impervious area (EIA) within the Permittee(s) jurisdictional area as existed at the time that this Order became effective and, if possible, the estimated change in the stormwater runoff volume during the 85th percentile, 24-hour storm event.

- 1) The City does not own or operate any portion of the MS4. A map of the major MS4 outfalls in the Peninsula CIMP WMG was included as Figure 2 of the Peninsula CIMP—none of the major MS4 outfalls are located in the City of Rolling Hills.
- 2) The City is an entirely residential semi-rural community of single-family, one-story homes located within three square miles. Minimum lot size is 1 acre; the average lot size is 2.7 acres. There is no public infrastructure and no City-owned or maintained storm drains, roads, sewers, sidewalks or curb-and-gutter, though there are some limited and discontinuous MS4 structural improvements owned/operated by the Los Angeles County Flood Control District (LACFCD). Accordingly, few parcels are connected directly to an improved MS4 and most drainage is conveyed via primarily natural drainage courses (with some structural improvements to manage energy dissipation and protect slopes). There are no readily available historical records from which to estimate baseline effective impervious

²⁹ Waterbodies and Hydrologic Unit Codes as identified in the Water Quality Control Plan - Los Angeles Region (Basin Plan), Appendix 1, Table 1: Inventory of Major Surface Waters and Waters to which they are Tributary. Note that HUC 12 numbers in Basin Plan appear to be different than those shown on the 2012 LA MS4 Permit Attachment B Watershed Area Maps.

area. The estimation of stormwater runoff volume during the 85th percentile/24-hour storm for the City as a whole by watershed is even more challenging, especially since the depth of the 85th percentile/24-hour storm varies significantly from one part of the City to another.

- 10.2 **Rainfall Summary:** Provide a rainfall summary for the reporting year including: (1) A summary of the number of storm events; (2) The highest volume event (inches/24 hours); (3) The highest number of consecutive days with measureable rainfall; and (4) The total rainfall during the reporting year compared to average annual rainfall for the subwatershed [*Attachment E – XVIII.A.2*]:

See IMCR Section 6.1(a) Tables 1 and 2.

- 10.3 **SW Monitoring Event Summary:** Provide a summary table describing rainfall during stormwater outfall and wet-weather receiving water monitoring events. The summary description shall include the date, time that the storm commenced and the storm duration in hours, the highest 15-minute recorded storm intensity (converted to inches/hour), the total storm volume (inches), and the time between the storm event sampled and the end of the previous storm event.

Table 10a: Summary of Stormwater Outfall and Wet Weather Receiving Water Monitoring Events						
Event	Date	Storm Start Time	Storm Duration [hours]	Highest Storm Intensity - 15min [in/hr]	Total Storm Volume [inches]	Span Between Sample Event and Previous Storm Event [hours]
Event 1						
Event 2						

See IMCR Table 4.

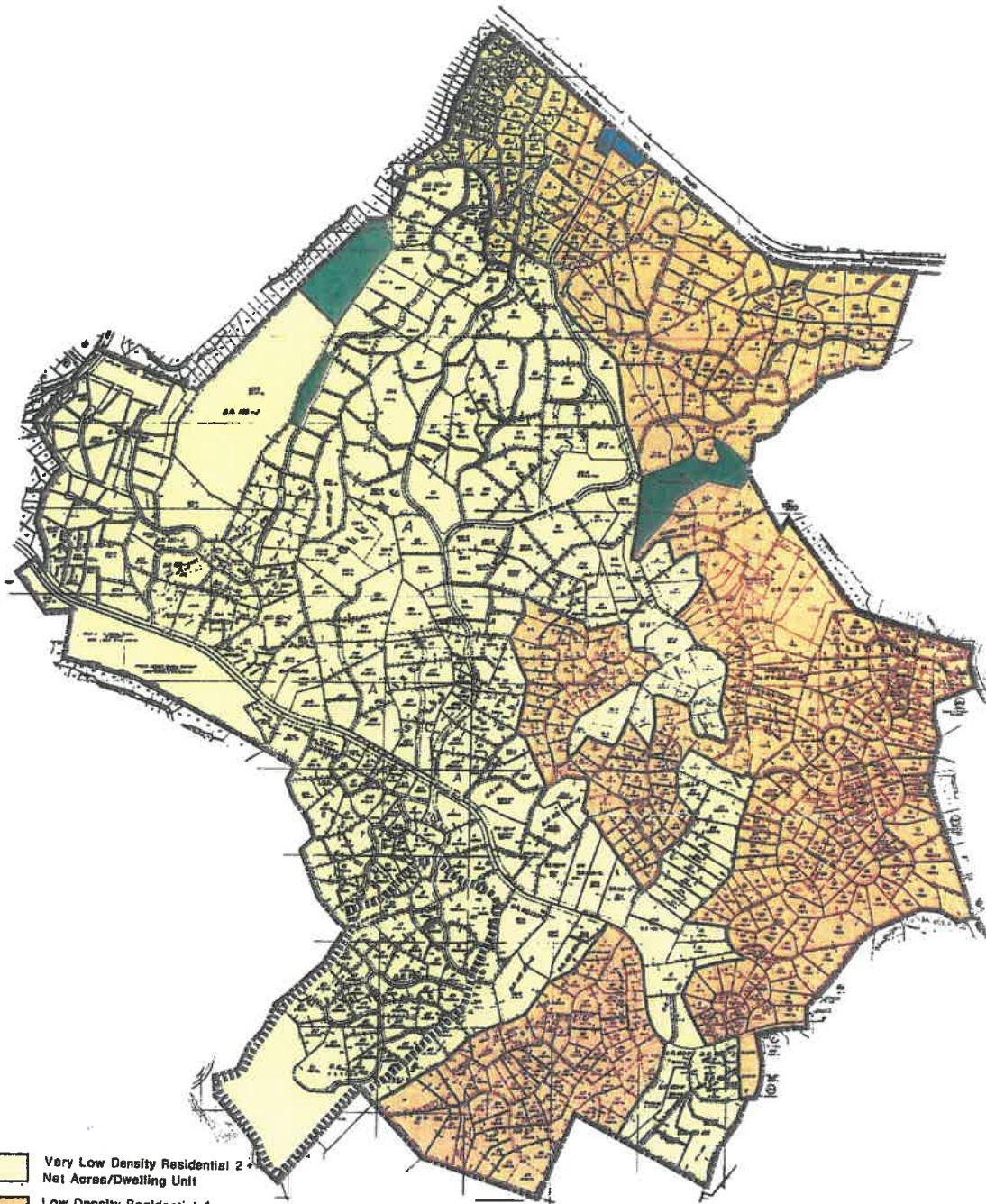
11. Additional Information (Optional)

Provide any additional information in this section.

You may use this section to report any additional information not specified in the Individual Permittee Report Form; information in the Individual Form that is better presented outside of the report form structure; and/or data limitations that prevented requested information from being obtained.

You may also provide an additional detailed summary table describing control measures that are not otherwise described in the reporting requirements.

The Peninsula CIMP group will add new 303(d) listings for arsenic and mercury to the Peninsula CIMP monitoring at receiving water stations (RW-1 and RW-2) and stormwater outfalls (SD-1 and SD-2) in the Santa Monica Bay Watershed.



- Very Low Density Residential 2
Net Acres/Dwelling Unit
 - Low Density Residential 1
Net Acres/Dwelling Unit
 - Civic Center
 - Publicly Owned Open Space
 - Landslide Hazard Overlay
- ↑ North
 1200
 scale in feet



Figure LU-2
Land Use Policy Map



Rolling Hills

Machado Lake Trash Total Maximum Daily Load
Monitoring and Reporting Plan Annual Report

December 15, 2019



Prepared By:



Rolling Hills

Machado Lake Trash Total Maximum Daily Load (TMDL) Monitoring and Reporting Plan Annual Report

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Rolling Hills

Machado Lake Trash Total Maximum Daily Load (TMDL) Monitoring and Reporting Plan Annual Report

Executive Summary

This report summarizes results from the Trash Discharge Rate studies of the Trash Monitoring and Reporting Plan (TMRP) conducted in the City of Rolling Hills (City) in accordance with the Machado Lake Trash Total Maximum Daily Load (TMDL). The results of this report represent data collected during three monitoring events conducted throughout the year as approved by the Regional Water Quality Control Board (Regional Board) Executive Officer¹. Results from this ninth year of monitoring found essentially zero trash within the canyon study areas, equating to an undetectable discharge rate.

The TMDL requires an annual 20% reduction of trash discharge from prescribed baseline waste load allocations (WLAs) beginning four years from the effective date of the TMDL. The final waste load allocation of zero trash discharge from the City shall be met eight years after the effective date. This TMDL became effective March 6, 2008. The objective of the TMRP is to determine the annual trash generation and discharge rates for the City of Rolling Hills and to quantify the effectiveness of its current Best Management Practices (BMP) program. This report demonstrates that the City's current BMPs effectively achieve the functional equivalent of zero trash discharge. After calculating the trash generation and discharge rates from the data collected over the course of this study and past studies, it was concluded that the City's BMP program effectively achieves a 100% reduction of trash from its baseline WLA. Compliance is achieved through institutional and source controls based on the City's strict enforcement of litter laws and the City's ability to encourage the Rolling Hills Community Association (RHCA) to maintain its trails and roads since the City does not have any public rights-of-way or control of the roads and trails².

Based on the outcome of past studies and this additional year of study, the City has been able to demonstrate that it has achieved the final WLA required by the TMDL. Based on its demonstration of compliance with the final WLA, the City requested relief from the trash TMDL monitoring requirements in its 2011 Annual Report to the Regional Board. The Regional Board responded, requiring additional monitoring on a reduced schedule of "twice per year and immediately following the first major storm event of the year" to demonstrate continued compliance with the TMDL¹. The monitoring data presented in this ninth annual monitoring report represent calendar year 2018, and demonstrate continued compliance with the final WLA of zero trash discharge from the City based on data collected from the seven drainage canyons following the reduced schedule approved by the Regional Board.

Background

The TMDL identifies point and non-point sources of trash in the Machado Lake subwatershed, which is located in the Dominguez Channel and LA Harbor Watersheds and establishes a schedule for compliance with assigned load and waste load allocations respectively. The City of Rolling Hills is a community with no public infrastructure or rights-of way. The City is an entirely low-density single-family residential community

¹ Letter dated March 5, 2012 from Samuel Unger, Executive Officer, Los Angeles Regional Water Quality Control Board to Anton Dahlerbruch, City Manager of Rolling Hills.

² Roads in the City are roadway easements deeded by property owners to the RHCA for resident and visitor access. The trails are similarly deeded to the RHCA. Both are maintained by the Association. The City maintains a contract with the RHCA whereby the City can request crew to conduct a survey and trash collection event after a major storm or wind event.

consisting of large parcels with estate-size one-story ranch style homes (minimum one-acre lots). There are 685 single family residences in the City, with a total population of 1,906. There are no City-owned or maintained storm drains, roads, sewers, or sidewalks. The roadways are private, deeded to the Rolling Hills Community Association (RHCA), which maintains the roadways and approximately 30 miles of dedicated trails. Entry and exit to the City is gated and restricted to residents and guests only. The City of Rolling Hills prohibits littering through its nuisance ordinance. The RHCA building regulations also require trash enclosures at each residence. There are no industrial or commercial land uses within the City.

Approximately 43% of the City lies within the Machado Lake watershed with the remaining portion distributed between the Santa Monica Bay and Greater Los Angeles Harbor watersheds. There are short sections of storm drains in the City which are owned by the Los Angeles County Flood Control District. These storm drains primarily consist of culverts crossing under private roads that convey storm water into densely vegetated natural canyons which are located on private property and essentially act as natural filters for stormwater runoff. The City is a gated community so there are no public access points to creeks, channels, or other water bodies within the City. There are no City-owned drainage outlets. Stormwater carried through the natural drainage system typically exits the City and then enters culverts that are owned by other municipalities, such as the County of Los Angeles. A drainage map of the City is included in Appendix A.

Because the City of Rolling Hills does not have a storm drain system that is amenable to the installation of full capture devices, it has implemented a Trash Monitoring and Reporting Plan (TMRP) which includes a Minimum Frequency of Assessment and Collection Program (MFAC) in conjunction with Best Management Practices (BMPs) in order to achieve compliance with the Machado Lake Trash TMDL.

Rolling Hills initiated the trash monitoring in July 2009 by conducting semi-annual trash collections on residential road/equestrian trails (during the rainy season and dry season) in order to calculate the Annual Trash Generation Rate as specified in the approved TMRP. The Annual Trash Generation Rate used in this report is the average of two previous years' monitoring data (July 2009-July 2011). This data along with the calculation of the trash generation rate is included in Appendix B. In addition to the streets and trails monitoring, seven sub-drainage canyons tributary to Machado Lake were monitored on a quarterly basis and after an inclement weather event using an MFAC program to determine the Annual Trash Discharge Rate. Monitoring at canyon locations was implemented on a quarterly basis for two and a half years. The frequency was then reduced to twice a year and immediately following the first major storm event of the year, as approved by the Regional Board.

Baseline Waste Load Allocation

The Machado Lake Trash TMDL requires all responsible parties to reduce their Baseline WLAs by 20% per year beginning four years from the effective date of the TMDL until zero trash discharge is achieved. The TMDL establishes an eight-year schedule for the complete elimination of trash discharges from point sources in the Machado Lake watershed. The Regional Board staff report for the TMDL proposed a Baseline WLA of 5,334 gallons of uncompressed trash per square mile per year based on data collected by the County of Los Angeles during the 2002-03 and 2003-04 storm years for the Los Angeles River and Ballona Creek watersheds. The Regional Board staff report assigned the City a baseline WLA of 3,001.9 gallons of dry uncompressed trash based on a drainage area of 0.56 square miles; however, additional GIS work performed by City and County of Los Angeles staffs during the development of the joint TMRP resulted in increasing the City of Rolling Hills' drainage area within the watershed. The correct area was confirmed by Geosyntec Consultants based on a contour map delineation of a 1.3 square mile drainage area within the Machado Lake subwatershed. This area consists solely of low-density residential land uses, therefore a more accurate revised baseline WLA will be the product of the trash generation rate of 5,334 gallons per

square mile per year described in the TMDL and the 1.3 square mile area draining to Machado Lake. This product equates to 6,934.2 gallons of dry uncompressed trash. A summary of the TMDL schedule, compliance dates, required reductions and current levels based on this revised baseline WLA are presented in Figure 1.

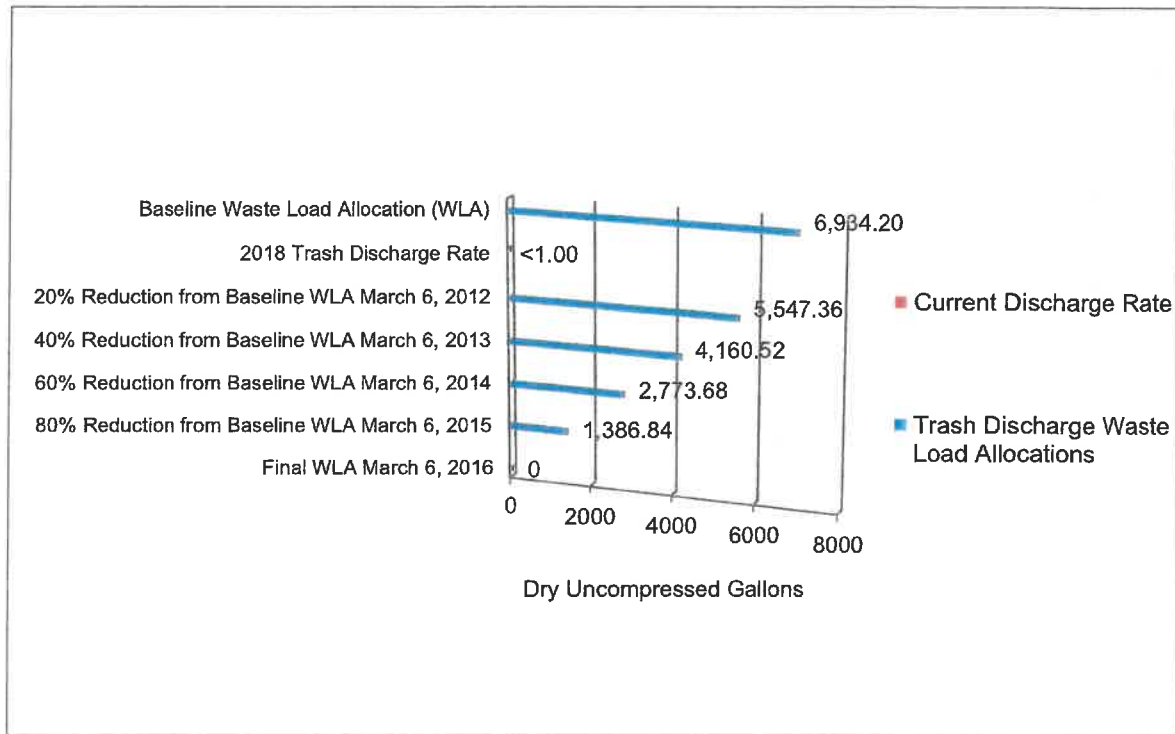


FIGURE 1. IMPLEMENTATION SCHEDULE FOR REVISED BASELINE WASTELOAD ALLOCATION

Trash Discharge Rates

Since July 2009 the City of Rolling Hills has implemented a TMRP including an MFAC program and calculated a modified Daily Generation Rate (DGR) to determine its annual trash discharge and generation rates respectively. These rates were then used to determine the effectiveness of the City's current BMP program and to demonstrate compliance with the TMDL WLAs.

Generation Rate Methodology

The previous monitoring reports explain the details of the Generation Rate Methodology. Trash generation rate data from previous annual reports was averaged, and this average was used to determine the City-specific "Annual Trash Generation Rate" used in this report (see data in appendix B).



FIGURE 2. UNNAMED CANYON #2 ON OCTOBER 18, 2018

Discharge Rate Methodology

The annual trash discharge rate from the City of Rolling Hills was determined through an MFAC program conducted at the mouth of all seven sub-drainage canyons tributary to Machado Lake. At each of these canyons, a 6-foot section was measured and recorded using GPS and trail marking tape beginning at the furthest downstream section of each canyon. These same sections of canyons were monitored during each subsequent collection event for consistency³. Since these natural, soft bottom canyons receive 100% of the runoff from the portion of the city draining to Machado Lake, they fully characterize the discharge from the City. Due to steep terrain and the presence of dense vegetation, RHCA staff does not conduct trash pickups in these canyons. Therefore, the trash collected under this TMRP during each collection event was assumed to accurately characterize all the accumulation since the last collection event. Canyon collection events were conducted biannually and following the first major storm event of the year as directed by the Regional Board. The annual trash discharge rate was calculated as the sum of the trash collected during these events scaled to obtain an annual discharge rate. All collected data including the calculation of the trash discharge rate is included in Appendix C.

Field Collection and Quantification:

During this year's monitoring events, an aluminum can and a metal square were observed on the October 04, 2018 Wet Season event at Unnamed Canyon #1. No trash was observed at other canyons or during other monitoring events. The methodology outlined below was followed for trash collection and quantification during monitoring events.

Trash was collected manually based on the Surface Water Ambient Monitoring Program (SWAMP) Rapid Trash Assessment Method (RTAM)⁴ protocol. The collected trash was then taken back to the RHCA maintenance area where it was sorted and measured using the following procedures:

1. Standard safety precautions outlined in the Health and Safety Plan included as an amendment to the TMRP were always followed during the trash monitoring and collection operations.
2. All collected trash and debris were disposed of properly in accordance with all applicable laws and regulations.
3. Non-anthropogenic debris and vegetative matter was separated from the trash and disposed of appropriately.
4. The collected trash was sorted manually, only pieces larger than ¼ inch were counted.
5. A digital scale was used to weigh the trash and a 5-gallon bucket was used to estimate its volume in dry uncompressed gallons. All figures were rounded to the nearest half gallon.
6. Each full bucket of anthropogenic trash was weighed and sorted in order to characterize the contents by type of constituent (plastic, paper, glass, metal, and other).

Characterization

For the purposes of the Machado Lake Trash TMDL, trash was defined as man-made litter and was tallied using the following criteria:

- Litter consisted of all improperly discarded waste material as defined in the TMDLs
- Any piece of trash equal to or greater than ¼ inch was collected and tallied
- Vegetative debris was not considered trash

³ Details on monitoring locations can be found in the approved City of Rolling Hills Trash Monitoring and Reporting Plan which is included as an addendum in the Trash Monitoring and Reporting Plan prepared by the Machado Lake Trash TMDL Jurisdictional Group and received by the Regional Board on September 5, 2008

⁴ The modified SWAMP RTAM protocol is outlined in the approved City of Rolling Hills Trash Monitoring and Reporting Plan which is included as an addendum in the Trash Monitoring and Reporting Plan prepared by the Machado Lake Trash TMDL Jurisdictional Group and received by the Regional Board on September 5, 2008.

The characterization of trash was done by separating it according to constituent. Examples of the different types of constituents collected throughout the past years are described below.

- Plastic: bags, bottles, jugs, Styrofoam, straws, food wrappers
- Paper: bags, newspaper, scraps, wrappers
- Glass: bottles, scraps, broken windows
- Metal: aluminum foil, aluminum and steel cans, bottle caps, auto parts, wires
- Other: Baseballs, tennis balls, golf balls, fabric clothing items

Results

Discharge Rate

The cumulative volume of trash collected from the outlet of the drainage canyons was <1 gallon of dry uncompressed anthropogenic trash during the three collection events. It should be noted that these monitoring locations are situated at the bottom of natural drainage canyons which are intersected by a major roadway just outside the City boundary. As previously noted in past reports, there was a minimal amount of trash accumulation observed along the road just outside the study area and City boundaries. Therefore, it is important to point out that this year and the past years' very low discharge rates are most likely an overestimate due to the likelihood of trash from the road outside the City boundary entering the study area via wind transport. Appendix C displays the collection data along with the calculation methodology for the trash discharge rate.

The effectiveness of the current BMP program in place in the City is demonstrated through the following equation proposed in the approved City of Rolling Hills Trash Monitoring and Reporting Plan, which is included as an addendum in the Trash Monitoring and Reporting Plan prepared by the Machado Lake Trash TMDL Jurisdictional Group received by the Regional Board on September 5, 2008:

$$\begin{aligned}
 G_a &= 2,860 \text{ gal/year} && \text{Annual Trash Generation Rate} \\
 D_a &= <1.0 \text{ gal/year} && \text{Annual Trash Discharge Rate} \\
 \text{Percent Reduction of Trash in City} &= \frac{[G_a - D_a / G_a] * 100}{[2,860 - 1.0 / 2,860] * 100} \\
 \text{Final Percent Reduction of Trash in City} &= 99.97\% \approx 100\%*
 \end{aligned}$$

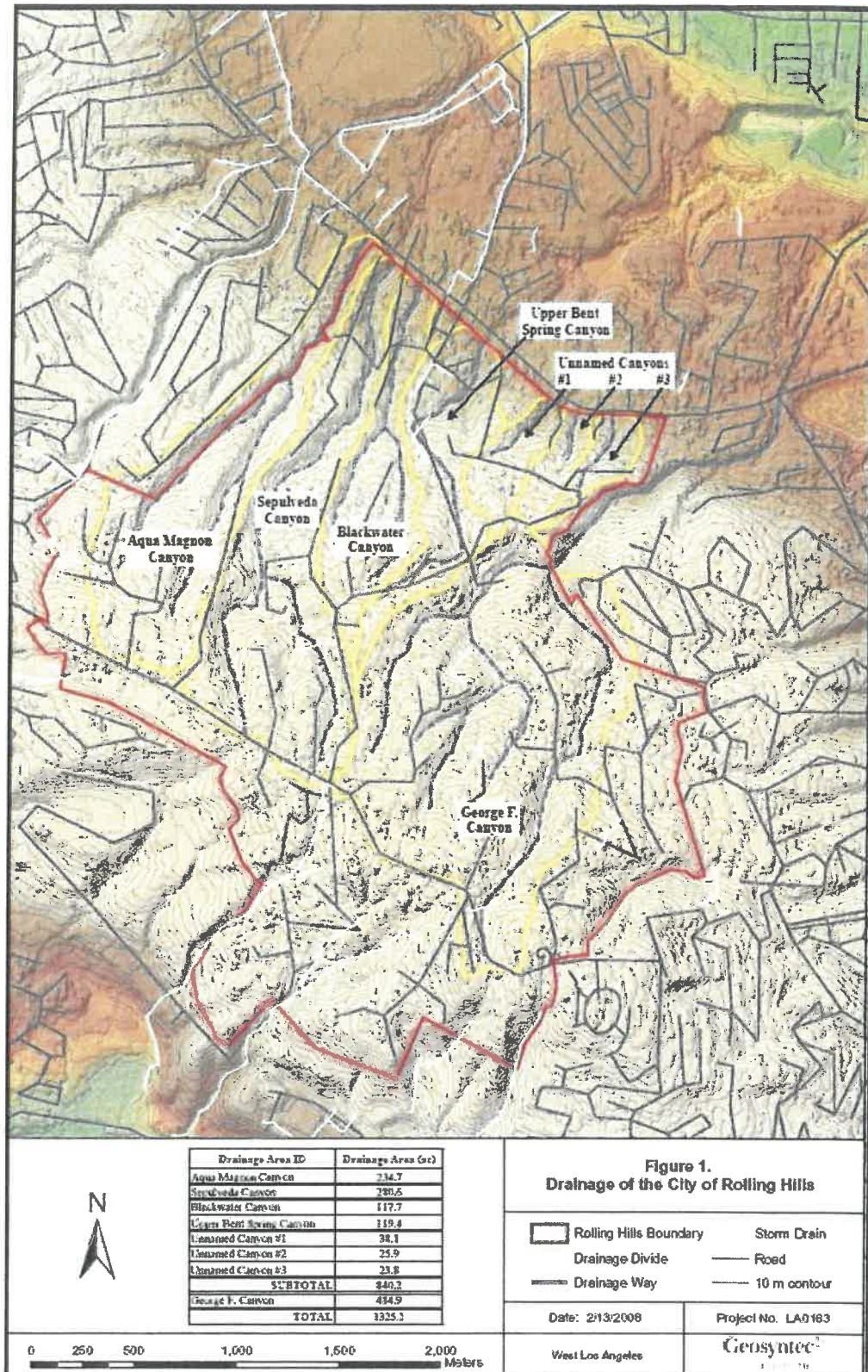
*Figure rounded to the nearest hundredth of a percent

Conclusion

The results obtained during this study indicate an effective implementation of existing institutional and source controls such as weekly collection of trash (with additional pickup as needed) along roads and equestrian trails by the RHCA maintenance crew, strict enforcement of litter laws, enforcement of ordinances requiring solid waste enclosures, and close oversight of the solid waste hauler.

Discharge rates at the canyon outlets were essentially undetectable, which is consistent with previous years' data. The densely vegetated natural canyons effectively function as full capture filters for trash generated within the City. The collected data demonstrates that the City is effectively reducing its generated trash by 100% through its current BMP program. In addition, when compared to the baseline WLA of 6,934.2 gallons per year, the City is meeting the waste load allocation of zero trash discharge to Machado Lake. Based on the outcome of this additional year of study, the City is able to demonstrate achievement of the final waste load allocation, and continued compliance with the Machado Lake Trash TMDL.

Appendix A
Drainage Map of City of Rolling Hills



Appendix B
Calculation of Trash Generation Rate

TABLE 1. CALCULATIONS OF ANNUAL TRASH GENERATION RATE⁵

Date of WGR Sampling	Land Use Sampled	Trash Collected from Representative Area in Gallons (T_c)*	Miles Surveyed (M)	Total Miles Draining to Machado Lake (M_t)	Total Trash Generated Weekly within Representative Area in gallons (T_g)	Weekly Trash Generation Rates per Collection Event (T_w)
7/15/2009	Street	1.5	1	11	$[T_c * M * M_t] = 16.5$	21.5
7/15/2009	Equestrian Trail	0.5	1	10	$[T_c * M * M_t] = 5$	
1/13/2010	Street	5	1	11	$[T_c * M * M_t] = 55$	65
1/13/2010	Equestrian Trail	1	1	10	$[T_c * M * M_t] = 10$	
7/15/2010	Street	7.5	1	11	$[T_c * M * M_t] = 82.5$	82.5
7/15/2010	Equestrian Trail	0	1	10	$T_c * M * M_t * D = 0$	
1/20/2011	Street	5	1	11	$[T_c * M * M_t] = 55$	65
1/20/2011	Equestrian Trail	1	1	10	$[T_c * M * M_t] = 10$	
7/20/2011	Street	3	1	11	$[T_c * M * M_t] = 36$	41
7/20/2011	Equestrian Trail	0.5	1	10	$[T_c * M * M_t] = 5$	

Average Weekly Trash Generation Rate (G_w)

$$[T_1^w + T_2^w + T_3^w + T_4^w + T_5^w] / 5 = 55$$

Annual Trash Generation Rate (G_a)

$$[G_w * 52] = 2,860 \text{ Gal/year dry uncompressed trash}$$

* All Figures have been rounded to the nearest half gallon of dry uncompressed trash.

⁵ 2010 and 2011 figures included for reference.

Appendix C

Calculation of Trash Discharge Rate

TABLE 2. CALCULATIONS OF ANNUAL TRASH DISCHARGE RATE

	Area Draining to this location	8/28/18 (Dry Season)	10/04/18 (Wet Season)	10/18/2018 (After Rain Event)	Total Discharge Collected
#1 Sepulveda Canyon	0.4 sq miles	0	0	0	0
#2 Black Water Canyon	0.2 sq miles	0	0	0	0
#3 Upper Bent Spring Canyon	0.2 sq miles	0	0	0	0
#4 Unnamed Canyon 1	0.06 sq miles	0	<1 gal	0	<1 gal
#5 Unnamed Canyon 2	0.04 sq miles	0	0	0	0
#6 Unnamed Canyon 3	0.04 sq miles	0	0	0	0
#7 Aqua Magnon Canyon	0.4 sq miles	0	0	0	0
TOTALS	1.3 sq miles	0	<1 gal	0	<1 gal
Annual Trash Discharge Rate (D_a)					<1 gal/year

*All Figures were rounded to the nearest quarter gallon of dry uncompressed trash.



Rolling Hills

Santa Monica Bay Nearshore and Offshore Debris Total
Maximum Daily Load Monitoring and Reporting Plan
Annual Report

December 15, 2019



Prepared By:



Rolling Hills

Santa Monica Bay Nearshore and Offshore Debris Total Maximum Daily Load Monitoring and Reporting Plan Annual Report

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Rolling Hills

Santa Monica Bay Nearshore and Offshore Debris Total Maximum Daily Load Monitoring and Reporting Plan Annual Report

Executive Summary

This report summarizes results from the Trash Discharge Rate studies of the Trash Monitoring and Reporting Plan (TMRP) conducted in the City of Rolling Hills (City) in accordance with the Santa Monica Bay Nearshore and Offshore Debris (SMB TMDL). The results of this report represent data collected during three monitoring events conducted throughout the year as approved by the Regional Water Quality Control Board (Regional Board) Executive Officer¹. Results from this ninth year of monitoring found essentially zero trash within the canyon study areas, equating to an undetectable discharge rate.

Similar to the Machado Lake Trash TMDL (ML TMDL), the SMB TMDL requires an annual 20% reduction of trash discharge from prescribed baseline waste load allocations beginning four years from the effective date of the TMDL. The final waste load allocation of zero trash discharge from the City should be met eight years after the effective date, or by March 20, 2020. The objective of the TMRP is to determine the annual trash generation and discharge rates for the City of Rolling Hills and to quantify the effectiveness of its current Best Management Practices (BMP) program. This report demonstrates that the City's current BMPs effectively achieve the functional equivalent of zero trash discharge. After calculating the trash generation and discharge rates from the data collected over the course of this study and past studies, it was concluded that the City's BMP program effectively achieves a 100% reduction of trash from its baseline WLA. Compliance is achieved through institutional and source controls based on the City's strict enforcement of litter laws and the City's ability to encourage the Rolling Hills Community Association (RHCA) to maintain its trails and roads since the City does not have any public rights-of-way or control of the roads and trails².

The City is under two trash TMDLs, the SMBTMDL which became effective March 20, 2012, and the Machado Lake TMDL (MLTMDL) which became effective March 6, 2008. The City has been conducting monitoring consistent with its approved TMRP for the MLTMDL since July 2009. In its letter dated September 3, 2013, the Regional Board approved the City's TMRP for SMBTMDL finding that the City may utilize the Machado Lake TMRP previously approved by the Regional Board and the resulting monitoring data to establish compliance with the SMBTMDL. The City was directed to submit separate annual monitoring reports for the SMBTMDL using the data obtained from the Machado Lake TMRP. Based on the outcome of past studies and this additional year of study, the City has been able to demonstrate that it has achieved the final WLA required by the SMBTMDL and MLTMDL. Based on its demonstration of compliance with the final WLA, the City requested relief from the trash MLTMDL monitoring requirements in its 2011 Annual Report to the Regional Board. The Regional Board responded requiring additional monitoring on a reduced schedule of "twice per year and immediately following the first major storm event of the year" to demonstrate continued compliance with the ML TMDL. The monitoring data presented in this ninth annual monitoring report represent calendar year 2018 and demonstrate continued compliance with the final WLA of zero trash discharge from the City based on data collected from the seven drainage canyons following the reduced schedule approved by the Regional Board.

¹ Letter dated March 5, 2013 from Samuel Unger, Executive Officer, Los Angeles Regional Water Quality Control Board to Steve Burrell, Interim City Manager of Rolling Hills.

² Roads in the City are roadway easements deeded by property owners to the RHCA for resident and visitor access. The trails are similarly deeded to the RHCA. Both are maintained by the Association. The City maintains a contract with the RHCA whereby the City can request crew to conduct a survey and trash collection event after a major storm or wind event.

Background

The City of Rolling Hills is a community without public infrastructure or rights-of way. The City is an entirely low-density, single-family residential community consisting of large parcels with estate-size one-story ranch style homes (minimum one-acre lots). There are 685 single family residences in the City, with a total population of 1,906. There are no City-owned or maintained storm drains, roads, sewers, or sidewalks. The roadways are private, deeded to the Rolling Hills Community Association (RHCA), which maintains the roadways and approximately 30 miles of dedicated trails. Entry and exit to the City is gated and restricted to residents and guests only. The City of Rolling Hills prohibits littering through its nuisance ordinance. The RHCA building regulations also require trash enclosures at each residence. There are no industrial or commercial land uses within the City.

Approximately 22% of the City lies within the Santa Monica Bay watershed with the remaining portion distributed between the Machado Lake (~43%) and Greater Los Angeles Harbor watersheds (~35%). There are short sections of storm drains in the City which are owned by the Los Angeles County Flood Control District. These storm drains primarily consist of culverts crossing under private roads that convey storm water into densely vegetated natural canyons which are located on private property and essentially act as natural filters for stormwater runoff. The City is a gated community so there are no public access points to creeks, channels, or other water bodies within the City. There are no City-owned drainage outlets. Stormwater carried through the natural drainage system typically exits the City and then enters culverts that are owned by other permittees, such as County of Los Angeles and other municipalities. A drainage map of the City is included in Appendix A.

Because the City of Rolling Hills does not have a storm drain system that is amenable to the installation of full capture devices, it has implemented a Trash Monitoring and Reporting Plan (TMRP) which includes a Minimum Frequency of Assessment and Collection Program (MFAC) in conjunction with Best Management Practices (BMPs) in order to achieve compliance with the SMB TMDL.

The natural canyons conveying drainage from the City in the Santa Monica Bay tributary area are very steep and treacherous, making entry for the purpose of discharge monitoring unsafe and more dangerous to enter than the seven canyons monitored in the Machado Lake watershed. Pictures illustrating the Rolling Hills drainage toward Santa Monica Bay are included in Appendix B. To utilize the compliance methodology of the Machado Lake tributary area within the City of Rolling Hills as representative of the compliance status of the tributary area to the Santa Monica Bay is a conservative assumption which underestimates compliance and thus is protective of Santa Monica Bay. The reasons this is a conservative assumption include:

- The area of the city tributary to Santa Monica Bay has an even lower density of development than the area tributary to Machado Lake. This is because land movement results in a greater number of vacant unbuildable lots, and the lots themselves are larger.
- There are no public roadways along the City's southern boundary in the Santa Monica Bay watershed like there are in the Machado Lake drainage area, thus there is less opportunity for generating nonpoint source trash which could be carried into the canyons tributary to Santa Monica Bay.
- The drainage area of the City which is tributary to the Santa Monica Bay is small. According to the Regional Board staff report for the SMBTMDL, there is only 0.64 square miles of the City of Rolling Hills within the Santa Monica Bay watershed. By comparison the area of the City tributary to Machado Lake is 1.3 square miles and all seven canyons in this watershed are being monitored under the TMRP (100% coverage). Thus, the monitoring sites for Machado Lake will be sufficiently representative of the area in Santa Monica Bay, albeit conservatively so.

- The area is an active landslide that inhibits access and activity, and it impedes confines and limits construction.

To comply with the ML TMDL requirements, Rolling Hills initiated the trash monitoring in July 2009 by conducting semi-annual trash collections on residential road/ equestrian trails (during the rainy season and dry season) in order to calculate the Annual Trash Generation Rate as specified in the approved TMRP. The Annual Trash Generation Rate used in this report is the average of two previous years' monitoring data (July 2009-July 2011). This data along with the calculation of the trash generation rate is included in Appendix C. In addition to the streets and trails monitoring, seven sub-drainage canyons tributary to Machado Lake were monitored on a quarterly basis and after an inclement weather event using an MFAC program to determine the Annual Trash Discharge Rate. Monitoring at canyon locations was implemented on a quarterly basis for two and a half years, then reduced to semi-annually and immediately following the first major storm event of the year, as approved by the Regional Board.

Baseline Waste Load Allocation

The SMB TMDL requires all responsible parties to reduce their Baseline WLAs by 20% per year beginning four years from the effective date of the TMDL until zero trash discharge is achieved. The TMDL establishes an eight-year schedule for the complete elimination of trash discharges from point sources in the Santa Monica Bay watershed. The City has a baseline WLA of 515 gallons of dry uncompressed trash. A summary of the TMDL schedule, compliance dates, required reductions and current levels based on this baseline WLA are presented in Figure 1.

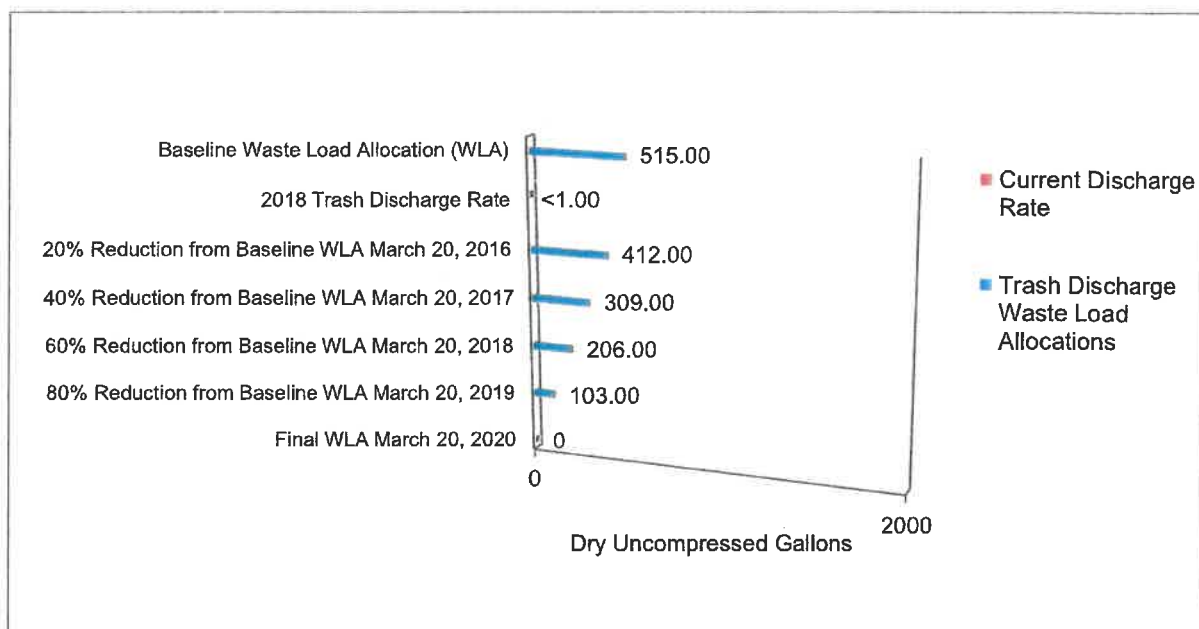


FIGURE 1. IMPLEMENTATION SCHEDULE FOR BASELINE WASTELOAD ALLOCATION

Trash Discharge Rates

The City of Rolling Hills has implemented a TMRP including an MFAC program and calculated a modified Daily Generation Rate (DGR) to determine its annual trash discharge and generation rates respectively. These rates were then used to determine the effectiveness of the City's current BMP program and to demonstrate compliance with the TMDL WLAs.

Generation Rate Methodology

The previous monitoring ML TMDL reports explain the details of the Generation Rate Methodology. Trash generation rate data from previous annual reports was averaged, and this average was used to determine the City-specific "Annual Trash Generation Rate" used in this report (see data in Appendix C).



FIGURE 2. UNNAMED CANYON #2 ON
OCTOBER 18, 2018

Discharge Rate Methodology

The annual trash discharge rate from the City of Rolling Hills was determined through an MFAC program conducted at the mouth of all seven sub-drainage canyons tributary to Machado Lake. At each of these canyons, a 6-foot section was measured and recorded using GPS and trail marking tape beginning at the furthest downstream section of each canyon. These same sections of canyons were monitored during each subsequent collection event for consistency³. Since these natural, soft bottom canyons receive 100% of the runoff from the portion of the city draining to Machado Lake, they fully characterize the discharge from the City. Due to steep terrain and the presence of dense vegetation, RHCA staff does not conduct trash pickups in these canyons. Therefore, the trash collected under this TMRP during each collection event was assumed to accurately characterize all the accumulation since the last collection event. Canyon collection events were conducted biannually and following the first major storm event of the year as directed by the Regional Board. The annual trash discharge rate was calculated as the sum of the trash collected during these events scaled to obtain an annual discharge rate. All collected data including the calculation of the trash discharge rate is included in Appendix D.

Field Collection and Quantification:

During this year's monitoring events, an aluminum can and a metal square were observed on the October 04, 2018 Wet Season event at Unnamed Canyon #1. No trash was observed at other canyons or during other monitoring events. The methodology outlined below was followed for trash collection and quantification during monitoring events.

Trash was collected manually based on the Surface Water Ambient Monitoring Program (SWAMP) Rapid Trash Assessment Method (RTAM)⁴ protocol. The collected trash was then taken back to the RHCA maintenance area where it was sorted and measured using the following procedures:

³ Details on monitoring locations can be found in the approved City of Rolling Hills Trash Monitoring and Reporting Plan which is included as an addendum in the Trash Monitoring and Reporting Plan prepared by the Machado Lake Trash TMDL Jurisdictional Group and received by the Regional Board on September 5, 2008

⁴ The modified SWAMP RTAM protocol is outlined in the approved City of Rolling Hills Trash Monitoring and Reporting Plan which is included as an addendum in the Trash Monitoring and Reporting Plan prepared by the Machado Lake Trash TMDL Jurisdictional Group and received by the Regional Board on September 5, 2008.

1. Standard safety precautions outlined in the Health and Safety Plan included as an amendment to the TMRP were always followed during the trash monitoring and collection operations.
2. All collected trash and debris were disposed of properly in accordance with all applicable laws and regulations.
3. Non-anthropogenic debris and vegetative matter was separated from the trash and disposed of appropriately.
4. The collected trash was sorted manually, only pieces larger than ¼ inch were counted.
5. A digital scale was used to weigh the trash and a 5-gallon bucket was used to estimate its volume in dry uncompressed gallons. All figures were rounded to the nearest half gallon.
6. Each full bucket of anthropogenic trash was weighed and sorted in order to characterize the contents by type of constituent (plastic, paper, glass, metal, and other).

Characterization

For the purposes of the SMB and ML TMDL, trash was defined as man-made litter and was tallied using the following criteria:

- Litter consisted of all improperly discarded waste material as defined in the TMDL
- Any piece of trash equal to or greater than ¼ inch was collected and tallied
- Vegetative debris was not considered trash

The characterization of trash was done by separating it according to constituent. Examples of the different types of constituents collected throughout the past years are described below.

- Plastic: bags, bottles, jugs, Styrofoam, straws, food wrappers
- Paper: bags, newspaper, scraps, wrappers
- Glass: bottles, scraps, broken windows
- Metal: aluminum foil, aluminum and steel cans, bottle caps, auto parts, wires
- Other: Baseballs, tennis balls, golf balls, fabric clothing items

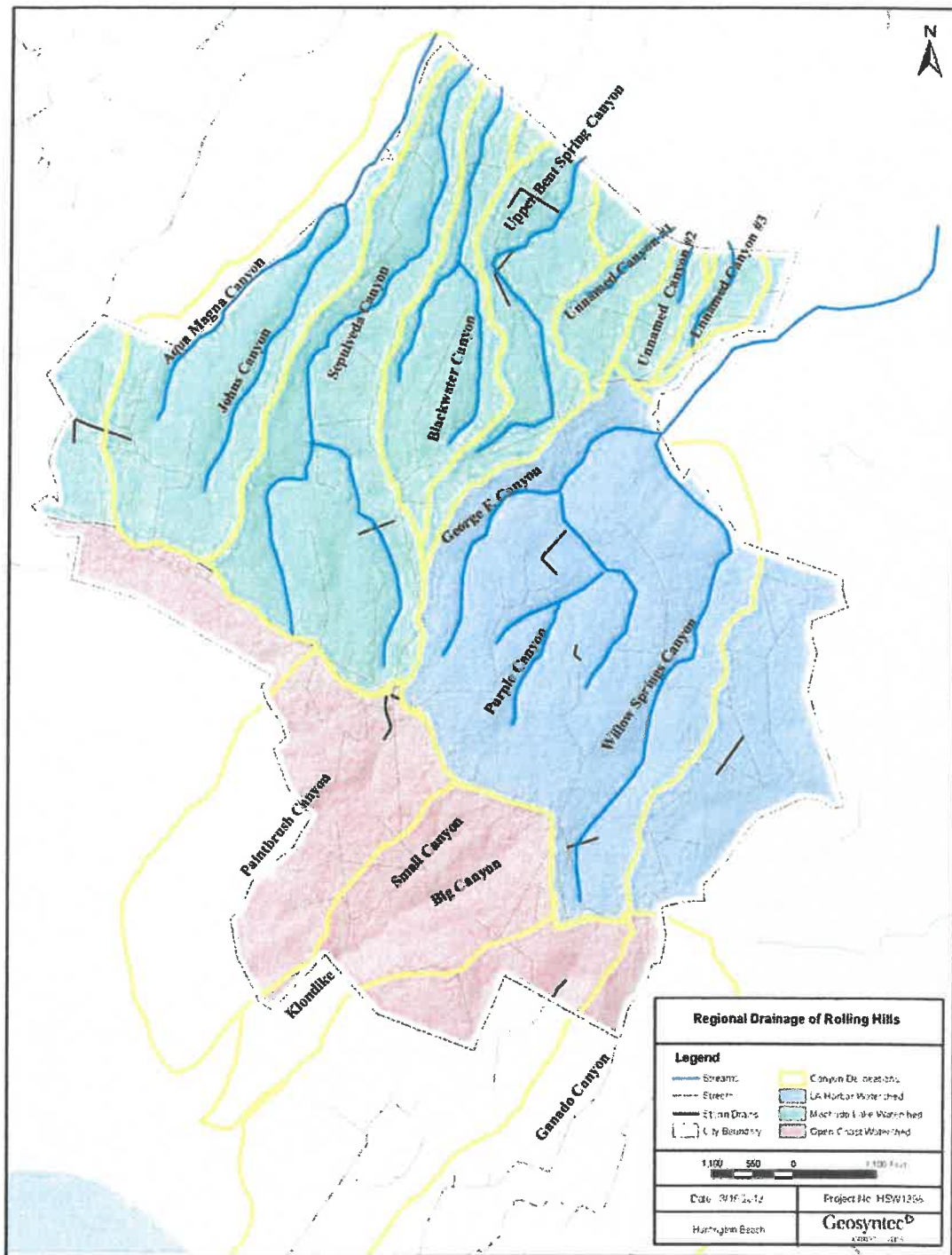
Results

Discharge Rate

The cumulative volume of trash collected from the outlet of the drainage canyons was <1 gallon of dry uncompressed anthropogenic trash during the three collection events. It should be noted that these monitoring locations are situated at the bottom of natural drainage canyons which are intersected by a major roadway just outside the City boundary. As previously noted in past reports, there was a minimal amount of trash accumulation observed along the road just outside the study area and City boundaries. Therefore, it is important to point out that this year and the past years' very low discharge rates are most likely an overestimate due to the likelihood of trash from the road outside the City boundary entering the study area via wind transport. Appendix D displays the collection data along with the calculation methodology for the trash discharge rate.

The effectiveness of the current BMP program in place in the City is demonstrated through the following equation proposed in the approved City of Rolling Hills Trash Monitoring and Reporting Plan, which is included as an addendum in the Trash Monitoring and Reporting Plan prepared by the Machado Lake Trash TMDL Jurisdictional Group received by the Regional Board on September 5, 2008:

Appendix A
Drainage Map of City of Rolling Hills



Appendix B

Pictures of Rolling Hills Drainage Toward Santa Monica Bay

Rolling Hills drainage toward Santa Monica Bay

Paint Brush Canyon



Klondike Canyon

Appendix C
Calculation of Trash Discharge Rate

TABLE 1. CALCULATIONS OF ANNUAL TRASH GENERATION RATES⁵

Date of WGR Sampling	Land Use Sampled	Trash Collected from Representative Area in Gallons (T_c)*	Miles Surveyed (M)	Total Miles Draining to Machado Lake (M_t)	Total Trash Generated Weekly within Representative Area in gallons (T_g)	Weekly Trash Generation Rates per Collection Event (T_w)
7/15/2009	Street	1.5	1	11	$[T_c * M * M_t] = 16.5$	21.5
7/15/2009	Equestrian Trail	0.5	1	10	$[T_c * M * M_t] = 5$	
1/13/2010	Street	5	1	11	$[T_c * M * M_t] = 55$	65
1/13/2010	Equestrian Trail	1	1	10	$[T_c * M * M_t] = 10$	
7/15/2010	Street	7.5	1	11	$[T_c * M * M_t] = 82.5$	82.5
7/15/2010	Equestrian Trail	0	1	10	$T_c * M * M_t * D = 0$	
1/20/2011	Street	5	1	11	$[T_c * M * M_t] = 55$	65
1/20/2011	Equestrian Trail	1	1	10	$[T_c * M * M_t] = 10$	
7/20/2011	Street	3	1	11	$[T_c * M * M_t] = 36$	41
7/20/2011	Equestrian Trail	0.5	1	10	$[T_c * M * M_t] = 5$	

Average Weekly Trash Generation Rate (G_w)

$$[T_1^w + T_2^w + T_3^w + T_4^w + T_5^w] / 5 = 55$$

Annual Trash Generation Rate (G_a)

$$[G_w * 52] = 2,860 \text{ Gal/year dry uncompressed trash}$$

* All Figures have been rounded to the nearest half gallon of dry uncompressed trash.

⁵ 2010 and 2011 figures included for reference.

Appendix D
Calculation of Trash Discharge Rate

TABLE 2. CALCULATIONS OF ANNUAL TRASH DISCHARGE RATE					
	Area Draining to this location	8/28/18 (Dry Season)	10/04/18 (Wet Season)	10/18/2018 (After Rain Event)	Total Discharge Collected
#1 Sepulveda Canyon	0.4 sq miles	0	0	0	0
#2 Black Water Canyon	0.2 sq miles	0	0	0	0
#3 Upper Bent Spring Canyon	0.2 sq miles	0	0	0	0
#4 Unnamed Canyon 1	0.06 sq miles	0	<1 gal	0	<1 gal
#5 Unnamed Canyon 2	0.04 sq miles	0	0	0	0
#6 Unnamed Canyon 3	0.04 sq miles	0	0	0	0
#7 Aqua Magnon Canyon	0.4 sq miles	0	0	0	0
TOTALS	1.3 sq miles	0	<1 gal	0	<1 gal
Annual Trash Discharge Rate (D_a)					<1 gal/year

*All Figures were rounded to the nearest quarter gallon of dry uncompressed trash.



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: 11/12/2019

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: YOLANTA SCHWARTZ, PLANNING DIRECTOR
MEREDITH T. ELGUIRA, PLANNING AND COMMUNITY SERVICES DIRECTOR

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

SUBJECT: RECEIVE AND FILE RESOLUTION NO. 2019-14 FROM THE PLANNING COMMISSION GRANTING APPROVAL FOR A SITE PLAN REVIEW TO CONSTRUCT AN ABOVE GRADE DECK IN ZONING CASE NO. 958 AT 3 ROUNDUP ROAD (LOT 67-A-EF) ROLLING HILLS, CA, (BOGDANOVICH).

DATE: NOVEMBER 12, 2019

ATTACHMENT:
1. RESOLUTION NO. 2019-14

BACKGROUND

The Planning Commission at their October 15, 2019 meeting adopted Resolution No. 2019-14 granting a Site Plan Review application for an above grade deck. The Municipal Code calls for a discretionary review of decks/porches raised over 12" from the natural grade. The Planning Commission found that the project is not objectionable, is in the rear of the lot and will be screened. No one testified in opposition of the project.

PROJECT DESCRIPTION

The Project/Site Plan Review

The applicants propose to construct a 792 square foot pool decking, of which 285 square feet would be up to 5' above the existing descending slope. The portion of the deck that's out of grade requires a Site Plan Review. Also proposed is 65 square-foot barbeque and serving island and 544 square-foot swimming pool with pool equipment area, which can be approved administratively. No grading is proposed for the project, other than excavation for the swimming pool and posts for the deck.

A stable and corral exist on the property, in the rear of the proposed improvements.

Zoning and Land Size

The property is zoned RAS-1 and the gross lot area is less than 1.0 acres. The net lot area for development calculations purpose 34,380 square feet.

Past Property Approval

Previously approved improvements on the property include a 3,451 square-foot residence with 150 square-foot basement, 610 square-foot garage, service yard and 560 square-foot stable.

MUNICIPAL CODE COMPLIANCE

Lot Coverage

The net lot area of the lot is 34,380 square feet. With the proposed improvements the structural net lot coverage will be 5,755 square feet or 16.7%, (20% maximum permitted). The total lot coverage (structural and flatwork) is proposed to be 9,152 square feet or 26.6% (35% maximum permitted); both are in conformance with the RHMC requirements.

The residential building pad is 11,875 square feet. The total building pad coverage is proposed to be 5,090 square feet or 42.9%, (30% guideline).

Grading

No grading is proposed for the project. Dirt from the excavation of the pool and posts for the deck will be exported.

Landscaping

Landscaping is proposed in the back of the raised deck to screen the out of grade condition. A preliminary landscaping plan shows screening of the exposed descending slope behind the deck, which is less than 500 square feet. With the pool and other improvements on the lot, a water efficient landscaping plan submittal will be required, if the landscaping of the property reaches 2,500 square feet total.

Disturbance

The existing disturbance of the lot is 22,350 square feet or 65% of the net lot area and is legal nonconforming. The flat portion of the area of the proposed development was graded in the past, with the development of the residence and stable. The project is proposed to be constructed entirely within the previously disturbed area.

Height

The out of grade conditions of the raised deck will be 5 feet.

Drainage

The drainage for the project will be reviewed by the LA County Building and Safety Department.

Walls

No new walls are included in the proposed project.

Utility Lines / Septic Tank

This project does not trigger any changes to the electrical panel or utility lines. No changes are proposed to the existing septic tank.

General*Non-conforming Conditions*

A portion of the existing garage was originally constructed in the front setback area and is a legal non-conforming condition on the property.

Planning Commission Responsibilities

When reviewing a development application, the Planning Commission considers whether the proposed project meets the criteria for a Site Plan Review.

Environmental Review

The project has been determined to be categorically exempt pursuant to the California Environmental Quality Act (CEQA) under Class 1, Section 15301.

RECOMMENDATION

It is recommended that the City Council receive and file the enclosed Resolution.

Project Summary

SITE PLAN REVIEW	EXISTING		PROPOSED OVERALL TOTAL	
<u>RA-S- 1 ZONE SETBACKS</u> Front: 50 ft. from front easement line Side: 20 ft. from property line Rear: 50 ft. from property line	SINGLE FAMILY RESIDENCE WITH GARAGE.		DECK & MISCELLANEOUS OUTDOOR STRUCTURES	
<u>STRUCTURES</u>	Residence	3451 sq.ft.	Residence	3451 sq.ft.
	Garage	610 sq.ft.	Garage	610 sq.ft.
	Stable	560 sq.ft.	Stable	560 sq.ft.
	Service Yard	200 sq.ft.	Service Yard	200 sq.ft.
			Raised Deck	285 sq.ft.
			Swimming pool	544 sq.ft.
			Pool eqmnt.	40 sq.ft.
			BBQ area	65 sq.ft.
	TOTAL	4,861 sq.ft	TOTAL	5,755 sq.ft
<u>STRUCTURAL LOT COVERAGE</u> (20% maximum)	14.0%		16.7% of 34,380 sq.ft. net lot area	
<u>TOTAL LOT COVERAGE</u> (35% maximum)	22.4%		26.5%	
<u>BUILDING PADS (30% guideline)</u> Residence, pool, deck, other miscl. structures	35.9% residence pad coverage		42.9% residence pad coverage	
<u>GRADING</u> Site Plan Review required if cut and fill is more than 3 feet in depth and covers more than 2,000 sq.ft.- must be balanced on site.	Unknown		None. (Excavation only). Dirt will be exported.	
<u>DISTURBED AREA</u> (40% maximum; any graded building pad area, any remedial grading (temporary disturbance), any graded slopes and building pad areas, and any nongraded area where impervious surfaces exist/or proposed.)	65%		65%	
<u>STABLE (min. 450 SQ.FT. & 550 SQ.FT. CORRAL)</u>	560 sq.ft.		560 sq.ft.	
<u>STABLE ACCESS</u>	Existing		Existing	
<u>ROADWAY ACCESS</u>	Existing driveway approach		Existing driveway approach	
<u>VIEWS</u>	N/A		Planning Commission review	
<u>PLANTS AND ANIMALS</u>	N/A		Planning Commission review	

SITE PLAN REVIEW CRITERIA

17.46.010 *Purpose.*

The site plan review process is established to provide discretionary review of certain development projects in the City for the purposes of ensuring that the proposed project is consistent with the City's General Plan; incorporates environmentally and aesthetically sensitive grading practices; preserves existing mature vegetation; is compatible and consistent with the scale, massing and development pattern in the immediate project vicinity; and otherwise preserves and protects the health, safety and welfare of the citizens of Rolling Hills.

17.46.050 *Required findings.*

A. The Commission shall be required to make findings in acting to approve, conditionally approve, or deny a site plan review application.

B. No project which requires site plan review approval shall be approved by the Commission, or by the City Council on appeal, unless the following findings can be made:

1. The project complies with and is consistent with the goals and policies of the general plan and all requirements of the zoning ordinance;
2. The project substantially preserves the natural and undeveloped state of the lot by minimizing building coverage. Lot coverage requirements are regarded as maximums, and the actual amount of lot coverage permitted depends upon the existing buildable area of the lot;
3. The project is harmonious in scale and mass with the site, the natural terrain and surrounding residences;
4. 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);
5. Grading has been designed to follow natural contours of the site and to minimize the amount of grading required to create the building area;
6. Grading will not modify existing drainage channels nor redirect drainage flow, unless such flow is redirected into an existing drainage course;
7. 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;
8. The project is sensitive and not detrimental to the convenient and safe movement of pedestrians and vehicles; and
9. The project conforms to the requirements of the California Environmental Quality Act.

RESOLUTION NO. 2019-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL OF SITE PLAN REVIEW TO CONSTRUCT AN ABOVE GRADE DECK IN ZONING CASE NO. 958 AT 3 ROUNDUP ROAD (LOT 67-A-EF) ROLLING HILLS, CA, (BOGDANOVICH).

THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS DOES HEREBY FIND, RESOLVE AND ORDER AS FOLLOWS:

Section 1. Application was duly filed by Mr. Bogdanovich with respect to real property located at 3 Roundup Road (Lot 67-A EF) requesting a Site Plan Review to construct a 792 square foot deck, of which 285 square feet would be at a maximum 5' above the natural grade. Excavation for footings will be necessary without requiring any grading.

Section 2. The property is zoned RAS-1 and consists of 1.0 acres gross. The net lot area for development purposes is 34,380 square feet.

Section 3. The property is currently developed with a 3,451 square foot residence with 150 square foot basement and 610 square foot garage. A 560 square foot stable and corral exist on the property. Separately from this request, the applicant was granted an administrative approval to construct a swimming pool, the remainder of the deck and barbeque area.

Section 4. On September 17, 2019 the Planning Commission conducted a duly noticed public hearing on the subject application at a field trip and at the September 17, 2019 evening meeting and directed staff to prepare a Resolution to approve the subject project. Neighbors within a 1,000-foot radius were notified of the public hearings and notices were published in the Peninsula News on August 29, 2019. The Applicant and his agent were notified of the public hearings in writing by first class mail and the applicant and representative 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. The Planning Commission reviewed, analyzed, and studied said proposal.

Section 5. The Planning Commission finds that the project qualifies as a Class 1 Exemption and is therefore categorically exempt from environmental review under the California Environmental Quality Act.

Section 6. Pursuant to Section 17.44.020 raised deck cannot be approved administratively, and requires a Site Plan Review. With respect to the Site Plan Review application that requests permission to construct a new 285 square foot raised deck, in conjunction with an on grade deck, the Planning Commission makes the following findings of fact:

A. The proposed development consists of a new 285 square foot, 5 feet above-grade deck that is to be an extension of an on-grade deck; which will be adjacent to a new swimming pool. The subject deck does not require grading.

B. The project is compatible with the General Plan, the Zoning Ordinance and surrounding uses because the proposed deck complies with the General Plan requirement of low profile, low-density residential development with sufficient open space between surrounding structures. The project will conform to Zoning Code setback and all development standards, except when pre-existing. The net lot area of the lot is less than an acre. The structural lot coverage proposed is 16.7% of the net lot area (20% maximum permitted). The total lot coverage proposed, including structures and flatwork would be 26.5%, (35% permitted). The lot was previously graded and is 65% disturbed. No new disturbance is proposed. Further, the project meets the requirement for a stable and corral on the site, as there exists a 560 square foot stable and adjacent corral.

C. The project substantially preserves the natural and undeveloped state of the lot in that no grading is required for the deck; minimal excavation for the pillars for the deck (50 cubic yards) is estimated to be necessary. The topography and the configuration of the lot has 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 construction will be confined to an existing building pad, will be the least intrusive to surrounding properties, will be screened and landscaped, is of sufficient distance from nearby residences and located at the back of the lot 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.

D. The proposed development is harmonious in scale and mass with the site, and is consistent with the scale of the neighborhood when compared to properties in the vicinity. The proposed project will maintain the existing appearance of the property and will not mass the site.

E. The development plan incorporates existing trees and vegetation to the maximum extent feasible. Openings in the deck undersurface will be screened with vegetation.

F. The development plan substantially preserves the natural and undeveloped state of the lot by minimizing building coverage because the new construction will not cause the lot to look overdeveloped and will be located on an existing pad. Significant portions of the lot will be left undeveloped. No grading is proposed with this construction of the deck and therefore no significant changes will be made to the natural terrain of the lot.

G. The development plan preserves surrounding vegetation and mature trees and the landscaping provides a buffer or transition area between private and public areas.

H. The proposed development is sensitive and not detrimental to the convenience and safety of circulation for pedestrians and vehicles because the proposed project will not change the existing circulation pattern.

I. The project is exempt from the requirements of the California Environmental Quality Act.

Section 7. Based upon the foregoing findings, the Planning Commission hereby approves Zoning Case No. 958 a Site Plan Review to allow construction of a 295 square foot raised deck, subject to the following conditions:

A. The Site Plan Review approvals shall expire within two years from the effective date of approval as defined in Sections 17.46.080, unless otherwise extended pursuant to the requirements of this section.

B. It is declared and made a condition of this approval that if any conditions thereof are violated, this approval shall be suspended and the privileges granted thereunder shall lapse; provided that the applicant has been given written notice to cease such violation, the opportunity for a hearing has been provided, and if requested, has been held, and thereafter the applicant fails to correct the violation within a period of thirty (30) days from the date of the City's determination. 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 September 11, 2019 except as otherwise provided in these conditions. The working drawings submitted to the County Department of Building and Safety for plan check review shall conform to the approved development plan. All conditions of the Site Plan approvals, herein as applicable, shall be incorporated into the building permit working drawings and/or complied with prior to issuance of a 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. Structural lot coverage shall not exceed 5,755 square feet or 16.7% of the net lot area, in conformance with lot coverage limitations (20% maximum); and the total lot coverage proposed, including structures and flatwork shall not exceed 9,152 square feet or 26.6%, of the net lot area, in conformance with lot coverage limitations (35% max). The residential building pad shall not exceed 42.9% coverage.

H. The disturbed area of the lot exists at 65%, (22,350 square feet) and shall remain.

I. There shall be no grading for this project, except that excavation for the pool and pillars for the deck is allowed. The spoils and dirt may be exported.

J. The area between the top of the deck and the bottom of the natural grade shall be screened with shrubs at all time, which shall not grow into a hedge, but be offset. Should the area of the proposed landscaping for the deck be greater than 500 square feet, the project shall be subject to the City's Water Efficient Landscape Ordinance, Section 13.18 of the Municipal Code. A detailed landscaping plan shall be submitted to staff prior to obtaining building permit for the deck.

K. The property owners shall comply with all requirements of the Lighting Ordinance of the City of Rolling Hills (RHMC 17.16.190 E), pertaining to lighting on said property.

L. The property on which the project is located shall contain a stable and corral or a set aside area meeting all standards for a stable and corral with adequate access. The existing stable and corral shall not be converted to another use, unless a discretionary approval is granted by the City and a feasible set aside area is provided.

M. 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.

N. 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.

O. 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.

P. *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.

Q. *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. A flagmen shall be used to direct traffic when necessary, including during delivery of large construction equipment or materials.

R. *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.

S. 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.

T. Prior to finaling of the project an "as constructed" plans 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" plan.

U. 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.

V. Any action challenging the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Section 17.54.070 of the Rolling Hills Municipal Code and Code of Civil Procedure Section 1094.6.

PASSED, APPROVED AND ADOPTED THIS 15th DAY OF OCTOBER 2019.



BRAD CHELF, CHAIRMAN

ATTEST:



JOHANA CORONEL, CITY CLERK

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

I certify that the foregoing Resolution No. 2019-14 entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
ROLLING HILLS GRANTING APPROVAL OF SITE PLAN REVIEW TO
CONSTRUCT AN ABOVE GRADE DECK IN ZONING CASE NO. 958 AT 3
ROUNDUP ROAD (LOT 67-A-EF) ROLLING HILLS, CA, (BOGDANOVICH).

was approved and adopted at regular meeting of the Planning Commission on
October 15, 2019 by the following roll call vote:

AYES: CARDENAS, COOLEY, KIRKPATRICK, SEABURN, AND CHAIR CSELF

NOES: NONE.

ABSENT: NONE.

ABSTAIN: NONE.

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

Administrative Offices



YOHANA CORONEL, 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: 11/12/2019

TO: HONORABLE MEMBERS OF THE CITY COUNCIL

FROM: YOLANTA SCHWARTZ, PLANNING DIRECTOR
MEREDITH T. ELGUIRA, PLANNING AND COMMUNITY SERVICES
DIRECTOR

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

SUBJECT: CONSIDER RECOMMENDATION FROM THE PERSONNEL
COMMITTEE FOR APPOINTMENTS TO THE PLANNING
COMMISSION AND TRAFFIC COMMISSION.

DATE: NOVEMBER 12, 2019

DISCUSSION

The terms of two Planning Commissioners, Brad Chelf and Sean Cardenas and two Traffic Commissioners, V'Etta Virtue and Val Margeta will expire in January 2020. In September 2019, upon direction from the City Council, the staff began advertising for letters of interest from residents desiring to serve on the Planning Commission and Traffic Commission. The notices of the opportunity were included in two City newsletters and posted at City Hall for over 30 days.

In response to the notice, incumbent Planning Commissioners Brad Chelf and Sean Cardenas submitted letters expressing interest in continuing to serve on the Planning Commission. Two other letters of interest, from Sarah Noel and Jim Beck, were received. Subsequently, Jim Beck withdrew from the process.

For the Traffic Commission, incumbents Val Margeta and V'Etta Virtue submitted letters expressing interest in continuing to serve on the Traffic Commission. No other letters of interest were received for Traffic Commission.

On October 30, 2019, the City Council Personnel Committee conducted interviews with two Planning Commission candidates, one incumbent and one new. One of the incumbent applicants did not participate in the interviews.

No interviews were held for the Traffic Commission vacancies as both applicants are incumbents wishing to fill two vacancies.

For the Planning Commission, the Personnel Committee expressed that both applicants interviewed have specific experiences and perspectives that would serve the City well and could constructively contribute to the challenging decisions and tasks of the Planning Commission. However, after much consideration, the Committee recommends to re-appoint the incumbent Commissioners. The incumbents' past performances coupled with their background, interest and knowledge of issues facing the Planning Commission were the primary factors for the reappointment.

NOTIFICATION

The applicants for the Planning and Traffic Commissions have been advised that the City Council will be considering the appointment at the November 12, 2019 meeting.

RECOMMENDATION

The City Council Personnel Committee recommends the re-appointment of Brad Chelf and Sean Cardenas to the Planning Commission for a four-year term effective January 2020 and V'etta Virtue and Val Margeta to the Traffic Commission for a four-year term effective January 2020.



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: 11/12/2019

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
FROM: MEREDITH T. ELGUIRA, PLANNING & COMMUNITY SERVICES
DIRECTOR
THROUGH: ELAINE JENG, P.E., CITY MANAGER
SUBJECT: CONSIDER MEETING WITH THE PLANNING COMMISSION ON A
THREE-YEAR FREQUENCY.
DATE: NOVEMBER 12, 2019

DISCUSSION

Based on past practices, the City Council met with the Planning Commission on a regular basis to discuss items of interest for both groups. Topics of discussion consisted of, but were not limited to: development process, policies, mission and vision of the City Council, project priorities and other City development related topics. At a recent City Council meeting, the City Council inquired about meeting with the Planning Commission. The most recent joint meeting the City Council held with the Planning Commission was in November 2016.

Staff recommends the City Council meet the Planning Commission on a three year cycle, and for the meetings to occur within the first quarter of the year. Given the last meeting was approximately three years ago, staff is also recommending a meeting in 2020. The following dates are suggested for the 2020 meeting:

Monday, February 24, 2020
Monday, March 9, 2020
Monday, March 23, 2020

If the proposed three-year cycle is approved, the next meeting would occur in the first quarter of 2023. Below, is a proposed framework on how to plan for and conduct joint meetings.

1. Request for topics of discussion from the City Council and Planning Commission
2. Narrow to top priorities
3. Finalize topics to be discussed
4. Finalize meeting date
5. Staff provides brief background on each topic (as applicable)
6. Conduct joint meeting
7. Formulate Action Plan

FISCAL IMPACT

There is no fiscal impact to coordinating meetings between the City Council and the Planning Commission. Coordination by staff is a part of the operation budget.

RECOMMENDATION

Staff recommends the City Council set a recurring date to meet with the Planning Commission and direct staff to bring back a Resolution formalizing the process.



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: 11/12/2019

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM: MEREDITH T. ELGUIRA, PLANNING AND COMMUNITY SERVICES
DIRECTOR**

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

**SUBJECT: CONSIDER AND APPROVE A PROFESSIONAL SERVICES
AGREEMENT WITH PACIFIC LAND CONSULTANTS, INC. FOR
LAND SURVEYING SERVICES FOR AN AMOUNT NOT-TO-EXCEED
\$13,250.**

DATE: NOVEMBER 12, 2019

ATTACHMENTS:

- 1. PROFESSIONAL SERVICES AGREEMENT WITH PACIFIC LAND
CONSULTANTS, INC. (PLC)**
- 2. PROPOSAL FROM PLC**

BACKGROUND

In a continued effort to meet the California Department of Housing and Community Development's (HCD) required affordable housing units for the 5th Cycle Housing Element, the State required the City to identify potential sites for multiple-residential development. The Housing Ad Hoc Committee of the City Council reviewed available sites within the City and recommended the Palos Verdes Peninsula Unified School District property located at 38 West Crest Road to be surveyed.

DISCUSSION

Two land surveying companies responded to the Request for Proposal: DENN Engineering and Pacific Land Consultants, Inc. Based on staff's evaluation of the proposals and conversation clarifying project deliverables, City staff concluded that PCL meets the requested scope of work at a significantly lower cost.

	DENN Engineers	Pacific Land Consultants, Inc.
Proposed Total Cost	\$22,000.00	\$13,250.00

FISCAL IMPACT

In the Fiscal Year 2019-2020 approved budget, funding was set aside for revising the Housing Element. Funding for the land survey will come from the line item in Planning Department under Consultant Fees.

RECOMMENDATION

Staff recommends the City Council approve the attached Professional Services Agreement with PCL to provide land surveying services on a parcel located at 38 West Crest Road for an amount not-to-exceed \$13,250.

CITY OF ROLLING HILLS **PROFESSIONAL SERVICES AGREEMENT**

THIS AGREEMENT, effective _____, 2019 ("Effective Date"), is between the City of Rolling Hills, a municipal corporation ("CITY") and Pacific Land Consultants, Inc., a California corporation, with its principal place of business at 28441 Highridge Road #230, Rolling Hills Estate, CA 90274 ("CONSULTANT").

1. RECITALS:

A. The CITY desires to hire the CONSULTANT for surveying services for the 38 West Crest Road project;

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

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

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

2. SCOPE OF WORK

CONSULTANT shall perform all work necessary to complete in a manner satisfactory to CITY the services set forth in the specifications and the scope of work described in Exhibit A hereto (hereinafter "SERVICES"). If there is a conflict between any part of the Exhibit and the terms that are set forth in the body of this Agreement, the terms in the body of this AGREEMENT govern.

3. COST

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

Total contract shall not exceed the sum of \$13,250.00 during the term of the AGREEMENT. This fee includes all expenses, consisting of all local travel, attendance at meetings, printing and submission of grants, which are accrued during that period. It also includes any escalation or inflation factors anticipated.

Any increase in contract amount or scope must be approved by expressed written amendment executed by the CITY and CONSULTANT.

4. METHOD OF PAYMENT

CONSULTANT shall be paid within 30 days of submitting an invoice to City for the SERVICES rendered. CONSULTANT shall submit an invoice for the SERVICES within 10 days of completing each task identified in Exhibit A to this AGREEMENT. CONSULTANT shall submit invoices electronically to the City Manager of the CITY, or designee (such as a project manager), and shall also provide a courtesy copy by U.S. Mail also addressed to the City Manager of the CITY or designee.

5. SUBCONTRACTING

CONSULTANT may employ a qualified independent subcontractor to assist CONSULTANT in the performance of SERVICES with CITY's prior written approval.

6. COMMENCEMENT OF WORK

CONSULTANT shall commence SERVICES (as set forth in Exhibit A) under this AGREEMENT upon execution of this AGREEMENT.

7. PERFORMANCE TO SATISFACTION OF CITY

CONSULTANT agrees to perform all SERVICES (as set forth in Exhibit A) to the complete satisfaction of CITY and within 30 calendar days upon execution of this Agreement.

8. COMPLIANCE WITH LAW

A. Generally. All SERVICES rendered hereunder shall be provided in accordance with the requirements of relevant local, state, and federal Law.

B. California Labor Code Provisions.

i. Prevailing Wage Law. Consultant is aware of the requirements of California Labor Code Section 1720, et seq., and 1770, et seq., as well as California Code of Regulations, Title 8, Section 16000, et seq., ("Prevailing Wage Laws"), which require the payment of prevailing wage rates and the performance of other requirements on "public works" and "maintenance" projects. If the Services are being performed as part of an applicable "public works" or "maintenance" project, as defined by the Prevailing Wage Laws, and the total compensation is \$1,000 or more, Consultant agrees to fully comply with such Prevailing Wage Laws. Moreover, as required by Labor Code 1860, Consultant shall secure the payment of compensation to Consultant's employees in accordance with the provisions of Labor Code Section 3700. Consultant shall obtain a copy of the prevailing rates of per diem wages at the commencement of this Agreement from the website of the Division of Labor Statistics and Research of the Department of Industrial Relations located at www.dir.ca.gov/dlsr/. In the alternative, Consultant may view a copy of the prevailing rates of per diem wages

at the City. Consultant shall make copies of the prevailing rates of per diem wages for each craft, classification or type of worker needed to execute the Services available to interested parties upon request, and shall post copies at the Consultant's principal place of business and at the project site. Consultant shall defend, indemnify and hold the City, its officials, officers, employees, agents, and volunteers free and harmless from any claim or liability arising out of any failure or alleged failure to comply with the Prevailing Wage Laws.

ii. Registration. If the Services are being performed as part of an applicable "public works" or "maintenance" project, then pursuant to Labor Code Sections 1725.5 and 1771.1, the Consultant and all subconsultants must be registered with the Department of Industrial Relations, Consultant shall maintain registration for the duration of the project and require the same of any subconsultants, and this project is subject to compliance monitoring and enforcement by the Department of Industrial Relations. It shall be consultant's sole responsibility to comply with all applicable registration and labor compliance requirements. Notwithstanding the foregoing, the registration requirements mandated by Labor Code sections 1725.5 and 1771.1 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code sections 1725.5 and 1771.1.

iii. Labor Compliance; Stop Orders. This Project is subject to compliance monitoring and enforcement by the Department of Industrial Relations. It shall be the Consultant's sole responsibility to evaluate and pay the cost of complying with all labor compliance requirements under this Contract and applicable law. Any stop orders issued by the Department of Industrial Relations against Consultant or any subconsultant that affect Consultant's performance of Work, including any delay, shall be Consultant's sole responsibility. Any delay arising out of or resulting from such stop orders shall be considered Consultant-caused delay subject to any applicable liquidated damages and shall not be compensable by the City. Consultant shall defend, indemnify and hold the City, its officials, officers, employees and agents free and harmless from any claim or liability arising out of stop orders issued by the Department of Industrial Relations against Consultant or any subconsultant.

9. ACCOUNTING RECORDS

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

10. OWNERSHIP OF DATA

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

11. TERM OF CONTRACT

This contract shall be valid for one year from execution of this AGREEMENT.

12. TERMINATION

This contract may be terminated by either party with or without cause upon seven (7) days written notice to the other party. All work satisfactorily performed pursuant to the contract and prior to the date of termination may be claimed for payment.

13. ASSIGNABILITY

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

14. AMENDMENT

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

15. NON-SOLICITATION CLAUSE

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

16. INDEMNITY

CONSULTANT shall indemnify and save harmless CITY, its elected and appointed officers, employees, and agents from all claims, damages, suits, cost or actions of every name, kind or description, brought for, or on account of, (i) injuries to or death of any person, (ii) damage to property or (iii) arising from performance of this AGREEMENT in any manner that resulted from the fault or negligence of CONSULTANT, its officers, agents, employees or servants in connection with this AGREEMENT.

CITY shall indemnify and save harmless CONSULTANT, its officers, agents, employees, and servants from all claims, damages, suits, costs or actions of every name, kind, or description, brought for, or on account of, (i) injuries to or death of any person, (ii) damage to property or (iii) arising from performance of this AGREEMENT in

any manner that resulted from the fault or negligence of the CONSULTANT, its officers, agents, employees, and/or servants in connection with this AGREEMENT.

If CONSULTANT should subcontract all or any portion of the SERVICES to be performed under this AGREEMENT, CONSULTANT shall require each subcontractor to indemnify, hold harmless and defend CITY and each of its officers, officials, employees, agents and volunteers in accordance with the term of the preceding paragraph. This section shall survive termination or expiration of this AGREEMENT.

17. INSURANCE

A. Without limiting CONSULTANT'S obligations arising under paragraph 16 - Indemnity, CONSULTANT shall not begin work under this AGREEMENT until it obtains policies of insurance required under this section. The insurance shall cover CONSULTANT, its agents, representatives and employees in connection with the performance of work under this AGREEMENT, and shall be maintained throughout the term of this AGREEMENT. Insurance coverage shall be as follows:

i. Automobile Liability Insurance with minimum coverage of \$300,000 for property damage, \$300,000 for injury to one person/single occurrence, and \$300,000 for injury to more than one person/single occurrence.

ii. Public Liability and Property Damage Insurance, insuring CITY its elected and appointed officers, agents, and employees from claims for damages for personal injury, including death, as well as from claims for property damage which may arise from CONSULTANT'S actions under this AGREEMENT, whether or not done by CONSULTANT or anyone directly or indirectly employed by CONSULTANT. Such insurance shall have a combined single limit of not less than \$500,000.

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

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

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

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

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

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

18. ENFORCEMENT OF AGREEMENT

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

19. CONFLICTS OF INTEREST

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

20. INDEPENDENT CONTRACTOR

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

21. ENTIRE AGREEMENT OF THE PARTIES

This AGREEMENT supersedes any and all other agreements, either oral or in writing, between the parties hereto with respect to the employment of CONSULTANT by CITY and contains all the covenants and agreements between the parties with respect such employment in any manner whatsoever. Each party to this AGREEMENT acknowledges that no representations, inducements, promises or agreements, orally or otherwise, have been made by any party, or anyone acting on behalf of any party, which

are not embodied herein, and that no other agreement or amendment hereto shall be effective unless executed in writing and signed by both CITY and CONSULTANT.

22. NOTICES.

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

CITY: Meredith T. Elguira, Planning & Community Services Director
City of Rolling Hills
No. 2 Portuguese Bend Road
Rolling Hills, CA 90274

CONSULTANT: , [Title]
Pacific Land Consultants, Inc.
28441 Highridge Road #230
Rolling Hills Estate, CA 90274

23. GOVERNING LAW

This AGREEMENT shall be governed by and construed in accordance with the laws of the State of California, and all applicable federal statutes and regulations as amended. Venue lies exclusively in the courts of Los Angeles County, California.

(Signatures on following page)

IN WITNESS WHEREOF, the parties hereto have entered into this AGREEMENT as indicated below.

CITY

City of Rolling Hills

By: _____
Elaine Jeng, City Manager

Attest:

By: _____
Yohana Coronel, City Clerk

Approved as to Form:

By: _____
Michael Jenkins, City Attorney

CONSULTANT

Pacific Land Consultant, Inc.

By: _____
[Name], [Title: Board Chair, President, or
Vice President]

AND

By: _____
[Name], [Title: Secretary, Asst. Secretary,
CFO, or Asst. Treasurer]

Pacific Land Consultants, Inc.

28441 Highridge Rd. #230, RHE, CA 90274

(310) 544-8689 • Email: mary@plcsurveying.com

M-Th, 8 am- 4pm. Lunch: 12pm-1pm

Work Authorization Agreement

DATE: 11/08/2019

REFERRED BY:

JOB NO.: 19***

ORDERED BY: Yolanta Schwartz
City Of Rolling Hills
2 Portuguese Bend Road
Rolling Hills, CA 90274

Phone #: 310-377-1521
Email: ys@cityofrh.net

JOB ADDRESS: 38 Crest Rd. W., Rolling Hills

LEGAL DESCRIPTION: *TR=L A COUNTY ASSESSOR MAP NO 51*LOT, COM NW ON NE LINE OF LOT 74, 554.43 FT FROM MOST E COR OF SD LOT TH NW ON SD, NE LINE 3133.89 FT TH S 52°55'20" W 92... SEE MAPBOOK FOR MISSING PORTIONLOT 74

COUNTY ASSESSOR'S: 7569-022-900

JOB DESCRIPTION: Topographic survey of lot, locate buildings to lot lines, location of property line walls/fences, measure FF & roof ridge, visible utility hookups, parkway info, elevations at property corners, and locate trees over 6 inches in diameter. Locate 5' adjacent topography. No property corners to be set. (If we set property corners and file record of survey, we must have a grant deed for property.) **(See attached SCOPE OF WORK provided by City of Rolling Hills.)**

Provide 2 Full size drawings.

STARTING DATE: Within 15 working days of receiving signed work order and any required retainer.

TOTAL COST: **\$13,250.00**

SCOPE OF SERVICE	Pacific
1. Building setbacks and footprint of all permanent buildings	X
2. Show perimeter walls/fences	X
3. Hardscape, planters, paths, parking lots with striping, curbs	X
4. Large trees (over 6 inches in diameter)	X
5. Visible utilities (meters, vaults, boxes)	X
6. Neighbor's building within 5-feet of common property line (if any), walls and top of walls	X
7. Topography with spot elevation (1' contours of slope greater than 5-feet)	X
8. Elevations of the existing finish floor and existing highest roof ridge	X
9. Driveway, curbs, poles, vaults, hydrants, tree wells, spot elevations in adjacent street	X
10. Parkway info	X

Pacific Land Consultants, Inc.'s proposed scope of work, Nov. 8, 2019, per City's clarification.

Pacific Land Consultants, Inc.

28441 Highridge Rd. #230, RHE, CA 90274

(310) 544-8689 • Email: mary@plcsurveying.com

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10. Parkway info	X

Pacific Land Consultants, Inc.'s proposed scope of work, Nov. 8, 2019, per City's clarification.



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 11/12/2019

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: YOLANTA SCHWARTZ, PLANNING DIRECTOR

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

SUBJECT: CONSIDER AND APPROVE THE PURSUIT OF SB2 PLANNING GRANT FUNDS AND AMEND THE PROFESSIONAL SERVICES AGREEMENT WITH CSG CONSULTANTS TO PREPARE THE GRANT APPLICATION FOR AN AMOUNT NOT-TO-EXCEED \$5,700.

DATE: NOVEMBER 12, 2019

ATTACHMENT:

- 1. FIRST AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH CSG CONSULTANTS.**

BACKGROUND

Senate Bill (SB2), Building Homes and Jobs Act, was signed by Governor Brown as a part of 15-bill housing package aimed at addressing California's housing shortage and high housing costs. SB2 establishes a \$75 recording fee on real estate documents to increase the supply of affordable homes in California. The revenue collected will be used to provide funding and technical assistance to all local governments in California to help cities and counties prepare, adopt, and implement plans and process improvements that streamline housing approvals and accelerate housing production. The program will provide grants through a noncompetitive, over-the-counter process to eligible local governments (cities and counties). Eligible applicants, among other criteria, must have a HCD-compliant Housing Element. Grant funds may be used to update plans including the Housing Element and applications are due by the end of November 2019.

DISCUSSION

The City is revising the Housing Element for the 5th Cycle to address the State's comments. While reporting on the progress of the revision work, staff inquired with the State on the City's eligibility to apply for SB2 planning grant funds. The California Department of Housing and Community Development (HCD) staff directed the City to inquire on the eligibility with another arm of the Department.

In July, the City Council approved a professional services agreement with CSG Consultants for on-call planning consulting services to supplement the planning staff on an as needed basis in various planning disciplines for fiscal year 2019-2020 in an amount not to exceed \$30,000. City staff solicited the help of CSG Consultants to make inquiries on eligibility requirements and if Rolling Hills would be eligible for the available SB2 funds.

At no cost to the City, CSG Consultants was able to verify with relevant HCD staff members that the City would be eligible to apply for SB2 funding to amend the City's Housing Element in an effort to have it certified by the State. CSG Consultants was requested to assist the City in writing the grant application. CSG Consultants' proposal is included with this report and the estimated fee for the work is \$5,700.

FISCAL IMPACT

In the approved budget for Fiscal Year 2019-2020, the City Council approved \$105,000 for consulting fees for the Planning Department. Of that \$105,000, \$30,000 is set aside for on-call support for the Planning Department with CSG Consultants. Of the remaining \$75,000, approximately \$13,500 will be used for surveying potential sites for the Housing Element. The remaining \$61,500 is set aside for fee associated with revising the Housing Element.

Given that the City already has an agreement with CSG Consultants and the short timing of the grant submittal, staff recommends that the City Council consider amending the existing agreement with CSG to include additional \$5,700 for the additional task. Funding for the \$5,700 will come from FY 2019-2020 Planning Department consultant fees. If this City is successful in securing grant funds to revise the Housing Element, the City stands to offset expenses for the work.

RECOMMENDATION

Staff recommends the City Council pursue SB2 planning grant funds and approve an amendment to the Professional Services Agreement with CSG Consulting, Inc. to provide the grant writing service for an amount not to exceed \$5,700 for total amount of \$35,700 for Fiscal Year 2019-2020.

First Amendment to Professional Services Agreement Planning Services

This First Amendment, effective ___, 2019, modifies the Agreement for Professional Services that was executed by the City of Rolling Hills ("City") and CSG Consultants, Inc. ("Consultant") on July 29, 2019 ("Agreement"). A copy of the Agreement is attached as Exhibit A.

BACKGROUND

- A. The scope of Consultant's services includes some grant writing, in addition to many other planning services ("Original Scope of Services").
- B. Since entering into the Agreement, the City's need for grant-writing assistance has increased beyond that of the Original Scope of Services to include SB2 grants.
- C. The City desires for the Consultant to perform the Original Scope of Services, as well as to provide additional SB2 grant-writing services to meet the City's increased need.
- D. The Consultant is willing to increase the scope of services in the Agreement to include the SB2 grant-writing in exchange for a reasonable increase in compensation of \$5,700.00.
- E. Paragraph 9.15 of the Agreement requires the parties to make any changes to the Agreement "in writing appropriately executed by both the City and Consultant."

TERMS AND CONDITIONS

- 1. **Increased Scope of Services.** The Scope of Services of the Agreement is hereby amended to add SB2 Planning grant application assistance, as described in Exhibit B to this First Amendment.
- 2. **Increased Compensation for Services.** The compensation for services in the Agreement is hereby increased by \$5,700.00, for a total not-to-exceed amount of \$35,700.00. The basis for the increase is set forth in Exhibit B to this First Amendment.
- 3. **No Other Change.** All other terms of the Agreement remain unchanged by this First Amendment.

(Signatures on following page)

CITY
City of Rolling Hills

CONSULTANT
CSG Consultants, Inc.

By: _____
Elaine Jeng, City Manager

By: _____
President

Attest:

By: _____
Yohana Coronel, City Clerk

Approved as to Form:

By: _____
Michael Jenkins, City Attorney

Exhibit A
Copy of Agreement

(follows this page)

AGREEMENT FOR PROFESSIONAL SERVICES

PLANNING SERVICES

This Agreement is made and entered into by and between the City of Rolling Hills (hereinafter referred to as the "City"), and CSG Consultants, Inc. (hereinafter referred to as "Consultant").

RECITALS

A. The City does not have the personnel able and available to perform the services required under this Agreement.

B. The City desires to contract for consulting services for certain projects relating to planning.

C. The Consultant warrants to the City that it has the qualifications, experience, and facilities to perform properly and timely the services under this Agreement.

D. The City desires to contract with the Consultant to perform the services as described in Exhibit A of this Agreement.

NOW, THEREFORE, the City and the Consultant agree as follows:

1.0 SCOPE OF THE CONSULTANT'S SERVICES. The Consultant agrees to provide the services and perform the tasks set forth in the Scope of Work, attached to and made part of this Agreement as Exhibit A, except that, to the extent that any provision in Exhibit A conflicts with this Agreement, the provisions of this Agreement shall govern. The Scope of Work may be amended from time to time in writing and signed by both parties by way of written amendment to this Agreement.

2.0 TERM OF AGREEMENT. This Agreement will become effective upon execution by both parties and will remain in effect for a period of one year from said date unless otherwise expressly extended and agreed to by both parties or terminated by either party as provided herein.

3.0 CITY AGENT. The City Manager, or her designee, for the purposes of this Agreement, is the agent for the City; whenever approval or authorization is required, Consultant understands that the City Manager, or her designee, has the authority to provide that approval or authorization.

4.0 COMPENSATION FOR SERVICES. The City shall pay the Consultant for its professional services rendered and costs incurred pursuant to this Agreement in accordance with Exhibit B, the Scope of Work's fee and cost schedule for the services attached to and made part of this Agreement subject to a do not exceed amount in the

amount of \$30,000. No additional compensation shall be paid for any other expenses incurred, unless first approved by the City Manager, or her designee.

4.1 The Consultant shall submit to the City, by no later than the 10th day of each month, its bill for services itemizing the fees and costs incurred during the previous month. The City shall pay the Consultant all uncontested amounts set forth in the Consultant's bill within 30 days after it is received.

5.0 CONFLICT OF INTEREST. The Consultant represents that it presently has no interest and shall not acquire any interest, direct or indirect, in any real property located in the City which may be affected by the services to be performed by the Consultant under this Agreement. The Consultant further represents that in performance of this Agreement, no person having any such interest shall be employed by it.

5.1 The Consultant represents that no City employee or official has a material financial interest in the Consultant's business. During the term of this Agreement and as a result of being awarded this contract, the Consultant shall not offer, encourage, or accept any financial interest in the Consultant's business by any City employee or official.

5.2 If a portion of the Consultant's services called for under this Agreement shall ultimately be paid for by reimbursement from and through an agreement with a developer of any land within the City or with a City franchisee, the Consultant warrants that it has not performed any work for such developer/franchisee within the last 12 months, and shall not negotiate, offer, or accept any contract or request to perform services for that identified developer/franchisee during the term of this Agreement.

6.0 TERMINATION. Either the City Manager or the Consultant may terminate this Agreement, without cause, by giving the other party ten (10) days written notice of such termination and the effective date thereof.

6.1 In the event of such termination, all finished or unfinished documents, reports, photographs, films, charts, data, studies, surveys, drawings, models, maps, or other documentation prepared by or in the possession of the Consultant under this Agreement shall be returned to the City. Consultant shall prepare and shall be entitled to receive compensation pursuant to a close-out bill for services rendered in a manner reasonably satisfactory to the City and fees incurred pursuant to this Agreement through the notice of termination.

6.2 If the Consultant or the City fail to fulfill in a timely and proper manner its obligations under this Agreement, or if the Consultant or the City violate any of the covenants, agreements, or stipulations of this Agreement, the Consultant or the City shall have the right to terminate this Agreement by giving written notice to the other party of such termination and specifying the effective date of such termination. The Consultant shall be entitled to receive compensation in accordance with the terms of this Agreement for any work satisfactorily completed hereunder. Notwithstanding the foregoing, the Consultants shall not be relieved of liability for damage sustained by virtue of any breach

of this Agreement and any payments due under this Agreement may be withheld to offset anticipated damages.

7.0 INSURANCE.

7.1 Without limiting Consultant's obligations arising under paragraph 5 - Indemnity, Consultant shall not begin work under this Agreement until it obtains policies of insurance required under this section. The insurance shall cover Consultant, its agents, representatives, and employees in connection with the performance of work under this Agreement, and shall be maintained throughout the term of this Agreement. Insurance coverage shall be as follows:

7.1.1 General Liability Insurance insuring City of Rolling Hills, its elected and appointed officers, agents, and employees from claims for damages for personal injury, including death, as well as from claims for property damage which may arise from Consultant's actions under this Agreement, whether or not done by Consultant or anyone directly or indirectly employed by Consultant. Such insurance shall have a combined single limit of not less than \$1,000,000.

7.1.2 Automobile Liability Insurance covering bodily injury and property damage for all activities of the Consultant arising out of or in connection with the work to be performed under this Agreement in an amount of not less than \$1,000,000 combined single limit for each occurrence. If Consultant or Consultant's employees will use personal automobiles in any way on this project, Consultant shall obtain evidence of personal automobile liability coverage for each such person.

7.1.3 Worker's Compensation Insurance for all Consultant's employees to the extent required by the State of California. If the Consultant has no employees for the purposes of this Agreement, the Consultant shall sign a "Certificate of Exemption from Workers' Compensation Insurance". Consultant shall similarly require all authorized subcontractors pursuant to this Agreement to provide such compensation insurance for their respective employees.

7.1.4 Professional Liability Coverage for professional errors and omissions liability insurance for protection against claims alleging negligent acts, errors, or omissions which may arise from the Consultant's operations under this Agreement, whether such operations are by the Consultant or by its employees, subcontractors, or subconsultants. The amount of this insurance shall not be less than one million dollars (\$1,000,000) on a claims-made annual aggregate basis, or a combined single-limit-per-occurrence basis. When coverage is provided on a "claims made basis," Consultant will continue to renew the insurance for a period of three (3) years after this Agreement expires or is terminated. Such insurance will have the same coverage and limits as the policy that was in effect during the term of this Agreement, and will cover Consultant for all claims made by City arising out of any errors or omissions of Consultant, or its officers, employees, or

agents during the time this Agreement was in effect.

7.2 Deductibility Limits for policies referred to in subparagraphs 7.1.1 and 7.1.2 shall not exceed \$5,000 per occurrence, with exception to Consultant's Professional Liability Insurance Policy which shall not exceed \$50,000 per occurrence.

7.3 Additional Insured. City of Rolling Hills, its elected and appointed officers, agents, and employees shall be named as additional insureds on policies referred to in subparagraphs 7.1.1 and 7.1.2.

7.4 Primary Insurance. The insurance required in paragraphs 7.1.1 and 7.1.2 shall be primary and not excess coverage.

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

8.0 INDEMNIFICATION. Consultant shall indemnify, defend with counsel approved by City, and hold harmless City, its officers, officials, employees and volunteers from and against all liability, loss, damage, expense, cost (including without limitation reasonable attorneys fees, expert fees and all other costs and fees of litigation) of every nature arising out of or in connection with Consultant's performance of work hereunder or its failure to comply with any of its obligations contained in this Agreement, regardless of City's passive negligence, but excepting such loss or damage which is caused by the sole active negligence or willful misconduct of the City. Should City in its sole discretion find Consultant's legal counsel unacceptable, then Consultant shall reimburse the City its costs of defense, including without limitation reasonable attorneys fees, expert fees and all other costs and fees of litigation. The Consultant shall promptly pay any final judgment rendered against the City (and its officers, officials, employees and volunteers) covered by this indemnity obligation. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of the State of California and will survive termination of this Agreement.

9.0 GENERAL TERMS AND CONDITIONS.

9.1 Non-Assignability. The Consultant shall not assign or transfer any interest in this Agreement without the express prior written consent of the City.

9.2 Non-Discrimination. The Consultant shall not discriminate as to race, creed, gender, color, national origin or sexual orientation in the performance of its

services and duties pursuant to this Agreement, and will comply with all applicable laws, ordinances and codes of the federal, state, county and city governments.

9.3 Compliance with Applicable Law. The Consultant and the City shall comply with all applicable laws, ordinances and codes of the federal, state, county and city governments.

9.4 Independent Contractor. This Agreement is by and between the City and the Consultant and is not intended, and shall not be construed, to create the relationship of agency, servant, employee, partnership, joint venture or association, as between the City and the Consultant.

9.4.1 The Consultant shall be an independent contractor, and shall have no power to incur any debt or obligation for or on behalf of the City. Neither the City nor any of its officers or employees shall have any control over the conduct of the Consultant, or any of the Consultant's employees, except as herein set forth, and the Consultant expressly warrants not to, at any time or in any manner, represent that it, or any of its agents, servants, or employees are in any manner employees of the City, it being distinctly understood that the Consultant is and shall at all times remain to the City a wholly independent contractor and the Consultant's obligations to the City are solely such as are prescribed by this Agreement. Each Consultant employee shall remain in the fulltime employ of Consultant, and the City shall have no liability for payment to such Consultant employee of any compensation or benefits, including but not limited to workers' compensation coverage, in connection with the performance of duties for the City.

9.5 Copyright. No reports, maps, or other documents produced in whole or in part under this Agreement shall be the subject of an application for copyright by or on behalf of the Consultant.

9.6 Legal Construction.

9.6.1 This Agreement is made and entered into in the State of California and shall in all respects be interpreted, enforced, and governed under the laws of the State of California.

9.6.2 This Agreement shall be construed without regard to the identity of the persons who drafted its various provisions. Each and every provision of this Agreement shall be construed as though each of the parties participated equally in the drafting of same, and any rule of construction that a document is to be construed against the drafting party shall not be applicable to this Agreement.

9.6.3 The article and section, captions and headings herein have been inserted for convenience only and shall not be considered or referred to in resolving questions or interpretation or construction.

9.6.4 Whenever in this Agreement the context may so require, the

masculine gender shall be deemed to refer to and include the feminine and neuter, and the singular shall refer to and include the plural.

9.7 Counterparts. This Agreement may be executed in counterparts and as so executed shall constitute an agreement which shall be binding upon all parties hereto.

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

9.9 Corrections. In addition to the above indemnification obligations, the Consultant shall correct, at its expense, all errors in the work which may be disclosed during the City's review of the Consultant's report or plans. Should the Consultant fail to make such correction in a reasonably timely manner, such correction shall be made by the City, and the cost thereof shall be charged to the Consultant.

9.10 Files. All files of the Consultant pertaining to the City shall be and remain the property of the City. The Consultant will control the physical location of such files during the term of this Agreement and shall provide City with the files upon termination of the Agreement. Consultant will be entitled to retain copies of such files upon termination of this Agreement in accordance with law.

9.11 Waiver; Remedies Cumulative. Failure by a party to insist upon the performance of any of the provisions of this Agreement by the other party, irrespective of the length of time for which such failure continues, shall not constitute a waiver of such party's right to demand compliance by such other party in the future. No waiver by a party of a default or breach of the other party shall be effective or binding upon such party unless made in writing by such party, and no such waiver shall be implied from any omissions by a party to take any action with respect to such default or breach. No express written waiver of a specified default or breach shall affect any other default or breach, or cover any other period of time, other than any default or breach or period of time specified. All of the remedies permitted or available to a party under this Agreement, or at law or in equity, shall be cumulative and alternative, and invocation of any such right or remedy shall not constitute a waiver or election of remedies with respect to any other permitted or available right of remedy.

9.12 Mitigation of Damages. In all such situations arising out of this

Agreement, the parties shall attempt to avoid and minimize the damages resulting from the conduct of the other party.

9.13 Partial Invalidity. If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions will nevertheless continue in full force without being impaired or invalidated in any way.

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

9.15 Entire Agreement. This Agreement constitutes the whole agreement between the City and the Consultant, and neither party has made any representations to the other except as expressly contained herein. Neither party, in executing or performing this Agreement, is relying upon any statement or information not contained in this Agreement. Any changes or modifications to this Agreement must be made in writing appropriately executed by both the City and the Consultant.

9.16 Warranty of Authorized Signatories. Each of the signatories hereto warrants and represents that he or she is competent and authorized to enter into this Agreement on behalf of the party for whom he or she purports to sign.

10.0 NOTICES. Any notice required to be given hereunder shall be deemed to have been given by depositing said notice in the United States mail, postage prepaid, and addressed as follows:

CITY:
Elaine Jeng, P.E.,
City Manager
2 Portuguese Bend Road
Rolling Hills, CA 90274
TEL (310) 377-1521
FAX (310) 377-2866

CONSULTANT:
Ethan Edwards, AICP
Director of Planning Services
3707 W. Garden Grove Blvd, Suite 100
Orange, CA 92868
TEL (714) 568-1010
FAX (714) 568-1028

11.0. DISCLOSURE REQUIRED. (City and Consultant initials required at 11.1)

11.1 Disclosure Required. By their respective initials next to this paragraph, City and Consultant hereby acknowledge that Consultant is a "consultant" for the purposes of the California Political Reform Act because Consultant's duties would require him or her to make one or more of the governmental decisions set forth in Fair Political Practices Commission Regulation 18700.3(a) or otherwise serves in a staff capacity for which disclosure would otherwise be required were Consultant employed by

the City. Consultant hereby acknowledges his or her assuming-office, annual, and leaving-office financial reporting obligations under the California Political Reform Act and the City's Conflict of Interest Code and agrees to comply with those obligations at his or her expense. Prior to consultant commencing services hereunder, the City's Manager shall prepare and deliver to consultant a memorandum detailing the extent of Consultant's disclosure obligations in accordance with the City's Conflict of Interest Code.

City Initials EM
Consultant Initials CR

11.2 Disclosure Not Required. By their initials next to this paragraph, City and Consultant hereby acknowledge that Consultant is not a "consultant" for the purpose of the California Political Reform Act because Consultant's duties and responsibilities are not within the scope of the definition of consultant in Fair Political Practice Commission Regulation 18700.3(a) and is otherwise not serving in staff capacity in accordance with the City's Conflict of Interest Code.

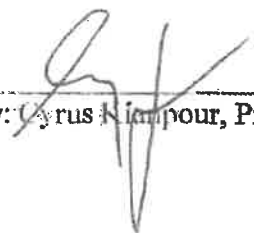
City Initials _____
Consultant Initials _____

This Agreement is executed on July 29, 2019, at City of Rolling Hills, California.

CITY OF ROLLING HILLS:

CONSULTANT:


Elaine Jeng, P.E., City Manager


By: Cyrus Nimpour, President

ATTES:


Elaine Jeng, P.E., City Clerk

APPROVED AS TO FORM:

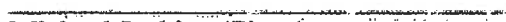

Michael Jenkins, City Attorney

EXHIBIT A

SCOPE OF SERVICES

- Task 1:** Processing of planning entitlements and projects (entitlement permitting, conditional use permits, lot line adjustments, subdivisions, peer review of CEQA docs, etc.).
- Task 2:** Plan preparation (General Plan, Housing Element, Transportation/Circulation Plan, Local Hazard Mitigation Plan).
- Task 3:** Grant writing/grant research including coordination with outside agencies and data collection.
- Task 4:** Special studies and research relating to Planning Department activities.
- Task 5:** Records management and project documentation.
- Task 6:** Monthly status meetings/conference calls with City staff.

EXHIBIT B

FEE AND COST SCHEDULE

REVIEW TYPE / ROLE	ALL INCLUSIVE FEE / HOURLY RATE
Planning Technician	\$65
Assistant Planner	\$80
Associate Planner	\$100
Senior Planner	\$120
Principal Planner	\$140
Planning Manager	\$150
Planning Director	\$165

The partner planner approach will not incur additional billing. These hourly fees include all expenses, consisting of all incidental travel and parking, attendance at meetings, and miscellaneous costs, including but not limited to office costs, such as copying, printing, etc. Consultant may bill 1.5x the hourly rate indicated in the table above for any Consultant employee that works more than eight (8) hours per day on City projects.

Exhibit B
SB2 Planning Grant Application
Scope of Services

(follows this page)



Employee-Owned

3707 W Garden Grove Blvd. Suite 100
Orange, CA 92868
phone 714.568.1010
fax 714.568.1028

www.csgegr.com

November 6, 2019

Yolanta Schwartz
Planning Director
City of Rolling Hills
2 Portuguese Bend Road
Rolling Hills, CA 90274

Re: SB 2 Planning Grant Application

CSG Consultants, Inc. (CSG) is pleased to present this Proposal for planning services to prepare a SB 2 Planning Grant Application for the City of Rolling Hills (City). Services include, but are not limited to: application preparation; coordination with the City and HCD, preparation of current and/or recent HCD annual report(s), preparation of a resolution, preparation of a project timeline and budget for the SB 2 grant eligible activity, and compilation and/or preparation of materials demonstrating that the City achieved significant progress toward meeting the 5th cycle housing element requirements. CSG can provide these services with our specialized expertise, proximity, and knowledgeable, highly experienced staff.

This scope excludes tasks related to preparing and/or updating the housing element. If requested, CSG can assist in the 5th and/or 6th cycle housing element update(s) on a time and materials basis.

CSG's estimated number of hours and proposed Not-to-Exceed budget are provided in the below table. If the requested services exceed the estimated hours, the client will be billed on a time and material basis, upon mutual agreement. CSG will mail an invoice at the beginning of every month for services rendered during the previous month.

SCOPE OF SERVICES

CSG understands the City is looking for consultants to complete the following services:

- SB 2 Planning Grant application preparation
- Preparation of 2018 and/or 2019 HCD annual progress report
- Coordination with HCD
- Coordination with City
- Preparation of a resolution authorizing application for and receipt of SB 2 grant funds
- Preparation of a project timeline and budget for SB 2 eligible activities
- Compilation and preparation of materials demonstrating significant progress toward 5th cycle Housing Element

REVIEW TYPE / ROLE	HOURLY RATE	ESTIMATE NO. OF HOURS	ESTIMATE NOT-TO-EXCEED FEE
Senior Planner	\$120	30	\$3,600
Principal Planner	\$140	15	\$2,100
	TOTAL	45	\$5,700



Employee-Owned

3707 W Garden Grove Blvd. Suite 100
Orange, CA 92868
phone 714.568.1010
fax 714.568.1028

www.csgegr.com

If you require additional information or would like to further discuss our qualifications, please contact Ethan Edwards, AICP, Director of Planning Services:

Ethan Edwards, AICP
Director of Planning Services
(714) 568-1010 Office | (714) 699-4297 Mobile
ethane@csgegr.com

We appreciate the opportunity to continue and expand our professional planning services for the City of Rolling Hills.

Sincerely,

A handwritten signature in black ink, appearing to read "Cyrus Kianpour", written over a horizontal line.

Cyrus Kianpour, PE
President, CSG Consultants, Inc.