



# *City of Rolling Hills*

INCORPORATED JANUARY 24, 1957

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

## **AGENDA REGULAR MEETING**

**CITY COUNCIL  
MONDAY, JUNE 10, 2019**

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

*Next Resolution No. 1241*

*Next Ordinance No. 362*

### **1. CALL TO ORDER**

### **2. ROLL CALL**

### **PLEDGE OF ALLEGIANCE**

### **3. OPEN AGENDA - PUBLIC COMMENT WELCOME**

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

### **4. CONSENT CALENDAR**

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

- A. MINUTES – REGULAR MEETING OF MAY 13, 2019.  
**RECOMMENDATION: APPROVE AS PRESENTED**
- B. PAYMENT OF BILLS.  
**RECOMMENDATION: APPROVE AS PRESENTED**

### **5. COMMISSION ITEMS**

- A. CONSIDERATION TO RECEIVE AND FILE RESOLUTION NO. 2019-09 FROM THE PLANNING COMMISSION GRANTING A VARIANCE FROM THE REQUIREMENT THAT UTILITY LINES BE PLACED UNDERGROUND IN CONJUNCTION WITH A CONSTRUCTION OF AN ADDITION AND MAJOR REMODEL IN ZONING CASE NO. 957, AT 5 FLYING MANE LANE, ROLLING HILLS (LOT 45-SF), (WALKER).

**6. PUBLIC HEARINGS**

- A. PUBLIC HEARING AND CONSIDERATION OF RESOLUTION NO. 1239 ADOPTING THE FISCAL YEAR 2019/2020 BUDGET AND RESOLUTION NO. 1240 ESTABLISHING THE ANNUAL APPROPRIATION GANN LIMIT FOR THE CITY OF ROLLING HILLS.
- B. A HEARING TO CONSIDER WHETHER NONCOMPLIANCE WITH CITY COUNCIL RESOLUTION NO. 1196 AND THE COVENANT RECORDED AGAINST TITLE PURSUANT THERETO CONSTITUTES A PUBLIC NUISANCE WITH REGARD TO FAILURE TO ABATE A VIEW IMPAIRMENT AT 15 PORTUGUESE BEND ROAD (COVENANT RECORDED AS DOCUMENT NUMBER 20170547814 AND DATED 05/17/2017) (OWNERS: WILLIAM AND JUDITH HASSOLDT).

**7. OLD BUSINESS**

NONE.

**8. NEW BUSINESS**

- A. CONSIDERATION AND APPROVAL OF AN AGREEMENT WITH GRANICUS TO SUBSCRIBE TO AN AGENDA MANAGEMENT AND MINUTES PREPARATION PROGRAM.

**9. MATTERS FROM THE CITY COUNCIL AND MEETING ATTENDANCE REPORTS**

NONE.

**10. MATTERS FROM STAFF**

NONE.

**11. CLOSED SESSION**

NONE.

**12. ADJOURNMENT**

Next meeting: Monday, June 24, 2019 at 7:00 p.m. in the Council Chamber, Rolling Hills City Hall, 2 Portuguese Bend Road, Rolling Hills, California.

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

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

*In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to*

*participate in this meeting due to your disability, please contact the City Clerk at (310) 377-1521 at least 48 hours prior to the meeting to enable the City to make reasonable arrangements to ensure accessibility and accommodation for your review of this agenda and attendance at this meeting.*

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

**MINUTES OF  
A REGULAR MEETING  
OF THE  
CITY COUNCIL OF THE  
CITY OF ROLLING HILLS, CALIFORNIA  
MONDAY, MAY 13, 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 7:01p.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. Jane Abzug, City Attorney. Planning Director, Yolanta Schwartz Finance Director, Terry Shea Budget Consultant, Jim Walker David Walbeck Alfred Visco Gordon Inman

**3. OPEN AGENDA - PUBLIC COMMENT WELCOME**

David Walbeck of the Los Angeles County Sanitation District worked for the District for 33 years at the facility in Carson. He brought along his co-workers with him. Mr. Walbeck said that after 2 years of negotiating the labor contract with management, on April 23 the employees ratified the contract and referred the contract to the Sanitation Directors for approval. Mr. Walbeck noted that while Rolling Hills has a small part of the city connected to the District, the City has one vote on the Board as with larger cities. Mr. Walbeck saw Council member Wilson at a previous meeting but inquired if Ms. Mirsch is the current Director from Rolling Hills. Mr. Walbeck said he is seeking the Director's support in approving the labor agreement at the Wednesday, May 22 Director's meeting in Whittier. The contract maintains status quo and the employees have been paying their share of the 7% contribution to CalPERS.

Mayor Mirsch noted that later in the agenda, the representative to the Sanitation District will be discussed and Councilmember Wilson will continue to serve in that capacity.

Alfred Visco thanked staff for responding to his email but he had sent one as recent as 6pm. In reviewing Title 17, Mr. Visco was not able to determine the triggers for administrative review or discretionary review. Mr. Visco believed that the City should remove the Water Efficiency Landscape Ordinance from the consent calendar and place it back in the agenda for action. The proposed ordinance does not comply with the State's 2015 MWELo nor is it appropriate for staff to spend time on it. Mr. Visco advised the City Council to adopt the 2015 MWELo, as is to keep it simple.



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Gordon Inamn requested the City Council to provide an extension of few more weeks to remove his dog from the City.

#### **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. PAYMENT OF BILLS.  
**RECOMMENDATION: Approve as presented.**
- B. REPUBLIC SERVICES RECYCLING TONNAGE REPORT FOR MARCH 2019.  
**RECOMMENDATION: Approve as presented.**
- C. ORDINANCE NO. 361 – AN ORDINANCE OF THE CITY OF ROLLING HILLS AMENDING CHAPTER 13.18 (WATER EFFICIENCY LANDSCAPE) OF TITLE 13 (WATER AND SEWERS) OF THE ROLLING HILLS MUNICIPAL CODE.  
**RECOMMENDATION: Second reading, waive full reading and adopt Ordinance.**
- D. COMMITTEE ASSIGNMENT  
**RECOMMENDATION: Approve as presented.**

Councilmember Black inquired about check 25877 prelim Rule 20 for CALOES.

City Manager Jeng responded that the consultant Southern California Electric assisted the City in preparing plans for the CALOES grant applications.

Councilmember Wilson motioned to approve the items on the consent calendar as presented. 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, Black and Wilson  
NOES: COUNCILMEMBERS: None.  
ABSENT: COUNCILMEMBERS: None.  
ABSTAIN: COUNCILMEMBERS: None.

#### **5. COMMISSION ITEMS**

- A. RESOLUTION NO. 2019-07. A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ROLLING HILLS GRANTING APPROVAL OF A VARIANCE TO ALLOW CONSTRUCTION OF A BASEMENT LIGHT WELL IN THE FRONT YARD SET BACK AND A MAJOR MODIFICATION TO CHANGE THE PRESCRIBED ORDER OF CONSTRUCTION AND A TWO YEAR EXTENSION RELATING TO PREVIOUSLY GRANTED SITE PLAN REVIEW AND VARIANCE ENTITLEMENT AT 5 EL CONCHO LANE IN ZONING CASE NO. 916, (LOT 10-GF) ROLLING HILLS, CA (DE MIRANDA)

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Planning Director Schwartz presented the project. This project came to the Planning Commission as a code enforcement case. Since then property owner has legalized improvements constructed without permits.

Councilmember Dieringer inquired if the requested variances could have been addressed earlier in the project process.

Planning Director Schwartz responded that several changes came later in the process. Initially block walls were proposed as in many other places in Rolling Hills and it wasn't until the project went through building permits did the engineers determine that the block walls would not work and MSE walls would be needed.

Councilmember Dieringer noted the City should encourage people to be thorough in preparing plans so that we are not having changes and extending time.

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

Mayor Pro Tem Pieper moved that the City Council receive and file the items as presented. 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.

## 6. PUBLIC HEARINGS

- A. A HEARING TO CONSIDER WHETHER NONCOMPLIANCE WITH CITY COUNCIL RESOLUTION NO. 1196 AND THE COVENANT RECORDED AGAINST TITLE PURSUANT THERETO CONSTITUTES A PUBLIC NUISANCE WITH REGARD TO FAILURE TO ABATE A VIEW IMPAIRMENT AT 15 PORTUGUESE BEND ROAD (COVENANT RECORDED AS DOCUMENT NUMBER 20170547814 AND DATED 05/17/2017) (OWNERS: WILLIAM AND JUDITH HASSOLDT)

City Manager Jeng recommended the City Council move the public hearing to the next City Council meeting. The last time the item was heard by the City Council the property owner of 15 Portuguese Bend Road faxed proposals he received for tree trimming services and engaged the company Travers. Travers performed tree-trimming work but staff was unable to access the adjacent property. Access to the adjacent property for inspecting the tree trimming was granted for Wednesday, this week.

Mayor Mirsch called for public comments.

Mayor Pro Tem Pieper moved that the City Council continue the hearing to May 29, 2019. Councilmember Black seconded the motion and the motion carried without objection by a voice vote as follows:

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

NOES: COUNCILMEMBERS: None.

ABSENT: COUNCILMEMBERS: None.

ABSTAIN: COUNCILMEMBERS: None.

## **7. OLD BUSINESS**

- A. CONSIDERATION AND APPROVAL OF A PROFESSIONAL SERVICES AGREEMENT WITH WILLDAN ENGINEERING FOR THE SANITARY SEWER IMPROVEMENT FEASIBILITY STUDY PHASE 3 AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT FOR AN AMOUNT NOT-TO-EXCEED \$32,420.

City Manager Jeng noted that the first phase of the feasibility study was presented to the City Council in October 2018 and at that time City Council capped the budget for Phase II study at \$32,000. The current cost of Phase II study exceeds this amount by \$420 and it is the reason for presenting this item to City Council today. City Manager Jeng also noted that there may be questions as to the activities on this matter between October of last year to today. The initial proposal for Phase II study provided by Willdan exceeded the cap by a lot. Staff went through the proposal with Willdan and refined it to eliminate excess meetings. In December the engineer assigned to the Phase II study retired unexpectedly. A new project manager was assigned to the project and staff worked with the new project manager to establish milestones to ensure no overrun in the project schedule. City Manager also noted that there is sufficient money in the Utility Fund to pay for the overage of Phase II study.

Councilmember Dieringer inquired if there is concerns about Willdan being able to perform on this agreement given the delay thus far and issues relating to the sewer annexation to the County.

City Manager Jeng responded with the new Project Manager from Willdan, staff focused on establishing milestones for accountability. The milestones spell out the City's responsibility when receiving a deliverable and the consultant's responsibility in the deliveries of work product. City Manager Jeng expressed that she is comfortable with the new Project manager to keep each party in check. The annexation project experienced issues with the coordination with the LA County Sanitation District. The County asked for data and Willdan in turn requests the data from City staff so there were issues with data possession. The annexation project is expected to be complete within the month.

Councilmember Dieringer inquired where in the contract is the accountability mentioned?

City Manager Jeng noted that Willdan's proposal is made a part of the agreement. The proposal lists milestones and the required actions of the consultant.

Councilmember Wilson noted that Vanessa Munoz's name is in the contract and inquired if Vanessa has been elevated in the company? And will she continue to be the traffic engineer for the Traffic Commission.

## DRAFT

City Manager Jeng responded that yes, Vanessa Munoz has been elevated in her company and she now oversees the Utility Division of Willdan. There is no discussion of Vanessa moving away from serving the Traffic Commission.

Mayor Mirsch called for public comments.

Richard Colyear urged the City Council to delay the approval of the Willdan contract. On May 23, he had a meeting with Yolanta and Elaine to go over the earlier contract. Everyone has left Willdan. Clearly sewer is not Willdan's strong suit. Mr. Colyear recommended that other people could do this work. The objective to hook up to an existing sewer line is good but unless there is compelling urgency, the approval of the contract should be delayed for 2 weeks.

City Manager Jeng noted that the City Council is seeking to commence this study. The tennis courts improvement is looking into this study to determine if existing septic tank needs replacement, however delaying the contract approval for two weeks would not have major impacts.

Mayor Mirsch closed the public hearing.

Councilmember Black noted that we need to stop throwing good money after bad. The bathroom and the sink will cost millions of dollars. Councilmember Black noted that Mr. Colyear's connection took 8-9 years. The City gave a good effort but the \$30,000 should be put towards a new septic tank.

Mayor Pro Tem Pieper inquired the cost to construction the sewer main. The previous figure provided was \$600,000. At some point in time they won't allow us to construct septic tanks anymore. At the tennis courts, the pipes to the sewer main should be roughed in and wait for the sewer main to be constructed. Mayor Pro Tem Pieper did not see value in installing a new septic tank for \$200,000.

City Manager Jeng provided a construction estimate of \$1M - \$1.5M for the 8" sewer main down Portuguese Bend Road to Lariat Lane. She also noted that there is an existing sink at the tennis courts that is not hooked up to a discharge pipe. Absent of a restroom, the existing septic tank needs to be replaced due to the need to hook up the existing sink. The septic tank is under the purview of the LA County Public Health. There is a residential septic tank division and a commercial septic tank division in Public Health. Presently, the septic tank at the tennis courts is considered a residential septic tank but City Manager Jeng does not know if it will continue to be considered residential if the guardhouse, the new restroom at the tennis court, and the kitchen is connected to it. The area between City Hall and the Association building is the leach field for the septic tanks. If there are plans to expand City Hall, the space would not be usable until the septic tank is removed. These are long term plans and considerations for the City Council.

Councilmember Wilson shared Mayor Pro Tem Pieper's sentiments that the City is not in a good position to go forward with the sewer main or to continue on septic tank.

Mayor Pro Tem Pieper noted he is not in support of spending \$1M-\$1.5M for the sewer main.

Councilmember Dieringer suggested delaying the item to the next meeting to explore options. She inquired is there any way to fix the existing septic tank.

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Mayor Mirsch inquired Jeff's comment about the Association paying for the septic tank. If the Association moves forward with the tennis court project, is the cost on the City to replace the septic tank.

City Manager Jeng noted that the agreement between the Association and the City is the improvement cost would be split evenly between the two parties, only if the City uses the tennis courts.

Councilmember Black noted that the Association has to be the lead in the project.

Mayor Pro Tem Pieper made a motion to kill the sewer feasibility study. 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.

- B. CONSIDERATION AND APPROVAL OF ENGINEERING PLANS AND SPECIFICATIONS FOR THE CITY HALL PARKING LOT AND PORTUGUESE BEND ROAD BETWEEN PALOS VERDES DRIVE NORTH TO ENTRY GATES; CONSIDERATION AND APPROVAL OF RESOLUTION 1237, ASSIGNMENT TO THE CITY OF ROLLING HILLS ESTATES ITS AVAILABLE PROPOSITION C TRANSPORTATION FUNDS; AND CONSIDERATION AND APPROVAL OF RESOLUTION 1238 APPROVING ALLOCATION OF MEASURE M AND MEASURE R FUNDS TOWARDS RESURFACING OF PAVEMENT IN AND AROUND THE CITY OF ROLLING HILLS CITY HALL CAMPUS AREA AND THE SEGMENT OF PORTUGUESE BEND ROAD FROM THE MAIN GATE TO PALOS VERDES DRIVE NORTH.

City Manager Jeng noted this item contains several follow up actions by the way of resolutions. Resolution 1237 assigns Proposition C funds to the City of Rolling Hills Estates. Resolution 1238 allocates Measure M and R monies towards the City Hall parking lot project. City Manager Jeng provided a brief update on the project. She also noted staff is requesting approval of the plans and specifications and to direct staff to put the project out to bid. The City of Rolling Hills Estates is the lead agency and if approved, will be doing so on Rolling Hills' behalf. Willdan Engineer is the engineer of record and serve as construction manager for the project. The bid is scheduled to come in on May 20, 2019. The Council dedicated \$120,000. The engineering design cost is \$22,800, \$97,200 is dedicated to construction.

Councilmember Black inquired if the ADA improvements shown is the path from Palos Verdes Drive North.

Discussion ensued on the location of the ADA pathway identified in the plans. City Manager Jeng clarified and described the subject path as the path outside of the three rail fence and different from the horse trail. She also noted that the path will not be able to comply with the ADA requirements however

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efforts will be made as part of this project to get as close to meeting the ADA requirements as best as possible. The physical and budgetary constraints will be documented in record file.

Councilmember Black inquired if the work includes making the city parking lot ADA compliant.

City Manager Jeng noted that per the City's draft ADA transition plan, it calls for improvements at the parking lot and the engineering plans includes improvements called out in the draft ADA transition plan.

Mayor Mirsch inquired if the bid were to come in higher than the \$98,000, will we not consider doing the project? And what is the duration of construction?

City Manager Jeng noted that if the Rolling Hills' portion of the work was bid out as an alternate bid, if the City decided not to move forward, the decision would not impact Rolling Hills Estates. If the bid comes in higher than the available budget, staff recommends to use next year's Measure M and R allocations as the City have no other uses for the funds. The project calls for night work or weekend work. To avoid disturbing the surrounding residents with nighttime grinding work, the work is likely to be on the weekend and that is only 2 days of work, per week and may increase the duration time of work.

Discussion ensued on the higher cost of weekend, night work and the potential construction duration and impacts.

Mayor Pro Tem Pieper suggested to conduct work at the same time Palos Verdes Drive North is rehabbed.

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

Councilmember Black moved that the City Council approve Resolution No. 1237 and No. 1238. 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, Black and Wilson.  
NOES: COUNCILMEMBERS: None.  
ABSENT: COUNCILMEMBERS: None.  
ABSTAIN: COUNCILMEMBERS: None.

Councilmember Dieringer moved that the City Council approve staff's recommendation as listed on page 3 of 138. Councilmember Wilson 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.

City Manager noted that Palos Verdes Drive North street rehab work will be conducted between the hours 8pm and 5am.

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C. CONSIDERATION OF OPTIONS FOR SOLID WASTE SERVICES BEGINNING JULY 1, 2020

Ray Grothaus, General Manager of Republic Services said that he came onboard in Los Angeles about 13 months ago and encountered service issues at Rolling Hills. Mr. Grothaus noted that he has been meeting with Elaine to look at options to keep the existing service level and options to extend the contract. The current contract is upside down. In the 2008 recession, CPI hit all-time lows while labor rates went up. Mr. Grothaus expressed that he did not want to lose the business and offered an 8 year contract with the first year rate adjustment of 9.65% in 2020 and a fixed 4.25% increase for years 2021 through 2027. The proposed contract will take a few years to allow Republic to net even. Mr. Grothaus covered upcoming mandates AB1594 and SB1383 and considered establish rates to address these mandates but the regulations for these mandates are not finalized. Mr. Grothaus proposed to establish rates to meet these mandates when the regulations are available and ask the City Council to consider rate increase to meet these mandates at that time. Mr. Grothaus also noted that the City is meeting CalRecycle's diversion rate per capita partly due to Republic's contract requirement of 50% diversion of what they collect. Although these are two different measures. Republic reduced the diversion percentage of collection to be able to sharpen their pencil to provide the rates aforementioned.

Discussions ensued on capturing green waste brought into the city.

Mr. Grothaus said that he will reach out to Travers to find out their reporting structure. The green waste diversion may have already been captured at the source. Additionally, Mr. Grothaus noted that there are bad actors taking waste to landfills and falsely reporting waste generated from the City. The corrections on these false reports could help with diversion rates. Mr. Grothaus suggested to review the contract periodically if additional diversion credit or opportunities can be captured.

Mayor Pro Tem requested Republic to think outside of the box to get as much diversion credit as possible.

Councilmember Wilson inquired if there are vehicle requirements and the usage of electric trucks.

Mr. Grothaus responded that the company will use 10 year useful life to fully depreciate the asset for the life of the contract. The scooter truck is \$50,000 each. Republic is deploying electric trucks but it is in its infancy stage.

City Manager inquired with Mr. Grothaus about cost sharing the consultant fee to negotiate and draft contract terms.

Mr. Grothaus agreed to split the cost of the consulting fee to negotiate and draft contract terms.

City Manager outlined the rate options presented previously and asked the City Council for direction for next steps.

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

Mayor Mirsch suggested that the Solid Waste Committee consider the item.

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City Manager Jeng noted that Mayor Mirsch and Councilmember Wilson is on the Solid Waste Committee.

Councilmember Black inquired if the City Council wants to go with one of the options presented by Republic and why would the City need a consultant.

Mr. Grothaus noted no contract look alike. Mr. Grothaus also noted that the contribution to the consulting fee is out of pocket.

Mayor Pro Tem Pieper noted that if the consultant is not used then the City would use the City Attorney's office to draft the contract.

Councilmember Wilson inquired with Mr. Grothaus if he is willing to continue to serve the City even after the contract expires.

Mr. Grothaus will continue to serve the city beyond the expiration of the contract.

Councilmember Dieringer suggested to explore other service providers. She likes competition.

Mr. Grothaus offered to open their books on a committee level because Rolling Hills has unique services and it would be difficult to compare with other service contracts.

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

Mayor Mirsch moved that the Solid Waste Committee take on the matter and report out to the full Council. 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.

D. CONSIDERATION OF A MEMORANDUM OF UNDERSTANDING (MOU) WITH  
ROLLING HILLS COMMUNITY ASSOCIATION TO COST SHARE DESIGN FEES  
ASSOCIATED WITH ASSESSMENT DISTRICT PROJECTS

City Manager Jeng reported that this item has come to the City Council for the third time. The last time it came to the City Council, the Association Board did not take action on the MOU. Also Councilmember Dieringer also had suggested edits which had been incorporated. The Association has since approved the MOU.

Councilmember Wilson inquired the wording speaking to the \$50,000.

Deputy City Attorney Abzug clarified the obligations of the City and the Association. The fee contribution from each party would be 1/3 of the total cost of the design fees for each assessment district



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project. If the total design cost is \$150,000, the City's contribution would be \$50,000 and the Association's contribution would be \$50,000.

City Manager Jeng reminded the City Council the previous discussion setting the cap on the City and Association's contribution limit.

Discussion ensued on the size of assessment projects and potential design fees.

Councilmember Dieringer pointed out that the provisions of 1c and 2c need to be amended in order to make provisions for total design fees exceeding \$150,000. The property owners would need to shoulder the remaining balance after the City and Association's contributions at the capped amount.

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

Mayor Pro Tem Pieper moved that the City Council approve the recommended action with Councilmember Dieringer's proposed edits on the MOU. Councilmember Dieringer 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.

## **8. NEW BUSINESS**

NONE

## **9. MATTERS FROM THE CITY COUNCIL AND MEETING ATTENDANCE REPORTS**

Mayor Pro Tem Pieper inquired authors of the Blue Newsletter. He noted that the landscape efficiency ordinance was written in a way suggesting it was the City's idea. Mayor Pro Tem suggested to revise the wording.

Councilmember Dieringer clarified that the school district's proposed School Resource Officer's salary is \$135,000 fully burdened and not \$100,000 as indicated in the City Manager's weekly memo. Councilmember Dieringer noted that there are many questions unanswered such as who will be paying for uniforms, equipment, and vehicle. She also noted that the Regional Law did not take a vote on the School Resource Officer.

Discussions ensued on potential cost sharing formula.

Mayor Pro Tem Pieper expressed concern on the item in the weekly memo from Rancho Palos Verdes requesting to conduct testing relating to the landslide.

Mayor Mirsch inquired if there is interest to grant an extension to Gordon Inman. No interest was expressed by the City Council.

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## **10. MATTERS FROM STAFF**

### **A. CODE ENFORCEMENT QUARTERLY REPORT**

Planning Director Schwartz presented the activities from the last quarter. Between January and February of 2019, the City did not have a dedicated code enforcement officer.

Councilmember Black noted that improvements have been made; several dead trees have been removed in and around his neighborhood. Councilmember Black clarified that the City's ordinance is dealing with dead vegetation while the Fire Department's annual inspection is not.

Councilmember Wilson inquired how the City's enforcement cases are prioritized. Some cases appear to be old.

Planning Director Schwartz responded that the process is lengthy and requires many follow ups.

Alfred Visco asked for clarification on several cases listed in the log provided to the City Council. Mr. Visco also noted that the log is missing his complaint on 17 Cinchring Road.

City Manager Jeng addressed Councilmember Wilson's priority question. The contract planner compiled a list, the new code enforcement officer compiled a list and in the last few minutes, staff has been consolidating the list and so there may be missing entries as a result. With respect to priority, staff would send out non-compliance letter with stipulated date for compliance. Staff would follow up per the dates of compliance. Staff would also address new cases coming in needing site visits, and investigation. Otherwise, priority would depend on available personnel and resources.

Councilmember Wilson expressed interest in hearing progress with the Land Conservancy and their work on fire fuel abatement.

City Manager Jeng stated that the Land Conservancy has a GIS mapping showing the Fire Department's order to abate fire fuel along the borders of Rolling Hills. The Land Conservancy expressed that they have followed the Fire Department's orders.

Mayor Pro Tem Pieper moved that the City Council receive and file the report. 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, Black, and Wilson.  
NOES: COUNCILMEMBERS: None.  
ABSENT: COUNCILMEMBERS: None.  
ABSTAIN: COUNCILMEMBERS: None.

## **11. CLOSED SESSION**

NONE.

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**12. ADJOURNMENT**

Hearing no further business before the City Council, Mayor Mirsch adjourned the meeting at 9:15p.m. The next regular meeting of the City Council is scheduled to be held on Wednesday, May 29, 2019 beginning at 7:00 p.m. in the City Council Chamber at City Hall, 2 Portuguese Bend Road, Rolling Hills, California.

Respectfully submitted,

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

Approved,

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Leah Mirsch  
Mayor



# City of Rolling Hills

INCORPORATED JANUARY 24, 1957

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

## 6/10/2019 CHECK RUN A

CHECK NO.	CHECK DATE	PAYEE	DESCRIPTION	AMOUNT
25909	05/29/2019	WOMEN'S COMMUNITY CLUB OF	VOIDED	-
25918	06/10/2019	CALIFORNIA JPIA	2019-20 POLLUTION LIABILITY	355.00
25919	06/10/2019	CALIFORNIA WATER SERVICE CO.	4/26 - 5/24/19 RANCHO USAGE	1,101.74
25920	06/10/2019	CLEVERLY	RFI2 RESPONSE	825.00
25921	06/10/2019	COX COMMUNICATIONS	5/26 - 6-25-19 INTERNET AND TELEPHONE SERVICE	446.23
25922	06/10/2019	EXECUTIVE-SUITE SERVICES, INC.	MAY 2019 LANDSCAPING SERVICES	490.00
25923	06/10/2019	MCA DIRECT	MINUTES AND RESOLUTION LEATHER BOOK	360.69
25924	06/10/2019	MNS ENGINEERS, INC	CAL-OES GRANTS	16,561.25
25925	06/10/2019	MSW CONSULTANTS	WASTE DIVERSION COMPLIANCE AUDIT	1,550.00
25926	06/10/2019	PETTY CASH -	TO REPLENISH PETTY CASH	231.97
25927	06/10/2019	PITNEY BOWES	POSTAGE	574.97
25928	06/10/2019	PITNEY BOWES GLOBAL FINANCIAL	POSTAGE METER MONTHLY LEASING FEE	599.55
25929	06/10/2019	REGISTRAR-RECORDER	SIGNATURE VERIFICATION FEES	55.29
25930	06/10/2019	ROGERS, ANDERSON, MALODY	APRIL 2019 ACCOUNTING SERVICES	9,275.00
25931	06/10/2019	SOUTH BAY CITIES COUNCIL OF GOVERNMENTS	2019-2020 SBCCOG DUES	6,207.00
25932	06/10/2019	SOUTHERN CALIF ASSOC OF GOVERNMENTS	DUES - FISCAL YEAR 2019-2020	284.00
EFT	6/3/2019	CALPERS	RETIREMENT INSURANCE MAY 2019	3,752.97
				<u>\$ 42,670.66</u>
				42,670.66

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 \$42,670.66 for the payment of above items.

Elaine Jeng, P.E., City Manager

06/06/19

\* Previously Disbursed



*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: 06/10/2019**

**TO:** HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

**FROM:** YOLANTA SCHWARTZ, PLANNING DIRECTOR

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

**SUBJECT:** CONSIDERATION TO RECEIVE AND FILE RESOLUTION NO. 2019-09 FROM THE PLANNING COMMISSION GRANTING A VARIANCE FROM THE REQUIREMENT THAT UTILITY LINES BE PLACED UNDERGROUND IN CONJUNCTION WITH A CONSTRUCTION OF AN ADDITION AND MAJOR REMODEL IN ZONING CASE NO. 957, AT 5 FLYING MANE LANE, ROLLING HILLS (LOT 45-SF), (WALKER).

**DATE:** JUNE 10, 2019

**ATTACHMENT:**

1. RESOLUTION NO. 2019-09
2. CORRESPONDENCE
3. PICTURES

---

### **BACKGROUND**

In February 2013, the property owners received an administrative approval (over-the-counter) for a 992 square foot addition and major renovation to the residence. In June of 2015 an administrative approval was granted for a new 790 square foot swimming pool. The applicant has completed the construction of the residential structure and is seeking project acceptance, subject to undergrounding of the utility lines. The construction of the swimming pool is complete and accepted.

Per Section 17.27.030 of the Zoning Code, one of the conditions of the residential approval was to underground all of the utility lines. The applicant requested a Variance from the requirement of Section 17.27.30.

## **DISCUSSION**

Prior to the applicant filing for a variance, staff met with the owner on site and also spoke to Edison planner to discuss alternatives, such as trenching in a different direction or around the hill and connecting to the new panel from a different angle or trenching closer to the surface. The Edison Planner did not think these were feasible options. The applicant stated that he considered these options as well and spoke to experts in this field and was advised that these are not viable alternatives.

The Planning Commission held a public hearing in the field and at its regular meeting on April 16, 2019 to view the site and to deliberate this application. At the May 21, 2019 meeting the Planning Commission approved a Resolution granting the variance. The Planning Commission found that the applicant submitted compelling evidence from experts showing the difficulty to underground the utility lines, which they confirmed in the field. Throughout the process no one from the public provided input on this project.

## **CEQA**

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

## **RECOMMENDATION**

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

RESOLUTION NO. 2019-09

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

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. Richard Walker with respect to real property located at 5 Flying Mane Lane, Rolling Hills (Lot 45-SF) requesting a Variance to not to underground utility lines on his property, after having made improvements to the residence including an addition.

Section 2. The Planning Commission conducted duly noticed public hearing to consider the application at their regular meeting on April 16, 2019 and at a field trip on the same day. Neighbors within a 1,000-foot radius were notified by mail of the public hearings and a notice was published in the Peninsula News on April 4, 2019. The applicants and their agents were notified of the public hearings. One of the applicant's agent was in attendance at the hearings. Evidence was heard and presented from all persons interested in affecting said proposal, and from members of the City staff. No one from the public provided input on this project.

Section 3. In February 2013, the property owners received an administrative approval (over-the counter) for a 992 square foot addition and major renovation to the residence. In June of 2015 an administrative approval was granted for a new 790 square foot swimming pool. The applicant has completed the construction and is awaiting final sign off of the residential structure. Section 17.27.030 of the Zoning Ordinance states in part that "All utilities servicing the building in question or any residentially zoned parcel shall be installed underground upon: (B) Remodeling of a primary or accessory building which entails enlargement of the structure or alteration of the building footprint, and (D) Relocating or increasing the electrical panel servicing a building or parcel".

Section 4. The residence is located approximately 20'-25' below the level of the utility pole from which the applicant is drawing power and cable service, and currently the utility lines are strung above ground from the pole to the panel located at the residence. The descending slope from the pole to the residence ranges in slope from ¾:1 and 1.5:1 gradient and in some areas 1.5:1 to 2:1 gradient.

Section 5. Prior to applying for the variance, the applicant consulted with the electrical company (Edison), a Geotechnical Engineering firm, a Trenching/Grading Contractor and an Earth and Mining Contractor for an opinion of whether the slope could be trenched in order to place the lines underground in the slope. The industry experts submitted letters with their opinion that it would be a hardship and dangerous to underground the utility lines below such a steep slope. The geotechnical report found that there is 1' to 1.5' fill over the slope, and below the fill bedrock of several feet deep was encountered. Edison and other utility companies require that the trench for undergrounding of utility lines be at a minimum 30" deep; a depth where in this case the bedrock is located. The applicant explored several other alternatives with Edison Co., such as allowing trenching in a different direction and connecting to the new panel from a different angle or trenching closer to the surface. These alternatives were rejected by Edison Co. The letters from Southern California Edison Co., T.I.N. Engineering Company, Checker Construction Co. and ECM, Earth, Construction and Mining Co. are on file, in support of the Variance.

Section 6. The Planning Commission finds that the project is exempt from the California Environmental Quality Action (CEQA) pursuant to Class 1, 14 CCR Section 15301: minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use; and common sense exemption: 14 CCR Section 15061(b)(3); can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

Section 7. Variance. Sections 17.38.010 through 17.38.050 of the Rolling Hills Municipal Code permit approval of Variances granting relief from the standards and requirements of the Zoning Ordinance when exceptional or extraordinary circumstances applicable to the property prevent the owner from making use of a parcel of property to the same extent enjoyed by similar properties in the same vicinity or zone. A variance from the requirements of RHMC Section 17.27.030 (Undergrounding of utility lines) is being requested to waive the requirement for undergrounding of the utility lines. With respect to the aforementioned request for a variance, the Planning Commission finds as follows:

- A. There are exceptional and extraordinary circumstances and conditions applicable to the property that do not apply generally to other properties in the same vicinity and in the same zone. In 2013, the property owners received an administrative approval (over-the counter) for a 992-square-foot addition to the residence and major remodel. One of the conditions of the approval was to underground the utility lines as required by Section 17.27.030 of the Zoning Ordinance. The applicant consulted with Edison Co. for plans and specification to underground the utility lines and, upon inspection by an Edison Co. Planner was advised that the support soil on the surface and visible bedrock below are of concern for undergrounding. The applicant then consulted a Geotechnical Engineer, Trenching/grading Contractor and an Earth and Mining Company, all of which found difficulties with undergrounding. Letters from these companies are on file and are in support of the Variance. Alternatives were discussed with the property owner and Edison Co., such as allowing trenching in a different direction and connecting to the new electrical panel from a different angle or trenching closer to the surface of the ground. Edison does not permit this option even if the lines are encased in concrete as was offered. They can only accept 30" deep trench. All of these alternatives were rejected by Edison Co. Consequently, strict compliance with the requirements of Section 17.27.030 is simply not feasible on this property.
- B. The variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same vicinity and zone, but which would be denied to the property in question absent a variance. The property owner desires an addition to an existing single-family residence. The addition is otherwise permissible under the Code. Absent the variance, this property owner would not be able to remodel the residence in a manner that would result in enlargement of the structure or alteration of the building footprint. These are rights that are afforded all other property owners in the vicinity and zone—rights that should not be denied to this property owner solely because of the exceptional and extraordinary circumstances discussed herein that are beyond the owner's control.
- C. The granting of the Variance would not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located. Currently, the utilities are located on a utility pole located on subject property, not in roadway easement or a neighboring property. The lines are only visible from the subject property as they are screened by dense vegetation, so that no other neighbors see them and they are not detrimental to the public welfare or injurious to the property or improvements in the vicinity. In fact, the status quo has been improved somewhat by the upgrading of the utility



panel. While undergrounding of the utilities would be ideal, the fact that it is infeasible does not result in a detriment to the public welfare or to any nearby properties. The Commission has considered the nature, condition, and development of adjacent uses, buildings, and structures, and the topography of the area in evaluating this finding.

- D. In granting the variance, the spirit and intent of the Zoning Ordinance will be observed. The purpose of the Zoning Ordinance is to regulate development in an orderly fashion and in a manner consistent with the goals and policies of the General Plan. Approval of the variance will not impede any goals of the Zoning Ordinance or the General Plan. While undergrounding of the utilities would be ideal, the fact that it is infeasible does not result in infringing on the spirit and intent of the Zoning Ordinance. Rather, the variance will allow the property owner to enjoy the same rights and privileges afforded to other property owners in the vicinity.
- E. The variance does not grant special privileges to the applicant. To the contrary, absent a variance, the property owner would be deprived of the same rights and privileges afforded to other property owners in the vicinity. Unique circumstances applicable to the subject property make it infeasible for the property owner to comply with Section 17.27.030. The applicant's consultants submitted letters testifying to the infeasibility of trenching for the undergrounding, due to the location of bedrock, soft fill on the slope, steep gradient of the hillside between the pole and the residence and presence of foliage and natural landscape that would be lost if trenching was done.
- F. The variance is consistent with the portions of the County of Los Angeles Hazardous Waste Management Plan relating to siting and siting criteria for hazardous waste facilities. The project site is not listed on the current State of California Hazardous Waste and Substances Sites List. It will not affect any existing hazardous waste management facilities.
- G. The variance request is consistent with the General Plan. Although the variance will waive the requirement to underground utility lines, it will allow the property owner to continue the use of the property. Accordingly, the project is still in line with the General Plan's requirement of low profile, low-density residential development and is respectful of maintaining the community's natural terrain. The proposed project, together with the variance, will be compatible with the objectives, policies, general land uses, and programs specified in the General Plan.

Section 8. Based upon the foregoing findings, the Planning Commission hereby approves the Variance in Zoning Case No. 957 not to underground the utility lines, subject to the following conditions:

A. The approval of the variance applies only in connection with the proposed project and it does not imply that or prohibit the present or new property owner from undergrounding the utility lines in the future.

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


D. The lot shall be developed and maintained in substantial conformance with the site plan on file marked Exhibit A and dated February 13, 2013 except as otherwise provided in these conditions.

E. The applicant shall execute an Affidavit of Acceptance of all conditions of this Variance pursuant to Section 17.38.060, or the approval shall not be effective.

PASSED, APPROVED AND ADOPTED THIS 21st DAY OF MAY 2019.

  
SEAN CARDENAS,  
VICE-CHAIRMAN

ATTEST:

  
CITY CLERK

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

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

I certify that the foregoing Resolution No. 2019-09 entitled:

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

was approved and adopted at a regular meeting of the Planning Commission on May 21, 2019 by the following roll call vote:

AYES:       CARDENAS, COOLEY AND SEABURN.

NOES:       NONE.

ABSENT:     KIRKPATRICK.

ABSTAIN:   CHAIRMAN CHELF (RECUSED).

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

Administrative Officer.

  
CITY CLERK

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Joseph Spierer &lt;joe@calarchitect.com&gt;

**RE: (External):5 Flying Mane Lane**

1 message

Kevin Duong <Kevin.Duong@sce.com>  
To: Joseph Spierer <joe@calarchitect.com>  
Cc: "Angel Mejia Jr." <Angel.Mejia@sce.com>

Wed, Feb 13, 2019 at 4:28 PM

Hello Joseph,

Please print out this email as confirmation from SCE that maintaining an Overhead Conductor Service for the proposed 200Amp Panel upgrade for this address is permissible with SCE, as it meets our guidelines and code requirements for 200Amp Top Fed Panels.

I did see concern for the support soil's integrity due to the sharp pitch of the hill side slope from the power source down to this customer's panel location.

Let me know should have any additional concerns or questions.

Thank you,

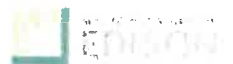
Kevin Van Duong

Electrical Distribution Planner

South Bay Local Planning

Ofc: (310) 783-9302 | Cel: (310) 713-4910 | Pax 33302

SCE Rules | SCE Rates | SCE Underground Structures | SCE Electrical Service Requirements



Energy for What's Ahead™

RECEIVED  
MAR 12 2019  
City of Rolling Hills  
By \_\_\_\_\_

# 5 Flying Mane

Tuesday, April 16, 2019 at 3:35:36 PM Pacific Daylight Time

**Subject:** RE: 5 FlyingMane Rd

**Date:** Tuesday, April 16, 2019 at 1:40:38 PM Pacific Daylight Time

**From:** Kevin Duong <Kevin.Duong@sce.com>

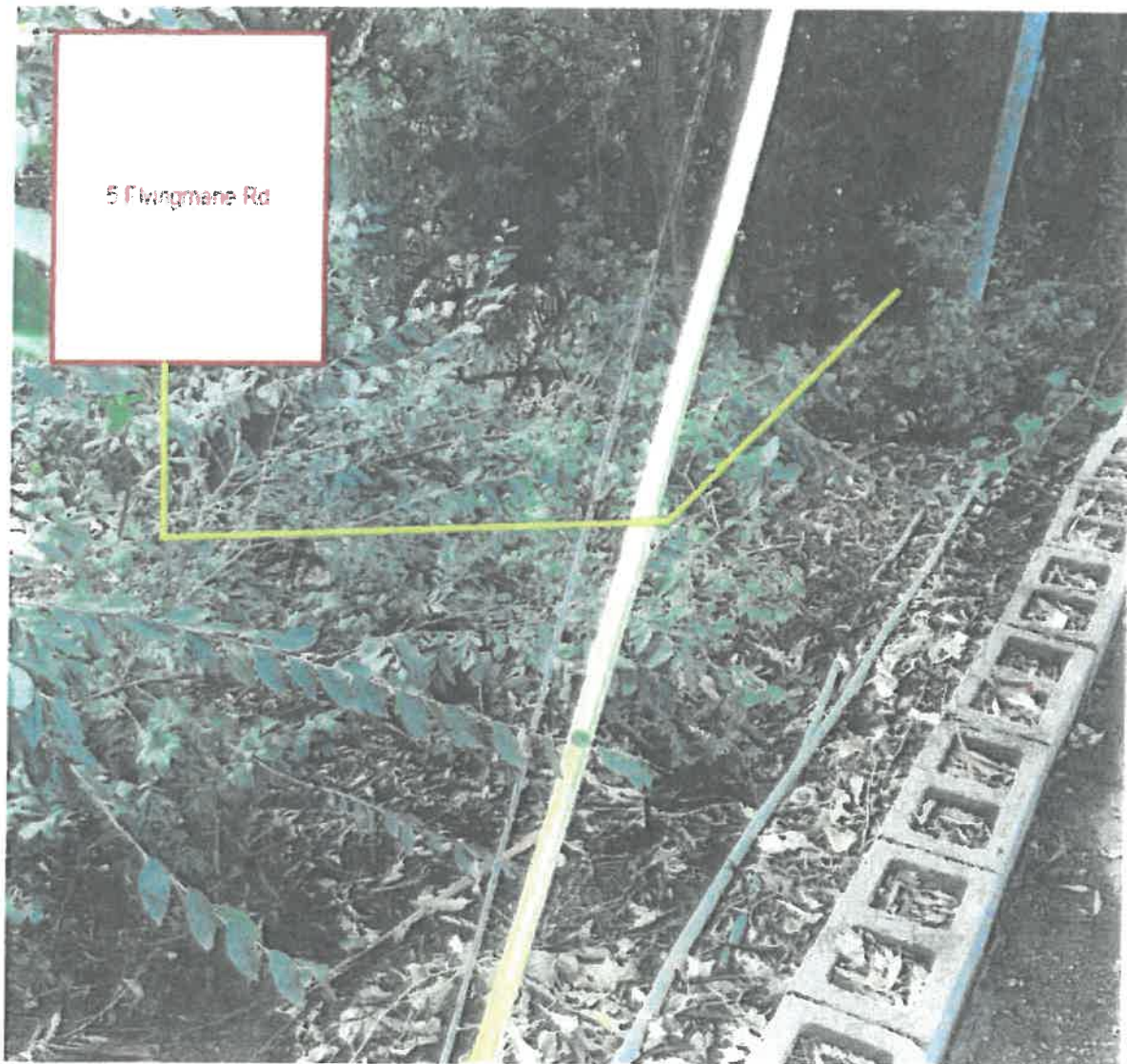
**To:** Yolanta Schwartz <ys@cityofrh.net>

Hello Yolanta,

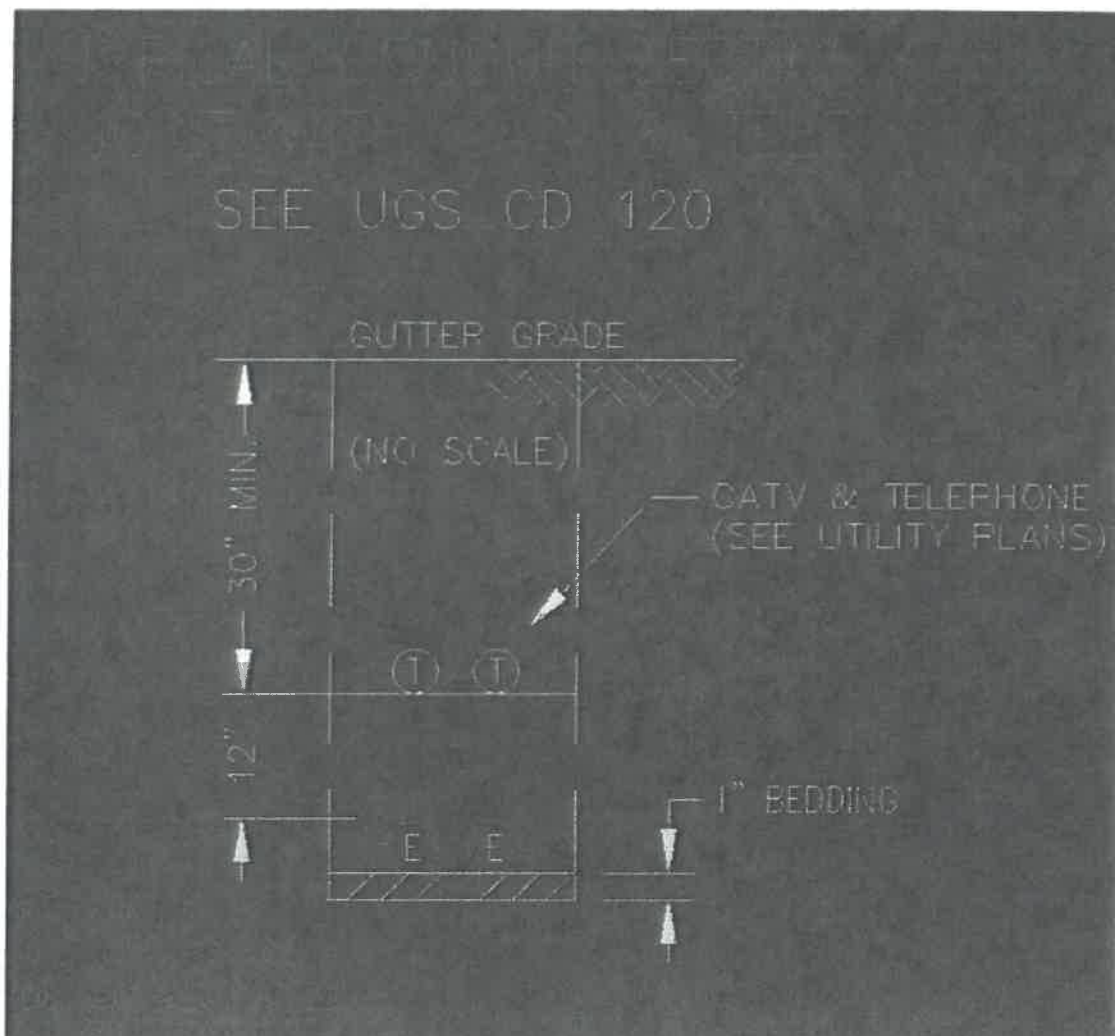
Per our discussion, if this location were to go underground, this homeowner would have to trench at least 42" below grade of the existing downward sloped hill in order to extend the new 3" conduit for the new service panel.

There are existing communication lines on site, so those will have to share the same trench, SCE requires 12" grade separation from the communication conduit, so the resulting 3" conduit will be 42" below grade.

Given the steep pitch of this hill, there is that can that the loose soil integrity may not be stable enough for safe excavation, but that decision if at the homeowner's.







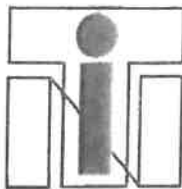
Let me know if you have any additional questions.

Thank you,

**Kevin Van Duong**

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# T.I.N. ENGINEERING COMPANY

**Geotechnical • Structural • Environmental**

17834 Bailey Drive • Torrance, CA 90504

Tel/Fax: (310) 371-7050 • tin@tin-engineering.com

**RECEIVED**

File No.: 121888

January 26, 2019

**MAR 12 2019**

City of Rolling Hills  
By \_\_\_\_\_

Mr. Richard Walker  
P. O. Box 2924  
Palos Verdes Peninsula, California 90274

**SUBJECT: Geologic Opinion Letter for On-Site Existing Eastern Ascending Slope at #5 Flying Mane Lane, Rolling Hills, California**

- REFERENCES:**
1. Limited Combined Soil and Geologic Engineering Investigation and Report for Proposed House Additions, House Remodeling, and New Pool at #5 Flying Mane Lane, Rolling Hills, California, dated May 10, 2012.
  2. County of Los Angeles, Geologic and Soils Engineering Review Sheet, dated August, 28, 2015.
  3. T.I.N. Engineering Company, Addendum Letter No. 1 - Response to County Geologic and Soils Comments, for Proposed Pool at #5 Flying Mane Lane, Rolling Hills, California, dated September 2, 2015.

Dear Mr. Walker:

In accordance with your request, we have completed this geologic opinion letter for the existing eastern ascending slope of the subject site. It is our understanding that the on-site existing descending slope, approximately up to 20 feet high, is an approximately 3/4:1 to 2:1 slope. This eastern slope is a bedrock cut slope. This slope is currently retained by an existing 3-foot high retaining wall to the east and a 2-foot high garden wall to the northwest. The slope above the 3-foot high garden wall is approximately 3/4:1 to 1 1/2:1 in gradient. The slope above the 2-foot garden wall is approximately 1 1/2:1 to 2:1 in gradient. Bedrock outcrops were observed on this bedrock cut slope as shown on Geologic Map, Plate 1. A dip-in bedding condition was observed on the existing bedrock outcrops which provides a favorable geologic condition for the eastern ascending slope. The encountered bedrock consisted of a light brown, gray, creamy white, and yellowish brown, moist, firm, bedded, siltstone shale, sandstone shale, and siliceous shale interbedded. The observed bedding planes were was striking North 10 - 50 degrees to East and West and dipping approximately 36 - 50 degrees to South and North. This eastern bedrock cut slope is considered to be a geologically stable. However, surficial sloughing may occur due the steep gradient of the eastern ascending slope.

Mr. Richard Walker

- 2 -

January 26, 2019

Three test pits, T-6 through T-8, were excavated on the west side of the existing 3-foot high garden wall. These test pits were located between the 3-foot high garden wall and the northwest corner of the existing residential building. An approximately 1 to 1.5 feet deep of the fill was encountered. Below the fill, bedrock was encountered. The encountered bedrock consisted of a light brown, gray, creamy white, and yellowish brown, moist, firm, bedded, siltstone shale, sandstone shale, and siliceous shale interbedded. Locations of these three test pits are shown on Geologic Map, Plate 1.

Thank you for this opportunity to be of service. If you have any questions regarding this opinion letter, please contact the undersigned at the letterhead location.

Very truly yours,

T.I.N. ENGINEERING COMPANY

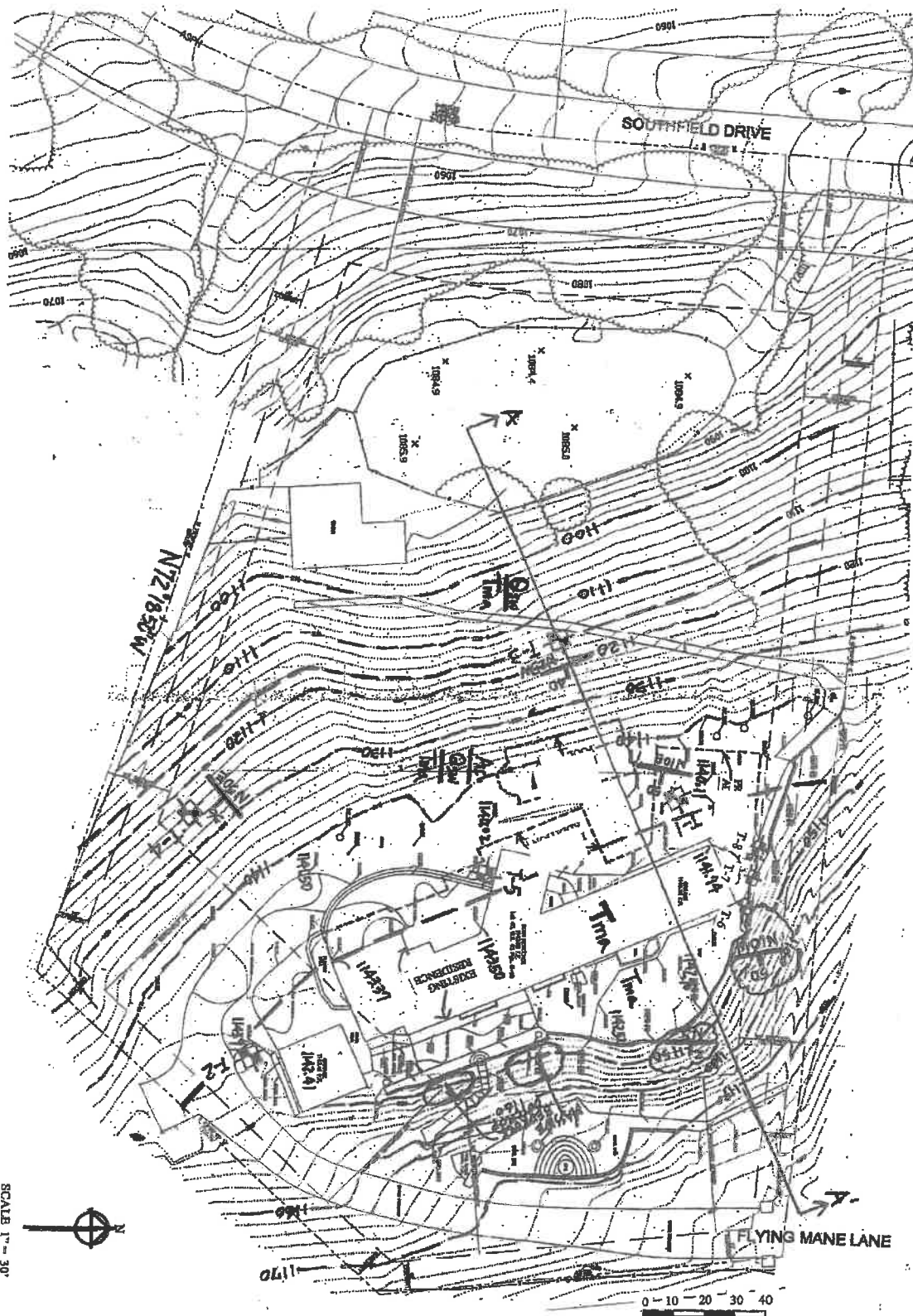


Tony S. C. Lee, M.S., P.E.  
Project Engineer

TSCL: ir

Enclosures: Geologic Map.....Plate 1

Distribution: Client (3)



SCALE 1" = 30'



0 10 20 30 40

MR. RICHARD WALKER  
#5 FLYING MANE LANE  
RANCHO PALOS VERDES, CALIFORNIA

**GEOLOGIC MAP**

SCALE 1" = 30' PLATE 1

DATE: JANUARY 26, 2019

JOB NO.: 121888

**T.I.N. ENGINEERING COMPANY**

**LEGEND**



EXPLORATORY TEST  
TRENCH T-1

T-1

30

N10E

BEDDING ATTITUDE

AF

Q201

Tms

FILL OVER SLOPE  
WASH OVER SHALE

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January 30, 2019

### Analysis of Undergrounding Main Line

To Whom It May Concern:

Having completed site investigation and after reviewing the soils opinion letter completed by T.I.N. Engineering, I am of the opinion that undergrounding the main line from the power pole to the house on 5 Flying Mane Lane would be fiscally, environmentally, and structurally irresponsible.

Undergrounding in a straight line from the pole to the home would require heavy equipment, and quite likely, explosives to remove the material necessary to underground this line. The bedrock extends in both directions along the subject and neighboring properties. Going around the site in another direction than straight down is even less feasible than going straight to the home. For this reason, there is also no advantage to relocating the power main on the home.

Per the soils letter, the bedrock consists of moist, silty shale. Disturbing this ground material could have the following dramatic unintended consequences.

1. Foliage and Natural Landscape: The hill is filled with large trees and well-established landscape. Much of this would likely be destroyed. The foliage is currently keeping the topsoil on the extreme slope. Without this foliage, this soils would slough off and potentially cause mudslides and continued land movement.
2. Cost: This work will cost a small fortune. Between surgery like demolition and excavation, to the re-stabilization of the extreme slope with concrete and landscape, the cost will be astronomical.
3. Neighborhood Destabilization: The existing power pole is very close to the neighboring property. The moist, silty shale is susceptible to long term earth movement. Excavating will most likely destroy the integrity of the hill creating an increased likelihood of foundation and wall cracks as well as future soil movement underneath the neighboring structures and driveways.

While, undergrounding this line is technically possible (and of course I would love the work for my company), as a professional and a man of high integrity, I cannot, in good conscience recommend this as a viable path forward as it could have expensive and potentially devastating consequences.

Sincerely,

Robert Storrie  
Checker Construction

RECEIVED

MAR 12 2019

City of Rolling Hills

By \_\_\_\_\_

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**Earth, Construction, & Mining**

CA LIC. NO. 651848 · NV LIC. NO. 0071919

11542 Knott Street #10, Garden Grove CA 92841 · PH: 714-897-4ECM [4326] · FX: 714-897-2016

Mr. Richard Walker  
P. O. Box 2924  
Palos Verdes Peninsula, California 90274

February 5, 2019

RECEIVED  
Feb 12 2019  
City of Rolling Hills  
By \_\_\_\_\_

**SUBJECT:** General Evaluation Letter for explosives excavation for trench at the Existing Eastern Ascending Slope at #5 Flying Mane Lane, Rolling Hills, California

Dear Mr. Walker,

Several factors bear upon our evaluation for your proposed project of excavation. As indicated by your geotechnical consultant T.I.N. Engineering Company and our conversations it would appear that high explosives, i.e. dynamite, will have to be applied, therefore and as follows;

**Public relations:** there may be significant concerns, and occasionally drastic over reaction, from your local community in transporting via placarded vehicles with high explosives signs through your neighborhood. It usually requires substantial public relations efforts and communications to inform the community of the process for explosives logistics and application.

**Vibration attenuation in adjacent structures:** All thermal dynamic explosives detonations yield low frequency vibrations for a significant distance through the ground. Even small blasting events can create a substantial concern for structural degradation either real or perceived.

**Overpressures, audible and inaudible sound waves:** All detonations create overpressures, the movement of air, that can rattle windows or create the boom that startles people and pets.

**Degradation of existing sub-surface geological formation(s):** The above referenced vibrations can travel through the rock strata opening micro seams, joints and bedding planes. This disturbance of existing soils and rock can lead to slope failure and/or subsidence at a later date as a result of earth quake or water saturation due to rain or utility issues.

**In conclusion:** We pride ourselves in our abilities to perform very difficult surgical explosives excavation projects. We utilized our skills to modify the Space Shuttle Launch Pad facilities and various other facilities for NASA/JPL. However, the use of explosives always comes with some inherent risk. Considering the magnitude of your project and assumed budget it would be my opinion that your interest would be best served utilizing alternative methods or engineering solutions. If you have any questions or concerns do not hesitate to call.

Chuck Bean, ECM Explosives Manager and Principal

**CONFIDENTIALITY NOTICE:** This communication contains legally privileged and confidential information sent solely for the use of the intended recipient. Any use, review, disclosure, reproduction, distribution, copying of, or reliance on, this communication and any attachment is strictly prohibited except for the specific project identified and to which it applies. If you are not the intended recipient of this communication you are not authorized to use it in any manner, except to immediately destroy it and notify the sender.

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From Edison Co.

9/16/19







## *City of Rolling Hills*

INCORPORATED JANUARY 24, 1957

NO. 2 PORTUGUESE BEND ROAD

ROLLING HILLS, CA 90274

(310) 377-1521

FAX (310) 377-7288

**Agenda Item No: 6A**

**Mtg. Date: 06/10/2019**

**TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

**FROM: JIM WALKER, FINANCE CONSULTANT**

**THROUGH: TERRY SHEA, FINANCE DIRECTOR  
ELAINE JENG, P.E., CITY MANAGER**

**SUBJECT: PUBLIC HEARING AND CONSIDERATION OF RESOLUTION NO. 1239  
ADOPTING THE 2019/20 FISCAL YEAR BUDGET AND RESOLUTION  
NO. 1240 ESTABLISHING THE ANNUAL APPROPRIATIONS GANN  
LIMIT FOR THE CITY OF ROLLING HILLS.**

**DATE: JUNE 10, 2019**

**ATTACHMENTS:**

1. **FY2019-20 BUDGET HIGHLIGHTS (pages 9-13).  
GRAPH OF HISTORICAL REVENUE AND EXPENDITURE TRENDS  
(page 14).  
GRAPH OF HISTORICAL REVENUE AND EXPENDITURES  
HIGHLIGHTS (page 15).**
2. **RESOLUTION NO. 1239 - A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF ROLLING HILLS ADOPTING THE FY 2019/20 CITY  
OF ROLLING HILLS BUDGET INCLUDING THE GENERAL FUND;  
COMMUNITY FACILITIES FUND; MUNICIPAL SELF INSURANCE  
FUND; REFUSE COLLECTION FUND; SOLID WASTE CHARGES;  
TRAFFIC SAFETY FUND; TRANSIT FUND - MEASURE R; TRANSIT  
FUND MEASURE M; TRANSIT FUND - PROPOSITION A; TRANSIT  
FUND - PROPOSITION C; COPS AND CLEP FUND; UTILITY  
FUND; CAPITAL PROJECT FUND; AND MEASURER W FOR FISCAL  
YEAR 2019/20 (pages 17-19).**
3. **PROPOSED ANNUAL BUDGET FY 2019/20 INCLUDING:  
PROJECTED - REVENUES & EXPENDITURES ALL FUNDS (page 22);  
GENERAL FUND YEAR-END PROJECTED REVENUES &  
EXPENDITURES (page 23); PROPOSED REVENUES AND  
EXPENDITURES ALL FUNDS (page 24); GENERAL FUND  
PROPOSED REVENUES & PROPOSED EXPENDITURES (page 25);  
GENERAL FUND REVENUE AND EXPENDITURE SUMMARY (pages**

26-32) AND PROPOSED FY 2019/20 REVENUES AND EXPENDITURES BUDGET FOR ALL FUNDS (pages 34-46).

4. MISCELLANEOUS BUDGET DOCUMENTS INCLUDING FIVE YEAR FINANCIAL FORECAST SUMMARY FY 2020/21 THRU FY 2023/24 (pages 48-49) AND CASH BUDGET ANALYSIS (page 50).
  5. RESOLUTION NO. 1240 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTABLISHING THE 2019/20 FISCAL YEAR APPROPRIATION LIMIT FOR THE CITY OF ROLLING HILLS (pages 51-52).
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## **CITY COUNCIL WORKSHOP ISSUES**

On May 29, 2019 the City Council held a budget workshop to review the draft proposed 2019/20 budget approved by the City Council Finance/Budget/Audit committee on May 16, 2019. Items discussed were pending budget items, animal appeal fee changes, policy changes and future strategic planning and budget priority meeting. Below is a summary of the budget workshop issues:

### **GENERAL FUND - REVIEWED AND APPROVED ITEMS**

- City Council reviewed and approved General Fund FY 2019/20 draft proposed budget as presented.
- City Council discussed Pending Budget Items and approved adding \$14,000 for a peninsula wide preparedness staff member.
- City Council approved taking out \$125,000 for Civic Center Parking Lot in the capital Projects Fund, this reduced the Transfer Out from the General Fund to Capital Project Fund by \$4,000.
- City Council agreed to change the Cost of Living Adjustment (COLA) – Section 17 of the Employee Handbook and Personnel Policy from using May CPI to pay employees COLA on August 1 (retro to July 1st) to using March CPI to pay employees on July 1<sup>st</sup> while maintaining CPI not to exceed 3.5%.
- City Council approved changing the waiting period for Dental and Vision benefits. Section 2 c – Chapter VI – Benefits of Health and Life Benefits of the Employee Handbook and Personnel Policy to effective immediately upon employment same as health benefits.
- City Council agreed to hold a Strategic Planning FY 2020/21 Budget Priorities meeting in March of 2020.

### **GENERAL FUND - REVIEWED AND NOT APPROVED ITEMS**

- City Council discussed but did not approve \$5,400 for a School Resource Officer. They agree that they want a School Resource Officer but they want the person to be armed and insure there is a waiver of liability to the City.



- City Council discussed but did not approve an increase in the appeal fee relating to Animals from \$40 to \$200.

## **OTHER FUNDS - REVIEWED AND APPROVED ITEMS**

- City Council reviewed and approved Other Funds FY 2019/20 draft proposed budget as presented with the exception of taking out \$125,000 for Civic Center Parking Lot in the Capital Projects Fund and Measure R and Measure M transfers in of \$25,000 and \$30,000 respectively. They don't want to gift Measure R and M funds in FY 2019/20 but accumulate funds to be used for the City Hall parking lot project in future year. They did understand that the Willdan design costs of approximately \$24,000 would be spent in FY 2018/19.
- In the - Utility Fund - City Council approved eliminating \$150,000 for a portion of final engineering design for Phase II of the Sewer Feasibility Study (mainline along Portuguese Bend Road). They did approve \$22,000 to lock in permitting via the Phase II study.
- In the Refuse Collection Fund City Council approved lowering the current Cash Reserve per Financial, Budget and Debt Policies approved by City Council on April 22, 2019 from \$175,000 to \$66,200 one month of Base Service for FY 2019/20 only. Once the new Refuse contract is negotiated a new Cash Reserve will be established for 2020/21.
- City Council approved in FY 2019/20 moving \$120,000 Storm Water Management expense from the General Fund to the new Measure W Special Revenue Fund. The General Fund FY 2019/20 Storm Water Management budget is \$65,000. Total FY 2019/20 Storm Water Management budget is \$185,000.

## **BACKGROUND**

The budget serves as the City's roadmap for allocating resources. The budget is a resource allocation plan for providing city services and achieving the priorities and goals that serve residents and the public. Importantly, the budget also represents the projections necessary for managing and monitoring annual revenue and expenditures in a fiscally responsible manner. The preparation of the fiscal year (FY) involves numerous steps.

The steps in the budget process, to date, have included:

1. January 14, 2019 - City Council received, reviewed and approved the FY 2019/20 budget calendar.
2. March 11, 2019 - City Council received and reviewed the FY 2019/20 mid-year budget report and approved the recommended budget adjustments.
3. April 8, 2019 - City Council Finance/Budget/Audit Committee reviewed Financial and Investment Policies; and reviewed and discussed the Schedule of Fees and Charges.
4. April 22, 2019 - City Council reviewed and approved the FY 2019/20 budget priorities, Financial and Investment Policies, Schedule of Fees and Charges, FY

2018/19 year-end revenue and expenditure projections, annual March CPI and FY 2019/20 Republic Services annual CPI increase.

5. May 16, 2019 - City Council Finance/Budget/ Audit Committee reviewed the FY 2019/20 staff proposed budget.
6. May 29, 2019 - City Council Budget Workshop reviewed Finance/ Audit Committee approved FY 2019/20 staff proposed budget.
7. June 10, 2019 City Council public hearing, adoption of the FY 2019/20 budget, and approval of GANN Limit.

The City Manager in putting this budget together had the objective of maintaining Rolling Hills' history of financial stability with the need for changing the way services are delivered while upgrading systems and resources necessary to maintain service delivery excellence.

In projecting revenues for fiscal year FY 2019/20 using conservative revenue forecasting, staff anticipates the continued resurgence of property values and construction activity (e.g., remodels, new barns and new home construction). As such, staff is projecting an increase in property taxes and building fees over FY 2018/19 levels. Concurrently, FY 2019/20 expenses are projected to be higher (excluding FY 2018/19 \$185,000 contribution to PARS Retirement Liability Trust for CalPERS Pension Liability) as a result of staff increases, one-time expenses, and contractual/consulting increases. Finally, all of the recommendations for the FY 2019/20 Budget Priorities are built within the budget.

### **GENERAL FUND**

The FY 2019/20 budget projects \$2,278,300 in revenues in relation to \$2,233,600 in expenses resulting in a surplus of \$44,700 before transfers and a deficit of (\$329,300) after transfers. FY 2019/20 revenues are based on the following assumptions.

FY 2019/20 property taxes are projected to be \$81,300 or 7.65% higher and building activity will be \$23,000 or 4.1% higher than FY 2018/19. The City will also be providing its residents a reprieve from the annual COLA it imposes each July 1st for its Refuse Collection. This will equate to a \$45.21 savings for each resident in its annual rate and cost the City \$30,955 from its Refuse Collection Fund.

FY 2019/20 expenditures before transfers are \$133,925 or 5.67% lower than the FY 2018/19 budget including FY 2018/19 \$185,000 contribution to PARS Retirement Liability Trust for CalPERS Pension Liability.

### **Salaries:**

The budget includes up to a 5% salary increase of (\$20,674) including an estimated cost of living adjustment (COLA), of 2.7% (\$11,164) and a 2.3% (\$9,510) for Exceptional Performance Salary Bonus Pool in accordance with the approved Personnel Manual.

The FY 2019/20 budget creates two new positions for Senior Management Analyst at a cost of \$82,300 and Code Enforcement Officer at a cost of \$59,700, while eliminating the Senior Planner position at a cost of \$80,600. This is an overall increase to salaries in FY 2019/20 of \$61,400.

### **Benefits:**

The FY 2019/20 benefits associated with the above positions are as follows:

- Senior Management Analyst \$31,300, Code Enforcement Officer \$23,600, and eliminate Senior Planner (\$42,300) this is an increase in FY 2019/20 benefits of \$12,600. The dental and vision benefits for the new Senior Management Analyst and Code Enforcement Officer were calculated effective immediately upon employment. The total additional cost is \$1,200 - \$90 for vision and \$1,100 for dental.

### **Supplies, Services & Capital Outlay:**

#### **City Administration**

\$ 32,000	IT Overhaul - New Equipment Purchases under \$5,000
\$ 5,000	Purchase New Phone System
\$ 5,000	DAC TRAK Maintenance (ADA Records Management Software) (3K) All Other Maintenance (2K)
\$ 24,000	New IT Vendor
\$ 45,000	Records Management Consultant
\$ 5,000	Update Employee Handbook
\$ 10,000	Increase BB&K Legal Expense
\$126,000	Total

#### **Finance**

\$ 1,700	RAMS Contract increase of 1.95%
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#### **Planning & Development**

In FY 2019/20 the General Fund moved \$120,000 of Storm Water Management expense to the new Measure W Special Revenue Fund. The General Fund FY 2019/20 Storm Water Management budget is \$65,000. Total FY 2019/20 Storm Water Management budget is \$185,000.

\$ 80,000	Update Housing Element and Land Use Element
\$ 15,000	Professional Planning Consulting Contingency
\$ 95,000	Total



## Law Enforcement

\$ 0,000	General Fund portion of LA County Sheriff Contract Flat – Increase \$19K to COPS Fund
\$ 1,000	Increase Animal Control LA County total \$10,000
\$ 1,000	Total

## Non-Department

\$ 14,000	Peninsula wide preparedness staff member
9,000	PERMA Insurance Claim
\$ 23,000	Total

## City Properties

\$ 4,000	Increase Edison Electric costs not Reimbursed by RHCA – add Gate House and Tennis Court
\$ 16,000	Increase Repairs and Maintenance
\$ 3,200	Increase Groundwork's Landscaping
\$ (15,000)	Reduce Civic Center Landscaping/Hardscaping Replacement
\$ 8,200	Total

## Other Funds

The other City Funds are similar to prior years. Of note:

1. Community Facilities Fund - annually, the City asks Caballeros, the Tennis Club and the Women's Club if it has programs for which it would like to request City funding. Each club gave a formal request and staff budgeted in the Community Facilities Fund the following: \$5,000 (Caballeros), and \$5,000 (Women's Club) for programs and \$5,000 for annual Tennis Maintenance Expense. The General Fund will transfer \$3,500 to the Community Facilities Fund in FY 2019/20.
2. The Refuse Fund includes a transfer to the General Fund of (\$24,000). This transfer includes (\$12,000) for the administration of refuse services and (\$12,000) to cover staff time and costs associated with administering the storm water management program. Also, the City will be providing its residents a reprieve from the annual COLA it imposes each July 1<sup>st</sup> for its Refuse Collection. This will equate to a \$45.21 savings for each resident in its annual rate and cost the City \$30,955. **Also, change FY 2019/20 Cash Reserve Policy from \$175,000 to \$66,200 one month of Base Trash Service.**
3. The Traffic Safety Fund includes \$40,000 for restriping for only roadways that are determined necessary after a citywide assessment and \$12,000 for Traffic Engineering. The General Fund will be budgeting a transfer of \$54,500 to the Traffic Safety Fund in FY 2019/20.
4. The COPS Fund will maintain its annual allocation of \$140,000. 2019/20 Program Expenditures will increase to \$160,000 to cover the 2019/20 LA County Sheriff's Department increase of 5.51% or \$18,600 for a total of \$134,200 for LA County

- Sheriff's for law enforcement services and will cover the 275 supplemental hours for Traffic Enforcement estimated to be \$25,800 in FY 2019/20.
5. The Utility Fund includes \$22,000 to lock in permitting for Phase II of the Sewer Feasibility Study (Mainline along Portuguese Bend Road). The General Fund will not transfer monies to the Utility Fund.
  6. The Capital Projects Fund will budget \$320,000 for Tennis Court Improvements (\$300,000 Tennis Court Improvements and \$20,000 for Tennis Court Lights. The RHCA will pay \$10,000 towards Tennis Court Lights). Also, \$30,000 for City Hall ADA Design. The General Fund will be transferring \$340,000 to the Capital Projects Fund in FY 2019/20.
  7. In November 2018 voters approved Measure W (Safe Clean Water Act) to create a special tax for parcels (Tax 2.5 cents per square foot of "impermeable area" that prevent "storm water and urban runoff from entering the earth, like concrete patios and driveways) located in the Los Angeles Flood Control District. The City of Rolling Hills allocation for FY 2019/20 is \$120,000. LA County will include on Property tax remittance starting in the fall of 2019. In FY 2019/20 the General Fund moved \$120,000 of Storm Water Management expense to the new Measure W Special Revenue Fund.

## **FISCAL IMPACT**

The Fiscal Impact by Fund for the proposed FY 2019-20 Budget is as follows:

<u>Fund</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Transfers</u> <u>In(Out)</u>	<u>Fiscal</u> <u>Impact</u>
General	\$ 2,278,300	\$ (2,233,600)	\$ (374,000)	\$ (329,300)
Community				
Facilities	100	(15,000)	3,500	(11,400)
Self Insurance	-	(3,000)	-	(3,000)
Refuse Collections	840,900	(890,089)	(24,000)	(73,189)
Traffic Safety	50	(54,550)	54,500	-
Transit Prop A	39,450		-	39,450
Transit Prop C	32,750		-	32,750
Transit Measure R	24,600			24,600
Transit Measure M	27,850			27,850
COPS	140,050	(160,000)	-	(19,950)
CLEEP	75	(2,700)		(2,625)
Capital Projects	10,000	(350,000)	340,000	-
Measure W	120,900	(120,000)		900
Utility Fund		(172,000)		(172,000)
	<u>\$ 3,515,025</u>	<u>\$ (4,000,939)</u>	<u>\$ -</u>	<u>\$(485,914)</u>

## **NOTIFICATION**

As required by law, notice of this public hearing was posted and advertised. In addition, as is the City's practice, this hearing was referenced in the draft agenda included in the City newsletter published prior to this meeting and the agenda was emailed to residents who subscribe to the City's list serve.

## **CONCLUSION**

The overall financial position of the City's General Fund remains strong with a projected year-end Fund Balance of \$4,947,213 at June 30, 2020. The City staff works diligently on providing outstanding government services that will keep the quality of life good for the residents of Rolling Hills. It is now recommended that the City Council hold a public hearing and adopt the budget and appropriations limit as proposed. If changes in the budget are necessary during the fiscal year, staff will return to the City Council for consideration and approval of the modifications.

## **RECOMMENDATION**

Upon the conclusion of the public hearing, staff recommends that the City Council adopt the 2019/20 fiscal year (FY) budget for all the City's Funds and the Annual Appropriations Limit.

CITY OF ROLLING HILLS  
FY 19/20 BUDGET HIGHLIGHTS

PROPOSED BUDGET - FINAL - APPROVED AT 5/29/2019 - CITY COUNCIL BUDGET WORKSHOP \*\*6/10/19\*\*

GENERAL FUND

REVENUES

ACCOUNT	FY 18/19 ADJUSTED BUDGET	PROJECTED FY 18/19	PROPOSED FY 19/20 BUDGET	COMMENT
PROPERTY TAXES	\$ 1,063,200	\$ 1,104,695	\$ 1,144,500	7.65% INCREASE \$81,300
MOTOR VEHICLE IN LIEU	215,200	215,129	223,500	3.85% INCREASE \$8,300
REAL ESTATES TRANSFER TAX	41,800	46,914	41,800	FLAT 19/20
BUILDING & OTHER PERMITS	560,000	511,954	583,000	4.1% INCREASE \$23,000
VARIANCE, PLANNING & ZONING	40,000	39,099	40,000	FLAT 19/20
PROPOSITION A EXCHANGE	56,250	(C)	-	NO BUDGET FOR 19/20
CITY HALL LEASE RHCA	84,000	83,976	84,000	FLAT 19/20
INTEREST INCOME	100,000	118,778	100,000	FLAT 19/20
MISCELLANEOUS REVENUE	7,500	4,402	17,500	FY 19/20 \$10,000 LANDSCAPE PASS THROUGH
<b>TOTAL REVENUES</b>	<b>(B) \$ 2,211,950</b>	<b>\$ 2,222,137</b>	<b>(A) \$ 2,278,300</b>	<b>^ TO FY 19/20 BUDGET \$122,600 HIGHER ^5.69% (LESS FY 18/19 PROP A 56K)</b>
	<b>2,211,950 (B)</b>			
	<b>(56,250) (C)</b>			
	<b>2,155,700</b>			<b>NOTE: TOTAL FY 19/20 PROPOSED GENERAL FUND BUDGET OF \$2,278,300 IS \$122,600 HIGHER THAN THE FY 18/19 ADJUSTED BUDGET OF \$2,155,700 (LESS 56K PROP A EXCHANGE). THE FY 19/20 GENERAL FUND REVENUE GROWTH IS 5.69% (LESS 56K PROP A EXCHANGE) COMPARED TO FY18/19</b>
	<b>2,278,300 (A)</b>			
	<b>122,600</b>			

EXPENDITURES

CITY ADMINISTRATION

ACCOUNT	FY 18/19 ADJUSTED BUDGET	PROJECTED FY 18/19	PROPOSED FY 19/20 BUDGET	COMMENT
SALARIES	\$ 304,100	\$ 215,082	\$ 408,300	FY 19/20 ADDED SALARY \$82,300 SENIOR MANAGEMENT ANALYST - WITH BENEFITS
SALARIES PART TIME	10,000	-	10,500	FY 19/20 PART TIME EMPLOYEE - NO BENEFITS
TOTAL SALARIES	\$ 314,100	\$ 215,082	\$ 419,800	
RETIREMENT CALPERS - EMPLOYER				
ANNUAL UNFUNDED LIABILITY	44,050	37,588	63,100	\$29K ALLOCATION FY 19/20 PERS UNFUNDED LIABILITY
FY 18/19 PERS POOL UNFUNDED LIABILITY	185,000	185,000	-	FY 19/20 NO PERS UNFUNDED PENSION LIABILITY CONTRIBUTION
GROUP INSURANCE	47,500	31,500	40,800	INCLUDES 10K SENIOR MAMAGEMENT ANALYST FY 19-20 MEDICAL CAP \$1,642
OFFICE SUPPLIES & EXPENSE	43,600	31,140	60,000	\$42K - 32K IT OVERHAUL- 5K NEW PHONE SYSTEM & 5K DAC TRAK SOFTWARE/MAIN
EQUIPMENT LEASING COSTS	7,750	5,405	4,100	INCLUDES KONICA MINOLTA COPIER LEASE - MAIL & TABBING MACHINES
CITY COUNCIL EXPENSE	7,200	5,919	10,000	\$8,000 CONFERENCE \$2,000 MEETINGS (BEA \$4,000 - AVAILABLE \$4,000)
OTHER GENERAL ADMIN. EXPENSE	5,200	2,725	10,000	55K TEMP HELP \$2K ADMINISTRATION OF UNFUNDED PENSION LIABILITY TRUST
ELECTION EXPENSE	5,000	1,269	0	FY 19/20 NO ELECTION EXPENSE
CITY ATTORNEY	70,000	78,829	80,000	FY 19-20 10K INCREASE BB&K LEGAL EXPENSE
CONSULTING FEES	46,000	42,738	77,600	INCLUDES 24K NEW IT VENDOR, 45K RECORDS MANAGEMENT, 5K EMPLOYEE HAND BOOK
CAPITAL OUTLAY				
CAPITAL OUTLAY - EQUIPMENT	32,000	31,987	-	FY 19-20 NO CAPITAL OUTLAY
CAPITAL OUTLAY - CITY HALL IMPROVEMENTS	-	-	-	
<b>TOTAL CITY ADMINISTRATION</b>	<b>\$ 933,800</b>	<b>\$ 770,424</b>	<b>\$ 904,000</b>	<b>(B) \$156,000 ^20.86% HIGHER THAN FY 18/19 EXCLUDING 185K UNFUNDED PENSION LIABILITY</b>
				<b>NOTE: TOTAL FY 19/20 PROPOSED BUDGET OF \$904,000 - INCLUDES \$82K SALARY FOR NEW SENIOR MANAGEMENT ANALYST, 32K IT OVERHAUL &amp; 5K NEW PHONE SYSTEM, 24K NEW IT VENDOR, 45K RECORDS MANAGEMENT &amp; 5K EMPLOYEE HANDBOOK. COMPARED TO FY 18/19 ADJUSTED BUDGET OF 933,800 IS A DECREASE OF 30K - 3.19% LOWER INCLUDING \$185K UNFUNDED PENSION LIABILITY</b>

# FINANCE

ACCOUNT	FY 18/19 ADJUSTED BUDGET	PROJECTED FY 18/19	PROPOSED FY 19/20 BUDGET	COMMENT
CONSULTING FEES	\$ 100,000	\$ 99,193	\$ 101,700	\$1,700 *1.95% INCREASE IN RAMS CONTRACT
ANNUAL AUDIT	17,100	17,100	17,100	FLAT 19/20
CAPITAL OUTLAY	-	-	-	
CAPITAL OUTLAY - EQUIPMENT	-	-	-	FY 19-20 NO CAPITAL OUTLAY
TOTAL FINANCE	\$ 117,750	\$ 116,453	\$ 119,450 (C)	^ TO FY 18/19 BUDGET \$2K *1.95%

(C) NOTE: TOTAL FY 19/20 PROPOSED BUDGET IS AN INCREASE OF \$2K 1.95% INCREASE IN RAMS CONTRACT

# PLANNING & DEVELOPMENT

ACCOUNT	FY 18/19 ADJUSTED BUDGET	PROJECTED FY 18/19	PROPOSED FY 19/20 BUDGET	COMMENT
SALARIES FULL TIME	\$ 215,000	\$ 181,317	\$ 193,500	FY 19/20 ADDED SALARY \$59,700 CODE ENFORCEMENT OFFICER - WITH BENEFITS ELIMINATED SALARY \$80,600 SENIOR PLANNER POSITION
SALARIES PART TIME	15,000	711	15,750	FY 19/20 PART TIME EMPLOYEE - NO BENEFITS
TOTAL SALARIES	\$ 230,000	\$ 182,028	\$ 209,250	
RETIREMENT CALPERS - EMPLOYER	-	-	-	
ANNUAL UNFUNDED LIABILITY	31,150	28,012	29,800	\$13K ALLOCATION FY 19/20 PERS UNFUNDED LIABILITY
GROUP INSURANCE	30,600	29,895	19,000	BUDGETED \$11,600 LESS THAN FY 18/19 - FY 19/20 MEDICAL CAP \$1,642
BUILDING INSPECTION LA COUNTY/WILDAN	195,000	197,084	195,000	FLAT 19/20
STORM WATER MANAGEMENT	159,400	149,948	65,000	\$94K DECREASE IN FY 19/20 MOVED 120K TO Measure W (TOTAL 185K FY 19/20)
SPECIAL PROJECT STUDY & CONSULTANT	97,100	83,574	105,000	80K HOUSING ELEMENT, 10K LANDSCAPE PASS THROUGH & 15K CONTINGENCY
CAPITAL OUTLAY - EQUIPMENT	-	-	-	FY 19-20 NO CAPITAL OUTLAY
TOTAL PLANNING & DEVELOPMENT	\$ 866,100	\$ 774,958	\$ 728,800 (D)	^ TO FY 18/19 BUDGET \$137,300 LOWER - DECREASE *15.85%

(D) NOTE: TOTAL FY 19/20 PROPOSED BUDGET OF \$728,800 COMPARED TO 18/19 ADJUSTED BUDGET OF \$866,100 IS A DECREASE OF \$137,300 \*DECREASE 15.85%  
120K STORM WATER MANAGEMENT MOVED TO MEASURE W FUND - 21K IS DUE TO ELIMINATION OF SENIOR PLANNER POSITION

# LAW ENFORCEMENT

ACCOUNT	FY 18/19 ADJUSTED BUDGET	PROJECTED FY 18/19	PROPOSED FY 19/20 BUDGET	COMMENT
LAW ENFORCEMENT	\$ 223,100	\$ 215,077	\$ 221,700	FY 19/20 GF FLAT \$18,600 OR 5.51% INCREASE FROM FY 18/19 - COPS *INCREASE 20K
OTHER LAW ENFORCEMENT EXPENSE	3,000	3,261	3,000	FLAT 19/20
WILD LIFE MANAGEMENT	-	-	-	
WILD LIFE MGMT & PEST CONTROL - LA COUNTY	25,000	23,428	49,500	FLAT 19/20 - ADD SUPPLEMENTAL TO LA COUNTY
SUPPLEMENTAL COYOTE CONTROL MANAGEMENT	24,500	8,677	-	FY 19/20 MOVE TO LA COUNTY
PEAFOWL	12,000	8,552	12,000	FLAT 19/20
TOTAL WILD LIFE MANAGEMENT	61,500	40,657	61,500	FLAT 19/20
ANIMAL CONTROL - LA COUNTY	10,000	5,995	11,000	1K INCREASE LA COUNTY ANIMAL CONTROL
TOTAL LAW ENFORCEMENT	\$ 297,600	\$ 264,990	\$ 297,200 (E)	FLAT 19/20

(E) NOTE: TOTAL FY 19/20 PROPOSED BUDGET OF \$297,200 COMPARED TO 18/19 ADJUSTED BUDGET OF \$297,600 IS FLAT  
THIS IS DUE TO MOVING ADDITIONAL 20K LA COUNTY SHERIFF FY 19/20 INCREASE TO BE PAID OUT OF THE COPS FUND IN FY 19/20

NON-DEPARTMENT

ACCOUNT	FY 18/19 ADJUSTED BUDGET	PROJECTED FY 18/19	PROPOSED FY 19/20 BUDGET	COMMENT
SOUTH BAY COMMUNITY ORGANIZATION	\$ 4,100	\$ 4,100	\$ 4,100	FLAT 19/20
CONTINGENCY	25,000	8,000	25,000	FLAT 19/20
INSURANCE & BOND EXPENSE	26,650	20,698	34,900	INCREASE \$9K PERMA CLAIM
EMERGENCY PREPAREDNESS	14,875	13,199	25,000	FY 19/20 PENINSULA WIDE PREPAREDNESS STAFF MEMBER 14K
TOTAL NON-DEPARTMENT	\$ 80,775	\$ 53,087	\$ 104,650	(F) INCREASE OF \$23,875 ^29.56% COMPARED TO FY 18/19

(F) NOTE: TOTAL FY 19/20 PROPOSED BUDGET OF \$104,650 COMPARED TO 18/19 ADJUSTED BUDGET OF \$80,775 IS AN INCREASE OF \$23,875^29.56%  
THIS IS DUE TO \$9K PERMA CLAIM AND 14K PENINSULA WIDE PREPAREDNESS STAFF MEMBER

CITY PROPERTIES

ACCOUNT	FY 18/19 ADJUSTED BUDGET	PROJECTED FY 18/19	PROPOSED FY 19/20 BUDGET	COMMENT
UTILITIES	\$ 30,200	\$ 33,731	\$ 34,000	\$4K INCREASE DUE TO FY 18/19 ADDED GATE HOUSE & TENNIS COURTS - NO RHCA UTILITIES
REPAIRS & MAINTENANCE	\$ 16,000	\$ 10,889	\$ 32,000	FY 19/20 ADDED 16K FOR REPAIRS & MAINTENANCE
AREA LANDSCAPING	25,300	19,350	13,500	FY 19/20 ELIMINATED \$15K CIVIC CENTER LAND/HARD SCAPING
TOTAL CITY PROPERTIES	\$ 71,500	\$ 63,970	\$ 79,500	^ TO FY 19/20 BUDGET INCREASE \$8,000 ^11.19% ADD 16K R&M, DELETE 15K LANDSCAPE
TOTAL GENERAL FUND EXPENDITURES	\$ 2,367,525	\$ 2,043,921	\$ 2,233,600	^ TO FY 18/19 ADJUSTED BUDGET \$133,925 LOWER^5.67% LOWER

NET REVENUES BEFORE TRANSFERS \$ (155,575) \$ 178,216 \$ 44,700  
FY 19/20 SURPLUS 45K (^ FY 18/19 \$30K SURPLUS LESS \$185K UNFUNDED PENSION LIABILITY) TOTAL NET CHANGE FY 18/19 TO 19/20 INCREASE 15K

FUND TRANSFERS (OUT) IN				
TRAFFIC SAFETY FUND	(46,500)	(46,500)	(54,500)	INCLUDES \$40K ROAD STRIPING
CAPITAL IMPROVEMENT FUND	(234,000)	-	(340,000)	TRANSFER TO CIP - TENNIS COURTS \$310,000 + \$30K CITY HALL ADA DESIGN
UNDERGROUND UTILITY FUND	-	-	-	NO TRANSFER FY 19/20
COMMUNITY FACILITIES	(6,300)	24,000	(3,500)	TRANSFER OUT FY 19/20 \$1,000
REFUSE COLLECTION FUND	24,000	(22,500)	24,000	TRANSFER \$12K ADMIN - \$12K STORM WATER
TOTAL TRANSFERS	(262,800)	(22,500)	(374,000)	

NET REVENUE (DEFICIT) AFTER TRANSFERS \$ (418,375) \$ 155,716 \$ (329,300)  
TOTAL FY 19/20 DEFICIT IS \$89,075 ^21.25% LOWER THAN FY 18/19 BUDGET

# OTHER FUNDS

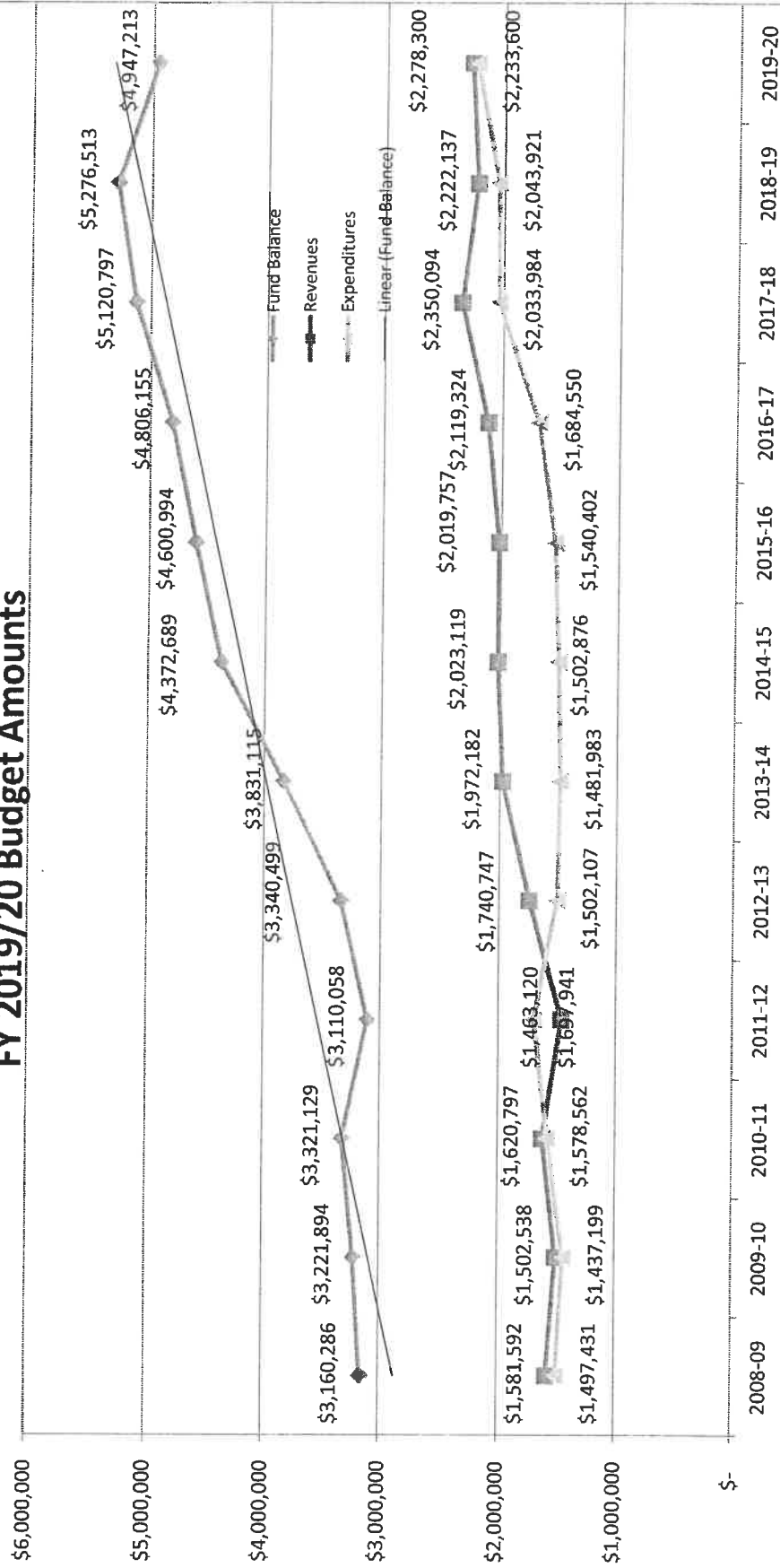
	FY 18/19 ADJUSTED BUDGET	PROJECTED FY 18/19	PROPOSED FY 19/20 BUDGET	COMMENT
<b>COMMUNITY FACILITIES FUND</b>				
EQUESTRIAN FACILITIES MAINTENANCE	\$ 5,000	\$ -	\$ 5,000	CABALLEROS
TENNIS MAINTENANCE EXPENSE	2,500	2,100	5,000	TENNIS ANNUAL MAINTENANCE EXPENSE
WOMEN'S CLUB	7,500	2,100	5,000	WOMEN'S CLUB
			15,000	TRANSFER FROM GENERAL FUND \$3,500 IN FY 19-20
<b>MUNICIPAL SELF INSURANCE FUND</b>				
	\$ -	\$ -	\$ -	NO CHANGE
<b>REFUSE COLLECTION FUND</b>				
SERVICE CHARGES	\$ 768,900	\$ 770,492	\$ 768,900	FLAT COMPARED TO FY 18-19
REFUSE SERVICE CONTRACT	794,200	795,773	825,089	DO NOT PASS ON 3.9% REFUSE CONTRACT INCREASE 31K
OPERATING TRANSFER OUT TO GENERAL FUND	24,000	24,000	24,000	TRANSFER \$12K ADMIN - \$12K STORM WATER
TOTAL EXPENDITURES	\$ 818,200	\$ 819,773	\$ 849,089	
CASH RESERVE	(175,000)	(175,000)	(66,200)	*** FY 19/20 CHANGE CASH RESERVE TO ONE MONTH OF BASIC SERVICE
UNASSIGNED FUND BALANCE ENDING	\$ 3,016	\$ 2,785	\$ 38,396	
<b>TRAFFIC SAFETY FUND</b>				
ROAD STRIPING - DELINEATORS - PAVING	\$ 40,000	\$ 15,000	\$ 40,000	\$5K MORE THAN FY 17-18
TRAFFIC ENGINEERING & SURVEY	4,000	12,489	12,000	FLAT COMPARED TO FY 17-18
ROAD SIGNS & MISCELLANEOUS EXPENSE	2,550	858	2,550	TRANSFER FROM GENERAL FUND \$54,500 IN FY 19-20
<b>PROPOSITION A</b>				
PROPOSITION A EXCHANGE	\$ -	\$ -	\$ -	NO CHANGE
<b>PROPOSITION C</b>				
PROPOSITION C GIFTED	\$ -	\$ -	\$ -	NO CHANGE
<b>MEASURER R</b>				
MEASURER R GIFTED	\$ 50,000	\$ -	\$ -	N/A MEASURER R GIFTED FY 18-19
TRANSFER TO CAPITAL PROJECTS FUND		(24,000)	**	** FY 18/19 TRANSFER 24K TO CAPITAL PROJECTS FUND - CIVIC CENTER PARKING LOT DESIGN
<b>MEASURER M</b>				
MEASURER M GIFTED	\$ 65,000	\$ -	\$ -	N/A MEASURER M GIFTED FY 18-19
TRANSFER TO CAPITAL PROJECTS FUND				

**OTHER FUNDS**

	FY 18/19 ADJUSTED BUDGET	PROJECTED FY 18/19	PROPOSED FY 19/20 BUDGET	COMMENT
<b>COPS FUND</b>				
COPS ALLOCATION	\$ 140,000	\$ 148,747	140,000	FLAT 18/19
COPS PROGRAM EXPENDITURES	140,000	139,100	160,000	** COPS ALLOCATION \$134,200 LA COUNTY SHERIFF'S - \$25,800 TRAFFIC ENFORCEMENT FY 19/20 INCREASED COPS PORTION OF LA COUNTY SHERIFF'S CONTRACT BY 20K
<b>CLEEP FUND</b>				
CLEEP - TECHNOLOGY PROGRAM	\$ 16,500	\$ 16,500	2,700	AUTOMATED LICENSE PLATE READER MONTHLY MAINT.
<b>UTILITY FUND</b>				
UNDERGROUND UTILITY PROJECT	\$ 150,000	\$ 150,000	150,000	BUDGET SAME AS LAST YEAR
SEWER FEASIBILITY PROJECT PHASE II	\$	10,000	22,000	FY 19/20 22K (FINANCE BUDGET COMMITTEE ELIMINATED 150K)
TRANSFER FROM GENERAL FUND	-	-	-	NO TRANSFER FROM GENERAL FUND IN FY 19-20
<b>CAPITAL PROJECTS FUND</b>				
MISCELLANEOUS REVENUE			10,000	RHCA PORTION OF TENNIS COURTS LIGHTS
NON-BUILDING IMPROVEMENTS - TENNIS COURTS	\$ 229,000	\$ -	320,000	TENNIS COURT IMPROVEMENTS \$300,000 + 20K TENNIS COURTS LIGHTS
CITY HALL IMPROVEMENTS - ADA DESIGN	\$ 5,000		30,000	CITY HALL ADA DESIGN
CIVIC CENTER PARKING LOT		24,000	-	CIVIC CENTER PARKING LOT
TRANSFER FROM GENERAL FUND	(234,000)	-	(340,000)	TRANSFER TO CIP - TENNIS COURTS
TRANSFER FROM MEASURE R FUND		24,000	-	** FY 18/19 TRANSFER 24K MEASURE R - CIVIC CENTER PARKING LOT DESIGN
TRANSFER FROM MEASURE M FUND		-	-	
<b>MEASURE W (FY 19/20 NEW SPECIAL REVENUE FUND)</b>				
GRANT REVENUE	\$ -	\$ -	120,000	FY 19/20 MEASURE W NEW SPECIAL REVENUE FUND
INTEREST EARNED			900	PROGRAM INTEREST EARNED
STORM WATER MANAGEMENT			\$120,000	120K STORM WATER MANAGEMENT EXPENSE MOVED FROM GENERAL FUND



# City of Rolling Hills - General Fund Historical Revenue & Expenditure Trends - FY 2019/20 Budget Amounts



Fiscal years 2008/09 to 2017/18 are actual amounts, FY 2018/19 projected amounts, FY 2019/20 proposed budget amounts

CITY OF ROLLING HILLS  
GENERAL FUND HISTORICAL GRAPH REVENUES & EXPENDITURES HIGHLIGHTS  
HISTORICAL ACTUAL - FY 2015/16 TO FY 2017/18  
PROJECTED - FY 2018/19  
PROPOSED BUDGET - FY 2019/20

GENERAL FUND SUMMARY OF TOP SEVEN REVENUES

HISTORICAL AUDITED ACTUAL

	FY 15/16	FY 16/17	FY 17/18	^% TO	FY 17/18 PROJECTED	^% FY 17/18	FY 19/20 PROPOSED	^% FY 18/19
PROPERTY TAXES	\$ 964,914	\$ 1,007,250	\$ 1,089,838	12.9%	\$ 1,104,695	1.4%	\$ 1,144,500	3.6%
BUILDING & OTHER PERMIT FEES	550,600	602,149	769,138	39.7%	511,954	-33.4%	583,000	13.9%
MOTOR VEHICLE IN LIEU TAX - VLF	186,866	197,098	208,562	11.6%	215,129	3.1%	223,500	3.9%
REAL ESTATE TRANSFER TAX	65,374	39,303	44,881	-31.3%	46,914	4.5%	41,800	-10.9%
VARIANCE, PLANNING & ZONING FEES	56,772	42,605	36,042	-36.5%	39,099	8.5%	40,000	2.3%
PROPOSITION A EXCHANGE	-	56,250	-		56,250		-	
INTEREST EARNED	26,189	37,498	87,226 (K)	233.4%	118,778 (K)	36.0%	100,000	-15.8%
ALL OTHER REVENUES	169,042	137,171	114,307	-32.4%	129,318 (I)	13.1%	145,500	12.5%
TOTAL GENERAL FUND REVENUES	\$ 2,019,757	\$ 2,119,324 (A)	\$ 2,250,084	16.4%	\$ 2,222,137 (A)	-5.4%	\$ 2,278,500	2.5%

(A) NOTE: INCLUDES PROP. A EXCHANGE - FY 16/17 & FY 18/19 \$5K

(I) NOTE: INCLUDES NET 14K REVENUE INCREASE NEW RHCA AGREEMENT

(K) CREATED PARS RETIREMENT LIABILITY TRUST (\$185,000 CONTRIBUTION FY 17/18 & FY 18/19)

GENERAL FUND SUMMARY OF TOP SEVEN EXPENDITURES

HISTORICAL AUDITED ACTUAL

	FY 15/16	FY 16/17	FY 17/18	^% TO	FY 17/18 PROJECTED	^% FY 17/18	FY 19/20 PROPOSED	^% FY 18/19
EMPLOYEE SALARIES	\$ 486,652 (B)	\$ 504,476	\$ 515,688	6.0%	\$ 397,110 (N4)	-23.0%	\$ 629,050 (G)	58.4%
EMPLOYEE BENEFITS	192,218 (B)	212,738	391,166 (E)	103.5%	396,976 (E)	1.5%	255,550	-35.6%
BUILDING INSPECTION LA COUNTY/WILDAN	190,793	166,032	221,168	15.9%	197,084	-10.9%	195,000	-1.1%
STORM WATER MANAGEMENT	69,976	117,448	147,276	110.5%	149,948	1.8%	65,000 (O)	-56.7%
CITY ATTORNEY	83,919	114,720 (J)	150,378 (J)	79.2%	135,393 (J)	-10.0%	137,000	1.2%
LAW ENFORCEMENT	194,978	211,552	208,400	6.9%	215,077	3.2%	221,700	3.1%
FINANCE CONSULTING FEES	88,749	92,477	90,397	1.9%	91,533	1.3%	92,168 (H)	0.7%
ALL OTHER EXPENDITURES	233,117	265,107	309,511 (L)	32.8%	460,800 (N)	48.9%	638,132 (D)	38.5%
TOTAL GENERAL FUND EXPENDITURES BEFORE TRANSFERS	\$ 1,540,402	\$ 1,694,550	\$ 2,033,984	33.0%	\$ 2,043,921 (C)	0.5%	\$ 2,233,600 (C)	9.3%
NET GENERAL FUND TRANSFERS	251,050 (F)	229,613	1,468		22,500		374,000	
TOTAL GENERAL FUND EXPENDITURES	\$ 1,791,452	\$ 1,924,163	\$ 2,035,452	13.6%	\$ 2,066,421	1.5%	\$ 2,607,600	26.2%

NET REVENUE (DEFICIT) AFTER TRANSFERS

	\$ 228,305	\$ 205,161	\$ 314,642	37.8%	\$ 155,716	-50.5%	\$ (329,300)	-311%
(B) FY 15-16 IS THE FIRST FULL YEAR OF THE SENIOR PLANNER'S SALARY & BENEFITS.								
(C) NOTE: FY 18/19 IS A PROJECTION OF YEAR-END BALANCES AND FY 19/20 IS A PROPOSED BUDGET - NOT ACTUALS.								
(D) NOTE: MAJOR VARIANCES: 37K IT OVER HALL & NEW PHONE SYSTEM, 45K RECORDS MANAGEMENT CONSULTANT, 95K PLANNING PROFESSIONAL SERVICES								
(E) CREATED PARS RETIREMENT LIABILITY TRUST (\$185,000 CONTRIBUTION FY 17/18 & FY 18/19)								
(F) NOTE: STARTING IN FY 15/16 GENERAL FUND IS TRANSFERRING 259K TO UNDERGROUND UTILITY FUND (BY POLICY - IF GF SURPLUS)								
(G) NOTE: ELIMINATED SENIOR PLANNER POSITION \$1K - CREATED SENIOR MANAGEMENT ANALYST \$82K & CODE ENFORCEMENT OFFICER \$60K - 9K EMPLOYEE EXCEPTIONAL PERFORMANCE BONUS POOL								
(H) NOTE: INCLUDES: FY 19/20 RAMS CONTRACT INCREASE OF 1.95% - \$1,700								
(I) NOTE: INCLUDES: VIEW CASE REVIEWS								
(J) NOTE: FY 17/18 INCLUDES \$44,404 FOR ONE TIME EXPENDITURES								
(K) SALARIES ARE LOWER DUE TO VACANT CITY MANAGER & CITY CLERK POSITIONS								
(L) NOTE: FY 18/19 INCLUDES ADDITIONAL EXPENSES FOR PLANNING & DEVELOPMENT PROFESSIONAL SERVICES \$71K - LAW ENFORCEMENT - WILD LIFE MANAGEMENT \$34K - City Administration \$47K								
(O) NOTE: FY 19/20 MOVED \$10K TO MEASURE W FROM GENERAL FUND - TOTAL STORM WATER MANAGEMENT \$18K								
FUND BALANCE - AFTER TRANSFERS	\$ 4,600,994	\$ 4,806,155	\$ 5,120,797	11.3%	\$ 5,276,513	3.0%	\$ 4,947,213	-6.2%

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RESOLUTION NO. 1239

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ADOPTING THE FY 2019-20 CITY OF ROLLING HILLS BUDGET INCLUDING THE ANNUAL REPORT ON: GENERAL FUND; COMMUNITY FACILITIES FUND; MUNICIPAL SELF INSURANCE FUND; REFUSE COLLECTION FUND; SOLID WASTE CHARGES; TRAFFIC SAFETY FUND; TRANSIT FUND-MEASURE R; TRANSIT FUND-MEASURE M; TRANSIT FUND-PROPOSITION A; TRANSIT FUND-PROPOSITION C; COPS AND CLEEP FUND; UTILITY FUND; CAPITAL PROJECT FUND; AND MEASURE W FOR FISCAL YEAR 2019-20.

WHEREAS, members of the Rolling Hills City Council opened a public hearing on Monday, June 10, 2019 to consider the recommended Fiscal Year 2019-20 City of Rolling Hills Proposed Budget; and

WHEREAS, following the public hearing on the Fiscal Year 2019-20 City of Rolling Hills Proposed Budget, members of the Rolling Hills City Council desire to adopt said document.

NOW, THEREFORE, BE IT RESOLVED BY MEMBERS OF THE ROLLING HILLS CITY COUNCIL AS FOLLOWS:

Section 1. Members of the City Council hereby adopt the Fiscal Year 2019-20 City of Rolling Hills Budget.

Section 2. Appropriations in the amount not to exceed \$2,631,600 (Budget and Budget Contingency) are authorized in the Fiscal Year 2019-20 General Fund Budget for the purpose of carrying on the business of the City for General Government, Public Safety, Public Service, and other items.

Section 3. Appropriations in the amount not to exceed \$1,791,339 are authorized in the various funds: Community Facilities Fund, Municipal Self Insurance Fund, Refuse Collection Fund, Traffic Safety Fund, Transit Fund-Measure R, Transit Fund-Measure M, Transit Fund-Proposition A, Transit Fund-Proposition C, COPS, CLEEP Fund, Utility Fund, Capital Project Fund and Measure W for the purpose of carrying on the business of the City.

Section 4. The City Manager may transfer appropriations between and among all departments, as defined in the Fiscal Year 2019-20 budget in order to ensure revenue and expenditures correspond to the intent of the City Council.

The legal level of appropriated budgetary control, that is the level at which expenditures may not exceed appropriations, is at the fund level for any one fund. Supplemental appropriations during the year must be approved by the City Council. All unexpended budgetary appropriations lapse at the end of the fiscal year.

Section 5. The Mayor is hereby directed to sign this Resolution, and the City Clerk is directed to attest thereto.

PASSED, APPROVED AND ADOPTED this 10<sup>th</sup> day of June, 2019.

---

Leah Mirsch  
Mayor

ATTEST:

---

Elaine Jeng  
City Clerk

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

The foregoing Resolution No. 1239 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ADOPTING THE FY 2019-20 CITY OF ROLLING HILLS BUDGET INCLUDING THE ANNUAL REPORT ON: GENERAL FUND; COMMUNITY FACILITIES FUND; MUNICIPAL SELF INSURANCE FUND; REFUSE COLLECTION FUND; SOLID WASTE CHARGES; TRAFFIC SAFETY FUND; TRANSIT FUND-MEASURE R; TRANSIT FUND-MEASURE M; TRANSIT FUND-PROPOSITION A; TRANSIT FUND-PROPOSITION C; COPS AND CLEEP FUND; UTILITY FUND; CAPITAL PROJECT FUND; AND MEASURER W FOR FISCAL YEAR 2019-20.

was approved and adopted at a regular meeting of the City Council on June 10, 2019, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Elaine Jeng  
City Clerk

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**PROPOSED  
ANNUAL BUDGET  
FISCAL YEAR 2019 - 2020**



**CITY OF ROLLING HILLS**  
**PROJECTED - REVENUES & EXPENDITURES**  
**All Funds**  
**Year ending June 30, 2019**

	GENERAL	COMMUNITY FACILITIES	SELF INSURANCE	REFUSE	TRAFFIC SAFETY	PROP A, C & MEASURE R & M	COPS & CLEP	UTILITY FUND	CAPITAL PROJECT	TOTAL
REVENUES	\$ 2,222,137	\$ 100	\$ -	772,242	\$ -	\$ 114,377	\$149,097	\$ -	\$ -	\$ 3,257,953
EXPENDITURES	2,043,921	2,100	-	795,773	28,347	140,000	141,800	160,000	24,000	3,335,941
NET REVENUE BEFORE TRANSFERS	178,216	(2,000)	-	(23,531)	(28,347)	(25,623)	7,297	(160,000)	(24,000)	(77,989)
TRANSFERS IN/(OUT)										
GENERAL FUND	-	-	-	(24,000)	46,500	-	-	-	-	22,500
COMMUNITY FACILITIES	-	-	-	-	-	-	-	-	-	-
TRAFFIC SAFETY FUND	(46,500)	-	-	-	-	-	-	-	-	(46,500)
CAPITAL IMPROVEMENT FUND	-	-	-	-	-	-	-	-	24,000	24,000
MEASURE R FUND	-	-	-	-	-	(24,000)	-	-	-	(24,000)
UTILITY FUND	-	-	-	-	-	-	-	-	-	-
REFUSE FUND	24,000	-	-	-	-	-	-	-	-	24,000
TOTAL TRANSFERS	(22,500)	-	-	(24,000)	46,500	(24,000)	-	-	24,000	-
NET REVENUE AFTER TRANSFERS	155,716	(2,000)	-	(47,531)	18,153	(49,623)	7,297	(160,000)	-	(77,989)
UNASSIGNED FUND BALANCE BEGINNING	5,120,797	36,790	260,374	225,316	-	145,146	78,393	1,480,700	-	7,347,518
UNASSIGNED FUND BALANCE ENDING	\$ 5,276,513	\$ 34,790	\$ 260,374	\$ 177,785	\$ 18,153	\$ 95,523	\$ 85,690	\$ 1,320,700	\$ -	\$ 7,269,529
LESS SUBDIVISION QUIMBY ACT	\$ (23,348)									\$ (23,348)
LESS CASH RESERVE				\$ (175,000)						\$ (175,000)
UNASSIGNED FUND BALANCE ENDING	\$ 11,442	\$ 260,374	\$ 2,785							\$ 7,071,181

**CITY OF ROLLING HILLS  
GENERAL FUND  
YEAR-END PROJECTED REVENUES  
FY 2018/2019  
JULY 1, 2018 to JUNE 30, 2019**

<b>REVENUES</b>	<b>PROJECTED PERCENT OF TOTAL</b>	<b>PROJECTED FY 2018/2019 AMOUNT</b>	<b>FY 2018/2019 ADJUSTED BUDGET</b>	<b>DOLLAR INCREASE (DECREASE) FROM BUDGET</b>	<b>PERCENT INCREASE (DECREASE) FROM BUDGET</b>
TAXES	52.06%	\$ 1,156,873	\$ 1,113,000	\$ 43,873	3.94%
MOTOR VEHICLE IN LIEU	9.68%	215,129	215,200	(71)	-0.03%
LICENSES & PERMITS	25.60%	568,857	620,300	(51,443)	-8.29%
FINES & VIOLATIONS	0.74%	16,419	14,300	2,119	14.82%
USE OF PROPERTY & MONEY	9.12%	202,754	184,000	18,754	10.19%
CHARGES FOR SERVICES	0.00%	-	-	-	0.00%
EXCHANGE FUNDS - PROP A	2.53%	56,250	56,250	-	0.00%
OTHER REVENUE	0.26%	5,854	8,900	(3,046)	-34.22%
<b>TOTAL REVENUES</b>	<b>100.00%</b>	<b>\$ 2,222,137</b>	<b>\$ 2,211,950</b>	<b>\$ 10,187</b>	<b>0.46%</b>

**CITY OF ROLLING HILLS  
GENERAL FUND  
YEAR-END PROJECTED EXPENDITURES  
FY 2018/2019  
JULY 1, 2018 to JUNE 30, 2019**

<b>EXPENDITURES</b>	<b>PROJECTED PERCENT OF TOTAL</b>	<b>PROJECTED FY 2018/2019 AMOUNT</b>	<b>FY 2018/2019 ADJUSTED BUDGET</b>	<b>DOLLAR INCREASE (DECREASE) FROM BUDGET</b>	<b>PERCENT INCREASE (DECREASE) FROM BUDGET</b>
CITY ADMINISTRATION	37.69%	\$ 770,424	\$ 933,800	\$ (163,376)	-17.50%
FINANCE	5.70%	116,453	117,750	(1,297)	-1.10%
PLANNING & DEVELOPMENT	37.92%	774,998	866,100	(91,102)	-10.52%
LAW ENFORCEMENT	12.96%	264,990	297,600	(32,610)	-10.96%
NON-DEPARTMENT	2.60%	53,087	80,775	(27,688)	-34.28%
CITY PROPERTIES	3.13%	63,970	71,500	(7,530)	-10.53%
<b>TOTAL EXPENDITURES</b>	<b>100.00%</b>	<b>\$ 2,043,921</b>	<b>\$ 2,367,525</b>	<b>\$ (323,604)</b>	<b>-13.67%</b>
<b>FUND TRANSFERS IN/(OUT)</b>					
COMMUNITY FUND		\$ -	\$ (6,300)	\$ 6,300	-
TRAFFIC SAFETY FUND		(46,500)	(46,500)	-	-
CAPITAL IMPROVEMENT FUND		-	(234,000)	234,000	
UTILITY FUND		-	-	-	
REFUSE FUND		24,000	24,000	-	-
<b>TOTAL TRANSFERS IN/(OUT)</b>		<b>\$ (22,500)</b>	<b>\$ (262,800)</b>	<b>\$ 240,300</b>	<b>0.00%</b>

**CITY OF ROLLING HILLS**  
**PROPOSED REVENUES & EXPENDITURES**  
**ALL FUNDS**

Year ending June 30, 2020

	GENERAL	COMM. FACILITIES	SELF INSURANCE	REFUSE	TRAFFIC SAFETY	PROP A, C & MEAS R & M	COPS & CLEP	UTILITY FUND	CAPITAL PROJECT	MEASURE W	TOTAL
REVENUES	\$ 2,278,300	\$ 100	\$ -	\$ 840,900	\$ 50	\$ 124,650	\$ 140,125	\$ -	\$ 10,000	\$ 120,900	\$ 3,515,025
EXPENDITURES	2,233,600	15,000	3,000	890,089	54,550	-	162,700	172,000	350,000	120,000	4,000,939
NET REVENUE BEFORE TRANSFERS	44,700	(14,900)	(3,000)	(49,189)	(54,500)	124,650	(22,575)	(172,000)	(340,000)	900	(485,914)
TRANSFERS IN/(OUT)											
GENERAL FUND	-	3,500	-	(24,000)	54,500	-	-	-	340,000	-	374,000
COMMUNITY FACILITIES FUND	(3,500)	-	-	-	-	-	-	-	-	-	(3,500)
CAPITAL PROJECT FUND	(340,000)	-	-	-	-	-	-	-	-	-	(340,000)
TRAFFIC SAFETY FUND	(54,500)	-	-	-	-	-	-	-	-	-	(54,500)
UTILITY FUND	-	-	-	-	-	-	-	-	-	-	-
REFUSE FUND	24,000	-	-	-	-	-	-	-	-	-	24,000
TOTAL TRANSFERS	(374,000)	3,500	-	(24,000)	54,500	-	-	-	340,000	-	-
NET REVENUE AFTER TRANSFERS	(329,300)	(11,400)	(3,000)	(73,189)	-	124,650	(22,575)	(172,000)	-	900	(485,914)
UNASSIGNED FUND BALANCE BEGINNING	5,276,513	34,790	260,374	177,785	18,153	95,523	85,690	1,320,700	-	-	7,269,529
UNASSIGNED FUND BALANCE ENDING	\$ 4,947,213	\$ 23,390	\$ 257,374	\$ 104,596	\$ 18,153	\$ 220,173	\$ 63,115	\$ 1,148,700	\$ -	\$ 900	\$ 6,783,615
LESS SUBDIVISION QUIMBY ACT	\$ (23,348)										(23,348)
LESS CASH RESERVE				\$ (66,200)							\$ (66,200)
UNASSIGNED FUND BALANCE ENDING	\$ 42	\$ 257,374	\$ 38,396								\$ 6,694,067

**GENERAL FUND  
PROPOSED REVENUES  
FY 2019/2020 BUDGET  
JULY 1, 2019 to JUNE 30, 2020**

REVENUES	PROPOSED FY 2019/2020 % OF TOTAL	PROPOSED FY 2019/2020 BUDGET	PROJECTED FY 2018/2019 AMOUNT	DOLLAR INCREASE (DECREASE) FROM FY 18/19	PERCENT INCREASE (DECREASE) FROM FY 18/19
TAXES	52.42%	\$ 1,194,300	\$ 1,156,873	\$ 37,427	3.24%
MOTOR VEHICLE IN LIEU	9.81%	223,500	215,129	8,371	3.89%
LICENSES & PERMITS	28.24%	643,300	568,857	74,443	13.09%
FINES & VIOLATIONS	0.63%	14,300	16,419	(2,119)	-12.91%
USE OF PROPERTY & MONEY	8.08%	184,000	202,754	(18,754)	-9.25%
CHARGES FOR SERVICES	0.00%	-	-	-	0.00%
EXCHANGE FUNDS - PROPOSITION	0.00%	-	56,250	(56,250)	-100.00%
OHER REVENUE	0.83%	18,900	5,854	13,046	222.86%
<b>TOTAL REVENUES</b>	<b>100%</b>	<b>\$ 2,278,300</b>	<b>\$ 2,222,137</b>	<b>\$ 56,163</b>	<b>2.53%</b>

**GENERAL FUND  
PROPOSED EXPENDITURES  
FY 2019/2020 BUDGET  
JULY 1, 2019 to JUNE 30, 2020**

EXPENDITURES	PROPOSED FY 2019/2020 % OF TOTAL	PROPOSED FY 2019/2020 BUDGET	PROJECTED FY 2018/2019 AMOUNT	DOLLAR INCREASE (DECREASE) FROM FY 18/19	PERCENT INCREASE (DECREASE) FROM FY 18/19
CITY ADMINISTRATION	40.47%	\$ 904,000	\$ 770,424	\$ 133,576	17.34%
FINANCE	5.35%	119,450	116,453	2,997	2.57%
PLANNING & DEVELOPMENT	32.63%	728,800	774,998	(46,198)	-5.96%
LAW ENFORCEMENT	13.31%	297,200	264,990	32,210	12.16%
NON-DEPARTMENT	4.69%	104,650	53,087	51,563	97.13%
CITY PROPERTIES	3.56%	79,500	63,970	15,530	24.28%
<b>TOTAL EXPENDITURES</b>	<b>100%</b>	<b>\$ 2,233,600</b>	<b>\$ 2,043,923</b>	<b>\$ 189,679</b>	<b>9.28%</b>
<b>FUND TRANSFERS IN/(OUT)</b>					
COMMUNITY FACILITIES FUND		\$ (3,500)	\$ -	\$ (3,500)	0.00%
TRAFFIC SAFETY FUND		(54,500)	(46,500)	(8,000)	17.20%
UTILITY FUND		-	-	-	0.00%
CAPITAL PROJECTS FUND		(340,000)	-	(340,000)	0.00%
REFUSE FUND		24,000	24,000	-	0.00%
<b>TOTAL TRANSFERS IN/(OUT)</b>		<b>\$ (374,000)</b>	<b>\$ (22,500)</b>	<b>\$ (351,500)</b>	<b>1562.22%</b>

CITY OF ROLLING HILLS  
GENERAL FUND REVENUES & EXPENDITURES  
HISTORICAL ACTUAL - FY 2017/18  
CURRENT TREND - FY 2018/19  
PROPOSED BUDGET - FY 2019/20

\*\*FINAL 6/10/19\*\*

HISTORICAL ACTUAL		CURRENT TREND			
FY 17/18	ADJUSTED ANNUAL BUDGET FY 18/19	PROJECTED FY 18/19	Favorable (unfavorable) BUDGET FY 18/19	PROPOSED BUDGET FY 19/20	Variance Favorable (unfavorable) FY 18/19 PROJECTED

GENERAL FUND REVENUES SUMMARY

BEGINNING FUND BALANCE	\$ 4,806,155	\$ 5,120,797	\$ 5,120,797	-	\$ 5,276,513	\$ 37,607
GENERAL FUND REVENUES						
TAXES	\$ 1,139,781	\$ 1,113,000	\$ 1,156,873	\$ 43,873	\$ 1,194,300	\$ 37,427
OTHER AGENCIES	208,562	215,200	215,129	(71)	223,500	8,371
LICENSES & PERMITS	824,153	620,300	568,857	(51,443)	643,300	74,443
USE OF PROPERTY & MONEY	150,193	184,000	202,754	18,754	184,000	(18,754)
EXCHANGE FUNDS	-	56,250	56,250	-	-	(56,250)
OTHER REVENUES	27,406	23,200	22,273	(927)	33,200	10,927
TOTAL REVENUES	\$ 2,350,094	\$ 2,211,950	\$ 2,222,137	\$ 10,187	\$ 2,278,300	\$ 56,163

TOTAL GENERAL FUND REVENUES

GENERAL FUND EXPENDITURES SUMMARY BY DEPARTMENT

01	CITY ADMINISTRATION						
	EMPLOYEE SALARIES	\$ 290,927	\$ 314,100	\$ 215,082	\$ 99,018	\$ 419,800	\$ (204,718)
	EMPLOYEE BENEFITS	300,188	334,050	309,318	24,732	176,600	132,718
	TOTAL PERSONNEL	591,116	648,150	524,400	123,750	596,400	(72,000)
	MATERIALS & SUPPLIES	81,248	118,650	84,082	34,568	141,000	(56,918)
	CONTRACTUAL SERVICES	109,419	135,000	129,953	5,047	166,600	(36,647)
	CAPITAL OUTLAY	-	32,000	31,987	13	-	31,987
01	TOTAL CITY ADMINISTRATION	\$ 781,783	\$ 933,800	\$ 770,424	\$ 163,376	\$ 904,000	\$ (133,576)
05	FINANCE						
	EMPLOYEE SALARIES	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	EMPLOYEE BENEFITS	-	-	-	-	-	-
	TOTAL PERSONNEL	-	-	-	-	-	-
	MATERIALS & SUPPLIES	160	650	160	490	650	(490)
	CONTRACTUAL SERVICES	110,770	117,100	116,293	807	118,800	(2,507)
	CAPITAL OUTLAY	-	-	-	-	-	-
05	TOTAL FINANCE	\$ 110,930	\$ 117,750	\$ 116,453	\$ 1,297	\$ 119,450	\$ (2,997)

CITY OF ROLLING HILLS  
GENERAL FUND REVENUES & EXPENDITURES  
HISTORICAL ACTUAL - FY 2017/18  
CURRENT TREND - FY 2018/19  
PROPOSED BUDGET - FY 2019/20

\*\*FINAL 6/10/19\*\*

	HISTORICAL ACTUAL		CURRENT TREND		PROPOSED BUDGET FY 19/20	Variance Favorable (unfavorable) FY 18/19 PROJECTED
	FY 17/18	ADJUSTED ANNUAL BUDGET FY 18/19	PROJECTED FY 18/19	Favorable (unfavorable) BUDGET FY 18/19		
15 PLANNING & DEVELOPMENT						
EMPLOYEE SALARIES	\$ 224,761	\$ 230,000	\$ 182,028	\$ 47,972	\$ 209,250	\$ (27,222)
EMPLOYEE BENEFITS	90,977	95,000	87,658	7,342	78,950	8,708
TOTAL PERSONNEL	315,738	325,000	269,686	55,314	288,200	(18,514)
MATERIALS & SUPPLIES	35,364	13,600	11,370	2,230	12,600	(1,230)
CONTRACTUAL SERVICES	444,305	527,500	493,942	33,558	428,000	65,942
CAPITAL OUTLAY	-	-	-	-	-	-
15 TOTAL PLANNING & DEVELOPMENT	\$ 795,407	\$ 866,100	\$ 774,998	\$ 91,102	\$ 728,800	\$ 46,198
25 LAW ENFORCEMENT	\$ 258,199	\$ 297,600	\$ 264,990	\$ 32,610	\$ 297,200	\$ (32,210)
65 NON-DEPARTMENT	\$ 41,668	\$ 80,775	\$ 53,087	\$ 27,688	\$ 104,650	\$ (51,563)
75 CITY PROPERTIES	\$ 45,998	\$ 71,500	\$ 63,970	\$ 7,530	\$ 79,500	\$ (15,530)
TOTAL GENERAL FUND EXPENDITURES	\$ 2,033,984	\$ 2,367,525	\$ 2,043,921	\$ 323,604	\$ 2,233,600	\$ (189,679)
NET REVENUES BEFORE TRANSFERS	\$ 316,110	\$ (155,575)	\$ 178,216	\$ 333,791	\$ 44,700	\$ (133,516)
TRANSFERS	\$ (1,468)	\$ (262,800)	\$ (22,500)	\$ 240,300	\$ (374,000)	\$ (351,500)
NET REVENUE(DEFICIT) AFTER TRANSFERS	\$ 314,642	\$ (418,375)	\$ 155,716	\$ 574,091	\$ (329,300)	\$ (485,016)
ENDING FUND BALANCE	\$ 5,120,797	\$ 4,702,422	\$ 5,276,513		\$ 4,947,213	

GENERAL FUND EXPENDITURES SUMMARY BY ACCOUNT CATEGORY

	HISTORICAL ACTUAL		CURRENT TREND		PROPOSED BUDGET FY 19/20	Variance Favorable (unfavorable) FY 18/19 PROJECTED
	FY 17/18	ADJUSTED ANNUAL BUDGET FY 18/19	PROJECTED FY 18/19	Favorable (unfavorable) BUDGET FY 18/19		
EMPLOYEE SALARIES	\$ 515,688	\$ 544,100	\$ 397,110	\$ 146,990	\$ 629,050	\$ (231,940)
EMPLOYEE BENEFITS	391,166	429,050	396,976	32,074	255,550	141,426
TOTAL PERSONNEL	906,854	973,150	794,086	179,064	884,600	(90,514)
MATERIALS & SUPPLIES	127,352	162,000	107,712	54,288	183,350	(75,638)
CONTRACTUAL SERVICES	733,248	877,750	824,856	52,894	827,800	(2,944)
LAW ENFORCEMENT	258,199	297,600	264,991	32,609	297,200	(32,209)
COMMUNITY PROMOTIONS	8,332	25,025	20,289	4,736	40,650	(20,361)
CAPITAL OUTLAY	-	32,000	31,987	13	-	31,987
TOTAL GENERAL FUND EXPENDITURES	\$ 2,033,984	\$ 2,367,525	\$ 2,043,921	\$ 323,604	\$ 2,233,600	\$ (189,679)

CITY OF ROLLING HILLS  
GENERAL FUND REVENUES & EXPENDITURES  
HISTORICAL ACTUAL - FY 2017/18  
CURRENT TREND - FY 2018/19  
PROPOSED BUDGET - FY 2019/20

\*\*FINAL 6/10/19\*\*

HISTORICAL ACTUAL	CURRENT TREND				PROPOSED BUDGET	Variance Favorable (unfavorable)
FY 17/18	ADJUSTED ANNUAL BUDGET FY 18/19	PROJECTED FY 18/19	Favorable (unfavorable) BUDGET FY 18/19		FY 19/20	FY 18/19 PROJECTED

GENERAL FUND REVENUES DETAIL

GENERAL FUND REVENUES							
4001	TAXES:						
401	Property Taxes	\$ 1,089,838	\$ 1,063,200	\$ 1,104,695	\$ 41,495	\$ 1,144,500	\$ 39,805
405	Sales Tax	5,061	8,000	5,265	(2,735)	8,000	2,735
410	Real Estate Transfer Tax	44,881	41,800	46,914	5,114	41,800	(5,114)
4001	Total	1,139,781	1,113,000	1,156,873	43,873	1,194,300	37,427
4030	OTHER AGENCIES						
420	Motor Vehicle in Lieu Tax-VLF	208,562	215,200	215,129	(71)	223,500	8,371
4050	LICENSES & PERMITS						
440	Building & Other Permit Fees	769,138	560,000	511,954	(48,046)	583,000	71,046
450	Variance, Planning & Zoning Fees	36,042	40,000	39,099	(901)	40,000	901
455	Animal Control Fees	1,008	1,300	780	(520)	1,300	520
460	Franchise Fees	17,965	19,000	17,024	(1,976)	19,000	1,976
4050	Total	824,153	620,300	568,857	(51,443)	643,300	74,443
4060	FINES & VIOLATIONS						
480	Fines & Traffic Violations	13,621	14,300	16,419	2,119	14,300	(2,119)
5000	USE OF PROPERTY & MONEY						
600	City Hall Leasehold RHCA	62,867	84,000	83,976	(24)	84,000	24
670	Interest Earned	87,326	100,000	118,778	18,778	100,000	(18,778)
5000	Total	150,193	184,000	202,754	18,754	184,000	(18,754)
6000	CHARGES FOR SERVICES						
	Personnel Charges - RHCA						
601	Reimbursement GA M&O - RHCA	-	-	-	-	-	-
602	Reimbursement PW M&O - RHCA	9,338	-	-	-	-	-
6000	Total	9,338	-	-	-	-	-
6500	EXCHANGE FUNDS						
620	Proposition A	-	56,250	56,250	-	-	(56,250)
6700	OTHER REVENUE						
650	Public Safety Augmentation Fund	950	800	952	152	800	(152)
655	Burglar Alarm Responses	400	600	500	(100)	600	100
675	Miscellaneous	3,097	7,500	4,402	(3,098)	17,500	13,098
6700	Total	4,447	8,900	5,854	(3,046)	18,900	13,046
TOTAL GENERAL FUND REVENUES		\$ 2,350,094	\$ 2,211,950	\$ 2,222,137	\$ 10,187	\$ 2,278,300	\$ 56,163

CITY OF ROLLING HILLS  
GENERAL FUND REVENUES & EXPENDITURES  
HISTORICAL ACTUAL - FY 2017/18  
CURRENT TREND - FY 2018/19  
PROPOSED BUDGET - FY 2019/20

\*\*FINAL 6/10/19\*\*

		HISTORICAL ACTUAL		CURRENT TREND PROJECTED		PROPOSED BUDGET	Variance Favorable (unfavorable)
		FY 17/18	ADJUSTED ANNUAL BUDGET FY 18/19	FY 18/19	Favorable (unfavorable) BUDGET FY 18/19	FY 19/20	FY 18/19 PROJECTED
GENERAL FUND EXPENDITURES DETAIL BY DEPARTMENT							
01	GENERAL FUND EXPENDITURES CITY ADMINISTRATION						
7001	Employee Salaries						
702	Salaries Full Time	\$ 290,927	\$ 304,100	\$ 215,082	\$ 89,018	\$ 409,300	\$ (194,218)
703	Salaries Part Time	-	10,000	-	-	10,500	(10,500)
7001	Total	290,927	314,100	215,082	99,018	419,800	(204,718)
7005	Employee Benefits						
710	Retirement CalPERS - Employer	214,410	44,050	37,588	6,462	63,100	(25,512)
710	Retirement CalPERS - Employer Unfunded Liab.	-	185,000	185,000	-	-	185,000
711	Retirement CalPERS - Employee	-	-	-	-	-	-
715	Workers Compensation Insurance	6,830	7,400	7,400	-	7,800	(400)
716	Group Insurance	40,384	47,500	31,500	16,000	40,800	(9,300)
717	Retiree Medical	17,422	18,200	22,471	(4,271)	28,900	(6,429)
718	Employer Payroll Taxes	14,538	25,100	20,331	4,769	33,600	(13,269)
719	Deferred Compensation	5,004	4,600	3,129	1,471	-	3,129
720	Auto Allowance	1,600	2,200	1,900	300	2,400	(500)
7005	Total	300,188	334,050	309,318	24,732	176,600	132,718
7500	Materials & Supplies						
740	Office Supplies & Expense	25,921	43,600	31,140	12,460	60,000	(28,860)
745	Equipment Leasing Costs	3,978	7,750	5,405	2,345	4,100	1,305
750	Dues & Subscriptions	11,687	11,300	10,677	623	11,300	(623)
755	Conference Expense	4,562	9,500	3,272	6,228	10,000	(6,728)
757	Meeting Expense	101	1,300	494	806	1,500	(1,006)
759	Training & Education	301	2,700	1,000	1,700	2,000	(1,000)
761	Auto Mileage	345	500	255	245	500	(245)
765	Postage	5,533	13,000	7,000	6,000	13,000	(6,000)
770	Telephone	5,602	5,800	6,068	(268)	6,100	(32)
775	City Council Expense	6,323	7,200	5,919	1,281	10,000	(4,081)
776	Miscellaneous Expenses	42	-	80	-	-	-
780	Minutes Clerk Meetings	4,761	4,800	7,498	(2,698)	6,000	1,498
785	Codification	3,234	5,000	1,550	3,450	5,000	(3,450)
790	Advertising	950	1,000	1,000	-	1,500	(500)
795	Other General Administrative Expense	7,908	5,200	2,725	2,475	10,000	(7,275)
7500	Total	81,248	118,650	84,082	34,568	141,000	(56,918)
8000	Contractual Services						
801	City Attorney	84,064	70,000	78,829	(8,829)	80,000	(1,171)
802	Legal Expenses - Other	-	3,000	1,000	2,000	3,000	(2,000)
820	Website	5,668	11,000	6,117	4,883	6,000	117
850	Election Expense City Council	11,855	5,000	1,269	3,731	-	1,269
890	Consulting Fees	7,832	46,000	42,738	3,262	77,600	(34,862)
8000	Total	109,419	135,000	129,953	5,047	166,600	(36,647)
9000	Capital Outlay						
950	Capital Outlay - Equipment	-	32,000	31,987	13	-	31,987
948	Capital Outlay - City Hall Improvements	-	-	-	-	-	-
955	Disaster Emergency - Equipment	-	-	-	-	-	-
9000	Total	-	32,000	31,987	13	-	31,987
01	TOTAL CITY ADMINISTRATION	\$ 781,783	\$ 933,800	\$ 770,424	\$ 163,376	\$ 904,000	\$ (133,576)



CITY OF ROLLING HILLS  
GENERAL FUND REVENUES & EXPENDITURES  
HISTORICAL ACTUAL - FY 2017/18  
CURRENT TREND - FY 2018/19  
PROPOSED BUDGET - FY 2019/20

\*\*FINAL 6/10/19\*\*

		HISTORICAL ACTUAL	CURRENT TREND				
		FY 17/18	ADJUSTED ANNUAL BUDGET FY 18/19	PROJECTED FY 18/19	Favorable (unfavorable) BUDGET FY 18/19	PROPOSED BUDGET FY 19/20	Variance Favorable (unfavorable) FY 18/19 PROJECTED
05	FINANCE						
7001	Employee Salaries						
703	Salaries Part Time	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
7001	Total	-	-	-	-	-	-
7005	Employee Benefits						
715	Workers Compensation Insurance	-	-	-	-	-	-
718	Employer Payroll Taxes	-	-	-	-	-	-
7005	Total	-	-	-	-	-	-
7500	Materials & Supplies						
750	Dues & Subscriptions	160	650	160	490	650	(490)
755	Conference Expense	-	-	-	-	-	-
757	Meeting Expense	-	-	-	-	-	-
776	Miscellaneous Expense	-	-	-	-	-	-
7500	Total	160	650	160	490	650	(490)
8000	Contractual Services						
810	Annual Audit	15,740	17,100	17,100	-	17,100	-
890	Consulting Fees	95,030	100,000	99,193	807	101,700	(2,507)
8000	Total	110,770	117,100	116,293	807	118,800	(2,507)
9000	Capital Outlay						
950	Capital Outlay - Equipment	-	-	-	-	-	-
9000	Total	-	-	-	-	-	-
05	TOTAL FINANCE	\$ 110,930	\$ 117,750	\$ 116,453	\$ 1,297	\$ 119,450	\$ (2,997)
15	PLANNING & DEVELOPMENT						
7001	Employee Salaries						
702	Salaries Full Time	\$ 224,761	\$ 215,000	\$ 181,317	\$ 33,683	\$ 193,500	\$ (12,183)
703	Salaries Part Time	-	15,000	711	14,289	15,750	(15,039)
7001	Total	224,761	230,000	182,028	47,972	209,250	(27,222)
7005	Employee Benefits						
710	Retirement CalPERS - Employer	25,014	31,150	28,012	3,138	29,800	(1,788)
711	Retirement CalPERS - Employee	-	-	-	-	-	-
715	Workers Compensation Insurance	4,367	5,300	5,300	-	3,850	1,450
716	Group Insurance	30,045	30,600	29,895	705	19,000	10,895
718	Employer Payroll Taxes	18,351	18,400	15,795	2,605	16,750	(955)
719	Deferred Compensation	10,800	7,150	6,256	894	7,150	(894)
720	Auto Allowance	2,400	2,400	2,400	-	2,400	-
7005	Total	90,977	95,000	87,658	7,342	78,950	8,708
7500	Materials & Supplies						
758	Planning Commission Meeting	1,429	2,000	3,054	(1,054)	3,000	54
776	Miscellaneous Expenses	31,175	2,000	4,342	(2,342)	2,000	2,342
750	Dues & Subscriptions	-	600	-	-	600	(600)
755	Conference Expense	2,760	6,800	2,725	-	5,000	(2,275)
759	Training & Education	-	2,200	1,249	-	2,000	(751)
7500	Total	35,364	13,600	11,370	2,230	12,600	(1,230)
8000	Contractual Services						
802	Legal Expenses Other	4,759	13,000	2,000	11,000	-	2,000
872	Property Development - Legal Expense	61,555	57,000	54,564	2,436	57,000	(2,436)
878	Build Inspection LA County/Willdan	221,168	195,000	197,084	(2,084)	195,000	2,084
881	Storm Water Management	147,276	159,400	149,948	9,452	65,000	84,948
882	Variance & CUP Expense	9,547	6,000	6,772	(772)	6,000	772
884	Special Project Study & Consultant	-	97,100	83,574	13,526	105,000	(21,426)
8000	Total	444,304	527,500	493,942	33,558	428,000	65,942
9000	Capital Outlay						
950	Capital Outlay - Equipment	-	-	-	-	-	-
9000	Total	-	-	-	-	-	-
15	TOTAL PLANNING & DEVELOPMENT	\$ 795,407	\$ 866,100	\$ 774,998	\$ 91,102	\$ 728,800	\$ 46,198

CITY OF ROLLING HILLS  
GENERAL FUND REVENUES & EXPENDITURES  
HISTORICAL ACTUAL - FY 2017/18  
CURRENT TREND - FY 2018/19  
PROPOSED BUDGET - FY 2019/20

\*\*FINAL 6/10/19\*\*

		HISTORICAL ACTUAL FY 17/18	ADJUSTED ANNUAL BUDGET FY 18/19	CURRENT TREND PROJECTED FY 18/19	Favorable (unfavorable) BUDGET FY 18/19	PROPOSED BUDGET FY 19/20	Variance Favorable (unfavorable) FY 18/19 PROJECTED
25	LAW ENFORCEMENT						
8200	Law Enforcement						
830	Law Enforcement	\$ 208,400	\$ 223,100	\$ 215,077	\$ 8,023	\$ 221,700	\$ (6,623)
832	Parking Citation	23	-	-	-	-	-
833	Other Law Enforcement Expenses	849	3,000	3,261	(261)	3,000	261
837	Wild Life Management & Pest Control	41,098	61,500	40,657	20,843	61,500	(20,843)
838	Animal Control Expense	7,829	10,000	5,995	4,005	11,000	(5,005)
8200	Total	258,199	297,600	264,991	32,609	297,200	(32,209)
25	TOTAL LAW ENFORCEMENT	\$ 258,199	\$ 297,600	\$ 264,990	\$ 32,610	\$ 297,200	\$ (32,210)
65	NON-DEPARTMENT						
7500	Materials & Supplies						
776	Miscellaneous Expenses	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
901	South Bay Community Organization	3,600	4,100	4,100	-	4,100	-
985	Contingency	6,980	25,000	8,000	17,000	25,000	(17,000)
7500	Total	10,580	29,100	12,100	17,000	29,100	(17,000)
8000	Contractual Services						
895	Insurance & Bond Expense	22,756	26,650	20,698	5,952	34,900	(14,202)
8500	Community Promotion						
915	Community Recognition	5,956	9,500	6,448	3,052	11,000	(4,552)
916	Civil Defense Expense	646	650	642	8	650	(8)
917	Emergency Preparedness	1,684	14,875	13,199	1,676	29,000	(15,801)
970	Interest Expense	45	-	-	-	-	-
8500	Total	8,332	25,025	20,289	4,736	40,650	(20,361)
65	TOTAL NON-DEPARTMENT	\$ 41,668	\$ 80,775	\$ 53,087	\$ 27,688	\$ 104,650	\$ (51,563)
75	CITY PROPERTIES						
8000	Contractual Services						
925	Utilities	\$ 26,735	\$ 30,200	\$ 33,731	\$ (3,531)	\$ 34,000	\$ (269)
930	Repairs & Maintenance	8,949	16,000	10,889	5,111	32,000	(21,111)
932	Area Landscaping	10,315	25,300	19,350	5,950	13,500	5,850
8000	Total	45,998	71,500	63,970	7,530	79,500	(15,530)
9000	Capital Outlay						
946	Building & Equipment	-	-	-	-	-	-
9000	Total	-	-	-	-	-	-
75	TOTAL CITY PROPERTIES	\$ 45,998	\$ 71,500	\$ 63,970	\$ 7,530	\$ 79,500	\$ (15,530)
	TOTAL GENERAL FUND EXPENDITURES	\$ 2,033,984	\$ 2,367,525	\$ 2,043,921	\$ 323,604	\$ 2,233,600	\$ (189,679)
	NET REVENUES BEFORE TRANSFERS	\$ 316,110	\$ (155,575)	\$ 178,216	\$ 333,791	\$ 44,700	\$ (133,516)
699	Fund Transfers (OUT) IN						
	Traffic Safety Fund	\$ (24,993)	\$ (46,500)	(46,500)	-	(54,500)	\$ (8,000)
	Transportation Development Act Fund	-	-	-	-	-	-
	Capital Improvement Fund	(475)	(234,000)	-	234,000	(340,000)	(340,000)
	Municipal Self Insurance Fund	-	-	-	-	-	-
	Underground Utility Fund	-	-	-	-	-	-
	Community Facilities Fund	-	(6,300)	-	6,300	(3,500)	(3,500)
	Refuse Collection Fund	24,000	24,000	24,000	-	24,000	-
699	Total	(1,468)	(262,800)	(22,500)	240,300	(374,000)	(351,500)
	NET REVENUE(DEFICIT) AFTER TRANSFERS	\$ 314,642	\$ (418,375)	\$ 155,716	\$ 574,091	\$ (329,300)	\$ (485,016)

CITY OF ROLLING HILLS  
GENERAL FUND REVENUES & EXPENDITURES  
HISTORICAL ACTUAL - FY 2017/18  
CURRENT TREND - FY 2018/19  
PROPOSED BUDGET - FY 2019/20

\*\*FINAL 6/10/19\*\*

	HISTORICAL ACTUAL		CURRENT TREND		PROPOSED BUDGET FY 19/20	Variance Favorable (unfavorable) FY 18/19 PROJECTED
	FY 17/18	ADJUSTED ANNUAL BUDGET FY 18/19	PROJECTED FY 18/19	Favorable (unfavorable) BUDGET FY 18/19		
<b>FUND BALANCE</b>						
Total to begin	\$ 4,806,155	\$ 5,120,797	\$ 5,120,797		\$ 5,276,513	
Total to begin - Adjustment						
Total to end	\$ 5,120,797	\$ 4,702,422	\$ 5,276,513		\$ 4,947,213	
Less reserves:						
Working capital	-	-	-		-	
Budget contingency	-	-	-		-	
390 Prepaids	56,507	-	-		56,507	
392 Committed	-	-	-		-	
393 Assigned	-	-	-		-	
Total reserves	56,507	-	-		56,507	
398 UNASSIGNED FUND BALANCE	\$ 5,064,290	\$ 4,702,422	\$ 5,276,513		\$ 4,890,706	

**CITY OF ROLLING HILLS  
COMMUNITY FACILITIES FUND  
HISTORICAL ACTUAL - 2017/18  
CURRENT TREND - FY 2018/19  
PROPOSED BUDGET - FY 2019/20**

	<u>HISTORICAL ACTUAL FY 17/18</u>	<u>ADJUSTED ANNUAL BUDGET FY 18/19</u>	<u>PROJECTED FY 18/19</u>	<u>Favorable (unfavorable) FY 18/19</u>	<u>PROPOSED BUDGET FY 19/20</u>
<b>12 COMMUNITY FACILITIES FUND</b>					
<b>4000 REVENUES</b>					
446 Subdivision-Quimby Act	\$ -	\$ -	\$ -	\$ -	\$ -
670 Interest Earned	191	100	100	-	100
Total Revenues	<u>\$ 191</u>	<u>\$ 100</u>	<u>\$ 100</u>	<u>\$ -</u>	<u>\$ 100</u>
<b>7000 EXPENDITURES</b>					
933 Equestrian Facilities Maintenance	-	5,000	-	5,000	5,000
934 Equestrian Facilities Improvement	-	-	-	-	-
935 Tennis Facilities Improvement	-	-	-	-	-
936 Riding Ring & Storm Hill Park	-	-	-	-	-
937 Storm Hill Park	-	-	-	-	-
938 Tennis Maintenance Expense	-	-	-	-	5,000
943 Women's Club	2,700	2,500	2,100	400	5,000
944 WPC - Habitat & Misc Project	-	-	-	-	-
951 PV Peninsula HS Swimming Pool	-	-	-	-	-
Total Expenditures	<u>\$ 2,700</u>	<u>\$ 7,500</u>	<u>\$ 2,100</u>	<u>\$ 5,400</u>	<u>\$ 15,000</u>
NET REVENUES BEFORE TRANSFERS	(2,509)	(7,400)	(2,000)	5,400	(14,900)
618 Operating Transfer in/out General Fund	-	6,300	-	(6,300)	3,500
NET REVENUE(DEFICIT) AFTER TRANSFERS	<u>\$ (2,509)</u>	<u>\$ (1,100)</u>	<u>\$ (2,000)</u>	<u>\$ (900)</u>	<u>\$ (11,400)</u>
<b>3000 FUND BALANCE</b>					
398 Unassigned Fund Balance Beginning	\$ 39,299	\$ 36,790	\$ 36,790		\$ 34,790
398 Unassigned Fund Balance Ending	<u>36,790</u>	<u>35,690</u>	<u>34,790</u>		<u>23,390</u>
Less Reserves:					
392 Subdivision Quimby Act	<u>23,348</u>	<u>23,348</u>	<u>23,348</u>		<u>23,348</u>
398 Unassigned Fund Balance Ending	<u>\$ 13,442</u>	<u>\$ 12,342</u>	<u>\$ 11,442</u>		<u>\$ 42</u>

**CITY OF ROLLING HILLS**  
**MUNICIPAL SELF INSURANCE FUND**  
**HISTORICAL ACTUAL - 2017/18**  
**CURRENT TREND - FY 2018/19**  
**PROPOSED BUDGET - FY 2019/20**

	<u>HISTORICAL</u> <u>ACTUAL</u> <u>FY 17/18</u>	<u>ADJUSTED</u> <u>ANNUAL</u> <u>BUDGET</u> <u>FY 18/19</u>	<u>PROJECTED</u> <u>FY 18/19</u>	<u>Favorable</u> <u>(unfavorable)</u> <u>FY 18/19</u>	<u>PROPOSED</u> <u>BUDGET</u> <u>FY 19/20</u>
<b>60 MUNICIPAL SELF INSURANCE FUND</b>					
<b>4000 REVENUES</b>					
505 Disaster Grants	\$ -	\$ -	\$ -	\$ -	\$ -
506 Refund - PERMA	-	-	-	-	-
510 Settlements	-	-	-	-	-
Total Revenues	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
<b>7000 EXPENDITURES</b>					
926 Slide Maintenance	\$ -	\$ -	\$ -	\$ -	\$ -
801 City Attorney	-	3,000	-	3,000	3,000
945 Geology & Engineering Expense	-	-	-	-	-
909 Reimbursement - RHCA	-	-	-	-	-
910 Land Movement	-	-	-	-	-
911 AR-1 Poppy Trail Expense	-	-	-	-	-
912 Reimbursement - Poppy Trail	-	-	-	-	-
Total Expenditures	<u>\$ -</u>	<u>\$ 3,000</u>	<u>\$ -</u>	<u>\$ 3,000</u>	<u>\$ 3,000</u>
NET REVENUES BEFORE TRANSFERS	-	(3,000)	-	3,000	(3,000)
618 Operating Transfer in/out General Fund	-	-	-	-	-
NET REVENUE(DEFICIT) AFTER TRANSFERS	<u>\$ -</u>	<u>\$ (3,000)</u>	<u>\$ -</u>	<u>\$ 3,000</u>	<u>\$ (3,000)</u>
<b>3000 FUND BALANCE</b>					
398 Unassigned Fund Balance Beginning	\$ 260,374	\$ 260,374	\$ 260,374		\$ 260,374
398 Unassigned Fund Balance Ending	<u>\$ 260,374</u>	<u>\$ 257,374</u>	<u>\$ 260,374</u>		<u>\$ 257,374</u>
Less: A/R: #1 Poppy Trail Expense	-	-	-		-
398 Unassigned Fund Balance Ending	<u>\$ 260,374</u>	<u>\$ 257,374</u>	<u>\$ 260,374</u>		<u>\$ 257,374</u>

**CITY OF ROLLING HILLS  
REFUSE COLLECTION FUND  
HISTORICAL ACTUAL - 2017/18  
CURRENT TREND - FY 2018/19  
PROPOSED BUDGET - FY 2019/20**

		<u>HISTORICAL</u> <u>ACTUAL</u> <u>FY 17/18</u>	<u>ADJUSTED</u> <u>ANNUAL</u> <u>BUDGET</u> <u>FY 18/19</u>	<u>PROJECTED</u> <u>FY 18/19</u>	<u>Favorable</u> <u>(unfavorable)</u> <u>FY 18/19</u>	<u>PROPOSED</u> <u>BUDGET</u> <u>FY 19/20</u>
<b>50</b>	<b>REFUSE COLLECTION FUND</b>					
<b>4000</b>	<b>REVENUES</b>					
665	Service Charges	\$ 770,492	\$ 768,900	770,492	\$ 1,592	\$ 768,900
441	Construction & Demo Permits	1,776	2,000	1,750	(250)	7,000
	Miscellaneous Revenue					65,000
	<b>Total Revenues</b>	<u>\$ 772,268</u>	<u>\$ 770,900</u>	<u>\$ 772,242</u>	<u>\$ 1,342</u>	<u>\$ 840,900</u>
<b>7000</b>	<b>EXPENDITURES</b>					
815	Refuse Service Contract	\$ 774,769	\$ 794,200	\$ 795,773	\$ (1,573)	\$ 825,089
776	Miscellaneous Expense	-	-	-	-	65,000
999	Operating Transfer Out - General Fund	24,000	24,000	24,000	-	24,000
	<b>Total Expenditures</b>	<u>\$ 798,769</u>	<u>\$ 818,200</u>	<u>\$ 819,773</u>	<u>\$ (1,573)</u>	<u>\$ 914,089</u>
	<b>NET REVENUES (DEFICIT)</b>	<u>\$ (26,500)</u>	<u>\$ (47,300)</u>	<u>\$ (47,531)</u>	<u>\$ (231)</u>	<u>\$ (73,189)</u>
<b>3000</b>	<b>FUND BALANCE</b>					
398	Unassigned Fund Balance Beginning	\$ 251,817	\$ 225,316	\$ 225,316		\$ 177,785
398	Unassigned Fund Balance Ending	<u>225,316</u>	<u>178,016</u>	<u>177,785</u>		<u>104,596</u>
	<b>Reserves</b>					
392	Committed Fund Balance	<u>175,000</u>	<u>175,000</u>	<u>175,000</u>	*	<u>66,200</u>
398	Unassigned Fund Balance Ending	<u>\$ 50,316</u>	<u>\$ 3,016</u>	<u>\$ 2,785</u>		<u>\$ 38,396</u>

\* EQUALS ONE MONTH OF BASIC SERVICE

**CITY OF ROLLING HILLS  
TRAFFIC SAFETY FUND  
HISTORICAL ACTUAL - 2017/18  
CURRENT TREND - FY 2018/19  
PROPOSED BUDGET - FY 2019/20**

	<u>HISTORICAL ACTUAL FY 17/18</u>	<u>ADJUSTED ANNUAL BUDGET FY 18/19</u>	<u>PROJECTED FY 18/19</u>	<u>Favorable (unfavorable) FY 18/19</u>	<u>PROPOSED BUDGET FY 19/20</u>
<b>13 TRAFFIC SAFETY FUND</b>					
<b>4000 REVENUES</b>					
481 Fines & Forfeitures	\$ -	\$ 50	\$ -	\$ (50)	\$ 50
504 STPL Exchange - LACMTA	-	-	-	-	-
Total Revenues	<u>\$ -</u>	<u>\$ 50</u>	<u>\$ -</u>	<u>\$ (50)</u>	<u>\$ 50</u>
<b>7000 EXPENDITURES</b>					
927 Road Striping - Delineators - Paving	\$ 12,797	\$ 40,000	\$ 15,000	\$ 25,000	\$ 40,000
928 Traffic Engineering & Survey	11,338	4,000	12,489	(8,489)	12,000
929 Road Signs & Miscellaneous Expense	858	2,550	858	1,692	2,550
Total Expenditures	<u>\$ 24,993</u>	<u>\$ 46,550</u>	<u>\$ 28,347</u>	<u>\$ 18,203</u>	<u>\$ 54,550</u>
NET REVENUES BEFORE TRANSFERS	(24,993)	(46,500)	(28,347)	18,153	(54,500)
699 Transfers fr (to) General Fund	24,993	46,500	46,500	-	54,500
699 Transfers fr (to) Capital Projects Fund		-	-	-	-
NET REVENUE(DEFICIT) AFTER TRANSFERS	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 18,153</u>	<u>\$ 18,153</u>	<u>\$ -</u>
<b>3000 FUND BALANCE</b>					
398 Unassigned Fund Balance Beginning	\$ -	\$ -	\$ -		\$ 18,153
398 Unassigned Fund Balance Ending	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 18,153</u>		<u>\$ 18,153</u>

**CITY OF ROLLING HILLS  
TRANSIT FUND - PROPOSITION A  
HISTORICAL ACTUAL - 2017/18  
CURRENT TREND - FY 2018/19  
PROPOSED BUDGET - FY 2019/20**

	<u>HISTORICAL ACTUAL FY 17/18</u>	<u>ADJUSTED ANNUAL BUDGET FY 18/19</u>	<u>PROJECTED FY 18/19</u>	<u>Favorable (unfavorable) FY 18/19</u>	<u>PROPOSED BUDGET FY 19/20</u>
<b>25 TRANSIT FUND - PROPOSITION A</b>					
<b>4000 REVENUES</b>					
500 Grant Revenue - Proposition A	\$ 36,243	\$ 37,700	\$ 36,702	\$ (998)	\$ 39,300
670 Interest Earned	447	150	150	-	150
Total Revenues	<u>\$ 36,691</u>	<u>\$ 37,850</u>	<u>\$ 36,852</u>	<u>\$ (998)</u>	<u>\$ 39,450</u>
<b>7000 EXPENDITURES</b>					
905 Proposition A Exchange	\$ -	\$ 75,000	\$ 75,000	\$ -	\$ -
Total Expenditures	<u>\$ -</u>	<u>\$ 75,000</u>	<u>\$ 75,000</u>	<u>\$ -</u>	<u>\$ -</u>
699 Transfers to General Fund	-	-	-	-	-
NET REVENUE(DEFICIT) AFTER TRANSFERS	<u>\$ 36,691</u>	<u>\$ (37,150)</u>	<u>\$ (38,148)</u>	<u>\$ (998)</u>	<u>\$ 39,450</u>
<b>3000 FUND BALANCE</b>					
398 Unassigned Fund Balance Beginning	\$ 15,236	\$ 51,927	\$ 51,927		\$ 13,779
398 Unassigned Fund Balance Ending	<u>\$ 51,927</u>	<u>\$ 14,777</u>	<u>\$ 13,779</u>		<u>\$ 53,229</u>



**CITY OF ROLLING HILLS  
TRANSIT FUND - PROPOSITION C  
HISTORICAL ACTUAL - 2017/18  
CURRENT TREND - FY 2018/19  
PROPOSED BUDGET - FY 2019/20**

	<u>HISTORICAL ACTUAL FY 17/18</u>	<u>ADJUSTED ANNUAL BUDGET FY 18/19</u>	<u>PROJECTED FY 18/19</u>	<u>Favorable (unfavorable) FY 18/19</u>	<u>PROPOSED BUDGET FY 19/20</u>
<b>26 TRANSIT FUND - PROPOSITION C</b>					
<b>4000 REVENUES</b>					
501 Grant Revenue - Proposition C	\$ 29,996	\$ 31,200	\$ 29,700	\$ (1,500)	\$ 32,600
670 Interest Earned	340	150	150	-	150
Total Revenues	<u>\$ 30,336</u>	<u>\$ 31,350</u>	<u>\$ 29,850</u>	<u>\$ (1,500)</u>	<u>\$ 32,750</u>
<b>7000 EXPENDITURES</b>					
905 Proposition C Gifted	\$ -	\$ 65,000	\$ 65,000	\$ -	\$ -
Maintenance & Operation	-	-	-	-	-
Total Expenditures	<u>\$ -</u>	<u>\$ 65,000</u>	<u>\$ 65,000</u>	<u>\$ -</u>	<u>\$ -</u>
699 Transfers to General Fund	-	-	-	-	-
NET REVENUE(DEFICIT) AFTER TRANSFERS	<u>\$ 30,336</u>	<u>\$ (33,650)</u>	<u>\$ (35,150)</u>	<u>\$ (1,500)</u>	<u>\$ 32,750</u>
<b>3000 FUND BALANCE</b>					
398 Unassigned Fund Balance Beginning	\$ 10,229	\$ 40,565	\$ 40,565		\$ 5,415
398 Unassigned Fund Balance Ending	<u>\$ 40,565</u>	<u>\$ 6,915</u>	<u>\$ 5,415</u>		<u>\$ 38,165</u>

**CITY OF ROLLING HILLS  
TRANSIT FUND - MEASURE R  
HISTORICAL ACTUAL - 2017/18  
CURRENT TREND - FY 2018/19  
PROPOSED BUDGET - FY 2019/20**

	<u>HISTORICAL ACTUAL FY 17/18</u>	<u>ADJUSTED ANNUAL BUDGET FY 18/19</u>	<u>PROJECTED FY 18/19</u>	<u>Favorable (unfavorable) FY 18/19</u>	<u>PROPOSED BUDGET FY 19/20</u>
<b>27 TRANSIT FUND - MEASURE R</b>					
<b>4000 REVENUES</b>					
502 Grant Revenue - Measure R	\$ 22,517	\$ 23,400	\$ 22,800	\$ (600)	\$ 24,450
670 Interest Earned	276	150	125	(25)	150
Total Revenues	<u>\$ 22,793</u>	<u>\$ 23,550</u>	<u>\$ 22,925</u>	<u>\$ (625)</u>	<u>\$ 24,600</u>
<b>7000 EXPENDITURES</b>					
907 Measure R Gifted	\$ -	\$ 50,000	\$ -	\$ 50,000	\$ -
Total Expenditures	<u>\$ -</u>	<u>\$ 50,000</u>	<u>\$ -</u>	<u>\$ 50,000</u>	<u>\$ -</u>
699 Transfers to Capital Projects Fund	-	-	(24,000)	-	-
NET REVENUE(DEFICIT) AFTER TRANSFERS	<u>\$ 22,793</u>	<u>\$ (26,450)</u>	<u>\$ (1,075)</u>	<u>\$ (50,625)</u>	<u>\$ 24,600</u>
<b>3000 FUND BALANCE</b>					
398 Unassigned Fund Balance Beginning	\$ 9,340	\$ 32,133	\$ 32,133		\$ 31,058
398 Unassigned Fund Balance Ending	<u>\$ 32,133</u>	<u>\$ 5,683</u>	<u>\$ 31,058</u>		<u>\$ 55,658</u>

**CITY OF ROLLING HILLS  
TRANSIT FUND - MEASURE M  
CURRENT TREND - FY 2018/19  
PROPOSED BUDGET - FY 2019/20**

		<u>HISTORICAL</u> <u>ACTUAL</u> <u>FY 17/18</u>	<u>ADJUSTED</u> <u>ANNUAL</u> <u>BUDGET</u>	<u>PROJECTED</u>	<u>Favorable</u> <u>(unfavorable)</u>	<u>PROPOSED</u> <u>BUDGET</u> <u>FY 19/20</u>
<b>29</b>	<b>TRANSIT FUND - MEASURE M</b>					
<b>4000</b>	<b>REVENUES</b>					
504	Grant Revenue - Measure M	\$ 20,405	\$ 26,500	\$ 24,600	\$ (1,900)	\$ 27,700
670	Interest Earned	115	150	150	-	150
	<b>Total Revenues</b>	<u>\$ 20,521</u>	<u>\$ 26,650</u>	<u>\$ 24,750</u>	<u>\$ (1,900)</u>	<u>\$ 27,850</u>
<b>7000</b>	<b>EXPENDITURES</b>					
909	Measure M Gifted	\$ -	\$ 65,000	\$ -	\$ 65,000	\$ -
	<b>Total Expenditures</b>	<u>\$ -</u>	<u>\$ 65,000</u>	<u>\$ -</u>	<u>\$ 65,000</u>	<u>\$ -</u>
699	Transfers to Capital Projects Fund	-	-	-	-	-
	<b>NET REVENUE(DEFICIT) AFTER TRANSFERS</b>	<u>\$ 20,521</u>	<u>\$ (38,350)</u>	<u>\$ 24,750</u>	<u>\$ (66,900)</u>	<u>\$ 27,850</u>
<b>3000</b>	<b>FUND BALANCE</b>					
398	Unassigned Fund Balance Beginning	\$ -	\$ 20,521	\$ 20,521		\$ 45,271
398	Unassigned Fund Balance Ending	<u>\$ 20,521</u>	<u>\$ (17,829)</u>	<u>\$ 45,271</u>		<u>\$ 73,121</u>

**CITY OF ROLLING HILLS**  
**Citizens' Option for Public Safety (COPS)**  
**HISTORICAL ACTUAL - 2017/18**  
**CURRENT TREND - FY 2018/19**  
**PROPOSED BUDGET - FY 2019/20**

	<u>HISTORICAL ACTUAL FY 17/18</u>	<u>ADJUSTED ANNUAL BUDGET FY 18/19</u>	<u>PROJECTED FY 18/19</u>	<u>Favorable (unfavorable) FY 18/19</u>	<u>PROPOSED BUDGET FY 19/20</u>
<b>10 CITIZENS' OPTION FOR PUBLIC SAFETY (COPS)</b>					
<b>4000 REVENUES</b>					
570 COPS Allocation	\$ 139,416	\$ 140,000	\$ 148,747	\$ 8,747	\$ 140,000
670 Interest Earned	958	50	200	150	50
Total Revenues	<u>\$ 140,374</u>	<u>\$ 140,050</u>	<u>\$ 148,947</u>	<u>\$ 8,897</u>	<u>\$ 140,050</u>
<b>7000 EXPENDITURES</b>					
840 COPS Program Expenditures	\$ 139,100	\$ 140,000	\$ 139,100	\$ 900	\$ 160,000
776 Miscellaneous Expenses	-	-	-	-	-
1209 Total expenditures	<u>\$ 139,100</u>	<u>\$ 140,000</u>	<u>\$ 139,100</u>	<u>\$ 900</u>	<u>\$ 160,000</u>
NET REVENUES (DEFICIT)	<u>\$ 1,274</u>	<u>\$ 50</u>	<u>\$ 9,847</u>	<u>\$ 9,797</u>	<u>\$ (19,950)</u>
<b>3000 FUND BALANCE</b>					
398 Unassigned Fund Balance Beginning	\$ 56,102	\$ 57,376	\$ 57,376		\$ 67,223
398 Unassigned Fund Balance Ending	<u>\$ 57,376</u>	<u>\$ 57,426</u>	<u>\$ 67,223</u>		<u>\$ 47,273</u>

**CITY OF ROLLING HILLS**  
**Supplemental Law Enforcement Services Fund (CLEEP)**  
**HISTORICAL ACTUAL - 2017/18**  
**CURRENT TREND - FY 2018/19**  
**PROPOSED BUDGET - FY 2019/20**

	<u>HISTORICAL ACTUAL FY 17/18</u>	<u>ADJUSTED ANNUAL BUDGET FY 18/19</u>	<u>PROJECTED FY 18/19</u>	<u>Favorable (unfavorable) FY 18/19</u>	<u>PROPOSED BUDGET FY 19/20</u>
<b>11 Supplemental Law Enforcement Services Fund - CLEEP</b>					
<b>4000 REVENUES</b>					
580 CLEEP - Technology Program	\$ -	\$ -	\$ -	\$ -	\$ -
670 Interest Earned	270	75	150	75	75
Total Revenues	<u>\$ 270</u>	<u>\$ 75</u>	<u>\$ 150</u>	<u>\$ 75</u>	<u>\$ 75</u>
<b>7000 EXPENDITURES</b>					
845 CLEEP - Technology Program	\$ 9,199	\$ 2,700	\$ 2,700	\$ -	\$ 2,700
776 Miscellaneous Expenses	-	-	-	-	-
1209 Total expenditures	<u>\$ 9,199</u>	<u>\$ 2,700</u>	<u>\$ 2,700</u>	<u>\$ -</u>	<u>\$ 2,700</u>
NET REVENUES (DEFICIT)	<u>\$ (8,929)</u>	<u>\$ (2,625)</u>	<u>\$ (2,550)</u>	<u>\$ 75</u>	<u>\$ (2,625)</u>
<b>3000 FUND BALANCE</b>					
398 Unassigned Fund Balance Beginning	\$ 21,017	\$ 21,017	\$ 21,017		\$ 18,467
398 Unassigned Fund Balance Ending	<u>\$ 12,088</u>	<u>\$ 18,392</u>	<u>\$ 18,467</u>		<u>\$ 15,842</u>

**CITY OF ROLLING HILLS  
UTILITY FUND  
HISTORICAL ACTUAL - 2017/18  
CURRENT TREND - FY 2018/19  
PROPOSED BUDGET - FY 2019/20**

	<u>HISTORICAL ACTUAL FY 17/18</u>	<u>ADJUSTED ANNUAL BUDGET FY 18/19</u>	<u>PROJECTED FY 18/19</u>	<u>Favorable (unfavorable) FY 18/19</u>	<u>PROPOSED BUDGET FY 19/20</u>
<b>41 UTILITY FUND</b>					
<b>4000 REVENUES</b>					
550 Underground Utility	\$ -	\$ -	\$ -	\$ -	\$ -
<b>7000 EXPENDITURES</b>					
886 Underground Utility Project	\$ -	\$ 150,000	\$ 150,000	\$ -	\$ 150,000
887 Sewer Feasibility Project	-	-	10,000	(10,000)	22,000
Total expenditures	\$ -	\$ 150,000	\$ 160,000	\$ (10,000)	\$ 172,000
NET REVENUES BEFORE TRANSFERS	-	(150,000)	(160,000)	(10,000)	(172,000)
699 Transfers fr (to) General Fund	-	-	-	-	-
NET REVENUE(DEFICIT) AFTER TRANSFERS	\$ -	\$ (150,000)	\$ (160,000)	\$ (10,000)	\$ (172,000)
<b>3000 FUND BALANCE</b>					
398 Unassigned Fund Balance Beginning	\$ 1,480,700	\$ 1,480,700	\$ 1,480,700		\$ 1,320,700
398 Unassigned Fund Balance Ending	\$ 1,480,700	\$ 1,330,700	\$ 1,320,700		\$ 1,148,700

**CITY OF ROLLING HILLS  
CAPITAL PROJECT FUND  
HISTORICAL ACTUAL - 2017/18  
CURRENT TREND - FY 2018/19  
PROPOSED BUDGET - FY 2019/20**

	<u>HISTORICAL ACTUAL FY 17/18</u>	<u>ADJUSTED ANNUAL BUDGET FY 18/19</u>	<u>PROJECTED FY 18/19</u>	<u>Favorable (unfavorable) FY 18/19</u>	<u>PROPOSED BUDGET FY 19/20</u>
<b>40 CAPITAL PROJECT FUND</b>					
<b>4000 REVENUES</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 10,000</b>
<b>Non-Building Improvements</b>					
<b>7000 EXPENDITURES</b>					
947 Non-Building Improvements - Tennis Courts	\$ -	\$ 229,000	\$ -	\$ 229,000	\$ 320,000
948 City Hall Improvements- ADA - Design	-	5,000	-	-	30,000
Civic Center Parking Lot - Design			24,000 *		-
949 Office Technology Equipment	-	-	-	-	-
<b>Total expenditures</b>	<b>\$ -</b>	<b>\$ 234,000</b>	<b>\$ 24,000</b>	<b>\$ 229,000</b>	<b>\$ 350,000</b>
<b>NET REVENUES BEFORE TRANSFERS</b>	<b>-</b>	<b>(234,000)</b>	<b>(24,000)</b>	<b>(229,000)</b>	<b>(340,000)</b>
999 Transfers fr (to) General Fund	-	234,000	-	(234,000)	340,000
Transfers fr (to) Measure R Fund			24,000 *		-
Transfers fr (to) Measure M Fund			-		-
999 Transfers fr (to) Traffic Safety Fund	-	-	-	-	-
<b>NET REVENUE(DEFICIT) AFTER TRANSFERS</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ (463,000)</b>	<b>\$ -</b>
<b>3000 FUND BALANCE</b>					
398 Unassigned Fund Balance Beginning	\$ -	\$ -	\$ -		\$ -
398 Unassigned Fund Balance Ending	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>		<u>\$ -</u>

\* USE MEASURE R FUNDS FIRST

**CITY OF ROLLING HILLS  
TRANSIT FUND - MEASURE W  
HISTORICAL ACTUAL - 2017/18  
CURRENT TREND - FY 2018/19  
PROPOSED BUDGET - FY 2019/20**

	<u>HISTORICAL ACTUAL FY 17/18</u>	<u>ADJUSTED ANNUAL BUDGET FY 18/19</u>	<u>PROJECTED FY 18/19</u>	<u>Favorable (unfavorable) FY 18/19</u>	<u>BUDGET FY 19/20</u>
<b>30 LA COUNTY - MEASURE W</b>					
<b>4000 REVENUES</b>					
502 Grant Revenue - Measure W	\$ -	\$ -	\$ -	\$ -	\$ 120,000
670 Interest Earned	-	-	-	-	900
Total Revenues	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 120,900</u>
<b>7000 EXPENDITURES</b>					
907 Storm Water Management	\$ -	\$ -	\$ -	\$ -	\$ 120,000
Total Expenditures	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 120,000</u>
699 Transfers to Capital Projects Fund	-	-	-	-	-
NET REVENUE(DEFICIT) AFTER TRANSFERS	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 900</u>
<b>3000 FUND BALANCE</b>					
398 Unassigned Fund Balance Beginning	\$ -	\$ -	\$ -		\$ -
398 Unassigned Fund Balance Ending	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>		<u>\$ 900</u>



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**CITY OF ROLLING HILLS  
FIVE YEAR FINANCIAL FORECAST  
GENERAL FUND  
FY 2019-2020 TO 2023-2024**

	AUDITED ACTUAL FY 17/18	ADJUSTED ANNUAL BUDGET FY 18/19	PROJECTED FY 18/19	PROPOSED BUDGET FY 19/20	FAVORABLE (UNFAVORABLE) PROPOSED VS PROJECTED	ASSUMPTIONS										FY 2020-2021	FY 2021-2022	FY 2022-2023	FY 2023-2024
						2020		2021		2022		2023		2024					
FIVE YEAR FINANCIAL FORECAST SUMMARY																			
BEGINNING FUND BALANCE																			
	4,806,155	\$ 5,120,797	\$ 5,120,797	\$ 5,120,797	\$ 5,276,513								\$ 4,947,213	\$ 4,796,669	\$ 4,583,416	\$ 4,471,302			
GENERAL FUND REVENUES																			
TAXES																			
OTHER AGENCIES	\$ 1,139,781	\$ 1,113,000	\$ 1,156,873	\$ 1,194,300	3.24%	2.79%	2.91%	2.93%	2.94%	2.94%	2.94%	\$ 1,227,635	\$ 1,263,418	\$ 1,300,476	\$ 1,338,746				
LICENSES & PERMITS	208,562	215,200	215,129	223,500	3.89%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	230,205	237,111	244,224	251,551				
USE OF PROPERTY & MONEY	824,153	620,300	568,857	643,300	13.09%	1.48%	1.52%	1.76%	2.00%	2.00%	2.00%	652,851	662,748	674,398	687,886				
EXCHANGE FUNDS	150,193	184,000	202,754	184,000	-9.25%	1.09%	0.96%	0.97%	0.97%	0.97%	0.97%	186,000	187,785	189,601	191,449				
OTHER REVENUES	-	56,250	56,250	-	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	56,250	-	56,250	-	-			
	27,407	23,200	22,273	33,200	49.06%	-36.65%	25.39%	-17.64%	24.66%	24.66%	24.66%	21,032	26,372	21,719	27,074	27,074			
TOTAL REVENUES																			
	\$ 2,350,094	\$ 2,211,950	\$ 2,222,137	\$ 2,278,300	2.53%	4.20%	0.15%	4.59%	0.40%	0.40%	0.40%	\$ 2,373,973	\$ 2,377,434	\$ 2,486,670	\$ 2,496,707	\$ 2,496,707			

**FIVE YEAR FINANCIAL FORECAST SUMMARY**

01	<b>GENERAL FUND EXPENDITURES</b>														
	<b>CITY ADMINISTRATION</b>														
	EMPLOYEE SALARIES														
	EMPLOYEE BENEFITS														
	TOTAL PERSONNEL														
	MATERIALS & SUPPLIES														
	CONTRACTUAL SERVICES														
	CAPITAL OUTLAY														
	<b>TOTAL CITY ADMINISTRATION</b>														
	\$ 290,927	\$ 314,100	\$ 215,082	\$ 419,800	95.18%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	\$ 428,196	\$ 436,760	\$ 445,495	\$ 454,405
01	<b>FINANCE</b>														
	EMPLOYEE SALARIES														
	EMPLOYEE BENEFITS														
	TOTAL PERSONNEL														
	MATERIALS & SUPPLIES														
	CONTRACTUAL SERVICES														
	CAPITAL OUTLAY														
	<b>TOTAL FINANCE</b>														
	\$ 300,188	\$ 334,050	\$ 309,318	\$ 176,600	-42.91%	5.90%	5.85%	4.52%	-27.13%	2.00%	2.00%	\$ 187,015	\$ 298,935	\$ 312,443	\$ 227,687
	591,116	648,150	524,400	596,400	13.73%	3.15%	19.58%	3.02%	-10.01%	2.00%	2.00%	615,211	735,695	757,938	682,092
05	<b>GENERAL FUND EXPENDITURES</b>														
	MATERIALS & SUPPLIES														
	CONTRACTUAL SERVICES														
	CAPITAL OUTLAY														
	<b>TOTAL CITY ADMINISTRATION</b>														
	\$ 290,927	\$ 314,100	\$ 215,082	\$ 419,800	95.18%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	\$ 428,196	\$ 436,760	\$ 445,495	\$ 454,405
	300,188	334,050	309,318	176,600	-42.91%	5.90%	5.85%	4.52%	-27.13%	2.00%	2.00%	\$ 187,015	\$ 298,935	\$ 312,443	\$ 227,687
	591,116	648,150	524,400	596,400	13.73%	3.15%	19.58%	3.02%	-10.01%	2.00%	2.00%	615,211	735,695	757,938	682,092
	81,248	118,650	84,082	141,000	67.69%	-22.10%	2.13%	2.14%	2.24%	2.24%	2.24%	109,843	112,185	114,585	117,149
	109,419	135,000	129,953	166,600	28.20%	21.94%	-11.41%	20.62%	-10.41%	0.00%	0.00%	203,150	179,974	217,084	194,494
05	<b>FINANCE</b>														
	EMPLOYEE SALARIES														
	EMPLOYEE BENEFITS														
	TOTAL PERSONNEL														
	MATERIALS & SUPPLIES														
	CONTRACTUAL SERVICES														
	CAPITAL OUTLAY														
	<b>TOTAL FINANCE</b>														
	\$ 300,188	\$ 334,050	\$ 309,318	\$ 176,600	-42.91%	5.90%	5.85%	4.52%	-27.13%	2.00%	2.00%	\$ 187,015	\$ 298,935	\$ 312,443	\$ 227,687
	591,116	648,150	524,400	596,400	13.73%	3.15%	19.58%	3.02%	-10.01%	2.00%	2.00%	615,211	735,695	757,938	682,092

**CITY OF ROLLING HILLS  
FIVE YEAR FINANCIAL FORECAST  
GENERAL FUND  
FY 2019-2020 TO 2023-2024**

	AUDITED ACTUAL FY 17/18	ADJUSTED ANNUAL BUDGET FY 18/19	PROJECTED BUDGET FY 19/20	PROPOSED VS PROJECTED	VARIANCE		ASSUMPTIONS				FY 2020-2021	FY 2021-2022	FY 2022-2023	FY 2023-2024	
					FAVORABLE (UNFAVORABLE)	PROPOSED VS PROJECTED	2020	2021	2022	2023					2024
15	PLANNING & DEVELOPMENT														
	EMPLOYEE SALARIES	224,761	230,000	182,028	209,250	14.95%	2.00%	2.00%	2.00%	2.00%	213,435	217,704	222,058	226,499	
	EMPLOYEE BENEFITS	90,977	95,000	87,658	78,950	-9.93%	-3.86%	6.43%	9.97%	7.11%	75,907	80,790	88,849	95,165	
	TOTAL PERSONNEL	315,738	325,000	269,686	288,200	6.87%	0.40%	3.16%	4.16%	3.46%	289,342	298,495	310,907	321,664	
	MATERIALS & SUPPLIES	35,364	13,600	11,370	12,600	10.82%	1.68%	1.71%	1.74%	1.77%	12,812	13,031	13,258	13,493	
	CONTRACTUAL SERVICES	444,304	527,500	493,942	428,000	-13.35%	-14.96%	3.13%	3.14%	3.16%	363,990	375,375	387,169	399,389	
	CAPITAL OUTLAY	-	-	-	-	0.00%	0.00%	0.00%	0.00%	0.00%	-	-	-	-	
15	TOTAL PLANNING & DEVELOPMENT	795,407	866,100	774,998	728,800	-5.96%	-8.60%	3.12%	3.56%	3.26%	666,144	686,901	711,334	734,546	
25	LAW ENFORCEMENT	258,199	297,600	264,990	297,200	12.16%	2.54%	0.78%	4.41%	4.42%	304,755	307,134	320,669	334,827	
65	NON-DEPARTMENT	41,668	80,775	53,087	104,650	97.13%	-6.15%	2.67%	2.70%	2.74%	98,215	100,833	103,557	106,391	
75	CITY PROPERTIES	45,998	71,500	63,970	79,500	24.28%	104.65%	-37.91%	3.14%	3.17%	162,695	101,024	104,192	107,497	
	TOTAL GENERAL FUND EXPENDITURES	\$ 2,033,984	\$ 2,367,525	\$ 2,043,921	\$ 2,233,600	9.28%	2.15%	2.90%	4.60%	-0.73%	\$ 2,281,517	\$ 2,347,687	\$ 2,455,785	\$ 2,437,956	
	NET REVENUES BEFORE TRANSFERS	316,110	(155,575)	178,216	44,700	-74.92%	106.84%	-67.83%	3.82%	90.22%	92,456	29,747	30,885	58,750	
	TRANSFERS	(1,468)	(262,800)	(22,500)	(374,000)	1562.22%	-35.03%	0.00%	-41.15%	0.00%	(243,000)	(243,000)	(143,000)	(143,000)	
	NET REVENUE/(DEFICIT) AFTER TRANSFERS	\$ 314,642	\$ (418,375)	\$ 155,716	\$ (329,300)	-311.47%	-54.28%	41.66%	-47.43%	-24.85%	\$ (150,544)	\$ (213,253)	\$ (112,115)	\$ (84,250)	
	ENDING FUND BALANCE	\$ 5,120,797	\$ 4,702,422	\$ 5,276,513	\$ 4,947,213			\$	\$ 4,796,669	\$	4,583,416	\$	4,471,302	\$ 4,387,053	

**CITY OF ROLLING HILLS  
CASH BUDGET**

**FISCAL YEAR 2019-2020 FORECAST (based on average of twelve years actual) (Actual/Forecast))**

	July	August	September	October	November	December	January	February	March	April	May	June	Totals
<b>Deposits, Credits &amp; Transfers</b>	<b>FORECAST</b>	<b>FORECAST</b>	<b>FORECAST</b>	<b>FORECAST</b>	<b>FORECAST</b>	<b>FORECAST</b>	<b>FORECAST</b>	<b>FORECAST</b>	<b>FORECAST</b>	<b>FORECAST</b>	<b>FORECAST</b>	<b>FORECAST</b>	<b>Totals</b>
Cash Deposits OPUS Checking	\$ 99,022	\$ 34,349	\$ 56,737	\$ 50,958	\$ 60,420	\$ 129,575	\$ 92,228	\$ 76,182	\$ 68,475	\$ 84,092	\$ 50,525	\$ 66,968	\$ 869,531
Cash Deposits OPUS Money Market	87,753	72,915	39,438	40,539	63,796	579,467	267,255	218,178	137,596	394,277	266,445	20,487	2,188,146
Cash Transfers In	51,667	132,500	135,002	165,250	34,583	188,583	15,417	73,333	111,500	37,333	54,167	8,333	1,007,668
Cash Transfers Out	(38,750)	(97,083)	(53,290)	(87,841)	(8,333)	(215,539)	(217,142)	(72,327)	(174,715)	(122,013)	(215,000)	(124,583)	(1,426,616)
<b>Total Cash Received OPUS</b>	<b>199,692</b>	<b>142,681</b>	<b>177,887</b>	<b>168,906</b>	<b>150,466</b>	<b>682,086</b>	<b>157,758</b>	<b>295,367</b>	<b>142,856</b>	<b>393,690</b>	<b>156,136</b>	<b>(28,795)</b>	<b>2,638,728</b>

**Cash Disbursements**

Council Approved Expenditures Mtg. #1	87,555	105,165	66,312	94,772	62,778	172,803	97,036	131,413	131,776	77,637	76,644	92,582	
Council Approved Expenditures Mtg. #2	107,744	66,588	123,109	61,846	82,243	286,840	98,075	71,420	58,999	90,001	98,745	151,371	
<b>Total Disbursements</b>	<b>195,300</b>	<b>171,753</b>	<b>189,421</b>	<b>156,618</b>	<b>145,021</b>	<b>459,643</b>	<b>195,110</b>	<b>202,834</b>	<b>190,775</b>	<b>167,638</b>	<b>175,389</b>	<b>243,953</b>	<b>2,493,455</b>

**Cash Increase (Decrease)**

	4,392	(29,073)	(11,534)	12,288	5,444	222,443	(37,353)	92,533	(47,919)	226,052	(19,253)	(272,748)	145,273
<b>Cash Balance at Beginning of Month</b>	<b>\$ 271,048</b>	<b>\$ 319,558</b>	<b>\$ 329,600</b>	<b>\$ 346,524</b>	<b>\$ 275,132</b>	<b>\$ 308,288</b>	<b>\$ 559,048</b>	<b>\$ 489,789</b>	<b>\$ 552,669</b>	<b>\$ 461,058</b>	<b>\$ 753,251</b>	<b>\$ 611,231</b>	
<b>Cash Balance at End of Month</b>	<b>\$ 319,558</b>	<b>\$ 329,600</b>	<b>\$ 346,524</b>	<b>\$ 275,132</b>	<b>\$ 308,288</b>	<b>\$ 559,048</b>	<b>\$ 489,789</b>	<b>\$ 552,669</b>	<b>\$ 461,058</b>	<b>\$ 753,251</b>	<b>\$ 611,231</b>	<b>\$ 261,930</b>	

**FISCAL YEAR 2018-2019 (Actual & Forecast)**

<b>Deposits, Credits &amp; Transfers</b>	<b>ACTUAL</b>	<b>ACTUAL</b>	<b>ACTUAL</b>	<b>ACTUAL</b>	<b>ACTUAL</b>	<b>ACTUAL</b>	<b>ACTUAL</b>	<b>ACTUAL</b>	<b>ACTUAL</b>	<b>ACTUAL</b>	<b>ACTUAL</b>	<b>FORECAST</b>	<b>FORECAST</b>
Cash Deposits OPUS Checking	\$ 176,904	\$ 31,221	\$ 42,218	\$ 124,492	\$ 110,517	\$ 846,280	\$ 146,176	95,477	\$ 83,301	\$ 217,883	\$ 49,216	\$ 61,564	\$ 1,985,250
Cash Deposits OPUS Money Market	\$ 53,930	55,607	13,024	80,104	58,006	35,154	327,645	247,623	26,984	502,952	271,575	27,807	1,700,410
Cash Transfers In	-	615,000	100,000	-	-	590,000	-	690,000	-	-	-	-	1,995,000
Cash Transfers Out	-	-	-	-	-	(785,000)	-	-	-	-	(435,000)	(245,000)	(1,465,000)
<b>Total Cash Received OPUS</b>	<b>\$ 230,834</b>	<b>\$ 701,827</b>	<b>\$ 155,242</b>	<b>\$ 204,596</b>	<b>\$ 168,523</b>	<b>\$ 686,434</b>	<b>\$ 473,821</b>	<b>\$ 1,033,101</b>	<b>\$ 110,286</b>	<b>\$ 720,835</b>	<b>(114,209)</b>	<b>(155,629)</b>	<b>\$ 4,215,661</b>

**Cash Disbursements**

Council Approved Expenditures Mtg. #1	\$ 95,984	\$ 533,817	\$ 46,204	\$ 38,961	\$ 72,056	\$ 86,861	\$ 103,157	\$ 726,626	\$ 48,277	\$ 28,094	92,480	31,505	
Council Approved Expenditures Mtg. #2	120,315	80,051	156,824	69,921	\$ 97,089	477,771	72,197	79,712	74,701	78,741	122,871	87,087	
<b>Total Disbursements</b>	<b>\$ 216,299</b>	<b>\$ 613,868</b>	<b>\$ 203,028</b>	<b>\$ 108,882</b>	<b>\$ 169,145</b>	<b>\$ 564,632</b>	<b>\$ 175,353</b>	<b>\$ 806,338</b>	<b>\$ 122,977</b>	<b>\$ 106,835</b>	<b>215,351</b>	<b>118,592</b>	<b>\$ 3,421,301</b>
<b>Cash Increase (Decrease)</b>	<b>14,535</b>	<b>87,959</b>	<b>(47,786)</b>	<b>95,713</b>	<b>(622)</b>	<b>121,802</b>	<b>298,468</b>	<b>226,763</b>	<b>(12,692)</b>	<b>614,000</b>	<b>(329,560)</b>	<b>(274,221)</b>	<b>794,359</b>
<b>Cash Balance at Beginning of Month</b>	<b>340,979</b>	<b>\$ 47,019</b>	<b>\$ 150,852</b>	<b>\$ 99,160</b>	<b>\$ 92,202</b>	<b>\$ 27,842</b>	<b>\$ 527,494</b>	<b>\$ 311,272</b>	<b>\$ 498,514</b>	<b>\$ 399,625</b>	<b>\$ 874,375</b>	<b>\$ 553,539</b>	
<b>Cash Balance at End of Month</b>	<b>\$ 47,019</b>	<b>\$ 150,852</b>	<b>\$ 99,160</b>	<b>\$ 92,202</b>	<b>\$ 27,842</b>	<b>\$ 527,494</b>	<b>\$ 311,272</b>	<b>\$ 498,514</b>	<b>\$ 399,625</b>	<b>874,375</b>	<b>553,539</b>	<b>340,979</b>	

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RESOLUTION NO. 1240

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROLLING HILLS ESTABLISHING THE 2019-20 FISCAL YEAR GANN APPROPRIATION LIMIT FOR THE CITY OF ROLLING HILLS.

WHEREAS, the City of Rolling Hills has heretofore established its Base Year Appropriations Limit as \$256,941; and

WHEREAS, to the best of this City's knowledge and belief, the State Department of Finance figures reflect the following statistics relevant to the calculation of the 2019-20 Fiscal Year Appropriations Limit:

California per capita personal income, 3.85% (plus three point eight five percent).

Population Adjustments for County of Los Angeles for FY 2019-20, -0.01% (minus zero point zero one percent).

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

Section 1. Based on the foregoing figures and the provision of Article XIII B of the Constitution of the State of California, the following figure accurately represents the 2019-20 Fiscal Year Appropriation Limit of the City of Rolling Hills: \$1,718,690.

Section 2. The City Clerk shall certify to the passage of Resolution No. 1240.

PASSED, APPROVED AND ADOPTED this 10<sup>th</sup> day of June, 2019.

---

Leah Mirsch  
Mayor

ATTEST:

---

Elaine Jeng  
City Clerk

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

The foregoing Resolution No. 1240 entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
ROLLING HILLS ESTABLISHING THE 2019-20 FISCAL YEAR  
GANN APPROPRIATION LIMIT FOR THE CITY OF ROLLING  
HILLS.

was approved and adopted at a regular meeting of the City Council on June 10, 2019, by the following  
roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

ELAINE JENG  
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: 6B**  
**Mtg. Date: 06/10/2019**

**TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

**FROM: YOLANTA SCHWARTZ, PLANNING DIRECTOR**

**THRU: ELAINE JENG, P.E., CITY MANAGER**

**SUBJECT: A HEARING TO CONSIDER WHETHER NONCOMPLIANCE WITH CITY COUNCIL RESOLUTION NO. 1196 AND THE COVENANT RECORDED AGAINST TITLE PURSUANT THERETO CONSTITUTES A PUBLIC NUISANCE WITH REGARD TO FAILURE TO ABATE A VIEW IMPAIRMENT AT 15 PORTUGUESE BEND ROAD (COVENANT RECORDED AS DOCUMENT NUMBER 20170547814 AND DATED 05/17/2017) (OWNERS: WILLIAM AND JUDITH HASSOLDT).**

**DATE: JUNE 10, 2019**

**ATTACHMENTS:**

- 1. STAFF REPORT FROM MAY 29, 2019, WITH PREVIOUS MEETING ATTACHMENTS**

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**BACKGROUND**

This matter was introduced to the City Council at the April 22, 2019 City Council meeting. The staff report from the April 22, 2019 meeting is included with this report to provide background information.

After the posting of the April 22, 2019 City Council meeting agenda, staff received a signed tree trimming agreement from the property owner at 15 Portuguese Bend Road engaging the services of a tree trimming company to perform the tree maintenance work per Resolution No. 1196. The property owner also indicated that the work would commence in 3 to 4 weeks from April 5, 2019, when the agreement was signed. The engagement of services and the work schedule demonstrated efforts by the property owner at 15 Portuguese Bend Road to comply with Resolution No. 1196. The City Council delayed the public hearing to the May 13, 2019 City Council meeting.



Prior to the May 13, 2019 City Council meeting staff received an email from the property owner of 15 Portuguese Bend Road that the trees have been trimmed. Staff was provided access to the property at 18 Portuguese Bend Road to inspect the work after the May 13, 2019 City Council hearing. At the May 13, 2019 meeting the City Council continued the hearing to the May 29, 2019 meeting to allow staff to inspect the work.

On May 15, 2019 the property owner of 18 Portuguese Bend Road accompanied staff on the inspection and photographs of the view were taken. Staff determined that the majority of work has been performed in compliance with Resolution No. 1196, except tree #7 was observed not trimmed and that new growth not specifically identified in Resolution No. 1196 extends into the view.

Staff discussed these findings with the property owner of 15 Portuguese Bend Road and he responded to staff noting that he was planning to do more trimming on his property. Prior to the May 29, 2019 City Council meeting staff confirmed that Tree #7 has been trimmed and that new growth remains to be trimmed. The City Council delayed the public hearing to the June 10, 2019 meeting to allow the remaining work to be completed. As of the writing of this report, the property owner of 15 Portuguese Bend Road informed staff the new growth will be addressed on Friday, June 8, 2019. Pending access permission from property owner of 18 Portuguese Bend Road, staff plans to conduct a site inspection on Monday, June 10, 2019.

#### **NOTIFICATION**

This report was sent to the property owners of 15 and 18 Portuguese Bend Road.

#### **RECOMMENDATION**

Staff recommends that the City Council receive a status report from staff and determine if a public hearing is necessary. If the public hearing is necessary, then staff recommends the City Council open the public hearing and take testimonies, close the public hearing and determine if the property owner of 15 Portuguese Bend Road is in non-compliance with the City Council resolution 1196 and take action accordingly.



## *City of Rolling Hills*

INCORPORATED JANUARY 24, 1957

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

**Agenda Item No: 6A**  
**Mtg. Date: 05/29/19**

**TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

**FROM: YOLANTA SCHWARTZ, PLANNING DIRECTOR**

**THRU: ELAINE JENG, P.E. CITY MANAGER**

**SUBJECT: A HEARING TO CONSIDER WHETHER NONCOMPLIANCE WITH CITY COUNCIL RESOLUTION NO. 1196 AND THE COVENANT RECORDED AGAINST TITLE PURSUANT THERETO CONSTITUTES A PUBLIC NUISANCE WITH REGARD TO FAILURE TO ABATE A VIEW IMPAIRMENT AT 15 PORTUGUESE BEND ROAD (COVENANT RECORDED AS DOCUMENT NUMBER 20170547814 AND DATED 05/17/2017) (OWNERS: WILLIAM AND JUDITH HASSOLDT)**

**DATE NOTICE OF PUBLIC HEARING PUBLISHED: APRIL 11, 2019**

**ATTACHMENTS:**

- 1. Pictures from May 15, 2019 visit to 18 Portuguese Bend Road**
  - 2. Staff Report from May 13, 2019, with attachments**
- 

**BACKGROUND**

This matter was introduced to the City Council at the April 22, 2019 City Council meeting. The staff report from the April 22, 2019 meeting is included with this report to provide background information.

After the posting of the April 22, 2019 City Council meeting agenda, staff received a signed tree trimming agreement from the property owner at 15 Portuguese Bend Road engaging the services of a tree trimming company to perform the tree maintenance work per Resolution No. 1196. The property owner also indicated that the work would commence in 3 to 4 weeks from April 5, 2019, when the agreement was signed. The engagement of services and the work schedule demonstrated efforts by the property owner at 15 Portuguese Bend Road to comply with Resolution No. 1196. The City Council continued the hearing to the May 13, 2019 City Council meeting.

Prior to the May 13, 2019 City Council meeting staff received an email from the property owner of 15 Portuguese Bend Road that the trees have been trimmed. Staff was provided access to the property at 18 Portuguese Bend Road to inspect the work after the May 13, 2019 City Council hearing and therefore, this item was kept on the agenda. At the May 13, 2019 meeting the City Council continued the hearing to the May 29, 2019 meeting to allow staff time to inspect the work.

On May 15, 2019, staff inspected the work and took pictures. Mrs. Nuccion, owner of 18 Portuguese Bend Road, accompanied staff. Staff determined that the majority of work has been performed in compliance with Resolution No. 1196, except that the Olive Tree, identified as tree #7 in Resolution No. 1196 was not trimmed and that there exist new growth on other vegetation, not specifically identified in Resolution No. 1196, that extends into the view. The non-compliant trimming of tree #7 and growth is identified in the attached pictures.

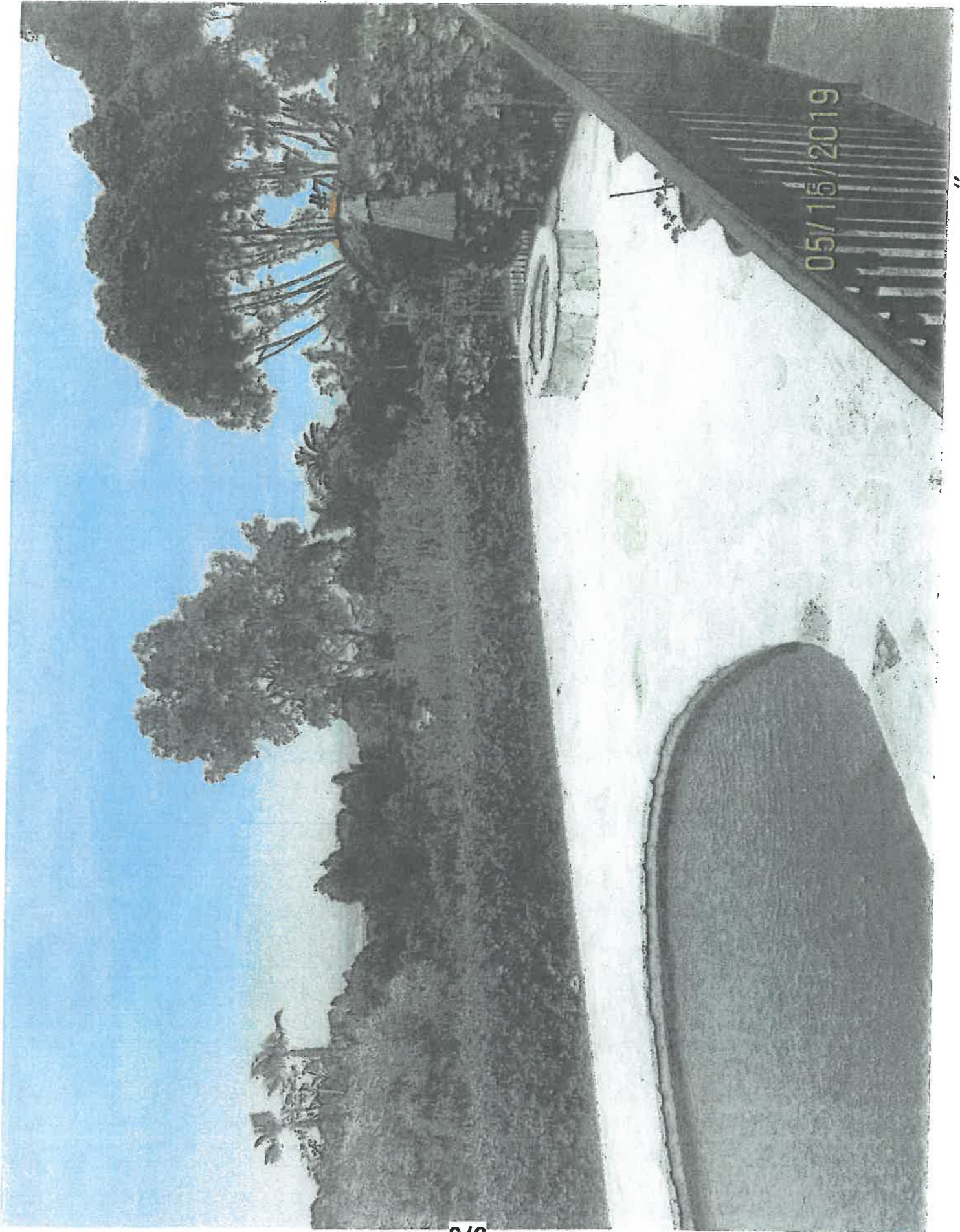
Staff discussed these findings with Mr. Hassoldt and was informed that he was planning to do more trimming on his property and will consider staff's findings. As of the writing of this report, staff was not able to confirm with Mr. Hassoldt if the work has been done.

#### **NOTIFICATION**

This report was sent to the property owners of 15 and 18 Portuguese Bend Road.

#### **RECOMMENDATION**

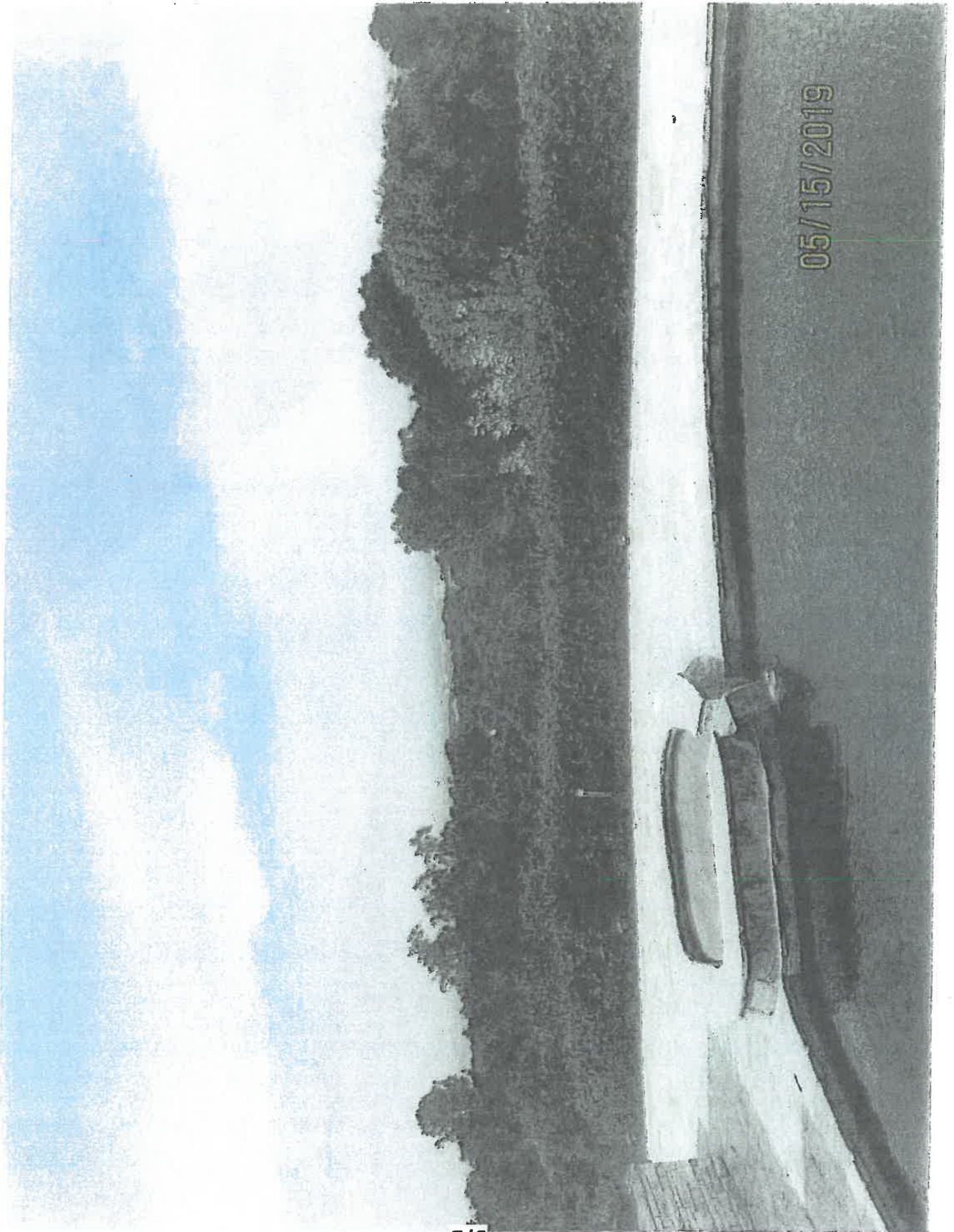
Staff recommends that the City Council continue this matter without opening the public hearing to the June 10, 2019 City Council meeting, so that staff could verify if all the work has been done.





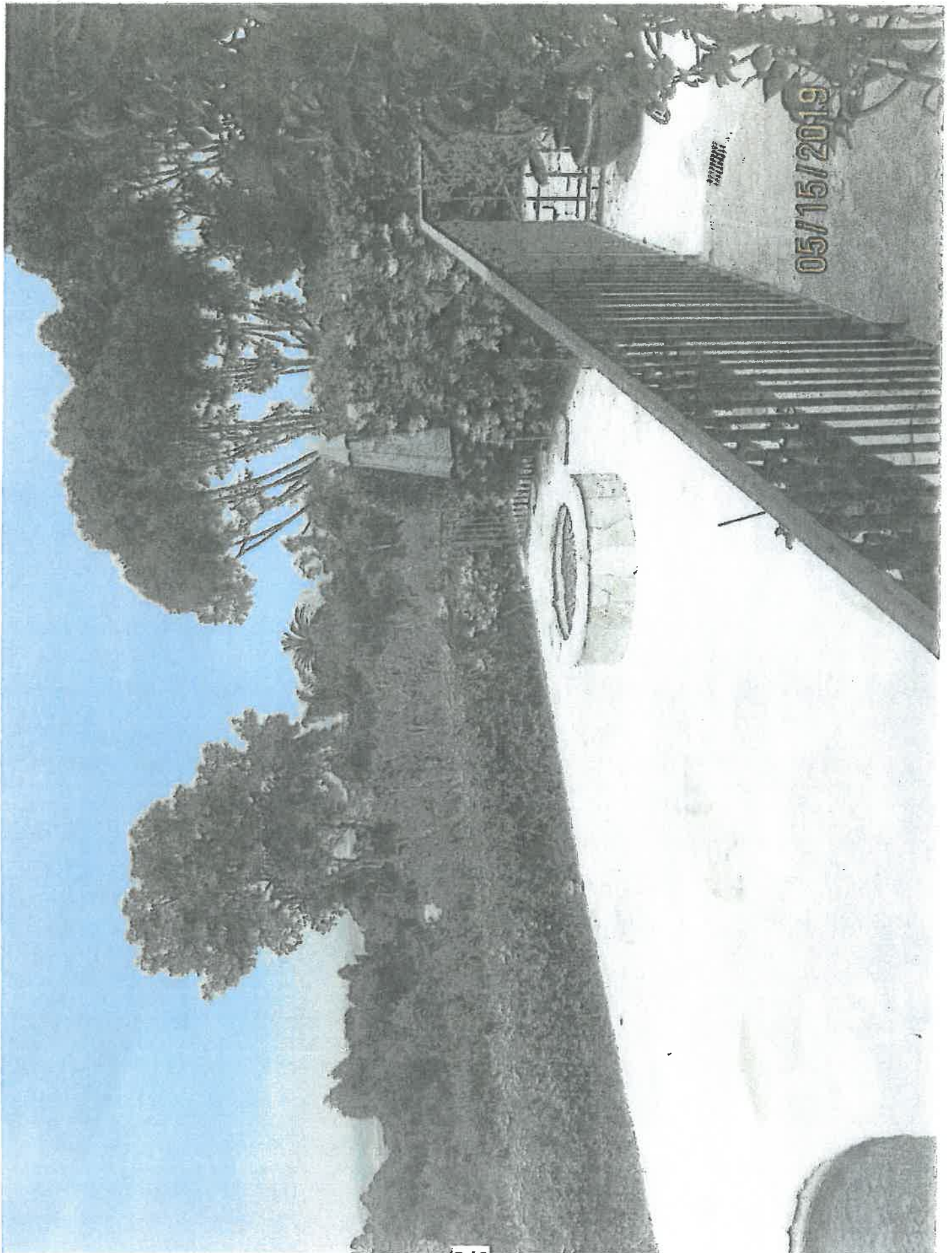
New Growth

05/15/2019



05/15/2019







## *City of Rolling Hills*

INCORPORATED JANUARY 24, 1957

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

**Agenda Item No: 6A**  
**Mtg. Date: 05/13/19**

**TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

**FROM: YOLANTA SCHWARTZ, PLANNING DIRECTOR**

**THRU: ELAINE JENG, P.E. CITY MANAGER**

**SUBJECT: A HEARING TO CONSIDER WHETHER NONCOMPLIANCE WITH CITY COUNCIL RESOLUTION NO. 1196 AND THE COVENANT RECORDED AGAINST TITLE PURSUANT THERETO CONSTITUTES A PUBLIC NUISANCE WITH REGARD TO FAILURE TO ABATE A VIEW IMPAIRMENT AT 15 PORTUGUESE BEND ROAD (COVENANT RECORDED AS DOCUMENT NUMBER 20170547814 AND DATED 05/17/2017) (OWNERS: WILLIAM AND JUDITH HASSOLDT)**

**DATE NOTICE OF PUBLIC HEARING PUBLISHED: APRIL 11, 2019**

**ATTACHMENTS:**

**1. Staff Report from April 22, 2019**

---

**BACKGROUND**

This matter was introduced to the City Council at the April 22, 2019 City Council meeting. The staff report from the April 22, 2019 meeting is included with this report to provide background information.

After the posting of the April 22, 2019 City Council meeting agenda, staff received a signed tree trimming agreement from the property owner at 15 Portuguese Bend Road engaging the services of a tree trimming company to perform the tree maintenance work per Resolution No. 1196. The property owner also indicated that the work would commence in 3 to 4 weeks from April 5, 2019, when the agreement was signed. The engagement of services and the work schedule demonstrated efforts by the property owner at 15 Portuguese Bend Road to comply with Resolution No. 1196. The City Council continued the hearing to the May 13, 2019 City Council meeting.



### **NOTIFICATION**

This report was sent to the property owners of 15 and 18 Portuguese Bend Road.

### **RECOMMENDATION**

Staff recommends that the City Council open the public hearing, consider all testimony and make a determination if there is a failure to abate view impairment at 15 Portuguese Bend Road; and provide direction to staff.



# *City of Rolling Hills*

INCORPORATED JANUARY 24, 1957

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

**Agenda Item No: 6A**  
**Mtg. Date: 04-22-19**

**TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

**FROM: YOLANTA SCHWARTZ, PLANNING DIRECTOR**

**THRU: ELAINE JENG, P.E. CITY MANAGER**

**SUBJECT: A HEARING TO CONSIDER WHETHER NONCOMPLIANCE WITH CITY COUNCIL RESOLUTION NO. 1196 AND THE COVENANT RECORDED AGAINST TITLE PURSUANT THERETO CONSTITUTES A PUBLIC NUISANCE WITH REGARD TO FAILURE TO ABATE A VIEW IMPAIRMENT AT 15 PORTUGUESE BEND ROAD (COVENANT RECORDED AS DOCUMENT NUMBER 20170547814 AND DATED 05/17/2017) (OWNERS: WILLIAM AND JUDITH HASSOLDT)**

**DATE PUBLISHED: APRIL 11, 2019**

**ATTACHMENTS:**

1. Resolution 1196
2. Notice of Violation
3. Proposals from Tree Trimming companies
4. RHMC Chapter 8.24

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**BACKGROUND AND DISCUSSION**

Approximately five years ago, on April 24, 2014, Dr. and Mrs. Nuccion of 18 Portuguese Bend Road filed a view impairment complaint with the City alleging that the trees located on 15 Portuguese Bend Road (Hassoldts' Property) interfered with their view. On October 7, 2015, the Committee on Trees and Views ("CTV") held a duly noticed public hearing and adopted Resolution No. 2015-03-CTV; this resolution confirmed the alleged view impairment and specified restorative actions on nine trees located on the Hassoldts' Property. This matter was appealed to the City Council; following a duly noticed public hearing, the City Council adopted Resolution No. 1196 on November 28, 2016. Resolution No. 1196 upheld the CTV's original action (including the specified restorative actions) and became final immediately upon adoption.

In May 2017, the Nuccions expressed to the City Council that three trees (a Eucalyptus, Pepper and Olive Tree) had not been trimmed pursuant to the requirements outlined in Resolution No.

1196. Staff determined that the Pepper Tree was not included within Resolution No. 1196 and was therefore not subject to remediation. On July 17, 2017, Mr. Gregory Applegate, with Arborgate Consulting, Inc., conducted an inspection as to the Eucalyptus and Olive Trees and determined that the Eucalyptus Tree had been cut to the proper height, but that the Olive Tree needed to be cut back as specified by the requirements outlined in Resolution No. 1196. Later that summer, the Hassoldts complied with Resolution No. 1196.

Resolution No. 1196 requires maintenance activity on certain trees, including trimming, lacing, and reducing the crown of the trees, every two years beginning in 2017 by March 1. On February 28, 2019, in anticipation of the March 1, 2019 maintenance deadline, the City received an email from Dr. Nuccion stating that the trees subject to Resolution No. 1196 on the Hassoldt's Property had not been trimmed.

On March 5, 2019, staff visited the Nuccions' property and took photographs from the Designated Viewing Area as described in Section 4(C) of Resolution No. 1196. In comparing the photographs (May 10, 2017 against March 5, 2019), it was determined that certain actions outlined in Resolution No. 1196 were not performed by March 1, and staff ordered certain maintenance actions as outlined in Resolution No. 1196 by March 28, 2019.

On March 29, 2019, City staff again visited the Nuccions' property to identify whether the Hassoldts complied with Resolution No. 1196 in response to the City's letter. City staff took photographs from the Designated Viewing Area and determined that the ordered maintenance actions were not performed.

On March 29, 2019, a certified letter was mailed to Mr. and Mrs. Hassoldt informing them that pursuant to Rolling Hills Municipal Code ("RHMC") Chapter 8.24, the City Manager had determined that their noncompliance with Resolution No. 1196 resulted in a nuisance on their property, and that a hearing on this matter would be held before the City Council on April 22, 2019, if the nuisance was not abated within fifteen days from the date of the notice, or by April 15, 2019, or good-faith efforts towards abatement had not been made to the satisfaction of the City Manager by April 15, 2019. (See Notice of Violation Letter, attached).

On April 12, 2019, Mr. Hassoldt faxed two proposals to staff from two tree service companies for the maintenance work and indicated that he selected Travers Tree Service Inc., but that they were unable to start the trimming for 3 to 4 weeks. The Travers Tree Service, Inc. proposal was accepted and signed by Mr. Hassoldt. (See Travers Tree Service Inc. proposal, attached.)

Based on Mr. Hassoldt's demonstrated effort, City staff recommends that the City Council open the public hearing, consider all testimony, and continue it to the City Council's regular meeting on Wednesday, May 28, 2019. This continuance will provide the Hassoldts with a sufficient amount of time to allow Travers Tree Service, Inc. to bring their property into compliance with Resolution No. 1196.

## **NOTIFICATION**

Copies of this report have been sent to the property owners of 15 and 18 Portuguese Bend Road.

### **RECOMMENDATION**

Open the public hearing, consider all testimony, and continue the item to the City Council's regular meeting on Wednesday, May 28, 2019.

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A RESOLUTION OF THE ROLLING HILLS CITY COUNCIL DENYING THE APPEALS OF DR. AND MRS. STEPHEN NUCCION AND MR. AND MRS. WILLIAM HASSOLDT AND UPHOLDING THE DECISION OF THE COMMITTEE ON TREES AND VIEWS BY DECLARING THAT SPECIFIC TREES LOCATED ON THE PROPERTY AT 15 PORTUGUESE BEND ROAD HAVE CAUSED SIGNIFICANT IMPAIRMENT TO THE VIEW FROM THE PROPERTY LOCATED AT 18 PORTUGUESE BEND ROAD AND SETTING FORTH RESTORATIVE ACTION TO ABATE THE IMPAIRMENT.

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

**Section 1.** The City's View Preservation Ordinance was enacted in June 1988. The ordinance established preservation of views to be of primary value to the community and created a process by which a property owner could seek to restore a view obstructed by landscaping.

In March 2013, the Rolling Hills electorate passed an initiative entitled Measure B amending the 1988 View Preservation Ordinance. The principal effect of Measure B was to shift the application of the Ordinance from protecting views that are *capable* of being enjoyed from a property to views that were *actually* enjoyed from a property when the property owner first acquired the property. In particular, the initiative amended the View Preservation Ordinance as follows:

- Protecting only those views which existed when the current property owner acquired ownership of the property;
- Limiting the protection of the ordinance to views obstructed by "maturing" vegetation (thereby excluding views obstructed by trees that were "mature" at the time of the property acquisition); and
- Restoring views from "view corridors," and "views through trees."

**Section 2.** On April 24, 2014, Dr. and Mrs. Stephen Nuccion, the owners of the property located at 18 Portuguese Bend Road ("Nuccions"), filed a View Impairment Complaint ("Complaint") regarding the trees located at 15 Portuguese Bend Road, a property owned by Mr. and Mrs. William Hassoldt ("Hassoldts"). The Complaint alleged that at the time the Nuccions purchased their property in April of 2009 they enjoyed a panoramic view of the Santa Monica Mountains, Mount Baldy and the City lights to the north of Rolling Hills, and that since 2012 the Hassoldts had failed to maintain the trees located upon their property such that the view from 18 Portuguese Bend Road was significantly impaired. Pursuant to the Complaint, the Nuccions requested that their view be restored to the condition that it was in during April of 2009.

Pursuant to Rolling Hills Municipal Code 17.26.040(B), the Complaint was referred to a mediator and both parties engaged in mediation; the mediation was unsuccessful. The Nuccions thereafter applied to the City's Committee on Trees and Views ("CTV") in order to resolve the Complaint. By the end of December 2014, City staff had informed the Nuccions that their application was incomplete and requested additional information; this information was not provided to the City until February 4, 2015.

After several postponements, duly noticed public hearings (per Rolling Hills Municipal Code Sections 17.26.040(C) and 17.26.050(A)-(B)) were conducted before the CTV on March 17, 2015, April 21, 2015, May 14, 2015, July 7, 2015, July 21, 2015 and September 22, 2015. Additionally, the CTV attended a duly noticed field trip to both the 15 and 18 Portuguese Bend Road properties on April 21, 2015. At each of the aforementioned meetings, evidence was received from all persons interested in the matter and from members of City staff. The CTV reviewed, analyzed and studied the evidence submitted.

At its July 7, 2015 meeting, the CTV determined that it did not have sufficient evidence to determine whether the trees located at 15 Portuguese Bend Road that are the subject of this Complaint ("Obstructing Trees") were mature in April of 2009 and directed the City to retain a certified arborist to provide an opinion as to the maturity of the Obstructing Trees. The City conducted a request for proposals and selected David de la Torre as the independent arborist. Mr. De La Torre concluded that of the 11 trees at issue, only two (trees #4A and #7) were not mature in 2009 and would therefore be eligible for remediation under Measure B. Notwithstanding the report of Mr. De La Torre, the historical photographs in *ROLLING HILLS The Early Years*, by A.E. Hanson (1978), in addition to other

substantial evidence in the record, indicated that of the 11 Obstructing Trees, only trees #9 and #9A were mature when the Nuccions acquired their property in 2009, thereby rendering the remaining nine (9) Obstructing Trees eligible for remediation under Measure B. Ultimately, the CTV found that: (1) a view (as defined in the Municipal Code) existed from 18 Portuguese Bend Road when the Nuccions acquired the property in 2009; (2) the view from the Nuccions' property is significantly impaired because 11 trees located at 15 Portuguese Bend Road impair the view of the City lights from the Designated Viewing Areas; and (3) restorative action on the nine (9) Obstructing Trees is necessary to abate the view impairment by creating view corridors and views through the trees. To this effect, the CTV adopted Resolution No. 2015-03-CTV on October 7, 2015.

On October 27, 2015, the Hassoldts filed an appeal of the CTV's decision to the City Council contesting the CTV's determination that the nine (9) Obstructing Trees were not mature in 2009. Specifically, in their appeal the Hassoldts asserted that: (1) the Nuccions have not established by clear and convincing evidence, or at all, the existence of a protected view over 15 Portuguese Bend Road; (2) there was no view from 18 Portuguese Bend Road prior to April 2009; and (3) each of the trees subject to the Nuccions' complaint are exempt because they were mature on April 22, 2009. Also on October 27, 2015, the Nuccions filed an appeal of the CTV's decision to the City Council contesting the CTV's determination that trees #9 and #9A were mature in 2009 and ineligible for remediation under Measure B; a determination that the Nuccions claim arose out of the CTV's unsupported and unsubstantiated decision to reject one arborist's report over another. Both appeals were timely filed pursuant to Rolling Hills Municipal Code section 17.26.050(G) and the provisions of Chapter 17.54.

At the November 23, 2015 City Council meeting, City staff provided an overview of the case and the evidence for the Council's consideration. Thereafter, the Council heard public testimony and concluded the meeting by scheduling a field trip to both properties which, after several postponements, was held on March 21, 2016. At the field trip, the City Council determined that the Nuccions had a view (as defined by Rolling Hills Municipal Code section 17.12.220), which could be observed from the living room at the north side of the residence and a patio/pool deck area immediately adjacent thereto along the northern side of the residence.

At the April 25, 2016 City Council meeting, the Council was provided with aerial photographs of both properties, a list of the Obstructing Trees, tree measurements and calculations extrapolating the age of the Obstructing Trees and their heights in 2010 (provided by Mr. Howard Weinberg, attorney for the Nuccions), a photometric analysis to determine the height of the trees in 2010 (prepared by Ms. Anastasia Kostiuik, a 3D Engineer, on behalf of the Nuccions), and a declaration provided by Mr. Brandon Gill (an arborist hired on behalf of the Nuccions). The Council also heard testimony from Mr. Ruben Green, a Registered Consulting Arborist (hired by the Hassoldts); Mrs. Diana Nuccion; Mr. Howard Weinberg; and Mr. Hal Light with regard to the maturity of the Obstructing Trees. At the conclusion of the public hearing, and after considerable deliberation, the City Council concluded on the basis of the evidence that the Nuccions had a view when they acquired their property; that only two of the Obstructing Trees were mature in 2009. The City Council then directed staff to return with a resolution declaring that the view from 18 Portuguese Bend Road is significantly impaired by the nine identified immature trees located on 15 Portuguese Bend Road, and setting forth restorative action to abate the impairment.

In the course of implementing that direction, the City Attorney and staff determined that it would be beneficial to introduce an intermediate step in the process in order to assure that the findings placed into the resolution were consistent with the Council's direction and with the requirements of the applicable provisions of the Municipal Code. Consequently, in anticipation of the June 13, 2016 City Council meeting, staff prepared a report outlining all of the evidence presented to date relating to the extent of the view which existed from the Nuccions' property in April of 2009 and presented three options for the City Council to consider: (1) review the evidence supporting the existence of a view in 2009 and reaffirm its direction from April 25, 2016 and direct staff to return with a resolution upholding the CTV's October 7, 2015 decision; (2) re-open the public hearing after public notice and schedule another hearing; or (3) provide alternative direction to staff. During the course of the June 13, 2016 meeting, the Nuccions proffered additional evidence which had not been submitted during the hearing. This supplementary eleventh-hour evidence demonstrated to the Council that additional evidence existed which the parties had not previously presented to the Council for its consideration; therefore, in an effort to ensure that the entire universe of evidence was adequately being considered, the Council moved to reopen the public hearing for the limited purpose of considering the issue of whether a view existed at the time the Nuccions acquired their property. The Council further instructed the Nuccions to submit digital copies (including the metadata) of all photographs that had been submitted in support of the view impairment complaint, and instructed both parties to submit any and all additional evidence for the Council's consideration.

**Section 3.** On October 24, 2016, the City Council held a duly noticed public hearing (Rolling Hills Municipal Code Sections 17.26.040(C) and 17.26.050(A)-(B)) to conclusively determine the extent of the Nuccion's view as it existed in April of 2009. Evidence was presented by all interested persons, including the Complainants; the October 15, 2015 declaration of Mr. Martin Jimenez; email exchanges between the Hassoldts and the Nuccion's; the photographs received by the City on April 25, 2016; the arborist reports of Mr. Dane Shota, Mr. William McKinley, and Mr. David De la Torre; the photometric analysis prepared by Ms. Anastasia Kostniuk; the metadata of the photos submitted along with a summary of said photos, provided by Mr. Weinberg; correspondence submitted by Mr. Weinberg including the declarations of Stephen Nuccion, Diana Nuccion, Margaret Schmit, Suzanne Sussman, Keith Kelley, Karina Santana, Yasmine Ryan, Sean Cardenas, James C. Roberts III, and Lianne Koeberle; and correspondence submitted by Mr. Light, including the declaration of Mr. Ruben M. Green. The Council also heard testimony from Mr. Green, Mrs. Hassoldt, Mrs. Nuccion, Mr. Light, Mr. Weinberg and Dr. Nuccion. This evidence was fully considered by the City Council, whose findings are expressed in further detail below.

**Section 4.** The City Council finds as follows:

A. Pursuant to Rolling Hills Municipal Code section 17.26.090(3) the burden of proof to show that any view is impaired shall be upon the party claiming such impairment, and the standard shall be by "clear and convincing evidence." Evidence shall be weighted in the following order of priority: (1) photographs; (2) expert testimony; and lastly (3) other evidence, which may include testamentary evidence and any documentation (other than photographs).

B. Pursuant to Rolling Hills Municipal Code Section 17.26.050 D(3), a view as defined in Section 17.12.220 of the Municipal Code existed from 18 Portuguese Bend Road when the Nuccion's acquired the property in 2009. The Council finds, pursuant to the March 21, 2016 field trip to the property located at 18 Portuguese Bend Road, that the viewing area from the Nuccion's property includes a living room at the north side of the residence and a patio/pool deck area immediately adjacent thereto along the northern side of the residence, from the standing perspective of an average height person ("Designated Viewing Areas").

C. The Nuccion's provided numerous photographs of their view from the Designated Viewing Areas; four photographs bore handwritten dates claiming that the photographs were taken in either 2010 or 2011. The Council notes that the photographic evidence in this case is further complicated by the fact that the Nuccion's had the opportunity to, and in fact did, arrange for the trimming of the trees on 15 Portuguese Bend Road prior to the date that the Hassoldts purchased their property in 2012. Pursuant to a recent request for the production of metadata, the earliest photograph submitted for the Council's consideration was taken during dusk on July 14, 2010; this image is dark and does not adequately/clearly depict the Offending Trees. For these reasons, none of the photographs submitted, including the July 14, 2010 photograph, conclusively establish the view as it existed in from the Nuccion's property in 2009.

D. In the absence of clear and convincing testamentary evidence provided by the experts and conclusive photographic evidence, the Council relied heavily upon the declarations of the parties and their witnesses to establish the scope of the view from 18 Portuguese Bend Road. The Council commented on the integrity of the declarants provided by the Nuccion's, and found their declarations persuasive. Specifically, the Council found the declaration of Mr. Roberts (whose father sold 15 Portuguese Bend Road to the Hassoldts, and who was personally involved with the care of 15 Portuguese Bend Road from 2005-2011) to be particularly persuasive. Additionally, the Council concluded that the MLS listing from February 2008 established clear and convincing evidence that a view existed from 18 Portuguese Bend Road at or about the time the Nuccion's purchased their property. The listing included a description of the view as follows: "Panoramic City Lights and partial ocean views... Pool and spa overlooking views." The Council finds persuasive the testimony provided that the Nuccion's relied upon this statement in viewing the home and would not have purchased the home if it did not in fact have the views described in the 2008 MLS listing.

E. The only evidence presented by the Hassoldts to rebut the evidence provided by the Nuccion's is a report by arborist Ruben Green, who concludes on the basis of historic aerial photographs of some of the Obstructing Trees dated 2008 that a view could not have existed from the Nuccion property in 2009. However, while the aerial photographs show the height and spread of the trees from above, they do not show how the trees affected the view from the Designated Viewing Area on the Nuccion property. Mr. Green argues from the aerial photographs that the Nuccion's "could not" have had a view; however, the Council finds this testimony to be speculative because the photographs do not take into account the height differential and viewing angle from the Nuccion residence. Furthermore,



the Hassoldts did not provide any contrary declarations. The Council finds that the overwhelming testamentary evidence of persons who visited the property in 2009 outweighs the speculative conclusions derived from aerial photographs.

F. Pursuant to Rolling Hills Municipal Code Section 17.12.220 "View Impairment," Section 17.26.050(D)(3) and Section 17.26.090 (3), the Council finds that the Nuccion's have shown by clear and convincing evidence that the view from the Nuccion's property is significantly impaired because 11 trees located at 15 Portuguese Bend Road significantly impair the view of the Santa Monica Mountains, Mount Baldy and the City lights from the Designated Viewing Areas. The Nuccion's provided an aerial photograph of the Obstructing Trees located at 15 Portuguese Bend Road. The Obstructing Trees have been identified as Tree Number One through Tree Number 9A, looking in a northerly direction from the perspective of 18 Portuguese Bend Road. The aforementioned photograph is attached as Exhibit A to this Resolution.

G. Further, the Council finds that, while the photographic evidence submitted by the parties was not persuasive with regard to the maturity of the trees, the testamentary evidence provided, coupled with the time and diligence devoted to this issue by the CTV indicates that only two of the Obstructing Trees (#9 and #9A) were mature when the Nuccion's acquired their property in 2009 and are therefore ineligible for remediation under Measure B. Therefore, because the remaining nine trees were not mature when the Nuccion's acquired their property, the Council hereby orders restorative action set forth below.

H. Lastly, the Council determined that nine (9) of the Obstructing Trees were not mature and therefore subject to remediation under sections 17.26.010 and 17.26.090(2) of the Rolling Hills Municipal Code. On the issue of maturity, the Council considered the following evidence:

(1) The June 16, 2015 Consulting Arborist Report prepared by Mr. Dane Shota (retained by the Hassoldts). Mr. Shota observed the Obstructing Trees from the Hassoldts' property; he determined that any conclusions derived from the height of the trees would be inaccurate because the trees have been pruned/manipulated. Mr. Shota provided a list of 20 trees located on the Hassoldt property that he determined were mature; no explanation was provided for this determination. Lastly, Mr. Shota's report contained a statement that "[a] lot of the trees that are mature were planted in 1937;" it is unclear from Mr. Shota's report to whom this unsubstantiated statement is attributed. The CTV determined that the conclusions reached by Mr. Shota were inaccurate because there were virtually no trees in the City of Rolling Hills in 1937. The balancing of this evidence, and the determinations made by the CVT with regard to it, are confirmed by the City Council.

(2) The June 17, 2015 Certified Arborist Report prepared by Mr. William McKinley (retained by the Nuccion's). Mr. McKinley concluded that all eleven of the Obstructing Trees were "actively growing" and therefore could not have been mature in 2009. Mr. McKinley based his conclusions on visual observations made of the Obstructing Trees from the Nuccion's pool deck area, and what he determined to be "cut lines" and evidence of trimming/regrowth. Based on historical photographic evidence (which depicted virtually no trees planted in the City in 1937 – other than a few olive trees), the CTV agreed with Mr. McKinley that nine of the Obstructing Trees could not have been mature; however, the CTV disagreed with Mr. McKinley's conclusion that the two olive trees planted on the Hassoldt property were maturing (as they had arguably been planted in the City around 1937). The balancing of this evidence, and the determinations made by the CVT with regard to it, are confirmed by the City Council.

(3) The September 2, 2015 Certified Arborist Report prepared by Mr. David De La Torre (retained by the City). Mr. De La Torre observed the Obstructing Trees from the Hassoldt property. Using a mathematical equation to determine the age of the trees, Mr. De La Torre explained how he determined their maturity. Mr. De La Torre determined that the average age of the Obstructing Trees was 62 years old (the oldest tree was 141, while the youngest was 15.) Based upon this information, Mr. De La Torre concluded that of the eleven Obstructing Trees, nine (9) were mature and only two (2) were maturing. Based on historical photographic evidence, the CTV disagreed with Mr. De La Torre that nine (9) of the Obstructing Trees were mature; virtually no trees had been planted in the City in 1937 (other than a few olive trees), therefore the nine (9) trees indicated by Mr. De La Torre could not have been mature in 2009. The CTV concluded that except for the two olive trees located on the Hassoldt property, the remaining nine trees were maturing and therefore subject to remediation. The balancing of this evidence, and the determinations made by the CVT with regard to it, are confirmed by the City Council.

(4) The August 28, 2015 Certified Arborist Report prepared by Mr. Kevin Eckert (retained by the Nuccion's). Mr. Eckert concluded that all eleven of the Obstructing Trees were maturing; his conclusions were derived from the "2010/2011" photographs that had been submitted by the Nuccion's and a "video stream" of the view from the Nuccion's pool deck area. Based on historical photographic evidence (which depicted virtually no trees planted in the City in 1937 – other than a few olive trees), the CTV agreed with Mr. Eckert that nine of the Obstructing Trees could not have been mature; however, the CTV disagreed with Mr. Eckert's conclusion that the two olive trees planted on the

Hassoldt property were maturing (as they had arguably been planted in the City around 1937). Furthermore, the Council had subsequently learned from the metadata presented as evidence in October, that the photographs relied upon by Mr. Eckert had actually been taken between 2011-2012; therefore the Council confirmed that the accuracy of the conclusions reached by Mr. Eckert were questionable.

(5) The April 16, 2016 and May 12, 2016 reports prepared by Ms. Anastasia Kostiuik (3D Engineer retained by the Nuccioni). Ms. Kostiuik was asked to review photographs provided to her by the Nuccioni, which she was told were taken in 2010; as well as aerial photographs of the Hassoldt property taken between 2008-2012. Ms. Kostiuik took these photographs and created 3D renderings of them, from these renderings she mathematically determined the height of each tree based on the length of the shadows they cast. The Council determined that the evidence provided by Ms. Kostiuik was inconclusive as it was later revealed that the dates of the photographs provided by the Nuccioni were not taken in 2010, but rather in 2011-2012. Furthermore, the data provided by Ms. Kostiuik revealed conflicting and fluctuating evidence related to the height of the trees over time.

(6) The February 2, 2016 and October 13, 2016 declarations of Mr. Ruben Green (certified arborist retained by the Hassoldts). Mr. Green conducted a site inspection at the Hassoldt property to supervise trimming that was being conducted. Mr. Green does not consider Ms. Kostiuik's method to be a reliable way to determine the maturity of the trees. Mr. Green provided his own aerial photographs from 2008 and 2011 to call into question the accuracy of the data Ms. Kostiuik relied upon; specifically, Mr. Green calls attention to the varying height of the utility pole and the evidence of topping in Ms. Kostiuik's photographs. However, the Council determined that in either declaration Mr. Green does not provide an opinion as to whether or not the trees were mature. Ultimately, the Council finds that the weight of the evidence supports a finding that nine (9) of the Obstructing Trees were not mature in 2009 and that restorative action on the nine (9) Obstructing Trees is necessary to abate the view impairment by creating view corridors and views through the trees.

I. Pursuant to Rolling Hills Municipal Code Section 17.26.050(E), the Council finds the restorative action set forth below in this Resolution is necessary to abate the view impairment by creating view corridors and views through trees, that the restorative action will not adversely affect the environment, and that the action will not unreasonably detract from the enjoyment or privacy of the property at 15 Portuguese Bend Road. While the record indicates that the Hassoldts trimmed unspecified trees in January or February of 2016, the Council nonetheless finds that the restorative action set forth in Section 5 of this Resolution remains appropriate.

J. The City reviewed the proposed restorative action's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "CEQA Guidelines") and determined the proposed project to be exempt from environmental review pursuant to Section 15304 (Minor Alterations of Land) and Section 15061(b)(3) (Common Sense Exemption) of the CEQA Guidelines. The project is exempt because no trees will be removed. Instead, the Obstructing Trees will be cleaned out, shaped and trimmed and a substantial amount of the foliage will remain. No evidence was introduced to suggest that the restorative action will cause an adverse environmental impact. Thus, it can be said with certainty that there will be no environmental impact from the proposed actions.

**Section 5.** The Council orders the following restorative action pursuant to Rolling Hills Municipal Code Section 17.26.050(E):

A. Pursuant to Rolling Hills Municipal Code Section 17.26.060(A), within thirty (30) calendar days of adoption of this Resolution, the Nuccioni are hereby required to obtain and present to the Owners of 15 Portuguese Bend Road, a minimum of three (3) bids from licensed qualified contractors for the performance of the Initial Restorative Action set forth in this Resolution as well as a cash deposit in the amount of the lowest bid. The contractors must provide insurance which protects and indemnifies the City and the Nuccioni from damages attributable to negligence or wrongful performance of the work. Any such insurance shall be subject to the approval of the City.

B. Pursuant to Section 17.26.060(B), the Owners of 15 Portuguese Bend Road may select any licensed and qualified contractor to perform the Initial Restorative Action (defined below) (as long as the insurance requirement of the above paragraph is satisfied), but shall pay for any cost above the amount of the cash deposit. The work for the Initial Restorative Action shall be completed no later than February 14, 2017 or pursuant to an alternative schedule (but no later than March 1, 2017) if the selected contractor determines that the health of the trees would be compromised if the work is performed by February 14, 2017.

C. Subsequent maintenance of the subject vegetation shall be performed at the cost and expense of the owners of 15 Portuguese Bend Road. All vegetation subject to the restorative action described in this Resolution and any future planting, including replacement trees, shall be maintained so

that the view shown in the photograph to be taken by City staff or designee following the Initial Restorative Action, as detailed below, is preserved. The trees shall be maintained so as to not allow for future view impairments from the Designated Viewing Areas of 18 Portuguese Bend Road. Tree maintenance shall be done in the winter months (December – March) and shall be completed by March 1 of each year in which the work is to be done, as specified in paragraph F of this section of this Resolution.

D. An informational covenant shall be recorded against the title of 15 Portuguese Bend Road and shall run with the land, thereby giving notice of this Resolution to all future owners.

E. Initial Restorative Action shall be limited to the 9 Obstructing Trees as identified in the table below.

F. The Initial Restorative Action shall consist of the following:

TYPE OF TREE AND TREE #	LOCATION	ACTION	MAINTENANCE
1	Eucalyptus	NO ACTION	NO ACTION
2	Eucalyptus- along Roadway easement-front	Lace, shape & crown reduce to no higher than the current height of Palm Trees	Every two years
3	Washington Fan Palm- along N/E side of property	Remove the dead fronds	Every two years
3-A	Washington Fan Palm- along N/E side of property	Remove the dead fronds	Every two years
4	Eucalyptus & various volunteers- S/W corner of lot	Lower the canopy and trim to old cuts for city view	Every two years
4-A	Olive & various volunteers- S/W corner of lot	Lower the canopy and trim to old cuts for city view	Every two years
5	Eucalyptus- by garage	Reduce crown to a height of 46 feet above ground	Every two years
6	California Pepper- along front	Shape & reduce canopy to old cuts	Every two years
6-A	California Pepper- along front	Shape & reduce canopy to old cuts	Every two years
7	Olive Tree- along front; S/E corner	Shape, reduce crown and trim to old cuts for city view	Every two years
8	Acacia	NO ACTION	NO ACTION
9	Olive Tree- lawn area	NO ACTION	NO ACTION
9-A	Olive Tree- lawn area	NO ACTION	NO ACTION
<b>TOTAL 9 Trees Subject to Initial Restorative Action</b>			

The locations of the above listed trees are shown on the aerial photograph attached hereto as Exhibit A.

G. The actions described above shall be accomplished per ISA industry standards and best arborist practices, and the following definitions shall apply:

**Crown Reduction:** Height reduction to specified height by removing selective branches, deadwood, stems and foliage to reduce the height and spread of a tree.

Lace: Thin out thick areas of the canopy to expose the structure of dominant branches, clean out the crown, shaping and balancing the tree.

Section 6. Upon conclusion of the Initial Restorative Action, the Nuccionis shall contact the City and the Hassoldts to schedule a site visit to 18 Portuguese Bend Road, during which City staff shall take photograph(s) from the Designated Viewing Areas to be attached as Exhibit B to this Resolution for the purpose of establishing the level of restorative action for future maintenance. The Hassoldts may attend this site visit as observers only.

Section 7. There shall be no restorative action required for the remainder of the trees on the property at 15 Portuguese Bend Road not listed in the Initial Restorative Action in this Resolution. However, trees on the property not included in this Resolution shall be maintained at current configuration and any new growth that extends into the view established by this Resolution shall be removed at the same time as the maintenance is conducted for the Obstructing Trees, at the sole expense of the Owners of 15 Portuguese Bend Road.

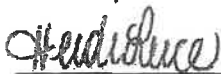
Section 8. The parties by mutual agreement, if they so desire, may modify the implementation action in this Resolution, as set forth in Rolling Hills Municipal Code Section 17.26.060(D). Any such mutual agreement shall be recorded.

Section 9. In the event that any party requests inspection of implementation of Resolution 1196 on grounds that the restorative action or maintenance is not compliant with this Resolution, the City may be required to incur substantial costs in investigating the complaint. Therefore, the City shall be entitled to recover its costs from a non-compliant party, for activities including, but not limited to, hiring independent consultants.

PASSED, APPROVED AND ADOPTED by Members of the City Council this 28<sup>th</sup> day of November 2016.

  
Bea Dieringer  
Mayor

ATTEST:

  
Heidi Luce  
City Clerk

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

The foregoing City Council Resolution No. 1196 entitled:

A RESOLUTION OF THE ROLLING HILLS CITY COUNCIL  
DENYING THE APPEALS OF DR. AND MRS. STEPHEN NUCCION  
AND MR. AND MRS. WILLIAM HASSOLDT, AND UPHOLDING  
THE DECISION OF THE COMMITTEE ON TREES AND VIEWS BY  
DECLARING THAT SPECIFIC TREES LOCATED ON THE  
PROPERTY AT 15 PORTUGUESE BEND ROAD HAVE CAUSED  
SIGNIFICANT VIEW IMPAIRMENT TO THE VIEW FROM THE  
PROPERTY LOCATED AT 18 PORTUGUESE BEND ROAD AND  
SETTING FORTH RESTORATIVE ACTION TO ABATE THE  
IMPAIRMENT.

was approved and adopted at a meeting of the City Council on November 28, 2016 by the following roll  
call vote:

AYES:               Councilmembers Black, Mirsch, Pieper and Wilson.

NOES:              Mayor Dieringer.

ABSENT:           None.

ABSTAIN:          None.



Heidi Luce  
City Clerk

This decision is final and conclusive. Any action challenging this administrative order must be filed  
with a court of law within the time limits set forth in section 1094.6 of the California Code of Civil  
Procedure.

**EXHIBIT A**

Back

4 40

9

9A

3 2

3A

6

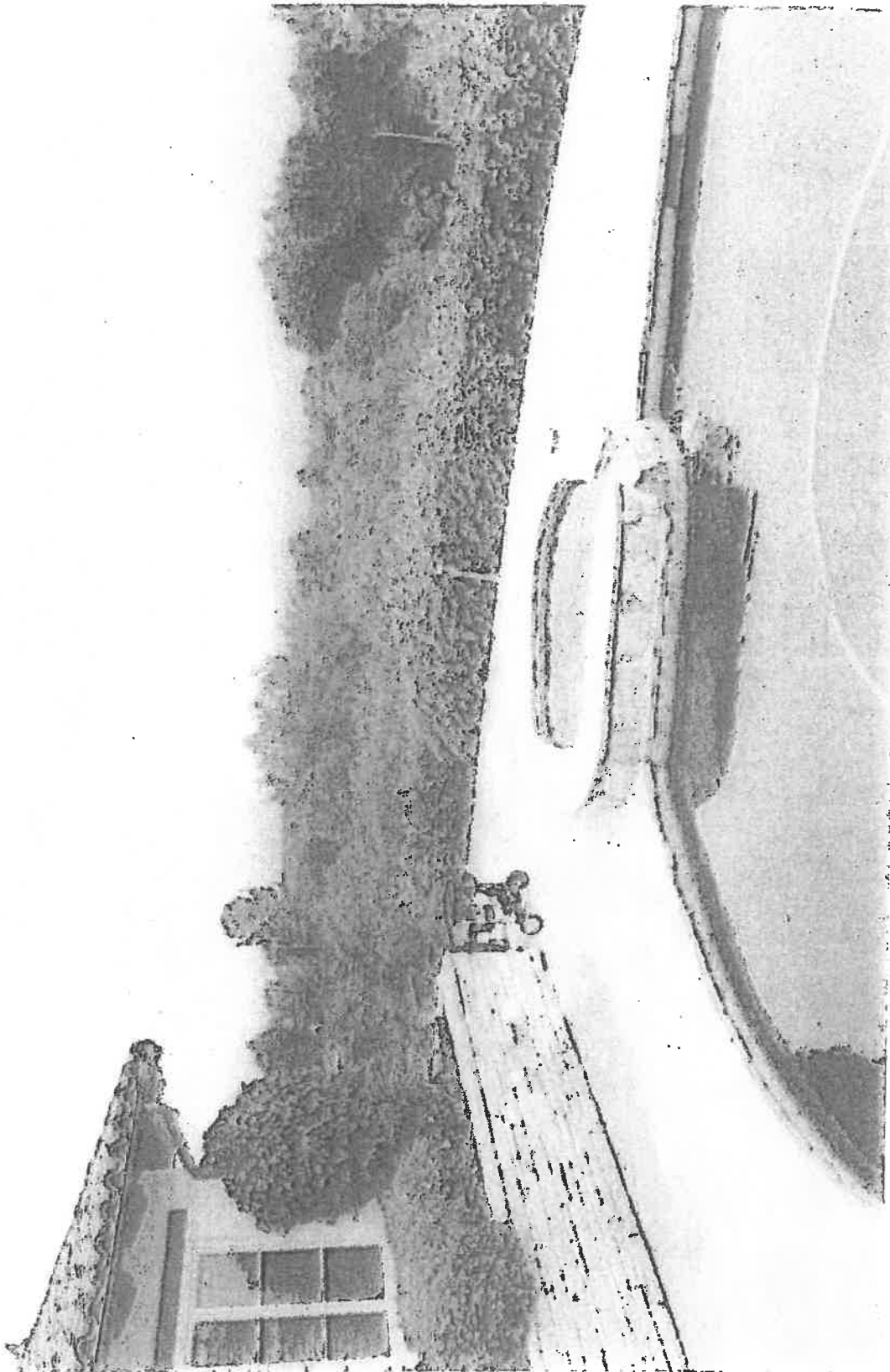
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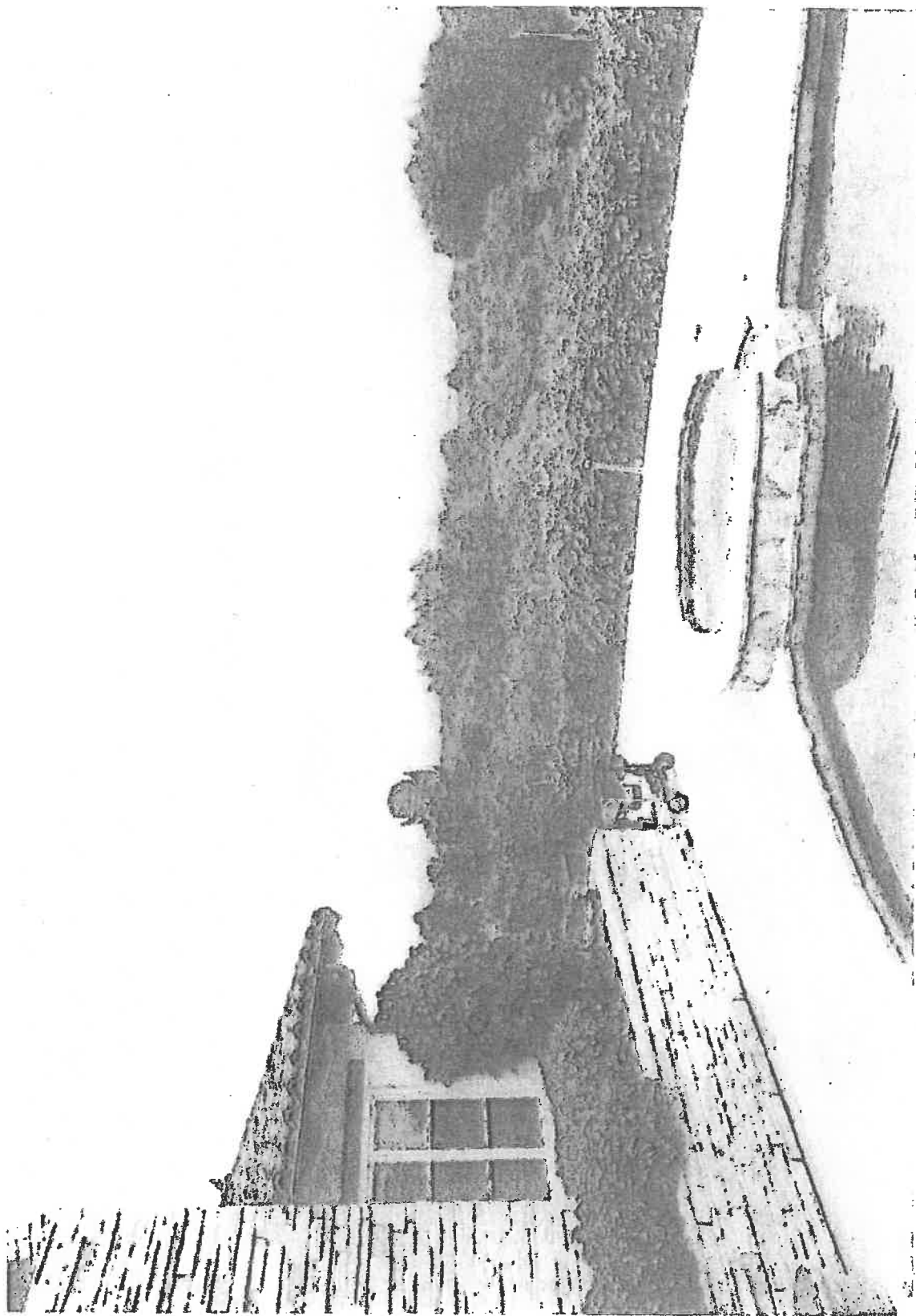
**EXHIBIT B**

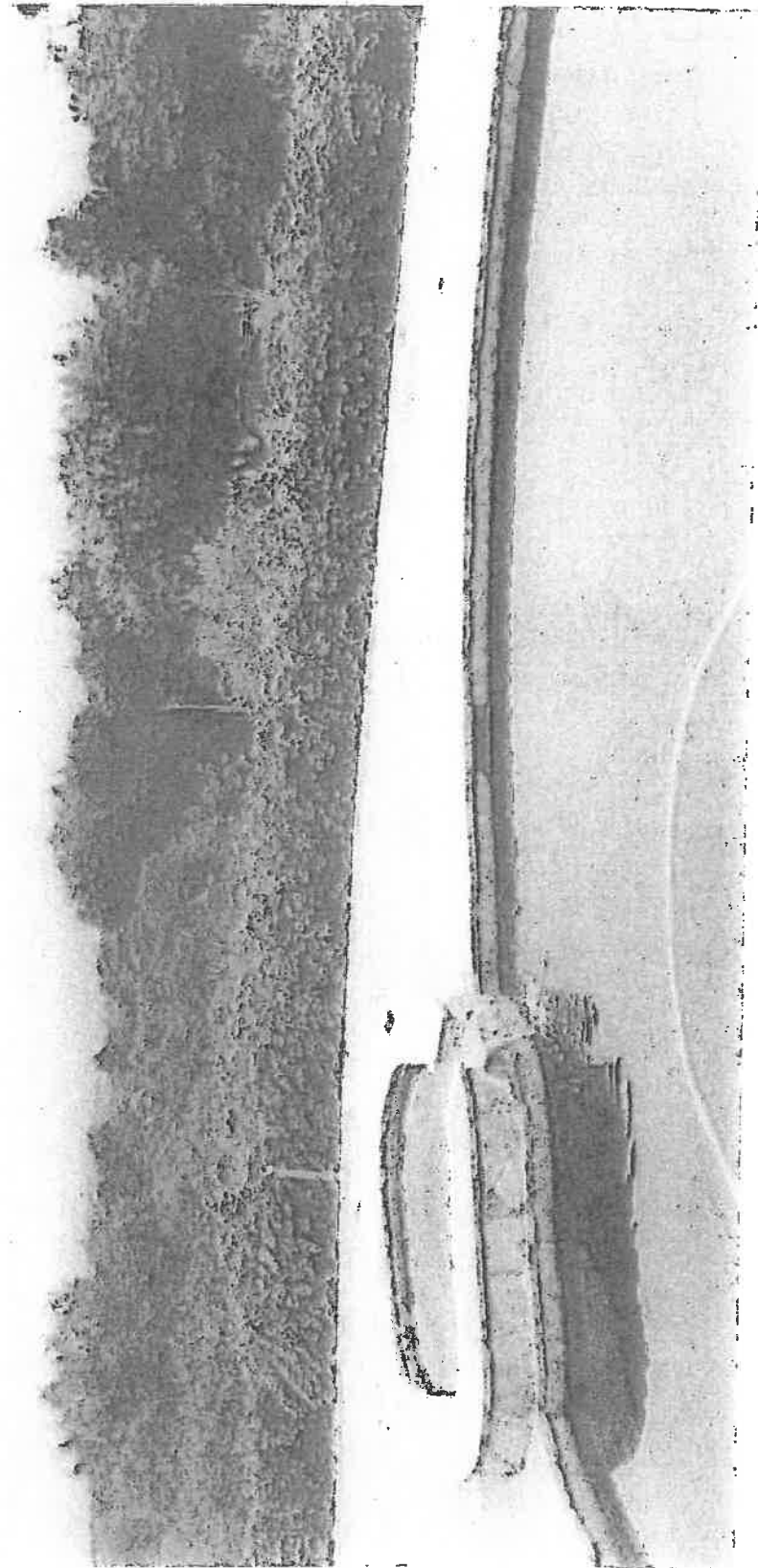


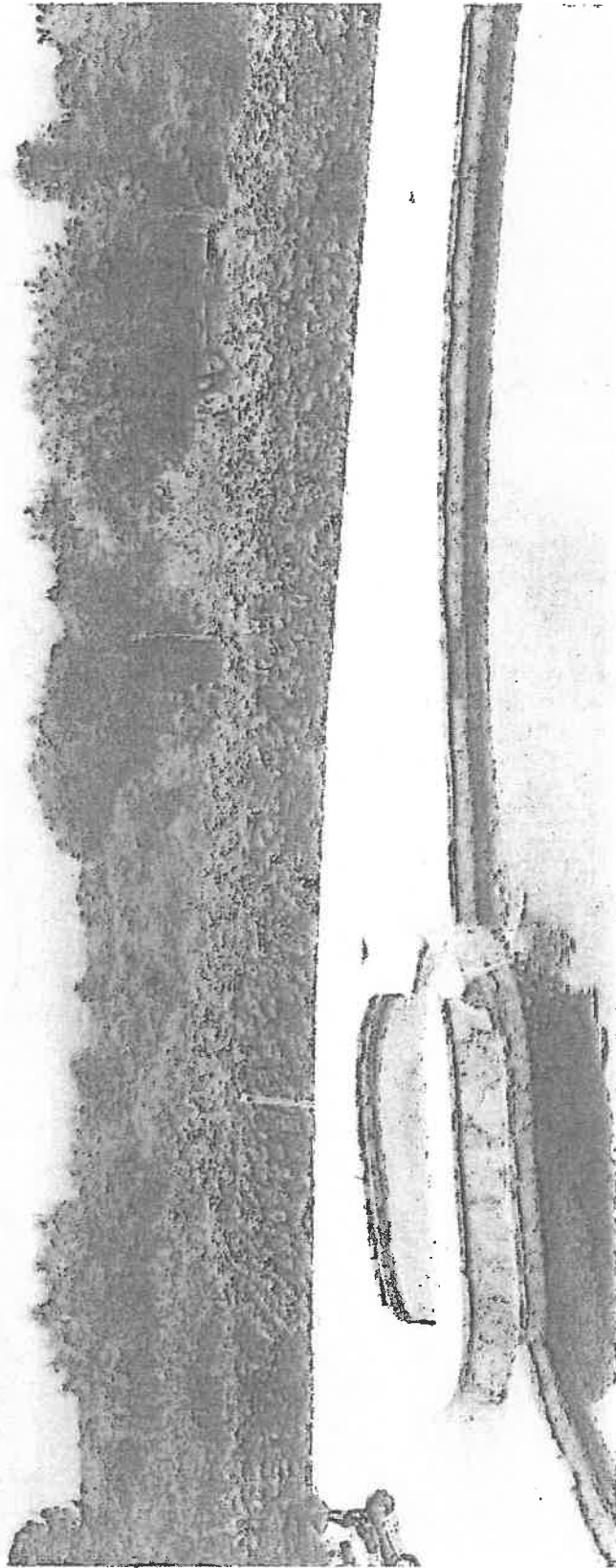


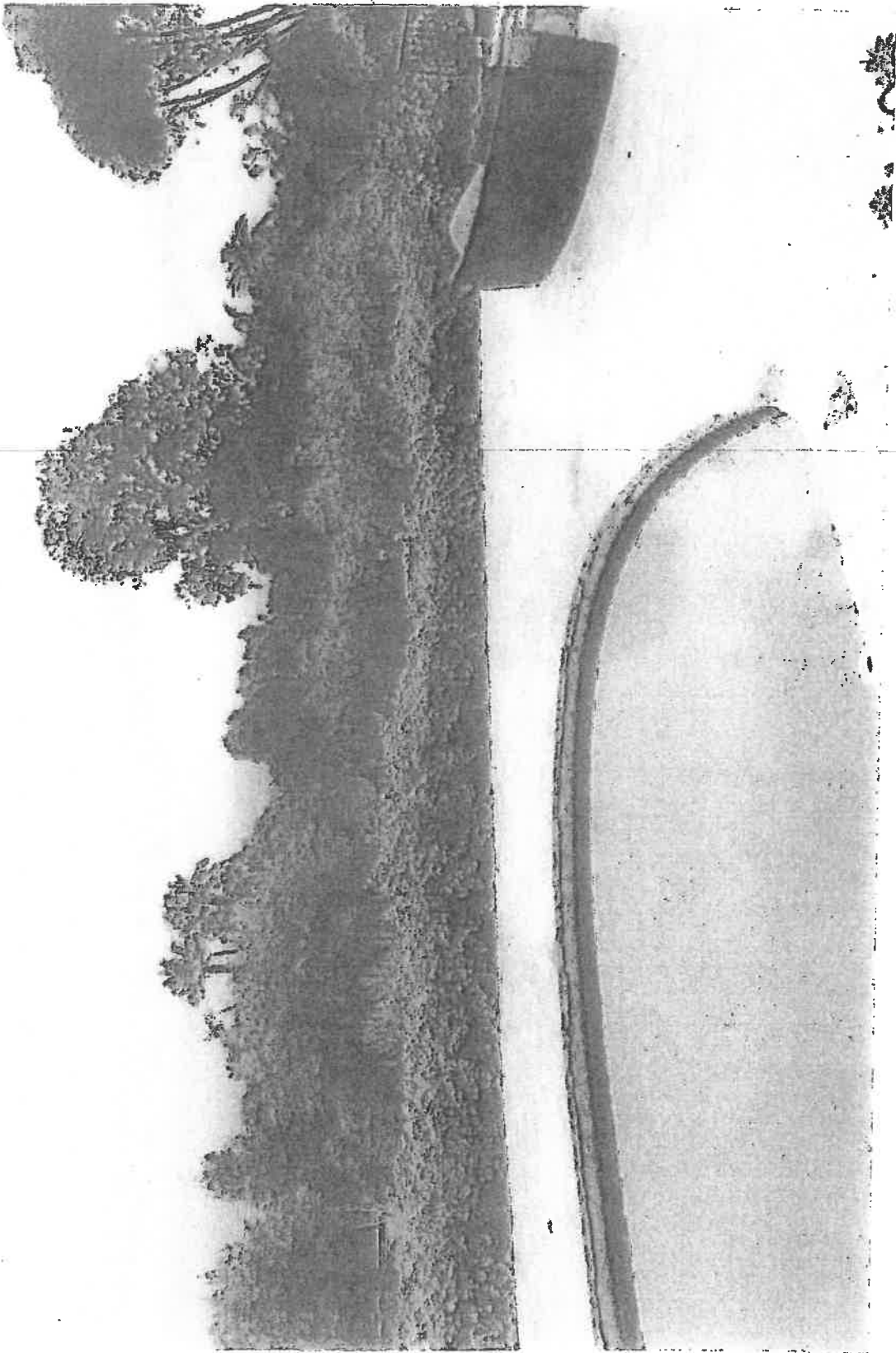


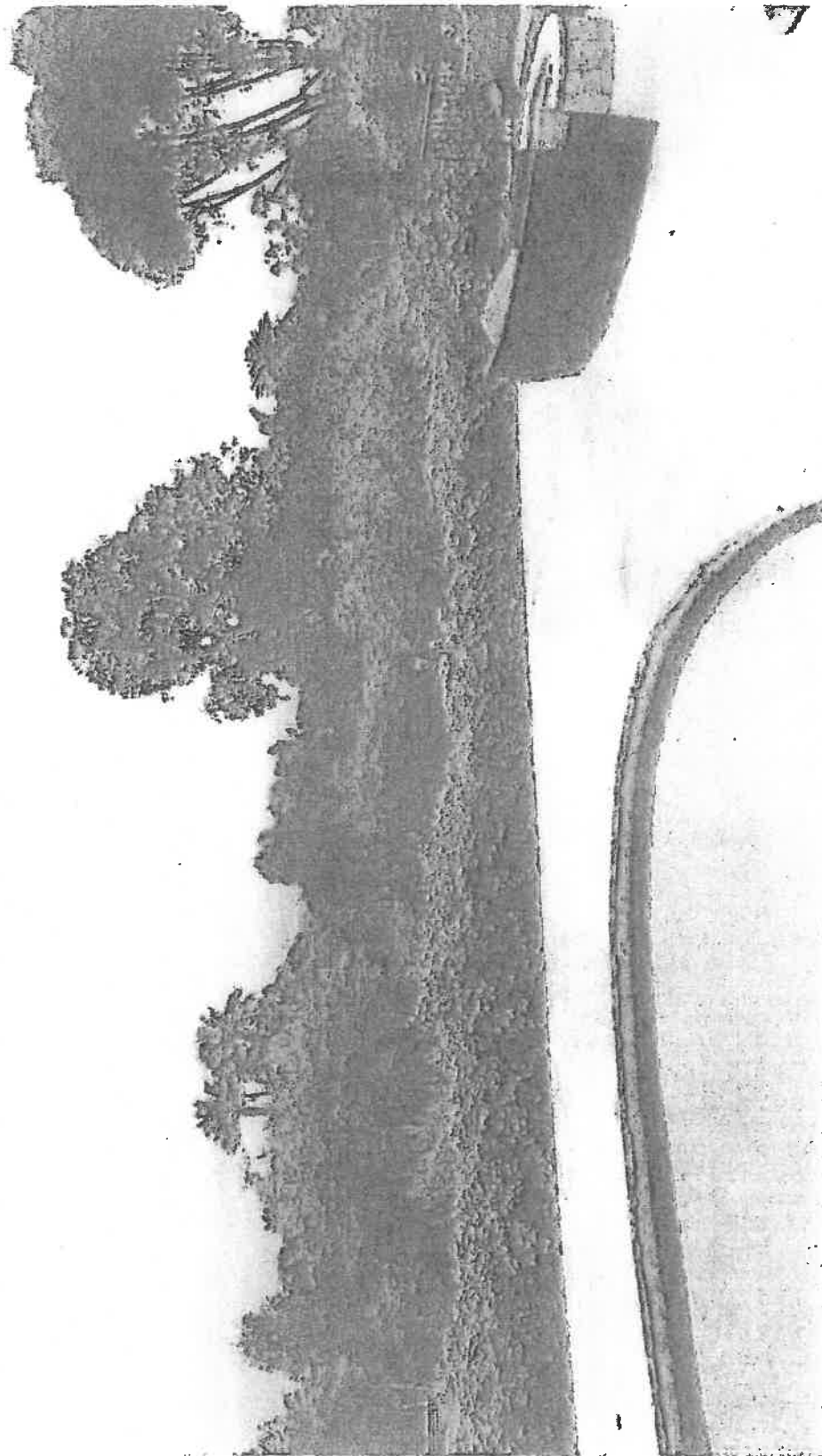


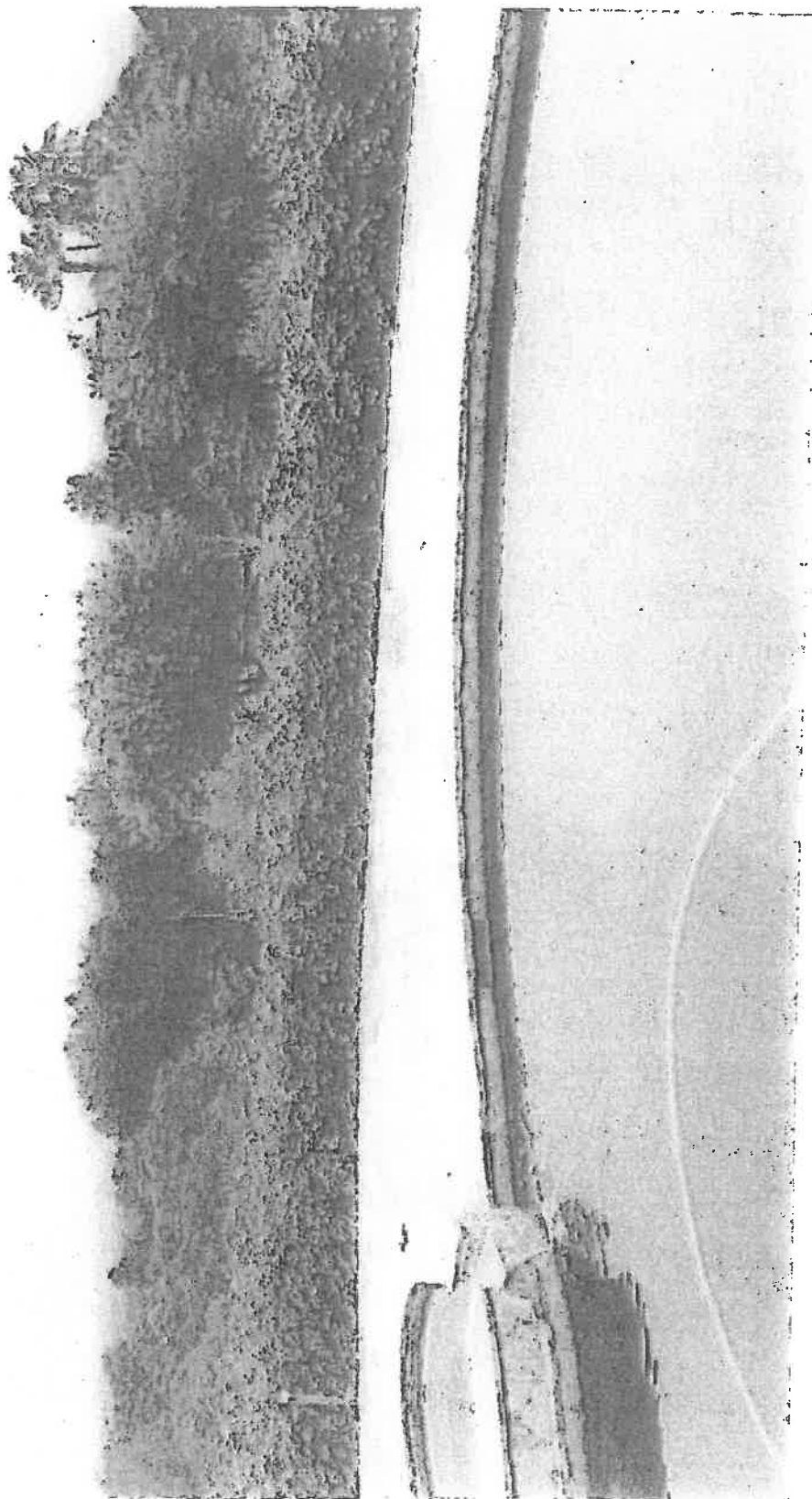




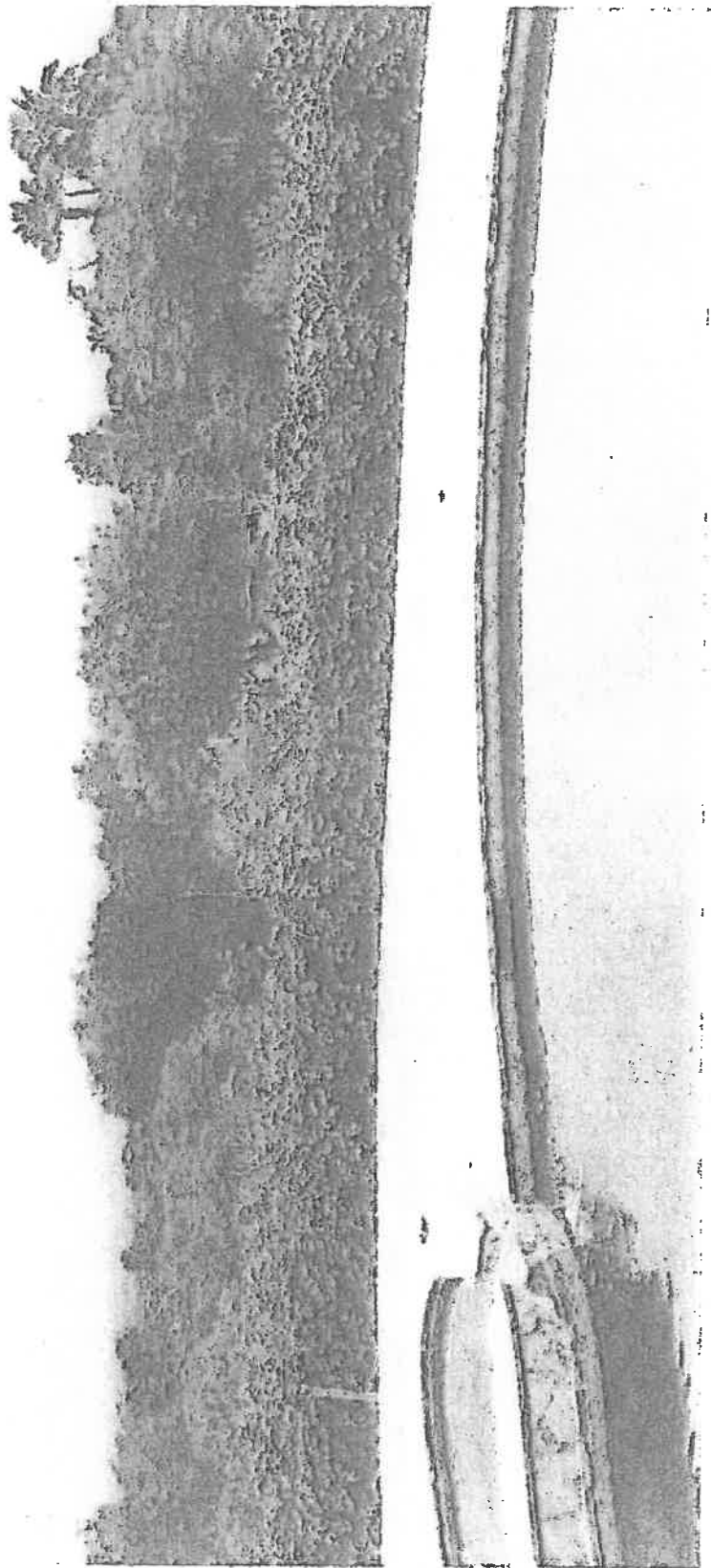


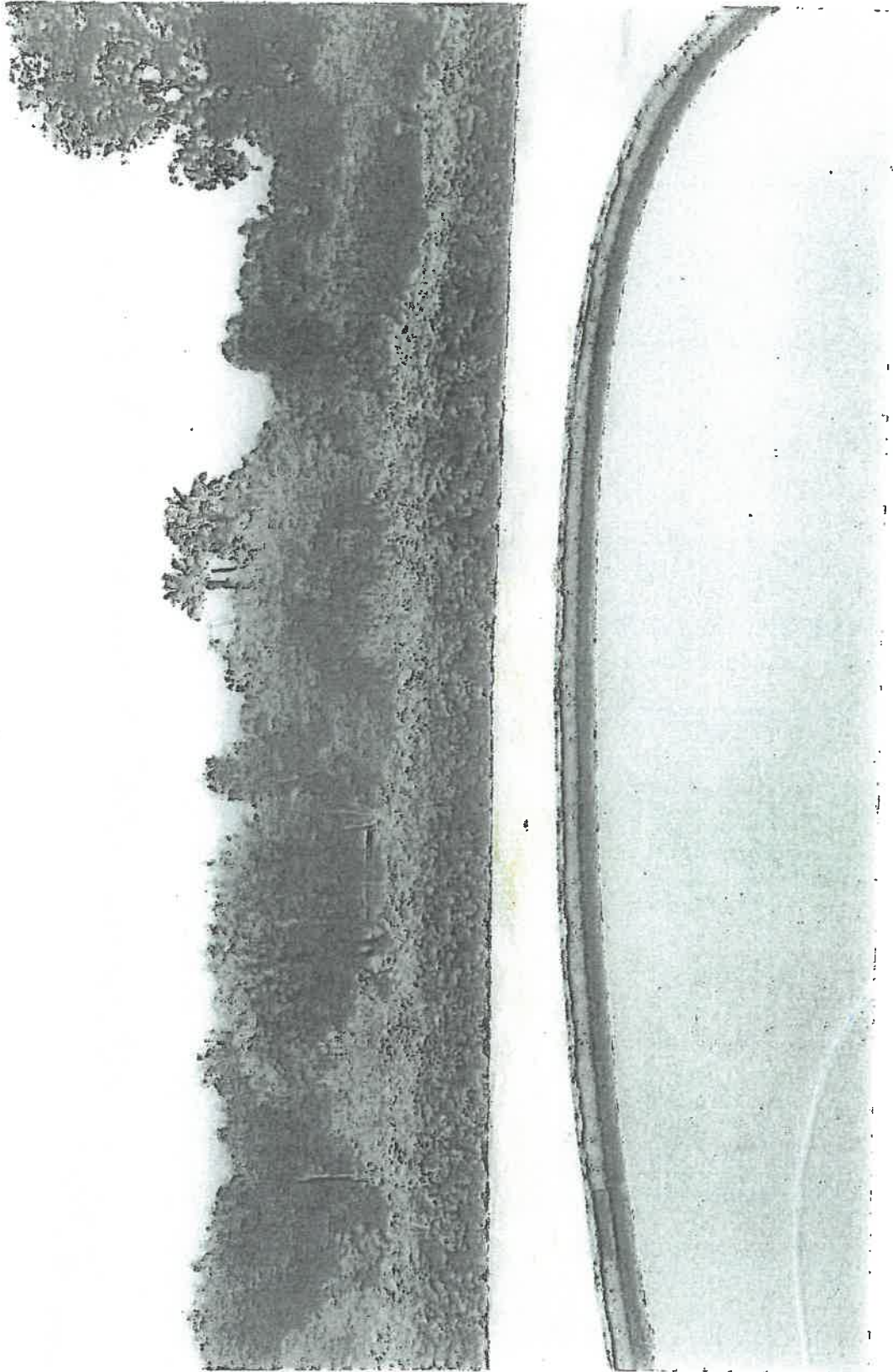




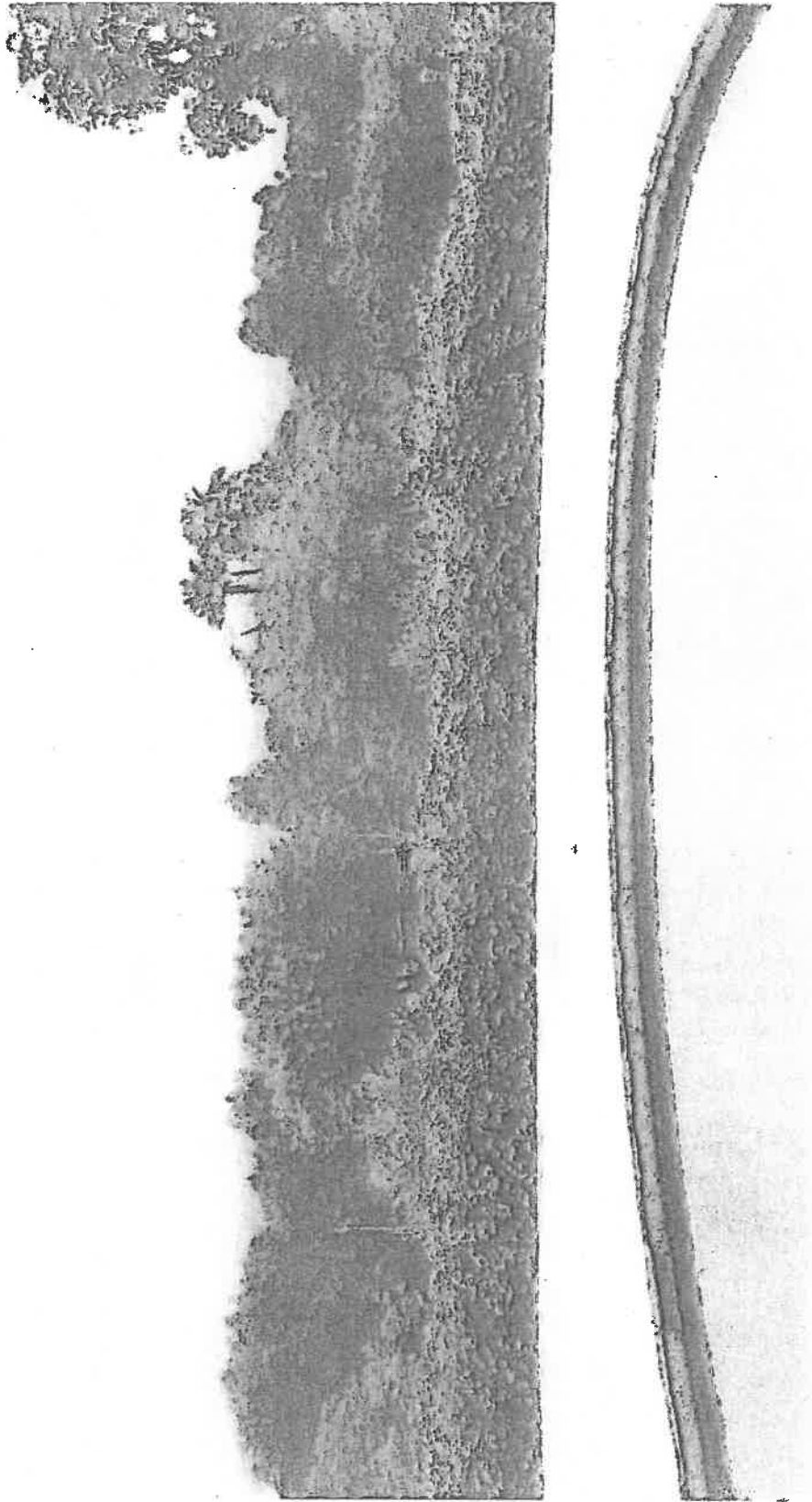














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# City of Rolling Hills

INCORPORATED JANUARY 24, 1957

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

## VIA CERTIFIED MAIL

March 29, 2019

Mr. and Mrs. William Hassoldt  
10 Pine Tree Lane  
Rolling Hills, California 90274

**Subject:** 15 Portuguese Bend Road - Non-compliance with Resolution No. 1196 and  
Notice to Abate Nuisance

Dear Mr. and Mrs. Hassoldt:

I am writing to follow up on my March 13, 2019 letter regarding your non-compliance with Resolution No. 1196 and to provide you with notice to abate the nuisance on your property, located at 15 Portuguese Bend Road, Rolling Hills, California 90274, by April 15, 2019.

As previously advised in my March 13, 2019 letter, Resolution No. 1196 requires you to take certain maintenance actions on identified trees on your property every two years beginning in 2017 by March 1. (Enclosed with this letter is a copy of my March 13, 2019 letter.) On Tuesday, March 5, 2019, City staff visited your neighbor's property located at 18 Portuguese Bend Road and took photographs from the Designated Viewing Area as described in Section 4(C) of Resolution No. 1196. In comparing the photographs (May 10, 2017 against March 5, 2019), it was determined that the actions outlined in Resolution No. 1196 were not performed by March 1. In my March 13, 2019 letter, the City advised you of your noncompliance with Resolution No. 1196 and ordered specific maintenance actions by March 28, 2019.

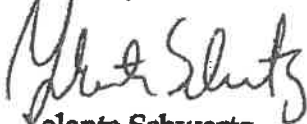
On March 29, 2019, City staff again visited 18 Portuguese Bend Road and took photographs from the Designated Viewing Area. (Enclosed with this letter are photographs from March 29, 2019.) City staff determined that the ordered maintenance actions were not performed. Pursuant to Rolling Hills Municipal Code Chapter 8.24, the City Manager has determined that your noncompliance with Resolution No. 1196, by your failure to take the ordered maintenance actions in the City's March 13, 2019 letter, has resulted in a nuisance on your property.

This letter serves to notify you of your responsibility to abate the nuisance within fifteen days from the date of this notice, or by April 15, 2019. If the nuisance is not abated or good-faith efforts towards abatement have not been made to the satisfaction of the City

Manager by April 15, 2019, a hearing will be held before the City Council to hear any protest by you or any other interested person. The hearing before the City Council to declare a nuisance and order abatement will be held on April 22, 2019 at 7:00 p.m. in City Council Chambers located at 2 Portuguese Bend Road, Rolling Hills, California 90274.

Please take the ordered maintenance actions in the City's March 13, 2019 letter by April 15, 2019. If you have any questions, please do not hesitate to call me at 310-377-1521.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Yolanta Schwartz', written over a horizontal line.

Yolanta Schwartz  
Planning Director

cc: Elaine Jeng P.E., City Manager

**Attachments:**

Letter dated March 13, 2019, with attachments

March 29, 2019 photographs from Designated Viewing Area



# *City of Rolling Hills*

INCORPORATED JANUARY 24, 1957

**COPY**

March 13, 2019

Mr. and Mrs. William Hassoldt  
10 Pine Tree Lane  
Rolling Hills, CA 90274

**Subject: 15 Portuguese Bend Road, Rolling Hills, California 90274  
Non-compliance with Resolution No. 1196**

Dear Mr. and Mrs. Hassoldt:

On February 28, 2019, the City of Rolling Hills received a complaint from Dr. and Mrs. Nuccion (18 Portuguese Bend Road) alleging that you have not complied with the actions identified in Resolution No. 1196 pertaining to the trees on your property. (Enclosed with this letter is a copy of the covenant recorded against your property with Resolution No. 1196.) Resolution No. 1196 requires maintenance of all of the trees on your property, including those identified for Initial Restorative Action, every two years beginning in 2017 by March 1. (See Resolution No. 1196, Sections 7 and 5(C).) It also requires you to bear the cost of such maintenance. (See Resolution No. 1196, Section 5(C).)

On Tuesday, March 5, 2019, City staff visited Dr. and Mrs. Nuccion's property at 18 Portuguese Bend Road and took photographs from the Designated Viewing Areas as described in Section 4(C) of Resolution No. 1196. To the extent possible, the photographs were taken from angles mimicking the angles of the photographs included as a part of Resolution No. 1196, Exhibit B.


In comparing the photographs (May 10, 2017 against March 5, 2019), the following observations were made:

- Tree #2 (Eucalyptus-along Roadway easement-front): it does not appear to have been laced, shaped or its crown reduced to the height of the nearby palm trees as they existed in 2017 on your property.
- Tree #4 (Eucalyptus & various volunteers-S/W corner of lot) and Tree 4A (Olive & various volunteers-S/W corner of lot): it does not appear that the canopies were lowered or trimmed based on appearance of city view.
- Tree #5 (Eucalyptus- by garage): it appears that its crown has not been reduced to 46 feet above ground, which was the 2017 height as set forth in Resolution No. 1196.

- Tree #6 (California Pepper-along front), Tree 6A (California Pepper-along front), and Tree 7 (Olive Tree-along front; S/E corner): please provide recent evidence of a work order requesting that the trees be shaped and their canopy reduced to the old cuts for city view for purposes of compliance with the 2019 maintenance obligation.
- Tree #3 (Washington Fan Palm-along N/E side of property) and Tree 3-A (Washington Fan Palm-along N/E side of property): the trees appear not to have any dead fronds. Therefore, no further action is required.

At a minimum, the maintenance actions outlined in Resolution No. 1196 were not performed as it relates to Tree #2 (Eucalyptus-along Roadway easement-front), Tree #4 (Eucalyptus & various volunteers-S/W corner of lot), Tree 4A (Olive & various volunteers-S/W corner of lot), and Tree #5 (Eucalyptus- by garage). Please trim the abovementioned trees in accordance with Resolution No. 1196 by March 28, 2019.

Sincerely,

  
Yolanta Schwartz  
Planning Director

cc: Elaine Jeng P.E., City Manager

**Enclosures:**

Covenant with Resolution No. 1196

Addendum to Covenant

Pictures taken on March 5, 2019

Pictures taken on May 10, 2017

RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:

CITY OF ROLLING HILLS  
PLANNING DEPARTMENT  
2 PORTUGUESE BEND RD.  
ROLLING HILLS, CA 90274

(310) 377-1521  
(310) 377-7388 FAX



THIS FORM MUST BE PROPERLY ACKNOWLEDGED BEFORE RECORDATION.

RECORDER'S USE ONLY

**INFORMATIONAL COVENANT MEMORIALIZING ORDER OF THE CITY OF ROLLING HILLS  
CREATING A VIEW TARIFF**

This Informational Covenant shall provide notice of a final decision of the City of Rolling Hills pertaining to restoration and preservation of a view impaired by vegetation located at 16 Portuguese Bend Road, City of Rolling Hills, County of Los Angeles, CA 90274 (Lot 78-RH) ("Property"), set forth in Resolution No. 1188, adopted by the City Council on November 28, 2016.

Resolution No. 1188, attached as Exhibit 1 hereto, reflects a final decision of the City pursuant to Chapter 17.26 of the Rolling Hills Municipal Code. The obligations set forth therein, including maintenance of the view reflected in the photograph(s) attached as Exhibits to Resolution No. 1188, shall run with the land and shall apply to and be binding upon the heirs, successors and assigns of the owner(s) of the Property and shall burden the Property for the benefit of the City, the public, and surrounding landowners. This covenant shall continue in effect unless released by the City Council of the City of Rolling Hills.

The owner(s) of the Property, WILLIAM AND JUDITH HASSOLDT shall expressly make the terms of Resolution No. 1188 a part of any deed or other instrument conveying any interest in the Property. Failure to comply with Resolution No. 1188 shall constitute a misdemeanor and a public nuisance, and may be subject to criminal or civil enforcement pursuant to Section 17.26.070 of the Rolling Hills Municipal Code. No consent, waiver, approval or authorization is required from any person or entity in connection with the execution and delivery of this covenant or the obligations set forth in Resolution No. 1188.

The City shall cause this covenant to be recorded against the title to the Property in the Official Records of the County of Los Angeles.

**Attachments:**

Exhibit 1 Resolution No. 1188



By Raymond Cruz, City Manager

**The following acknowledgment must be completed by a notary public or other official pursuant to California Civil Code Sections 1181 and 1189.**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

On 5/11/17 before me, AUNTONET DAY (name), a  
Notary Public for the State of California, personally appeared

ANTHONY J. DAY  
who proved to me on the basis of satisfactory evidence to be the person(s) whose  
name(s) were subscribed to the within instrument and acknowledged to me that  
he/she/they executed the same in his/her/their authorized capacity(ies), and that by  
his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of  
which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: [Signature]

Name of Notary or Officer: AUNTONET DAY

Date Commission Expires (if applicable): 05.24.2021

Commission No. (if applicable): 52137147



A RESOLUTION OF THE ROLLING HILLS CITY COUNCIL DENYING THE APPEALS OF DR. AND MRS. STEPHEN NUCCION AND MR. AND MRS. WILLIAM HANOLDT AND UPHOLDING THE DECISION OF THE COMMITTEE ON TREES AND VIEWS BY DECLARING THAT SPECIFIC TREES LOCATED ON THE PROPERTY AT 15 PORTUGUESE BEND ROAD HAVE CAUSED SIGNIFICANT IMPAIRMENT TO THE VIEW FROM THE PROPERTY LOCATED AT 18 PORTUGUESE BEND ROAD AND SETTING FORTH RESTORATIVE ACTION TO ABATE THE IMPAIRMENT.

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

**Section 1.** The City's View Preservation Ordinance was enacted in June 1982. The ordinance established preservation of views to be of primary value to the community and created a process by which a property owner could seek to restore a view obstructed by landscaping.

In March 2012, the Rolling Hills Council passed an initiative entitled Measure B, amending the 1982 View Preservation Ordinance. The primary intent of Measure B was to shift the application of the Ordinance from protecting views that are enjoyed from a property to views that were actually enjoyed from a property with the property owner first acquiring the property. In particular, the initiative amended the View Preservation Ordinance as follows:

1. Permitting only those views which existed when the current property owner acquired ownership of the property;
2. Limiting the protection of the ordinance to views obstructed by "maturing" vegetation (thereby excluding views obstructed by trees that were "mature" at the time of the property acquisition); and
3. Restricting views from "view corridors," and "open through trees."

**Section 2.** On April 24, 2014, Dr. and Mrs. Stephen Nuccio, the owners of the property located at 18 Portuguese Bend Road ("Nuccions"), filed a View Impairment Complaint ("Complaint") regarding the trees located at 15 Portuguese Bend Road, a property owned by Mr. and Mrs. William Hanoldt ("Hanoldts"). The Complaint alleged that at the time the Nuccions purchased their property in April of 2009 they enjoyed a panoramic view of the Santa Monica Mountains, Mount Baldy and the City lights to the north of Rolling Hills, and that since 2012 the Hanoldts had failed to maintain the trees located upon their property such that the view from 18 Portuguese Bend Road was significantly impaired. Pursuant to the Complaint, the Nuccions requested that their view be restored to the condition that it was in during April of 2009.

Pursuant to Rolling Hills Municipal Code 17.26.040(B), the Complaint was referred to a mediator and both parties engaged in mediation; the mediation was unsuccessful. The Nuccions thereafter applied to the City's Committee on Trees and Views ("CTV") in order to resolve the Complaint. By the end of December 2014, City staff had informed the Nuccions that their application was incomplete and requested additional information; this information was not provided to the City until February 4, 2015.

After several phone calls, City staff held public hearings (per Rolling Hills Municipal Code Sections 17.26.040(C) and 17.26.050(A)-(E)) were conducted before the CTV on March 17, 2015, April 21, 2015, May 14, 2015, July 7, 2015, July 21, 2015 and September 22, 2015. Additionally, the CTV attended a daily public field trip to both the 15 and 18 Portuguese Bend Road properties on April 21, 2015. At each of the aforementioned meetings, evidence was received from all persons interested in the matter and from members of City staff. The CTV reviewed, analyzed and studied the evidence submitted.

At its July 7, 2015 meeting, the CTV determined that it did not have sufficient evidence to determine whether the trees located at 15 Portuguese Bend Road that are the subject of this Complaint ("Obstructing Trees") were mature in April of 2009 and directed the City to retain a certified arborist to provide an opinion as to the maturity of the Obstructing Trees. The City conducted a request for proposals and selected David de la Torre as the independent arborist. Mr. De La Torre concluded that of the 11 trees at issue, only two (trees #4A and #7) were not mature in 2009 and would therefore be eligible for restoration under Measure B. Notwithstanding the report of Mr. De La Torre, the historical photographs in ROLLING HILLS The Early Years, by A.E. Hanson (1978), in addition to other

substantial evidence in the record, indicated that of the 11 Obstructing Trees, only trees #9 and #9A were mature when the Nucleons acquired their property in 2009, thereby rendering the remaining nine (9) Obstructing Trees eligible for removal under Measure B. Ultimately, the CTV found that: (1) a view (as defined in the Municipal Code) existed from 18 Portuguese Bend Road when the Nucleons acquired the property in 2009; (2) the view from the Nucleons' property is significantly impaired because 11 trees located at 15 Portuguese Bend Road impair the view of the City lights from the Designated Viewing Area; and (3) remedial action on the nine (9) Obstructing Trees is necessary to eliminate the view impairment by creating clear corridors and views through the trees. To this effect, the CTV adopted Resolution No. 2015-09-CTV on October 7, 2015.

On October 27, 2015, the Nucleons filed an appeal of the CTV's decision to the City Council concerning the CTV's determination that the nine (9) Obstructing Trees were not mature in 2009. Specifically, in their appeal the Nucleons asserted that: (1) the Nucleons have not established by clear and convincing evidence, or at all, the existence of a protected view over 15 Portuguese Bend Road; (2) there was no view from 18 Portuguese Bend Road prior to April 2009; and (3) each of the trees subject to the Nucleons' complaint are "mature" because they were mature on April 22, 2009. Also on October 27, 2015, the Nucleons filed an appeal of the CTV's decision to the City Council concerning the CTV's determination that trees #9 and #9A were mature in 2009 and ineligible for removal under Measure B; it is determined that the Nucleons claim arose out of the CTV's unexplained and unacknowledged decision to reject the Nucleons' appeal over a night. Both appeals were timely filed pursuant to Rolling Hills Municipal Code section 17.26.030(C) and the provisions of Chapter 17.54.

At the November 23, 2015 City Council meeting, City staff provided an overview of the case and the evidence for the Council's consideration. Thereafter, the Council heard public testimony and considered the meeting by scheduling a field trip to both properties which, after attending to a question, was held on March 21, 2016. At the field trip, the City Council determined that the Nucleons had a view (as defined by Rolling Hills Municipal Code section 17.12.220), which could be observed from the living room at the camp site of the residences and a golfed deck and immediately adjacent terrace along the northern side of the residence.

At the April 25, 2016 City Council meeting, the Council was provided with aerial photographs of both properties, a list of the Obstructing Trees, tree measurements and calculations determining the age of the Obstructing Trees and their heights in 2010 (provided by Mr. Howard Weinberg, attorney for the Nucleons), a photographic analysis to determine the height of the trees in 2010 (prepared by Mr. Annette Knight, a 3D Engineer, on behalf of the Nucleons), and a declaration provided by Mr. Brandon Gill (an architect hired on behalf of the Nucleons). The Council also heard testimony from Mr. Rajan Green, a Registered Consulting Architect (hired by the Nucleons); Mr. Diana Nucleon; Mr. Howard Weinberg; and Mr. Hal-Light with regard to the maturity of the Obstructing Trees. At the conclusion of the public hearing, and after careful deliberation, the City Council concluded on the basis of the evidence that the Nucleons had a view from their property; that only two of the Obstructing Trees were mature in 2009. The City Council then directed staff to return with a resolution declaring that the view from 18 Portuguese Bend Road is significantly impaired by the nine identified impeding trees located on 15 Portuguese Bend Road, and setting forth measures action to eliminate impairment.

In the course of implementing that decision, the City Attorney's staff determined that it would be beneficial to introduce an intermediate step in the process in order to ensure that the findings placed into the resolution were consistent with the Council's decision and with the requirements of the applicable provisions of the Municipal Code. Consequently, in anticipation of the June 15, 2016 City Council meeting, staff prepared a report outlining all of the evidence presented to date relating to the extent of the view which existed from the Nucleons' property in April of 2009 and presented three options for the City Council to consider: (1) review the evidence supporting the existence of a view in 2009 and suspend the decision from April 25, 2016 and direct staff to return with a resolution upholding the CTV's October 7, 2015 decision; (2) suspend the public hearing after public notice and schedule another hearing; or (3) provide alternative direction to staff. During the course of the June 15, 2016 meeting, the Nucleons provided additional evidence which had not been submitted during the hearing. This supplementary above-the-bar evidence demonstrated to the Council that additional evidence existed which the parties had not previously presented to the Council for its consideration; therefore, in an effort to ensure that the entire universe of evidence was properly being considered, the Council moved to reopen the public hearing for the limited purpose of considering the issue of whether a view existed at the time the Nucleons acquired their property. The Council further instructed the Nucleons to submit digital copies (including the metadata) of all photographs that had been submitted in support of the view impairment complaint, and instructed both parties to submit any and all additional evidence for the Council's consideration.

**Section 3.** On October 24, 2016, the City Council held a duly noticed public hearing (Rolling Hills Municipal Code Sections 17.26.020(C) and 17.26.050(A)-(B)) to conclusively determine the extent of the Nuccione's view as it existed in April of 2009. Evidence was presented by all interested parties, including the Henshaws; the October 15, 2015 declaration of Mr. Martin Janssen; email exchanges between the Henshaws and the Nuccione; the photographs received by the City on April 25, 2016; the exhibit reports of Mr. Denis Rinta, Mr. William McKelvey, and Mr. David De la Torre; the photographic analysis prepared by Mr. Alexander Kostin; the metadata of the photos submitted along with a summary of said photos, provided by Mr. Weinberg; correspondence submitted by Mr. Weinberg including the declarations of Stephen Nuccione, Ryan Nuccione, Margaret Schmitt, Stephen Sigelman, Keith Kelley, Brian Santora, Virginia Ryan, Sean Carleton, James C. Roberts III, and Maugh Kachala; and correspondence submitted by Mr. Light, including the declaration of Mr. Robert M. Green. The Council also heard testimony from Mr. Green, Mrs. Henshaw, Mrs. Nuccione, Mr. Light, Mr. Weinberg and Dr. Nuccione. This evidence was fully considered by the City Council, whose findings are captured in further detail below.

**Section 4. The City Council finds as follows:**

**A.** Pursuant to Rolling Hills Municipal Code section 17.26.020(3) the burden of proof to show that any view is impeded shall be upon the party claiming such impairment, and the standard shall be by "clear and convincing evidence." Evidence shall be weighed in the following order of priority: (1) photographs; (2) expert testimony; and lastly (3) other evidence, which may include testimony evidence and any documentation (other than photographs).

**B.** Pursuant to Rolling Hills Municipal Code Section 17.26.050 B(3), a view as defined in Section 17.12.220 of this Municipal Code existed from 15 Portuguese Bend Road while the Nuccione occupied the property in 2009. The Council finds, pursuant to the March 21, 2016 findings to the property located at 15 Portuguese Bend Road, that the viewing area from the Nuccione's property includes a living room at the north side of the residence and a pool/pool deck area immediately adjacent thereto along the northern side of the residence, from the standing perspective of an average height person ("Designated Viewing Areas").

**C.** The Nuccione provided numerous photographs of their view from the Designated Viewing Areas; four photographs have handwritten dates claiming that the photographs were taken in either 2010 or 2011. The Council notes that the photographic evidence in this case is further compromised by the fact that the Nuccione had the opportunity to, and in fact did, arrange for the trimming of the trees on 15 Portuguese Bend Road prior to the date that the Henshaws purchased their property in 2012. Pursuant to a recent request for the production of metadata, the earliest photograph submitted for the Council's consideration was taken during dusk on July 14, 2010; this image is dark and does not adequately/clearly depict the Offending Trees. For these reasons, none of the photographs submitted, including the July 14, 2010 photograph, conclusively establish the view as it existed in from the Nuccione's property in 2009.

**D.** In the absence of clear and convincing testimony evidence provided by the experts and conclusive photographic evidence, the Council relied heavily upon the declarations of the parties and their witnesses to establish the scope of the view from 15 Portuguese Bend Road. The Council commented on the integrity of the declarations provided by the Nuccione, and found their declarations persuasive. Specifically, the Council found the declaration of Mr. Roberts (whose father sold 15 Portuguese Bend Road from 2005-2011) to be particularly persuasive. Additionally, the Council concluded that the MLS listing from February 2008 established clear and convincing evidence that a view existed from 15 Portuguese Bend Road at or about the time the Nuccione purchased their property. The listing included a description of the view as follows: "Panoramic City Lights and partial ocean views... Pool and spa overlooking views." The Council finds persuasive the testimony provided that the Nuccione relied upon this statement in viewing the home and would not have purchased the home if it did not in fact have the views described in the 2008 MLS listing.

**E.** The only evidence proffered by the Henshaws to rebut the evidence provided by the Nuccione is a report by architect Robert Green, who concludes on the basis of aerial photographs of some of the Offending Trees dated 2008 that a view could not have existed from the Nuccione property in 2009. However, while the aerial photographs show the height and spread of the trees from above, they do not show how the trees affected the view from the Designated Viewing Area on the Nuccione property. Mr. Green argues from the aerial photographs that the Nuccione "could not" have had a view; however, the Council finds this testimony to be speculative because the photographs do not take into account the height differential and viewing angle from the Nuccione residence. Furthermore,

the Hammonds did not provide any contrary documentation. The Council finds that the overwhelming documentary evidence of persons who visited the property in 2009 outweighs the speculative conclusion derived from aerial photographs.

F. Pursuant to Rolling Hills Municipal Code Section 17.12.220 "View Impairment," Section 17.26.050(2)(b) and Section 17.26.050 (3), the Council finds that the Hammonds have shown by clear and convincing evidence that the view from the Hammonds' property is significantly impaired because 11 trees located at 15 Portuguese Bend Road significantly impair the view of the Santa Monica Mountains, Mount Baldy and the City lights from the Designated Viewing Area. The Hammonds provided an aerial photograph of the Obstructing Trees located at 15 Portuguese Bend Road. The Obstructing Trees have been identified as Tape Kalmia Tree through Title Number 9A, looking in a westerly direction from the perspective of 15 Portuguese Bend Road. The aforementioned photograph is attached as Exhibit A to this Resolution.

G. Further, the Council finds that, while the photographic evidence submitted by the parties was not persuasive with regard to the maturity of the trees, the documentary evidence provided, coupled with the trees and distances depicted in this issue by the CTV indicate that only two of the Obstructing Trees (A9 and A9A) were mature when the Hammonds acquired their property in 2009 and are therefore ineligible for removal under Microsoft B. Therefore, because the remaining nine trees were not mature when the Hammonds acquired their property, the Council hereby rejects alternative action set forth below.

H. Lastly, the Council determined that nine (9) of the Obstructing Trees were not mature and therefore subject to removal under options 17.26.010 and 17.26.050 of the Rolling Hills Municipal Code. On the issue of maturity, the Council considered the following evidence:

(1) The June 16, 2015 Certified Arborist Report prepared by Mr. Drew Shute (retained by the Hammonds). Mr. Shute observed the Obstructing Trees from the Hammonds' property; he determined that any conclusions drawn from the height of the trees would be inaccurate because the trees have been pruned/managed. Mr. Shute provided a list of 20 trees located on the Hammonds' property that he determined were mature; he explained that was provided for this determination. Lastly, Mr. Shute's report concluded a statement that "[a] lot of the trees that are mature were planted in 1937." It is unclear from Mr. Shute's report to whom this uncorroborated statement is attributed. The CTV determined that the conclusions reached by Mr. Shute were inaccurate because there were virtually no trees in the City of Rolling Hills in 1937. The balancing of this evidence, and the determinations made by the CVT with regard to it, are confirmed by the City Council.

(2) The June 17, 2015 Certified Arborist Report prepared by Mr. William McKinley (retained by the Hammonds). Mr. McKinley concluded that all eleven of the Obstructing Trees were "actively growing" and therefore could not have been mature in 2009. Mr. McKinley based his conclusion on visual observations made of the Obstructing Trees from the Hammonds' pool deck area, and what he determined to be "cut lines" and evidence of trunk irregularities. Based on historical photographic evidence (which depicted virtually no trees planted in the City in 1937 - other than a few olive trees), the CTV agreed with Mr. McKinley that nine of the Obstructing Trees could not have been mature; however, the CTV disagreed with Mr. McKinley's conclusion that the two olive trees planted on the Hammonds' property were mature (as they had arguably been planted in the City around 1937). The balancing of this evidence, and the determinations made by the CVT with regard to it, are confirmed by the City Council.

(3) The September 2, 2015 Certified Arborist Report prepared by Mr. David De La Torre (retained by the City). Mr. De La Torre observed the Obstructing Trees from the Hammonds' property. Using a mathematical equation to determine the age of the trees, Mr. De La Torre explained how he determined their maturity. Mr. De La Torre determined that the average age of the Obstructing Trees was 62 years old (five of ten trees was 141, while the youngest was 15). Based upon this information, Mr. De La Torre concluded that of the eleven Obstructing Trees, nine (9) were mature and only two (2) were immature. Based on historical photographic evidence, the CTV disagreed with Mr. De La Torre that nine (9) of the Obstructing Trees were mature; virtually no trees had been planted in the City in 1937 (other than a few olive trees), therefore the nine (9) trees indicated by Mr. De La Torre could not have been mature in 2009. The CTV concluded that except for the two olive trees located on the Hammonds' property, the remaining nine trees were immature and therefore subject to removal. The balancing of this evidence, and the determinations made by the CVT with regard to it, are confirmed by the City Council.

(4) The August 28, 2015 Certified Arborist Report prepared by Mr. Kevin Robert (retained by the Hammonds). Mr. Robert maintained that all eleven of the Obstructing Trees were immature; his conclusions were derived from the "2010/2011" photographs that had been submitted by the Hammonds and a "video review" of the view from the Hammonds' pool deck area. Based on historical photographic evidence (which depicted virtually no trees planted in the City in 1937 - other than a few olive trees), the CTV agreed with Mr. Robert that nine of the Obstructing Trees could not have been mature; however, the CTV disagreed with Mr. Robert's conclusion that the two olive trees planted on the



Residential property were existing (so they had originally been planted in the City around 1937). Furthermore, the Council had subsequently learned from the residents' personal recollections in October, that the photographs relied upon by Mr. Bolter had actually been taken between 2011-2012; therefore, the Council concluded that the testimony of the committee staffed by Mr. Bolter was questionable.

(9) The April 16, 2016 and May 12, 2016 reports prepared by Mr. Vincent Kostick (3D Engineer retained by the Nucleon). Mr. Kostick was asked to review photographs provided to him by the Nucleon, which also was told were taken in 2010; as well as aerial photographs of the Resnick property taken between 2008-2012. Mr. Kostick took these photographs and created 3D renderings of them, from which renderings he mathematically determined the height of each tree based on the length of the shadows they cast. The Council determined that the evidence provided by Mr. Kostick was inconclusive as it was later revealed that the dates of the photographs provided by the Nucleon were not taken in 2010, but rather in 2011-2012. Furthermore, the data provided by Mr. Kostick averred conflicting and inconsistent evidence related to the height of the trees over time.

(10) The February 2, 2016 and October 13, 2016 declarations of Mr. Robin Green (certified arborist retained by the Nucleon). Mr. Green conducted a site inspection at the Resnick property to determine whether that was being conducted. Mr. Green does not contradict Mr. Kostick's method to be a reliable way to determine the maturity of the trees. Mr. Green provided his own aerial photographs from 2008 and 2011 to call into question the accuracy of the data Mr. Kostick relied upon; specifically, Mr. Green calls attention to the varying height of the utility poles and the evidence of tapping in Mr. Kostick's photographs. However, the Council determined that in either declaration Mr. Green does not provide an opinion as to whether or not the trees were mature. Ultimately, the Council finds that the weight of the evidence supports a finding that at least (7) of the Obstructing Trees were not mature in 2010 and that extensive action on the site (7) Obstructing Trees is necessary to clear the view impairment by creating view corridors and a view through the trees.

3. Pursuant to Rolling Hills Municipal Code Section 17.26.050(B), the Council finds the restorative action set forth below in this Resolution is necessary to clear the view impairment by creating view corridors and view through trees, that the restorative action will not adversely affect the environment, and that the action will not unreasonably detract from the enjoyment or privacy of the property at 15 Portuguese Bend Road. While the record indicates that the Resnick retained unspecified trees in January or February of 2016, the Council nonetheless finds that the restorative action set forth in Section 5 of this Resolution meets the requirements.

4. The City reviewed the proposed restorative action's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq., "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the "CEQA Guidelines") and determined the proposed project to be exempt from environmental review pursuant to Section 15304 (Exempt Alterations of Land) and Section 15061(b)(3) (Common Sense Exemption) of the CEQA Guidelines. The project is exempt because no trees will be removed. Instead, the Obstructing Trees will be cleared out, shaped and trimmed and a substantial amount of the foliage will remain. No evidence was introduced to suggest that the restorative action will cause an adverse environmental impact. Thus, it can be said with certainty that there will be no environmental impact from the proposed action.

Section 5. The Council enacts the following restorative action pursuant to Rolling Hills Municipal Code Section 17.26.050(B):

A. Pursuant to Rolling Hills Municipal Code Section 17.26.050(A), within thirty (30) calendar days of adoption of this Resolution, the Nucleon is hereby required to obtain and present to the Owners of 15 Portuguese Bend Road, a minimum of three (3) bid item from licensed qualified contractors for the performance of the Initial Restorative Action set forth in this Resolution as well as a cash deposit in the amount of the lowest bid. The contractors must provide insurance which protects and indemnifies the City and the Nucleon from damages attributable to negligence or wrongful performance of the work. Any such insurance shall be subject to the approval of the City.

B. Pursuant to Section 17.26.050(B), the Owners of 15 Portuguese Bend Road may select any licensed and qualified contractor to perform the Initial Restorative Action (defined below) so long as the insurance requirement of the above paragraph is satisfied, but shall pay for any cost above the amount of the cash deposit. The work for the Initial Restorative Action shall be completed no later than February 14, 2017 or pursuant to an alternative schedule (but no later than March 1, 2017) if the selected contractor determines that the health of the site would be compromised if the work is performed by February 14, 2017.

C. Subsequent maintenance of the subject vegetation shall be performed at the cost and expense of the owners of 15 Portuguese Bend Road. All vegetation subject to the restorative action described in this Resolution and any future planting, including replacement trees, shall be maintained in

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that the view shown in the photograph to be taken by City staff or designee following the Initial Restorative Action, as detailed below, is preserved. The trees shall be maintained so as to not allow for future view impediments from the Designated Viewing Areas of 15 Portuguese Bend Road. This maintenance shall be done in the winter months (December - March) and shall be completed by March 1 of each year in which the work is to be done, as specified in paragraph F of this section of this Resolution.

D. An informational covenant shall be recorded against the title of 15 Portuguese Bend Road and shall run with the land, thereby giving notice of this Resolution to all future owners.

E. Initial Restorative Action shall be limited to the 9 Obstructing Trees as identified in the table below.

F. The Initial Restorative Action shall consist of the following:

TYPE OF TREE AND TREE	LOCATION	ACTION	MAINTENANCE
1	Banyan	NO ACTION	NO ACTION
2	Banyan - along driveway	Trim, shape & correct canopy to no higher than the current height of the tree	Every two years
3	Washington Red Palm along NE side of property	Remove the dead fronds	Every two years
3-A	Washington Red Palm along NE side of property	Remove the dead fronds	Every two years
4	Banyan & various volunteers S/W corner of lot	Lower the canopy and trim to old cuts for city view	Every two years
4-A	Olive & various volunteers S/W corner of lot	Lower the canopy and trim to old cuts for city view	Every two years
5	Banyan - by garage	Reduce crown to a height of 45 feet above ground	Every two years
6	California Pepper along front	Shape & reduce canopy to old cuts	Every two years
6-A	California Pepper along front	Shape & reduce canopy to old cuts	Every two years
7	Olive Tree along front S/E corner	Shape, reduce crown and trim to old cuts for city view	Every two years
8	Acacia	NO ACTION	NO ACTION
9	Olive Tree - lawn area	NO ACTION	NO ACTION
9-A	Olive Tree - lawn area	NO ACTION	NO ACTION
TOTAL 9 Trees Subject to Initial Restorative Action			

The locations of the above listed trees are shown on the aerial photograph attached hereto as Exhibit A.

G. The actions described above shall be accomplished per ISA industry standards and best arborist practices, and the following definitions shall apply:

**Crown Reduction:** Height reduction to specified height by removing selective branches, deadwood, stems and foliage to reduce the height and spread of a tree.

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Later: Trim out thick areas of the canopy to expose the structure of dominant branches, clean out the crown, shaping and balancing the tree.

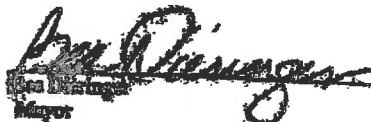
**Resolution 1.** Upon conclusion of the Initial Restorative Action, the Board shall contact the City and the Homeowner to schedule a site visit to 15 Portuguese Bend Road, during which City staff shall take photographs of the Designated Viewing Area to be attached as Exhibit B to this Resolution for the purpose of establishing the level of restorative action for future maintenance. The Homeowner may attend this site visit as observers only.

**Resolution 2.** There shall be no restorative action required for the remainder of the trees on the property at 15 Portuguese Bend Road not listed in the Initial Restorative Action in this Resolution. However, trees on the property not included in this Resolution shall be maintained at current configuration and any new growth that extends into the view established by this Resolution shall be removed at the same time as the maintenance is conducted for the Obstructing Trees, at the sole expense of the Owners of 15 Portuguese Bend Road.

**Resolution 3.** The parties by mutual agreement, if they so desire, may modify the implementation action in this Resolution, as set forth in Rolling Hills Municipal Code Section 17.26.030(D). Any such mutual agreement shall be recorded.

**Resolution 4.** In the event that any party requests inspection of implementation of Resolution 1196 on grounds that the restorative action or maintenance is not compliant with this Resolution, the City may be obligated to incur substantial costs in investigating the complaint. Therefore, the City shall be entitled to recover its costs from a non-compliant party, for activities including, but not limited to, hiring independent consultants.

**RESOLVED, APPROVED AND ADOPTED** by Members of the City Council this 28<sup>th</sup> day of November 2016.

  
Mayor

ATTEST:

  
Heidi Dorn  
City Clerk

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

The foregoing City Council Resolution No. 1196 entitled:

**A RESOLUTION OF THE ROLLING HILLS CITY COUNCIL  
DENYING THE APPEALS OF DEL. AND MRS. STEPHEN NUCCION  
AND MR. AND MRS. WILLIAM HANOLDT, AND UPHOLDING  
THE DECISION OF THE COMMITTEE ON TREES AND VIEWS BY  
DECLARING THAT SPECIFIC TREES LOCATED ON THE  
PROPERTY AT 15 PORTUGUESE BEND ROAD HAVE CAUSED  
SIGNIFICANT VIEW IMPAIRMENT TO THE VIEW FROM THE  
PROPERTY LOCATED AT 15 PORTUGUESE BEND ROAD AND  
SETTING FORTH RESTORATIVE ACTION TO ABATE THE  
IMPAIRMENT.**

was approved and adopted at a meeting of the City Council on November 22, 2016 by the following roll  
call vote:

**AYES:** Councilmembers Elag, Mirach, Fieger and Wilson.

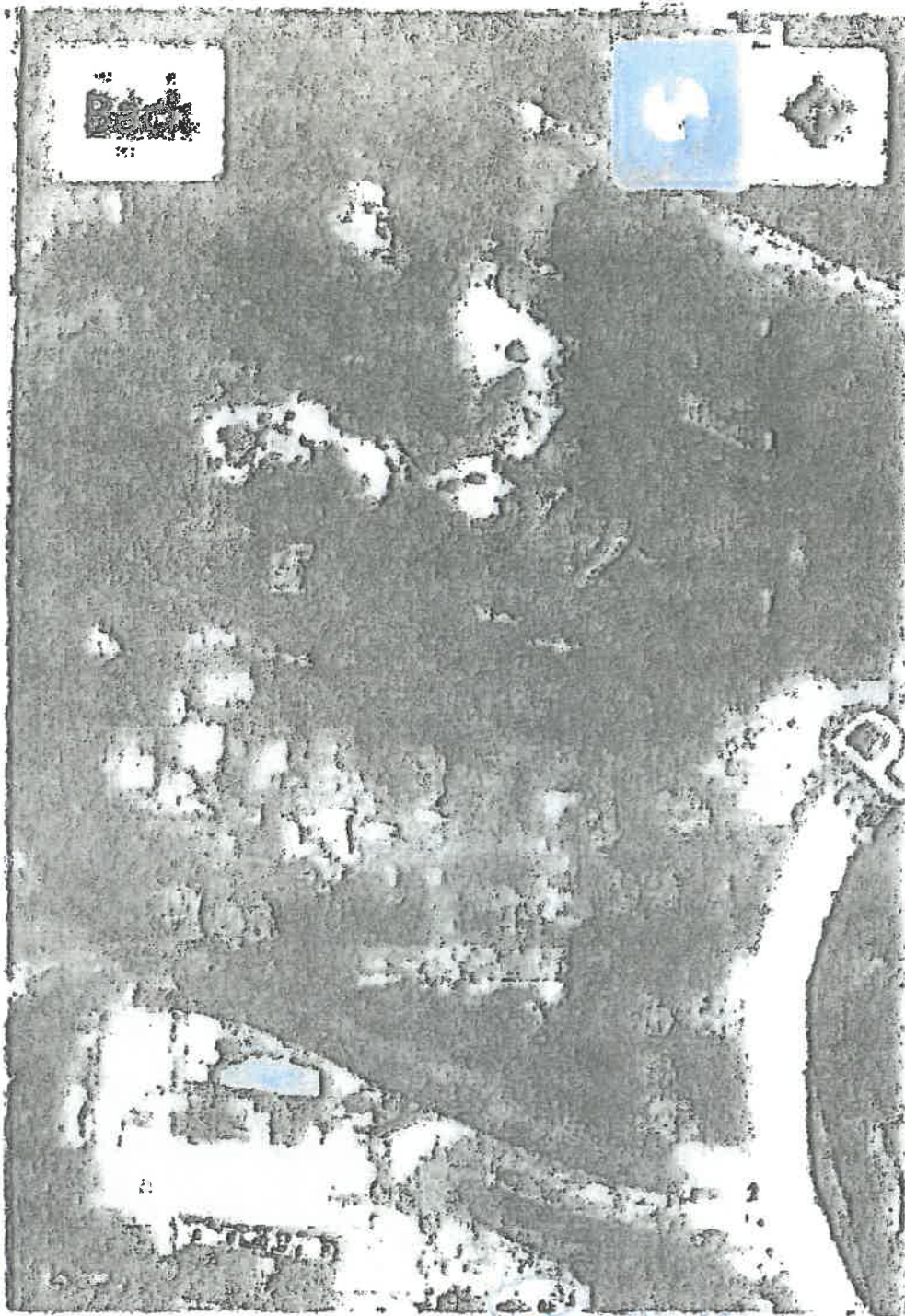
**NOES:** Mayor Diminger.

**ABSENT:** None.

**ABSTAIN:** None.

  
Heidi Luce  
City Clerk

This decision is final and unreviewable. Any person challenging this administrative order must be filed  
with a court of law within the time limits set forth in section 1094.6 of the California Code of Civil  
Procedure.



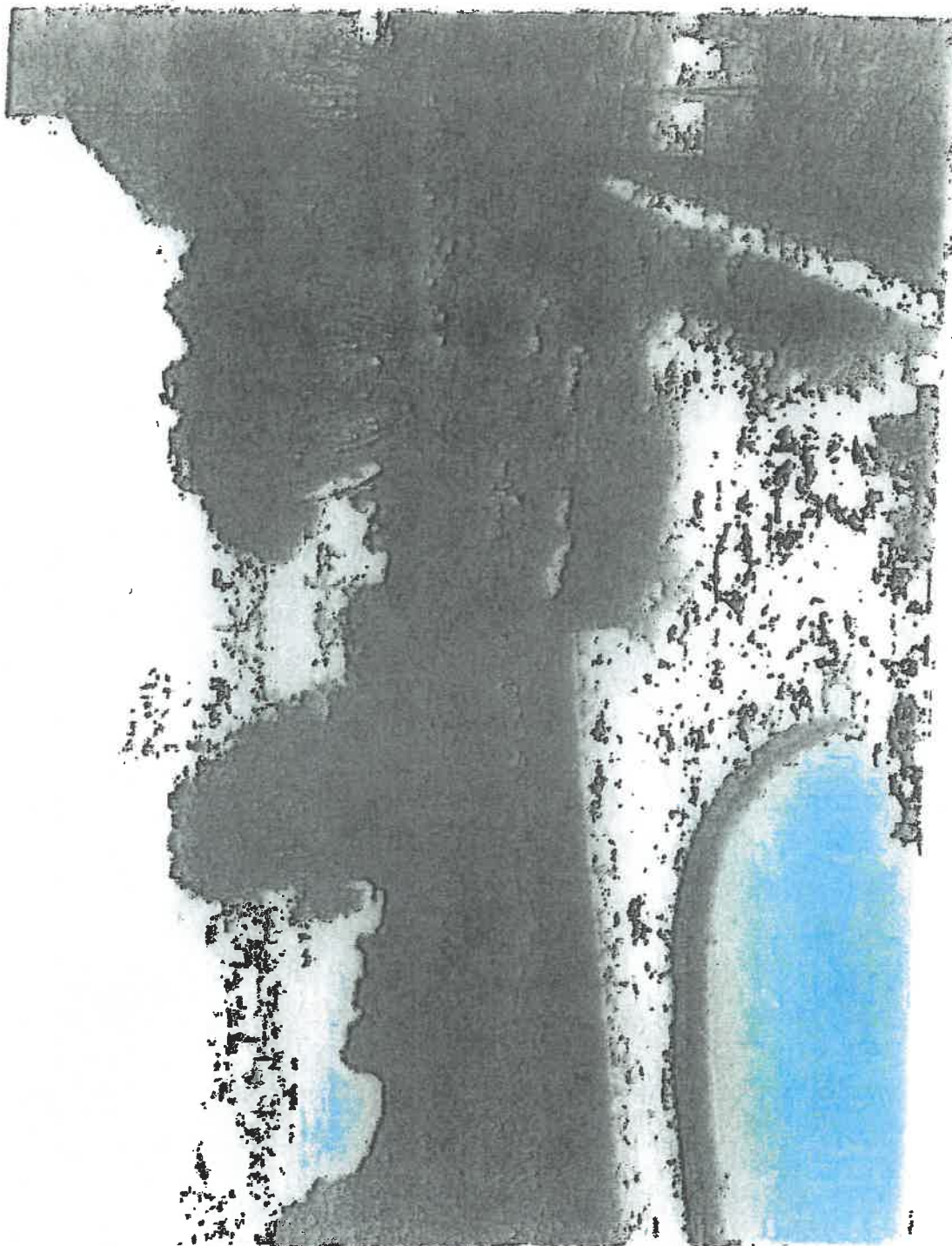
SECRET A

Resolution No. 1196

-9-

Photo taken on May 10, 2017

EXHIBIT B



Resolution No. 1196

-10-



Photo taken on May 10, 2017

EXHIBIT B

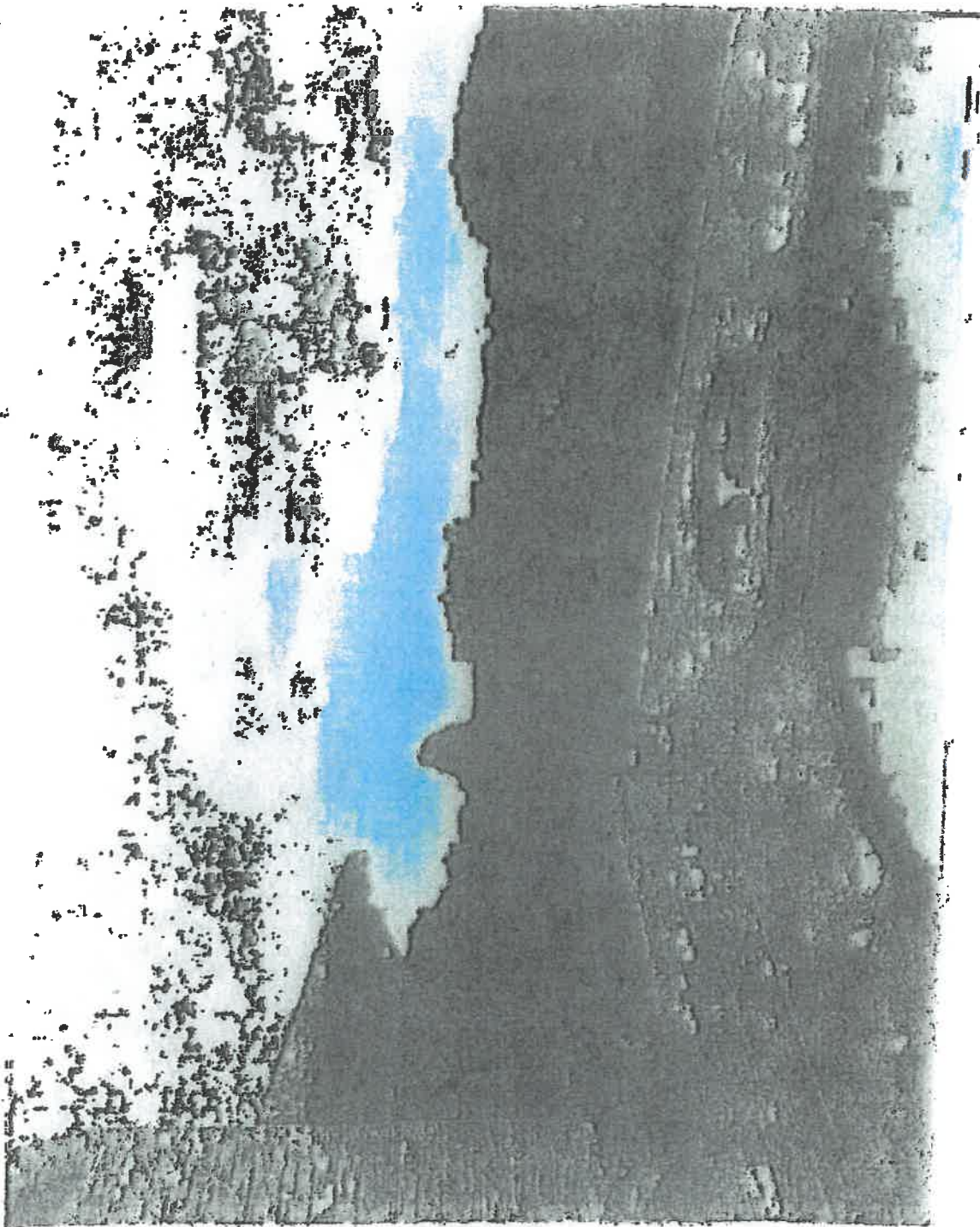


Resolution No. 1195

-11-

**Photo taken on May 10, 2017**

**EXHIBIT B**



**Resolution No. 1196**

**-12-**



Photo taken on May 10, 2017

EXHIBIT B



Registration No. 1196

-13-

Photo taken on May 10, 2017

EXHIBIT B



Handbook No. 1195

-14-



Photo taken on May 10, 2017

EXHIBIT B



Resolution No. 1196

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Photo taken on May 10, 2017

EXHIBIT B



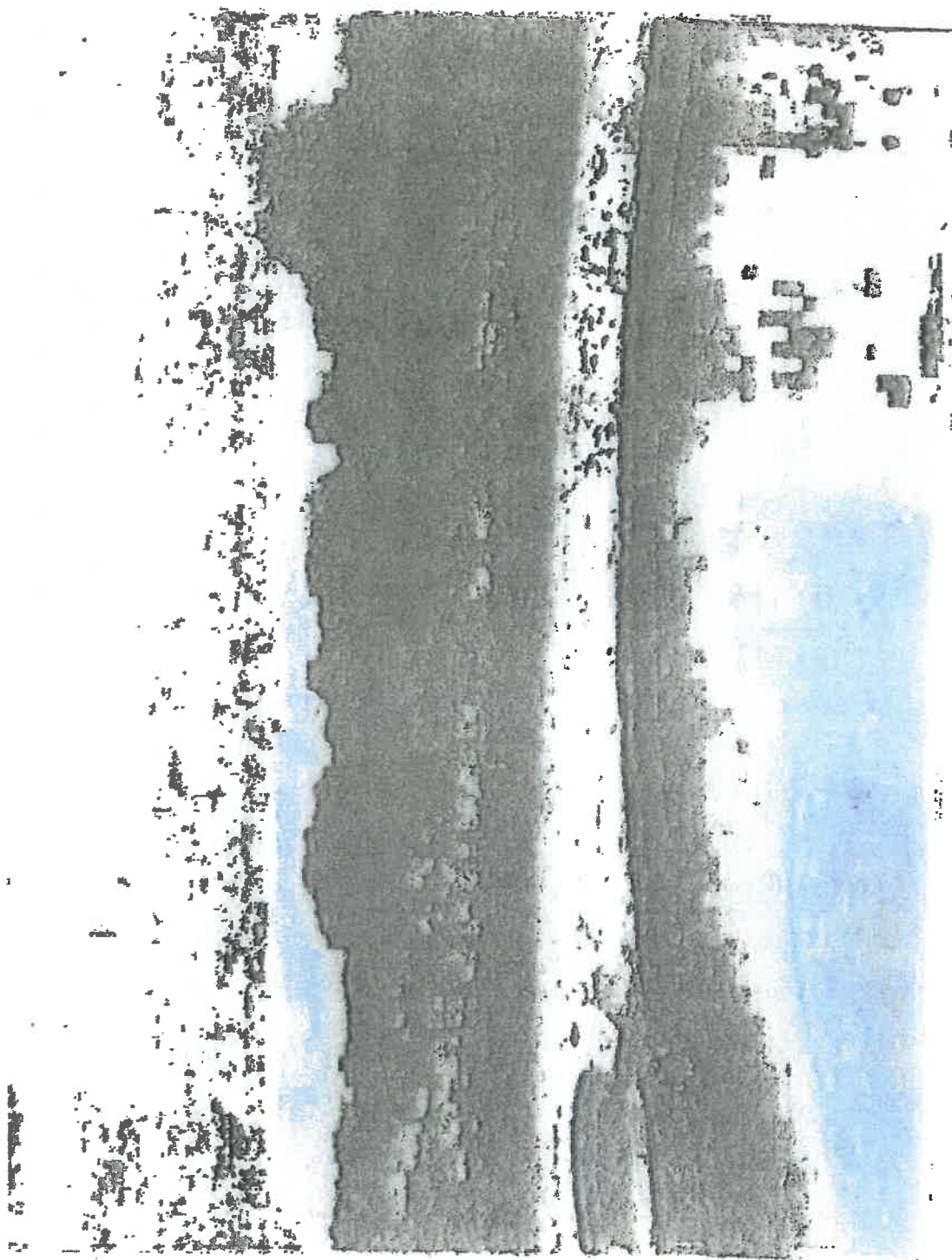
Resolution No. 1196

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Photo taken on May 10, 2017

EXHIBIT B

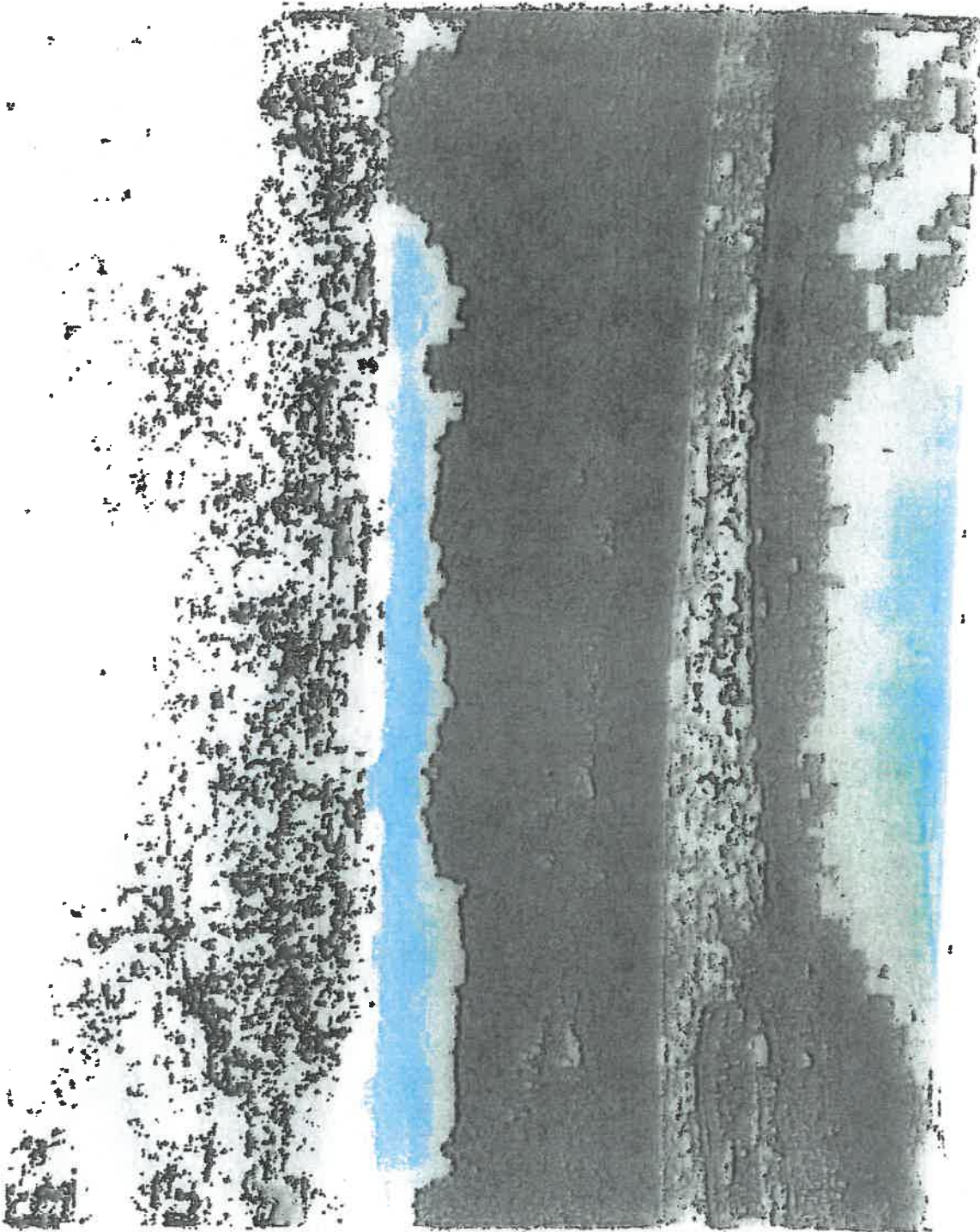


Resolution No. 1196

-17-

Photo taken on May 10, 2017

EXHIBIT B



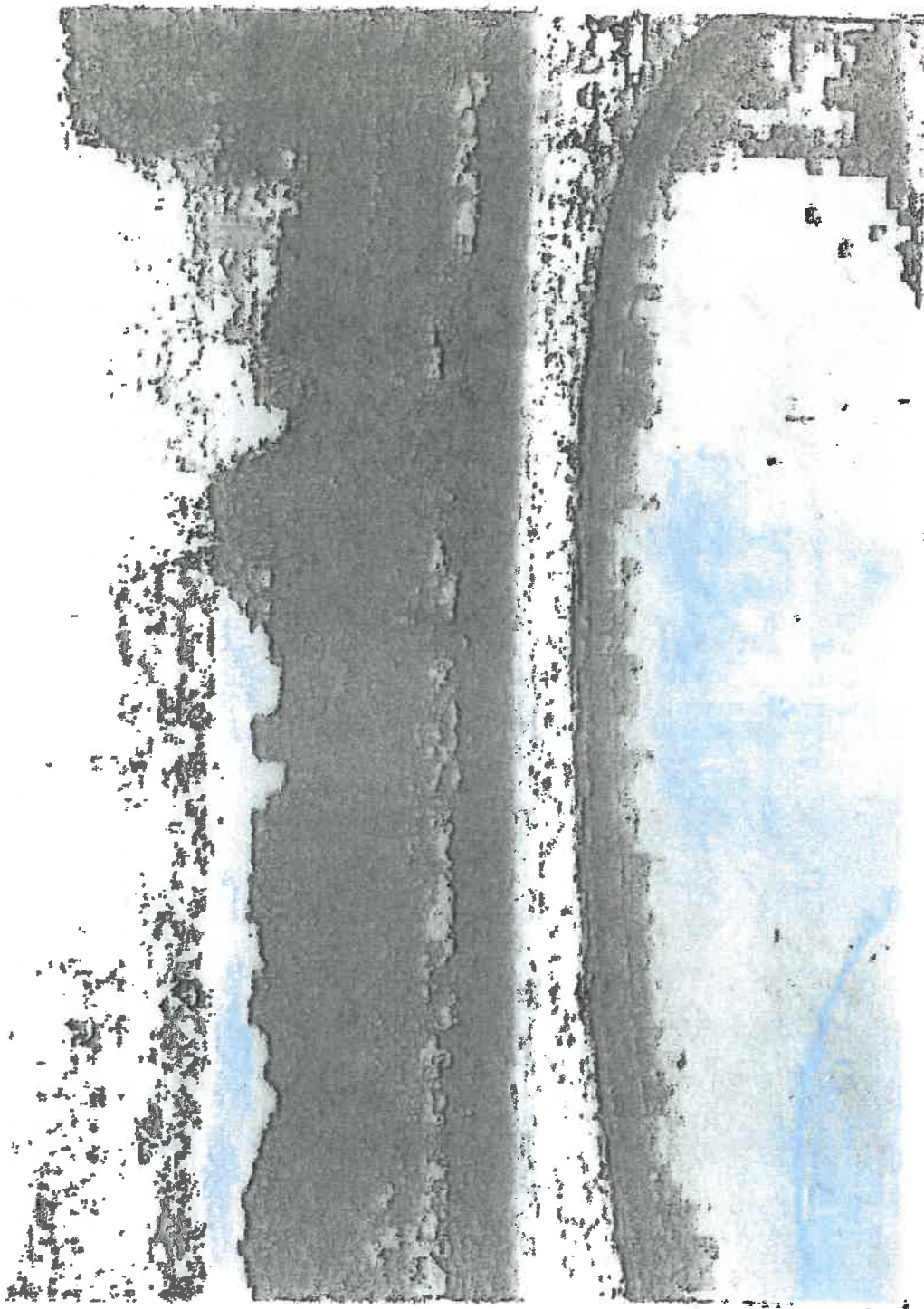
Resolution No. 1196

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Photo taken on May 10, 2017

EXHIBIT B

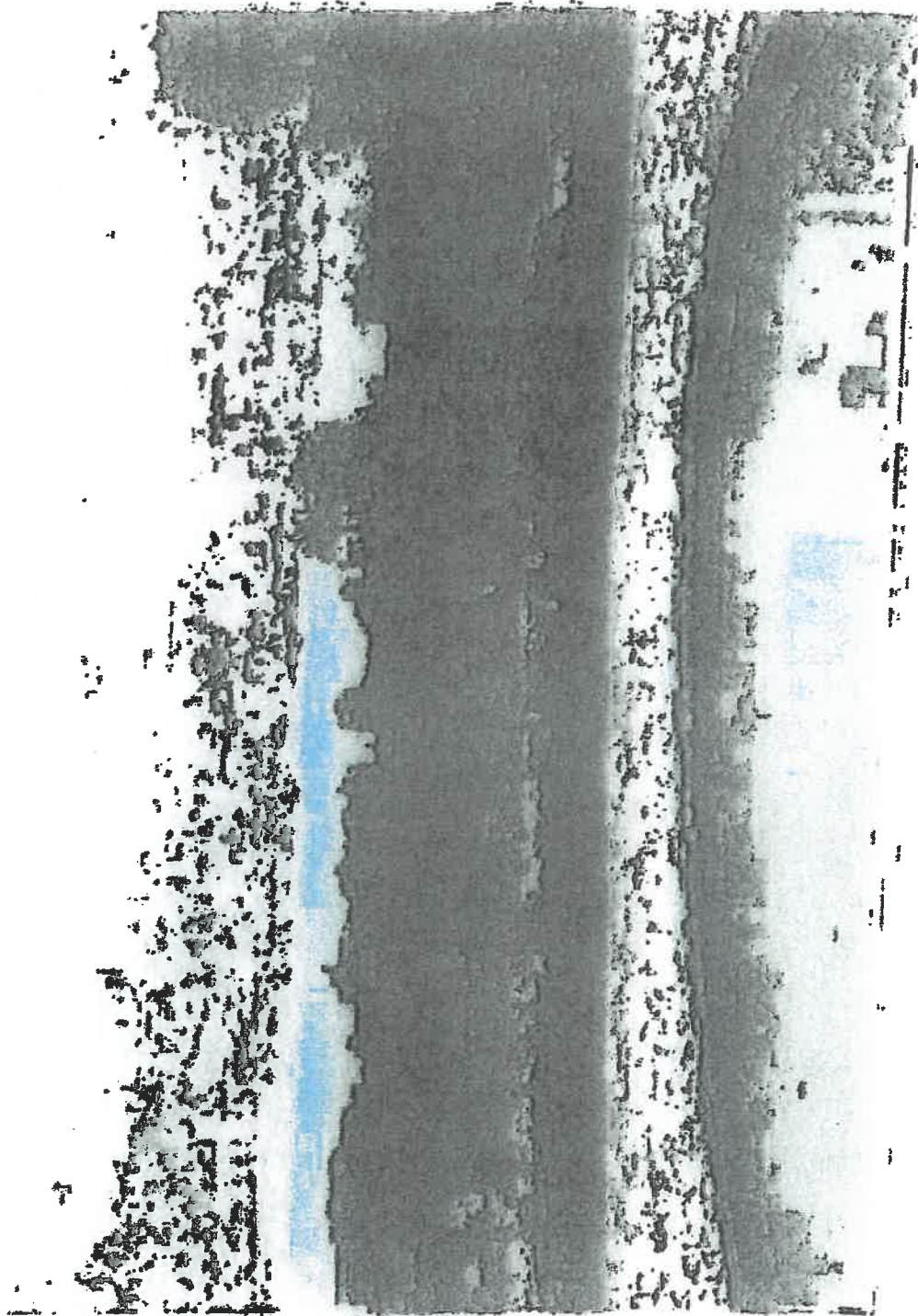


Batched No. 1196

-19-

Photo taken on May 10, 2017

EXHIBIT B



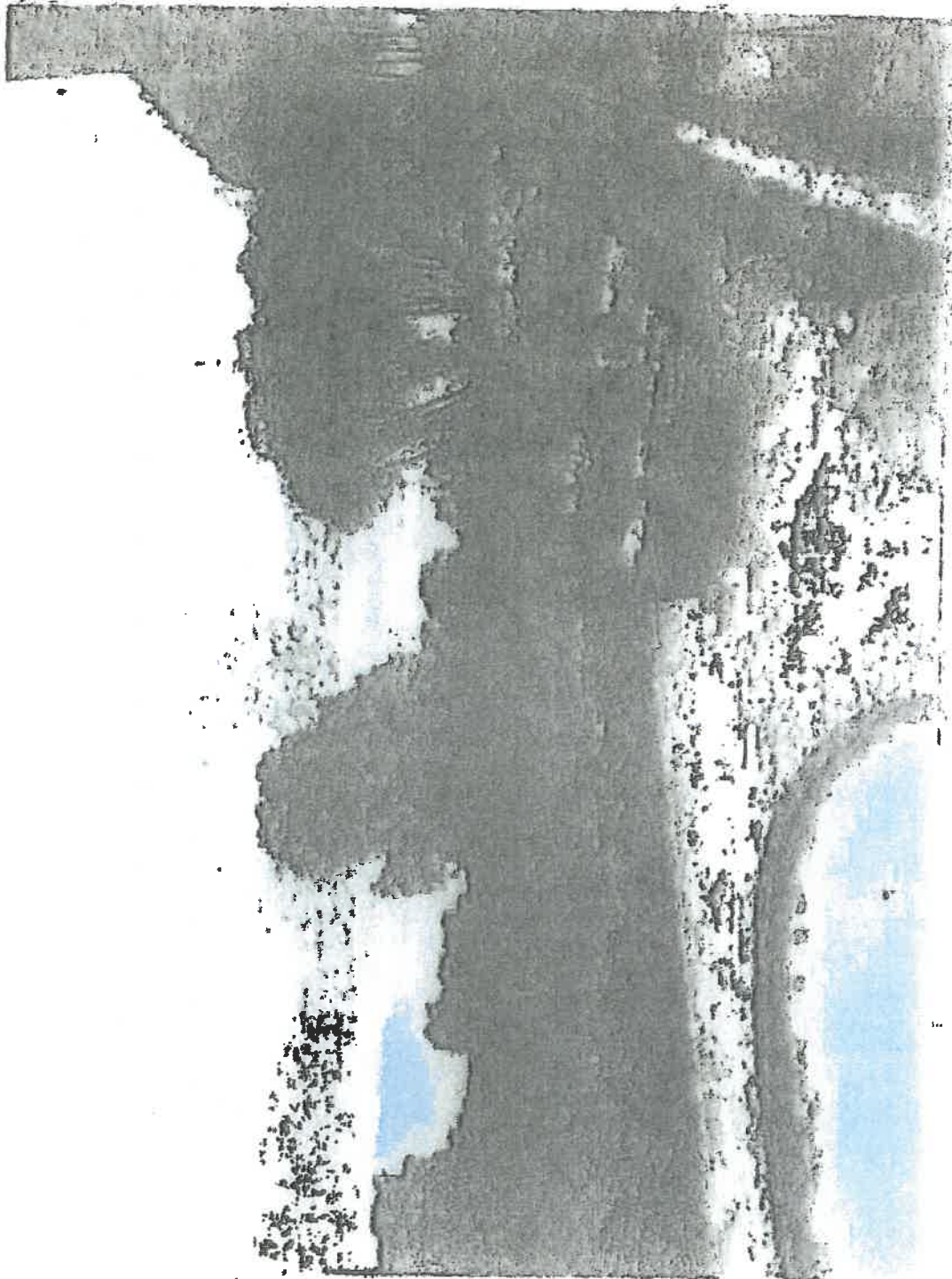
Resolution No. 1196

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Photo taken on May 10, 2017

EXHIBIT B



Resolution No. 1196

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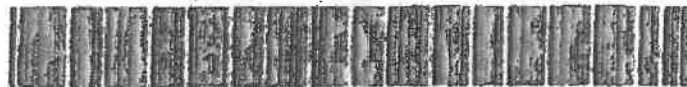
Recorded and Indexed Records  
Recorder's Office, Los Angeles County,  
California

10/26/17 AT 02:18PM

FEES:	0.00
TAXES:	0.00
OTHER:	0.00
<b>PAID:</b>	<b>0.00</b>



LEADSHEET



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SEQ:  
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DAR - Counter (Upfront Scan)



THIS FORM IS NOT TO BE DUPLICATED



RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:

CITY OF ROLLING HILLS  
PLANNING DEPARTMENT  
2 PORTUGUESE BEND RD.  
ROLLING HILLS, CA 90274

(310) 377-1521  
(310) 377-7288 FAX



THIS FORM MUST BE PROPERLY ACKNOWLEDGED BEFORE RECORDATION. **↑ RECORDER'S USE ONLY**

**FIRST ADDENDUM TO INFORMATIONAL COVENANT NO. 20170547814 MEMORIALIZING ORDER OF  
THE CITY OF ROLLING HILLS ABATING A VIEW IMPAIRMENT**

Corrective trimming on an olive tree located on 15 Portuguese Bend Road, City of Rolling Hills, County of Los Angeles, CA 90274 (Lot 78-RH) ("Property") has necessitated an addendum to Informational Covenant No. 20170547814 recorded on May 17, 2017 ("Original Covenant"). The photographs attached as Exhibit C hereto shall reflect the height of the olive tree (identified as tree number 7 in Section 5 of Resolution No. 1196) as intended by Resolution No. 1196 ("First Addendum").

This First Addendum is meant to modify the Original Covenant, but not replace the Original Covenant. Unless modified by this First Addendum, all provisions of the Original Covenant shall remain in full force and effect. The City shall cause this First Addendum to be recorded against the title to the Property in the Official Records of the County of Los Angeles.

**Attachment:**

Exhibit C – Photograph(s) of the olive tree subject to maintenance by informational covenant no. 20170547814 and Exhibit A thereto

CITY OF ROLLING HILLS,  
A California Municipal Corporation

By: Raymond R. Cruz  
Signature of City Manager

Raymond R. Cruz  
Name typed or printed

The following acknowledgment must be completed by a notary public or other official pursuant to California Civil Code Sections 1181 and 1188.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT**

**CIVIL CODE § 1180**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
County of LOS ANGELES )

On 10/26/17 before me, ANTHONY DAY, NOTARY PUBLIC  
Date Here Insert Name and Title of the Officer  
personally appeared RAYMOND R. CEVZ  
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature

Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

Though this section is optional, completing this information can deter alteration of the document or fraudulent replacement of this form to an unintended document.

**Description of Attached Document**

Title or Type of Document: \_\_\_\_\_ Document Date: \_\_\_\_\_  
Number of Pages: \_\_\_\_\_ Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**

Signer's Name: \_\_\_\_\_

☐ Corporate Officer - Title(s): \_\_\_\_\_

☐ Partner - ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: \_\_\_\_\_

Signer is Representing: \_\_\_\_\_

Signer's Name: \_\_\_\_\_

☐ Corporate Officer - Title(s): \_\_\_\_\_

☐ Partner - ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: \_\_\_\_\_

Signer is Representing: \_\_\_\_\_

**EXHIBIT C**



**EXHIBIT C**







03/05/2019

3.3A

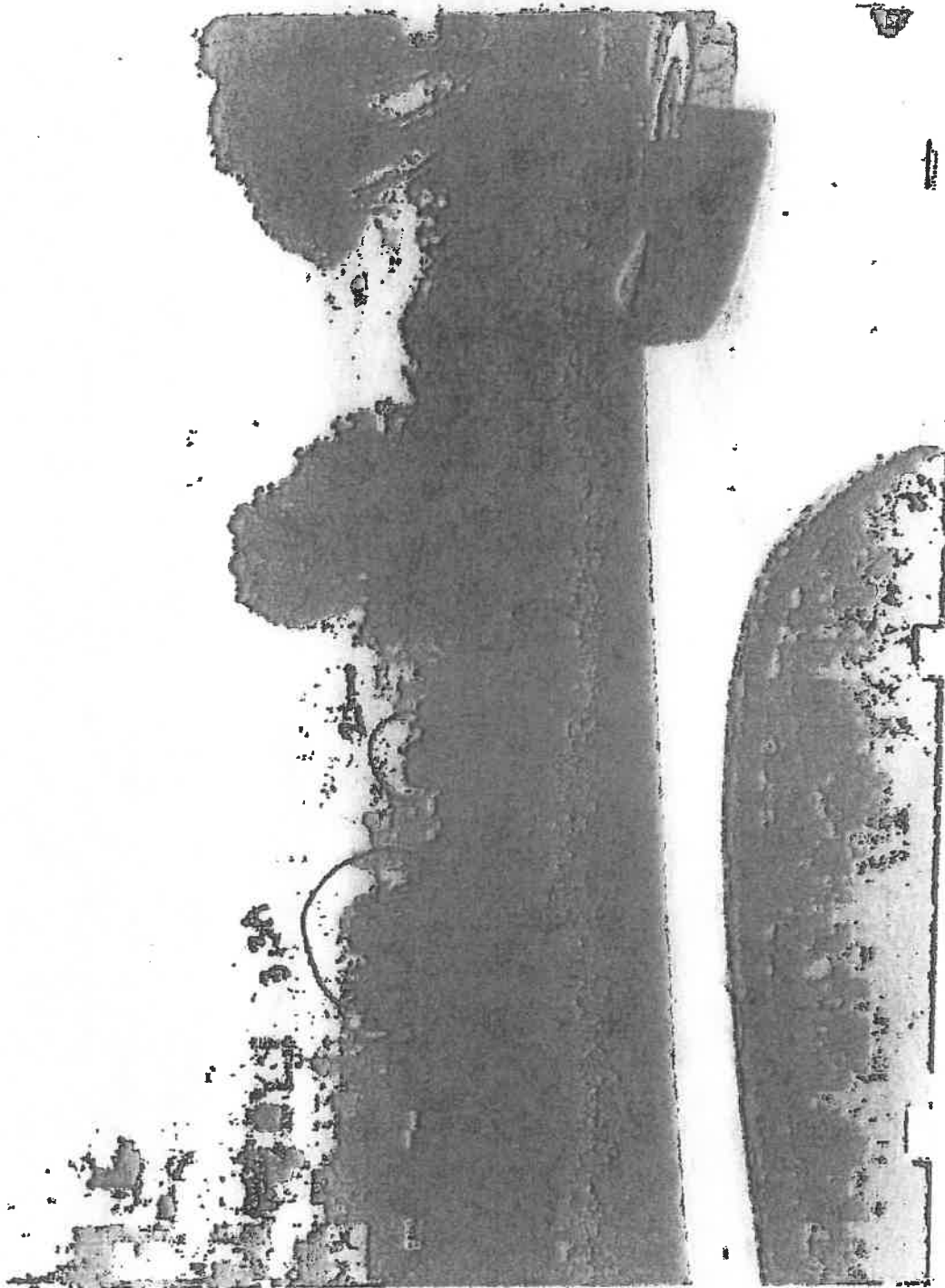
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①

Photo taken on May 10, 2017

EXHIBIT B

①



Resolution No. 1196

-16-

61/75

2



03/05/2019

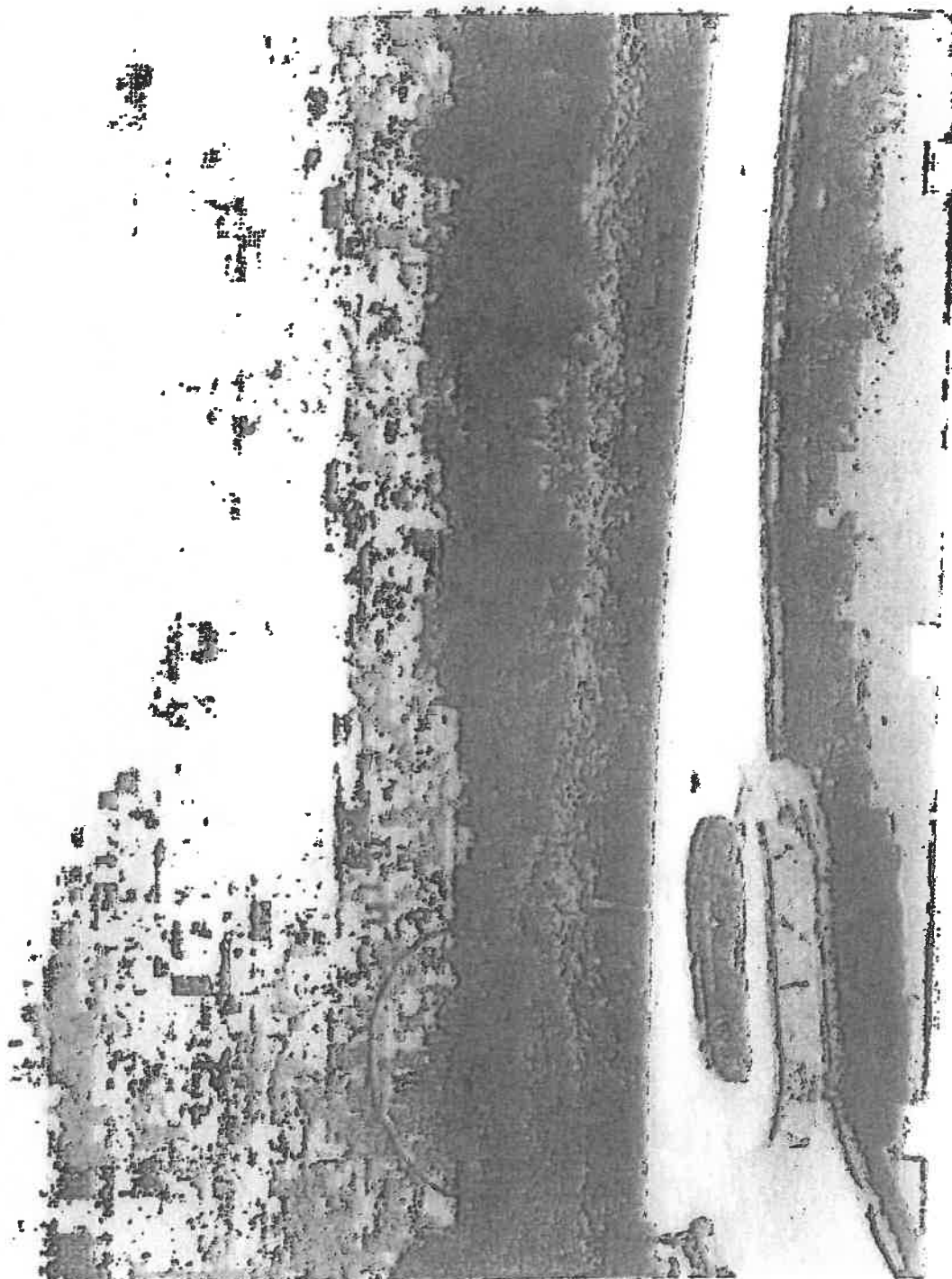
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Photo taken on May 10, 2017

EXHIBIT B.

(2)



Resolution No. 1196

-14-

63/75



3

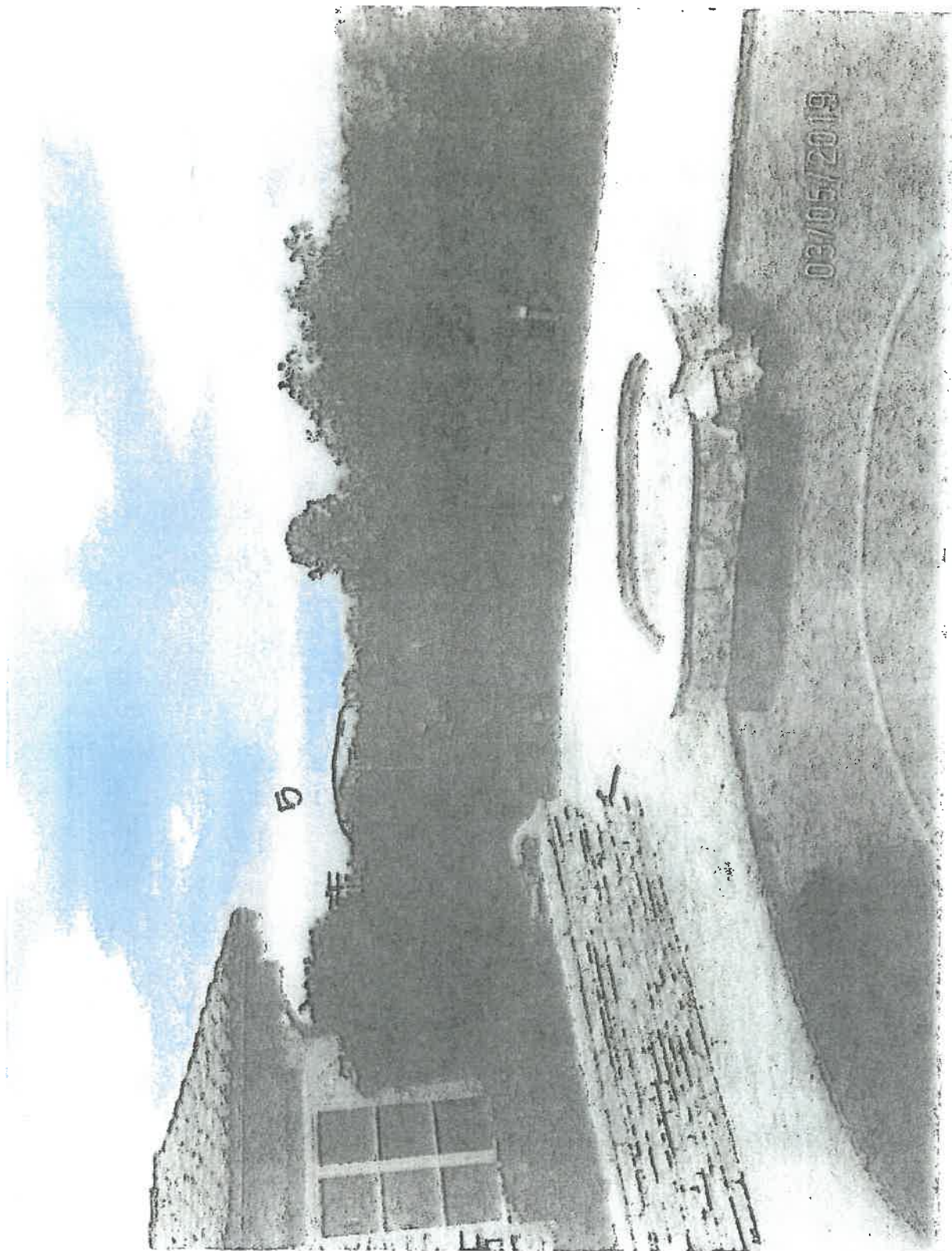
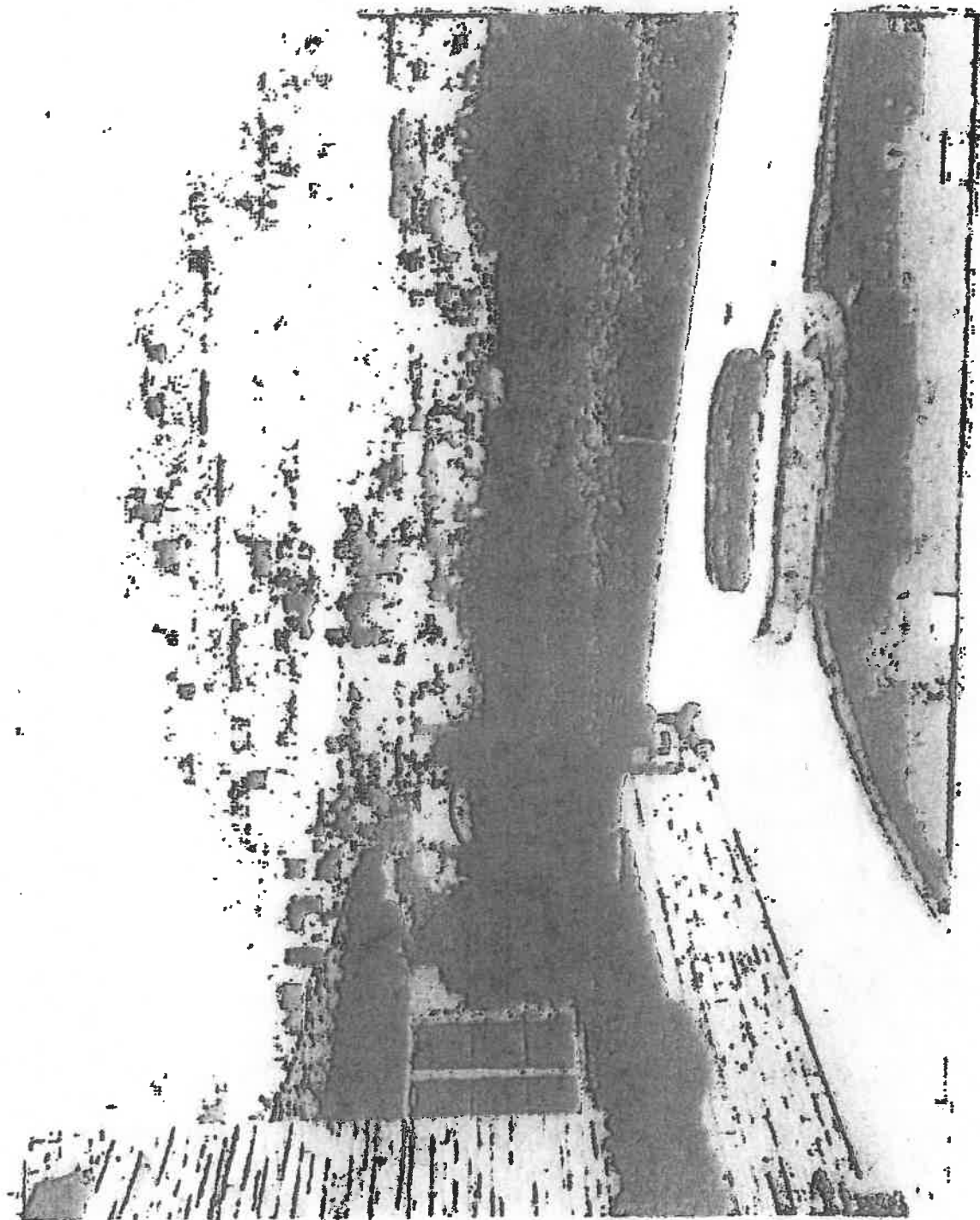


Photo taken on May 10, 2017

EXHIBIT B

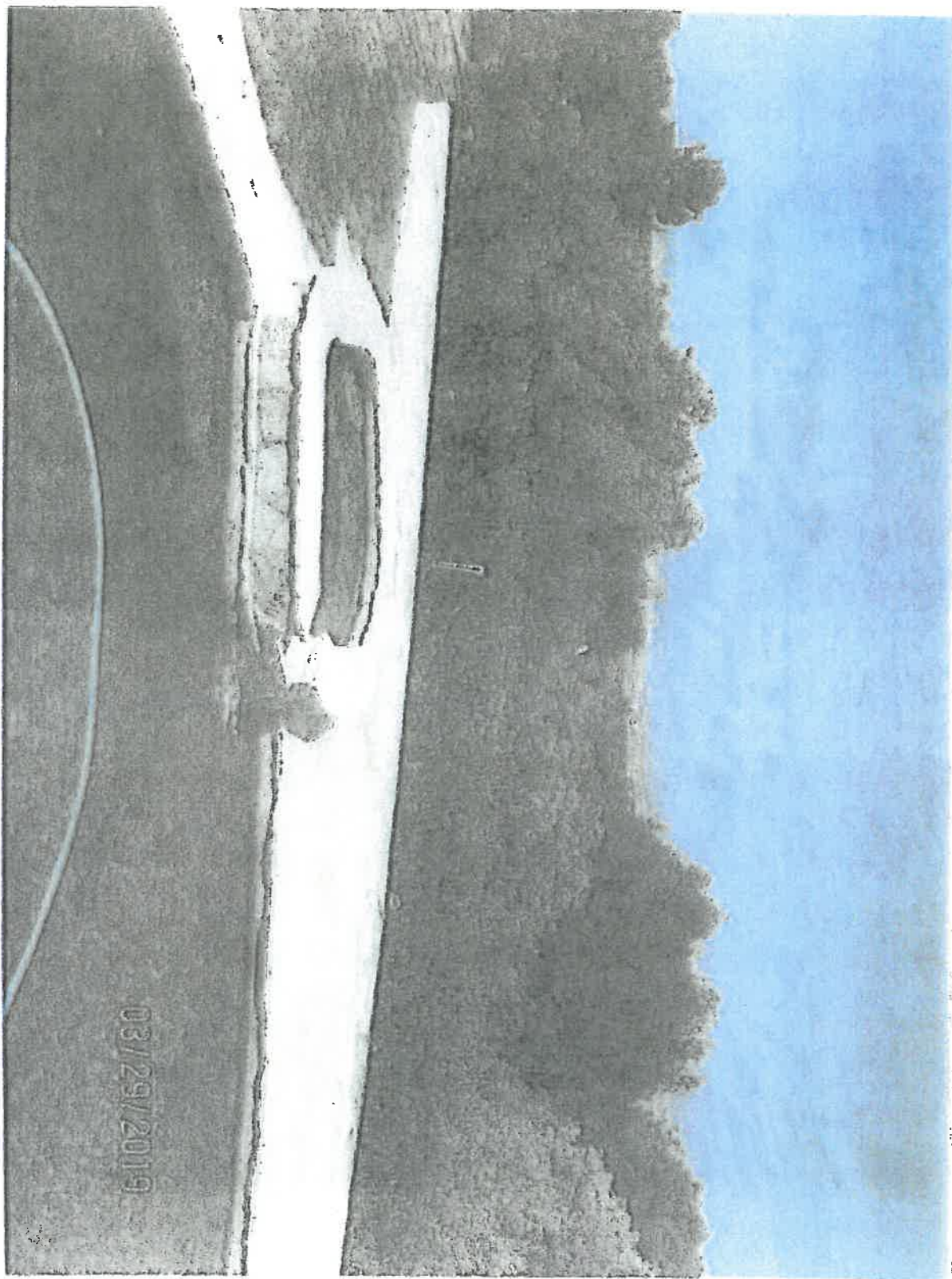
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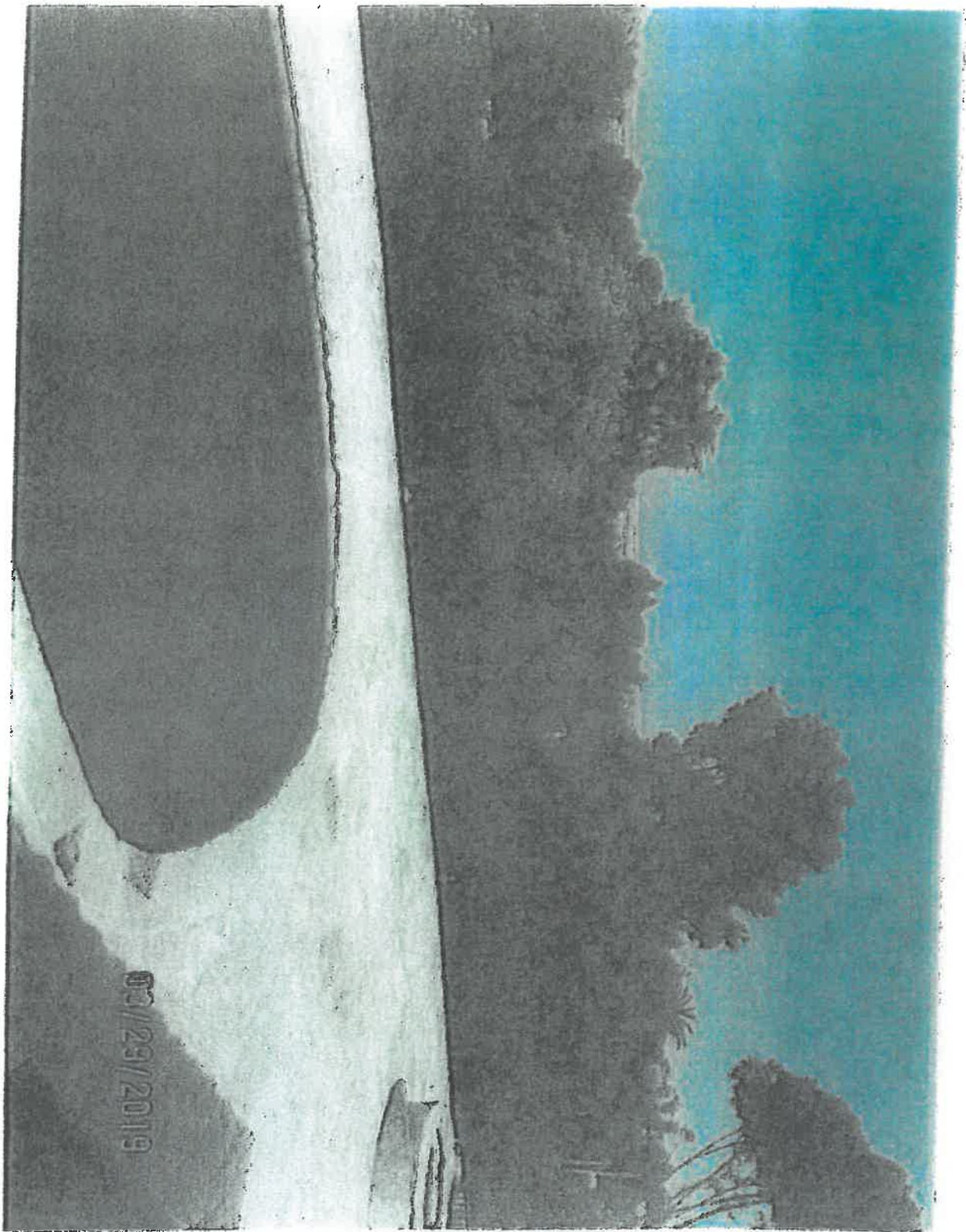
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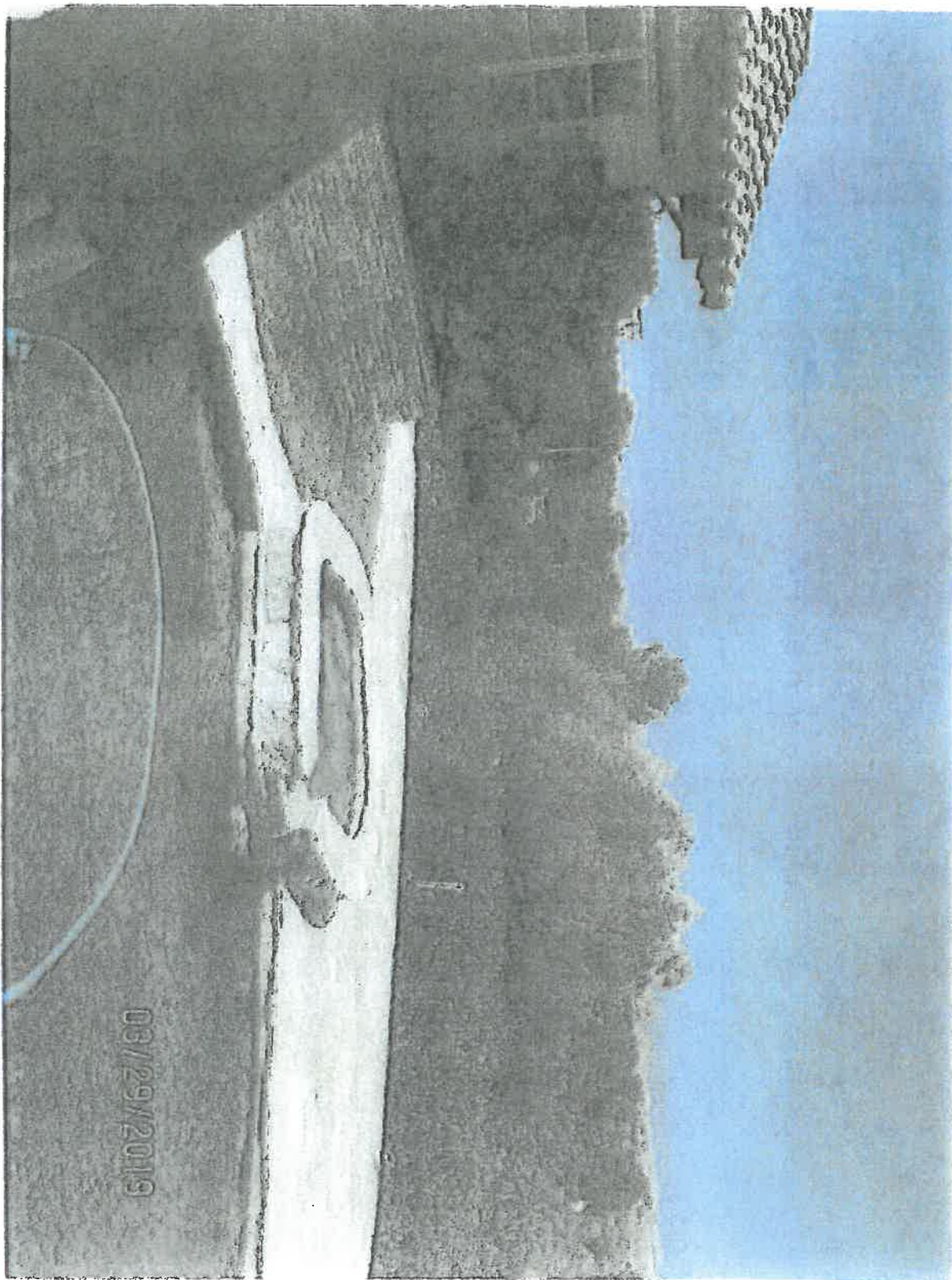
-12-

!











Travers Tree Service Inc.  
Fully Insured State Contractor License # 438273  
TTS@TraversTree.com  
904 Silver Spur Road #434  
Rolling Hills Estates, CA 90274  
PH: (310) 530-3920 Fax (310) 534-3020

**RECEIVED**

**APR 12 2019**

City of Rolling Hills  
By \_\_\_\_\_

*3/4/19*

**PROPOSAL**

Hassoldt  
10 Pine Tree Lane  
Rolling Hills Estates, CA 90274  
Cust #: Hass10221  
Phone: 310 377 4114  
Email: hassoldt@earthlink.net

Tuesday, April 2, 2019

Job Name: Hassoldt 20190402

Worksite: 15 Portuguese Bend Rd  
Palos Verdes Estates, CA 90274

Proposal By: Don Lorenzen

**Thank you, for the opportunity to provide you with this proposal**

Travers Tree Services: Proposes the following tree trimming/ removal services at the above reference job location. All Tree trimming will conform to standards established by the International Society of Arboriculture.

Need Firewood?

**Travers Tree Service sells top quality aged and seasoned firewood to keep you warm throughout the winter!**  
**Please contact our office for more information**  
**Proposals valid 60 days**

Item #	Plant	Description	Qty	Cost
1	Fan Palm	Front North East Side of Property - (Tree #3 & 3-A) Trim and clean out (No Skinning)	2	\$215.00
2	Eucalyptus	Front Along Roadway Easement (Tree #2)	1	\$485.00
3	California Pepper	Front (Tree #6 & 6-A) - Crown Reduce and shape	2	\$670.00
4	Olive Tree	Front (Tree #7) - Lace - Crown reduce and shape	1	\$135.00
5	Eucalyptus	North side of property North Side - Garage (Tree #5) Top by approx. 8 feet - Remove 2 lateral limbs - shape tree	1	\$490.00
6		Back Various - South West Side (Tree #4 & 4-A) • Eucalyptus tree - Top as necessary & shape • Olive tree - Top to old cut marks & shape	2	\$595.00

Notes:

Subtotal: \$2,590.00  
Tax: \$0.00  
Total: \$2,590.00

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 Fully Insured State Contractor License # 438273  
 TTS@TraversTree.com  
 904 Silver Spur Road #434  
 Rolling Hills Estates, CA 90274  
 PH: (310) 530-3920 Fax (310) 534-3020

### TERMS AND CONDITIONS:

Please read this proposal carefully, all services are described explicitly, and this is exactly what Travers Tree Service intends to perform. Upon receipt of your signed contract we will put your job in our schedule queue. Scheduling is dependent upon the type of work to be completed, the supervision and equipment necessary and the location of the job.

**We will notify you when your job is scheduled.**

NOTE: We remove any and all debris generated from our work on your property. However, WE WILL NOT BE RESPONSIBLE FOR EXISTING ACCUMULATED DEBRIS on your property in yard areas and ESPECIALLY ON ROOFS. We will do our best to protect your property. However, we are not responsible for damage to "Malibu" lights or lights affixed to trees, the property owner is responsible for moving these prior to our arrival. In addition, we are not responsible for damage due to hidden conditions especially underground installations including but not limited to electrical lines, plumbing lines, sprinkler heads, water lines etc. In the event this account becomes delinquent purchaser agrees to pay In Preparation For Work To Be Performed On Your Property Please Use The Following Tips To Prevent Damage To Your Property:

**A few days before arrival:**

1. Notify neighbors that you are having your property worked on especially if we will be trimming their plants overhanging your property.
2. Move "Malibu" lights and other garden lights out of the work area.
3. Remove furniture, fountains, garden art, bird feeders items hanging in trees, and other breakable items from the work area.

**On the day work is to be performed:**

1. Move cars out of driveway and from under trees.
2. If possible/ necessary, block off street parking in front of property with trash cans, chairs, etc.

ACCEPTED: the prices, specifications, and conditions in this proposal are satisfactory and are hereby accepted. I authorize Travers Tree Service to perform the work as specified in this proposal.  
 PAYMENT IS DUE TO FOREMAN UPON COMPLETION OF WORK, OTHERWISE, YOU WILL BE CHARGED A LATE FEE OF \$10.00 PER DAY THEREAFTER.

Amount: 2,590<sup>00</sup> Please Print-Proposal Name: William Hassold  
William Hassold 4/5/19  
 Customer Signature Date

### "NOTICE TO OWNER" (Section 7018, 7019- Contractors license law)

Under the mechanics' Lien Law, any contractor, subcontractor, laborer, material man or other person who helps to improve property and is not paid for his labor, services or material, has a right to enforce his claim against our property. This means that, after a court hearing, your property could be sold by court officer and the proceeds of the sale used to satisfy the indebtedness. This can happen even if you have paid your own contractor in full, if the subcontractor, laborer, or supplier remained unpaid. Under the law you may protect yourself against such claims by filing, before commencing such work of improvement, an original contract for the work of improvement or a modification thereof, in the office of the county recorder of the county where the property is situated and requiring that a contractor's payment bond be recorded in such office. Said bond shall be in an amount no less than fifty percent (50%) of the contract price and shall, in addition to any conditions for the performance of the contract, be conditioned for the payment in full of the claims of all persons furnishing labor, service, equipment or materials for the work described in said contract.



# AMERICAN arbor care

2049 Pacific Coast Hwy.  
Suite 214  
Lomita, CA  
90717

## Proposal

Date	Proposal #
3/21/2019	7680

Customer
Judith & William Hassoldt 10 Pine Tree Ln. RH, CA 90274 (310) 377-4114 hm

Jobsite
15 Portuguese Bend Rd. RH, CA 90274

Description	Qty	Rate	Total
Tree #3 & #3A ( 2 ) Washington Fan Palms - trim, remove dead fronds & ( 1 ) row of low hanging green		325.00	325.00
Tree #2 ( 1 ) Eucalyptus at driveway entry - shape, crown reduce to height of palm, shape along front fence line & remove deadwood		1,200.00	1,200.00
Tree #6 & #6A ( 2 ) California Peppers - shape & crown reduce to 1st upper cut marks		900.00	900.00
Tree #7 ( 1 ) Olive tree on front fence line near California Pepper - shape only		300.00	300.00
Tree #4 & #4A Olive & Eucalyptus trees - crown reduce to old cuts		400.00	400.00
<b>Total</b>			

**RECEIVED**

**APR 12 2019**

City of Rolling Hills  
By \_\_\_\_\_

Phone (310) 257-8686 Fax (310) 257-8666 stephanie13aac@gmail.com www.americanarborcare.net

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## **Chapter 8.24 ABATEMENT OF NUISANCES**

### **Sections:**

8.24.010 Nuisance defined.

8.24.020 Duty of owner or possessor of property.

8.24.030 Notice to abate nuisance.

8.24.040 Notice to abate nuisance—Contents.

8.24.050 Hearing and decision.

8.24.060 Abatement by City—Notice of charge.

8.24.070 Lien.

8.24.080 Charges to be billed on tax bill.

8.24.090 Court action.

8.24.100 Summary abatement.

### **8.24.010 Nuisance defined.**

For the purposes of this chapter, a "nuisance" shall be defined as anything which is injurious to health or safety, or is indecent or offensive to the senses, or an obstruction to the free use of property or injurious to the stability of real property so as to interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, of any street, and affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.

Notwithstanding any provisions of this chapter, the City Council may define by ordinance any particular condition constituting a nuisance.

(Ord. 190 § 1(part), 1981).

### **8.24.020 Duty of owner or possessor of property.**

Every person who owns or is in possession of any property, place or area within the boundaries of the City shall, at his or her own expense, maintain the property, place or area free from any nuisance.

(Ord. 190 § 1(part), 1981).

### **8.24.030 Notice to abate nuisance.**

Whenever the City Manager determines that a nuisance exists upon any property, place or area within the boundaries of the City, the City Manager may notify in writing the owner or person in possession of the property, place or area to abate the nuisance within fifteen days from the date of the notice. The notice shall be given by registered or certified mail addressed to the owner or person in possession of the property, place or area at his last known address.

(Ord. 190 § 1(part), 1981).

(Ord. No. 328, § 1, 5-14-2012)

**8.24.040 Notice to abate nuisance—Contents.**

The notice shall state that if the nuisance is not abated or good-faith efforts towards abatement not been made to the satisfaction of the City Manager within fifteen days from the date thereof, a hearing shall be held before the City Council to hear any protest of the owner, possessor or other interested person. The notice shall specify the time, date and place of the hearing, which shall be set for the regular meeting of the Council next following the expiration of the fifteen-day period.

(Ord. 190 § 1(part), 1981).

**8.24.050 Hearing and decision.**

If the nuisance is not abated or good faith efforts towards abatement have not been made within the time set forth in Section 8.24.030, the City Council shall conduct a hearing at the time and place fixed in the notice at which evidence may be submitted by interested persons. Upon consideration of the evidence, the Council may declare the condition to constitute a public nuisance and order the abatement thereof. The decision of the City Council shall be final. The City Clerk shall notify all owners and possessors of the subject property, place or area of the decision of the Council.

(Ord. 190 § 1(part), 1981).

**8.24.060 Abatement by City—Notice of charge.**

Upon failure, neglect or refusal by a person notified pursuant to Section 8.24.050 to abate a nuisance within thirty days after the date of notice, the City Council is authorized to cause the abatement of the nuisance and pay for the abatement. The City Council shall notify, in writing, the owner or possessor of the property, place or area upon which a nuisance has been abated by the City of the cost of abatement. Such notice shall be given in the same manner as required by Section 8.24.030.

(Ord. 190 § 1(part), 1981).

**8.24.070 Lien.**

If the total cost of the abatement of the nuisance by the City is not paid to the City in full within ten days after the date of the notice of the cost of the abatement, the City Clerk shall record, in the office of the County Recorder, a statement of the total balance due to the City, a legal description of the property, place or area involved, and the name of the owner or possessor concerned. From the date of such recording, the balance due will constitute a lien on the property. The lien will continue in full force and effect until the entire amount due, together with interest at the maximum legal rate accruing from the date of the completion of the abatement, is paid in full.

(Ord. 190 § 1(part), 1981).

**8.24.080 Charges to be billed on tax bill.**

The City may also, in accordance with the provisions of the laws of the State, cause the amount due to the City by reason of its abating a nuisance together with interest at the maximum legal rate, accruing from the date of the completion of the abatement, to be charged to the owners of the property, place or area on the next regular tax bill. All laws of the State applicable to the levy, collection and enforcement of City taxes and County taxes are hereby made applicable to the collection of these charges.

(Ord. 190 § 1(part), 1981).

**8.24.090 Court action.**

The City may bring appropriate actions, in a court of competent jurisdiction, to collect any amounts due by reason of the abatement of a nuisance by the City and to foreclose any existing liens for such amounts. Notwithstanding the provisions of this chapter, the City may bring the appropriate civil and criminal actions in a court of competent jurisdiction for abatement of any nuisance existing within the City pursuant to any other provision of law. In addition to costs recoverable pursuant to Section 8.24.060, attorney's fees, expert fees, and court costs shall be awarded to the prevailing party in any action taken by the City to abate a nuisance if, and only if, the City seeks the award of attorney's fees and court costs at the initiation of such legal action or proceeding. The attorney's fees recoverable pursuant to this section shall be limited to the reasonable attorney's fees incurred by the City in the legal action or proceeding, regardless of the actual cost of any party's attorney's fees.

(Ord. 190 § 1(part), 1981).

(Ord. No. 328, § 2, 5-14-2012)

**8.24.100 Summary abatement.**

Notwithstanding any provisions of this chapter, the City Council may cause a nuisance to be summarily abated if the City Council determines that the nuisance creates an emergency condition involving an immediate threat to the physical safety of the population. Prior to abating the nuisance, the City Manager shall attempt to notify the owner or possessor of the property, place, or area involved of the nuisance and request him to immediately abate the nuisance. If, in the sole discretion of the City Council, the owner or possessor of the property, place or area containing the nuisance which creates an emergency condition fails to take immediate and meaningful steps to abate the nuisance, the City may abate the nuisance and charge the cost of abating such nuisance to the owner or possessor of the property, place or area involved. The City shall notify in writing the owner or possessor of the property, place or area upon which a nuisance has been abated by the City, of the cost of said abatement. Such notification shall be given in the same manner as required by Section 8.24.030. The provisions of Sections 8.24.070, 8.24.080 and 8.24.090 shall be applicable.

(Ord. 190 § 1 (part), 1981).

## **Chapter 8.28 ABATEMENT OF NUISANCES IN ACTIVE LANDSLIDE AREAS**

### **Sections:**

**8.28.010 Nuisances in active landslide areas.**

**8.28.020 Abatement.**



*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: 06/10/2019**

**TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**  
**FROM: ELAINE JENG, P.E., CITY MANAGER**  
**SUBJECT: CONSIDERATION AND APPROVAL OF AN AGREEMENT WITH**  
**GRANICUS TO SUBSCRIBE TO AN AGENDA MANAGEMENT AND**  
**MINUTES PREPARATION PROGRAM**  
**DATE: JUNE 10, 2019**  
**ATTACHMENT:**

**1. PROFESSIONAL SERVICES AGREEMENT WITH GRANICUS**

---

**BACKGROUND**

The City Council meets twice a month. The Planning Commission meets monthly. The Traffic Commission meets quarterly. The Regional Law Enforcement Committee meets quarterly. There are six City Council committees and historically at least two committee meetings are held each year. In total, staff prepares a minimum of 46 agendas per year or an average of 3.8 meetings per month

The current process to prepare an agenda is to draft contents (staff reports) in Microsoft Word. The reports are generated by staff, reviewed and approved by the City Manager. Each report, including attachments go through several iterations of title changes, updates and content refinement. Each report is a separate file and they are not linked to each other. In other words if one report was eliminated from the agenda due to new developments, the agenda numbering system needs to be manually updated by shifting all the reports impacted by the elimination. Staff then converts the Word files into PDFs individually and then combine all the individual files to create the agenda packet (single) file. The agenda packet and associated attachments are ran through a page-numbering machine to number all pages. The agenda packet is published (uploaded) to



the City's website followed by making hardcopies of the agenda packet for City Council, staff and the public. Staff emails the individual reports to relevant parties. As an example, the memorandum of understanding with the Rolling Hills Community Association was emailed to the Association Manager and undergrounding project leaders while the Sewer Feasibility Study Phase II report was emailed to the consultant and other interested parties.

The agenda preparation process is time consuming, labor and process intensive and inefficient. The process also lends itself to errors and mistakes with so many steps involved in the production. Staff drafted a step-by-step action list as a guide to ensure no steps are skipped during production. On the week of agenda production, majority of the week is dedicated to generating the content and by the time the contents are finalized, typically staff only has a few hours during regular business hours to complete the production. Often the entire office works through the evening and on occasions into the weekend to get the agenda produced to meet the posting requirement.

## **DISCUSSION**

Earlier in 2019, staff initiated an effort to streamline the agenda publishing process. Staff surveyed surrounding cities and found that most cities employ an agenda management system. An agenda management system sets up a template mimicking the current City format and would automatically fill in the date, agenda numbering, page numbers with contents generated by staff. Changes to the staff report would be automatically tracked, saved, and archived within the system. The order of the contents could be easily dragged and dropped and all the relevant information that had to be manually changed before would then be updated automatically. With the push of one button, all the staff reports would be compiled into one file and ready for print. With the push of one button, the agenda packet would be posted to the City's website with the proper one time set up. With the push of one button, individual reports could be emailed to the email addresses entered. A management system would eliminate at least 4 – 6 hours of production tasks per agenda or eliminating 9 to 13% of the work hours in a year spent on producing agendas. The work hours gained could be devoted to more meaningful tasks such as applying for grants for ADA improvements or conduct an emergency preparedness exercise for the entire City.

Staff approached five firms for a comprehensive solution to agenda management including minutes preparation. Four written proposals were received from well-established providers: AV Capture All, Civic Plus, Granicus, SonicClear and one telephone quote from Accela. Two providers and their programs best fulfilled the needs of the City: CivicPlus and Granicus.

Based on a comprehensive analysis and numerous discussions with the two providers aforementioned, staff determined that Granicus met all the City's needs at a significantly lower cost. In addition, Granicus provides unlimited user accounts and

unlimited meeting bodies. Table 1 shows a summary of services and pricing offered by each provider. Table 2 compares prices from Year 1 to Year 10.

Table 1

Description	Accela		AV Capture All		CivicPlus		Granicus		SonicClear	
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
Agenda & Minutes				No	Yes		Yes		Yes	
Equipment					\$0		\$0		\$0	
Set-up Fee (Annual Fee)					\$10,850 (1st)		\$0		\$1,395	
Annual Subscription Fee					\$7,200 2nd		\$3,300 x 3		\$373	
Escalation (%)					5%		3%		0%	
Audio & Video			Yes		Yes		Yes			No
Equipment			\$0		\$0		\$3,625			
Set-up Fee (Annual Fee)	\$100,000		\$0		\$13,850 (1st)		\$0			
Annual Subscription Fee			\$2,388-\$7,188		\$9,200 2nd		\$7068 x 3			
Escalation (%)			0%		5%		3%			
Unlimited Users				No		No	Yes		Yes	
Transcription				No		No		No	Yes	
Transcription Fee									\$10/Hr	
Unlimited Storage				No	Yes		Yes		Yes	
Cloud based			Yes		Yes		Yes			No

Table 2

Year	CivicPlus	Granicus
1	\$12,850	\$7,068
2	\$8,200	\$7,068
3	\$8,200	\$7,068
4	\$8,446	\$7,280
5	\$8,699	\$7,498
6	\$8,960	\$7,723
7	\$9,229	\$7,955
8	\$9,506	\$8,194
9	\$9,791	\$8,440
10	\$10,085	\$8,693
Total	\$93,967	\$76,987

To take advantage of the minutes preparation module of the Granicus agenda management system offers, an encoder connected to the City's audio system needs to be purchased. The encoder is a piece of hardware. Including the labor for installation, the total one-time cost of the encoder is \$2,625 in Year 1 of the Granicus agenda management subscription.

The sound quality of the existing microphones in the City Council Chambers is poor and the microphones pick up paper shuffling at the dais drowning out voices. Often staff has to rewind the tapes countless times during drafting of meeting minutes. City staff initiated the upgrade of the audio system separately from the procurement of an agenda management system. In May, City staff purchased new audio equipment for

the City Council Chambers that is compatible with the Granicus encoder. The new audio equipment is expected to be available for install in early July 2019.

### **FISCAL IMPACT**

There is available funding in the FY2018-2019 budget for the purchase of the encoder (one-time cost). The draft budget for FY 2019-2020 includes funding for the agenda management annual subscription cost. Subscription cost remains unchanged for the initial 36 months at \$7,068 per year. Beginning the fourth year, the subscription cost increases by 3% and every year thereafter.

### **RECOMMENDATION**

Staff recommends that the City Council approve a professional services agreement with Granicus to provide an agenda management and minutes preparation program.

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

This AGREEMENT is entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2019, by and between the CITY OF ROLLING HILLS, a general law city a municipal corporation ("CITY") and GRANICUS, LLC, a Minnesota limited liability company d/b/a Granicus ("CONSULTANT").

**RECITALS**

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

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

**1. CONSIDERATION AND COMPENSATION**

- A. As partial consideration, CONSULTANT agrees to perform the work listed in the GRANICUS PROPOSAL FOR ROLLING HILLS, CA, attached as EXHIBIT A to and made part of this Agreement, except that, to the extent that any provision in Exhibit A conflicts with this Agreement, the provisions of this Agreement govern.
- B. As additional consideration, CONSULTANT and CITY agree to abide by the terms and conditions contained in this Agreement.
- C. As additional consideration, CITY agrees to pay CONSULTANT a one-time fee of \$2,625.00 and an annual subscription fee of \$7,068.00 each year during the initial 36 month term for "Granicus Products and Services" unless otherwise specified by written amendment to this Agreement. "Granicus Products and Services" means the products and services made available to CITY pursuant to this Agreement, which include Granicus products and services accessible for use by CITY on a subscription basis ("Software-as-a-Service" or "SaaS"), Granicus professional services, content from any professional services or other required equipment components or other required hardware, as specified in Exhibit A. The annual subscription fee shall not automatically increase from the previous term's fees by any percentage each year for the initial 36 month term

of the Agreement. CONSULTANT reserves the right to suspend any Granicus Products and Services should there be a lapse in payment. A lapse will require the payment of a setup fee to reinstate the subscription. All fees are exclusive of applicable state, local, and federal taxes, which, if any, will be included in the invoice. It is CITY's responsibility to provide applicable exemption certificate(s).

- D. CONSULTANT shall provide complete help desk support for administrators and customers of the Granicus Products and Services. Regular support shall be available from 8:00 a.m. to 10:00 p.m. EST, Monday through Friday, via email (support@granicus.com) or toll-free telephone (800-314-0147). Emergency support is available 24/7 and is included in the regular support.
- E. CONSULTANT will provide a three (3) year warranty with respect to required hardware. Within the three (3) year warranty period, CONSULTANT shall repair or replace any required hardware provided directly from CONSULTANT that fails to function properly due to normal wear and tear, defective workmanship, or defective materials.
- F. CONSULTANT shall make best efforts to submit to CITY its invoice for annual services itemizing the fees and costs for the June 10, 2019 to June 9, 2020 period, June 10, 2020 to June 9, 2021 period, and June 10, 2021 to June 9, 2022 period before the beginning of the annual term.
- G. CITY shall pay CONSULTANT all uncontested amounts set forth in CONSULTANT's invoice within 30 days after it is received. CITY shall provide CONSULTANT with detailed written notice of any amount(s) CITY reasonably disputes within thirty (30) days of the date of invoice for said amount(s) at issue. CONSULTANT will not exercise its rights to suspend any Granicus Products and Services if CITY has, in good faith, disputed an invoice and is diligently trying to resolve the dispute.
- H. After the initial thirty-six (36) month term of this Agreement, the Granicus Product and Services fees shall automatically increase from the previous term's fees by three (3) percent per year upon the yearly anniversary of this Agreement. This includes the first annual term after the initial thirty-six (36) month term. It shall not be required for CONSULTANT to provide notice of such increase prior to the automatic renewal of this Agreement. CITY and CONSULTANT agree that a Purchase Order will not be required for issuing such invoice.

**2. SCOPE OF SERVICES.** Except as herein otherwise expressly specified to be furnished by CITY, CONSULTANT will, in a professional manner, furnish all of the labor, technical, administrative, professional and other personnel, all supplies and materials, equipment, printing, vehicles, transportation, office space, and facilities necessary or proper to perform and complete the work and provide the professional services required of CONSULTANT by this Agreement.

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

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

5. TERM OF AGREEMENT. The term of this Agreement shall commence on June 10, 2019 and shall continue in full force and effect until June 9, 2022. Unless a Party has given written notice to the other Party at least ninety (90) days prior to the end of the then-current term, the Granicus Products and Services will automatically renew at the end of each term for an extension term of one (1) year.

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

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

- A. Granicus Products and Services. The Granicus Products and Services are purchased by CITY as a subscription during the terms specified in Exhibit A.
- B. Permitted Use. Subject to the terms and conditions of this Agreement, CONSULTANT hereby grants during each term specified in Exhibit A, and CITY hereby accepts, solely for its internal use, a worldwide, revocable, non-exclusive, non-transferrable right to use the Granicus Products and Services to the extent allowed in the relevant term specified in Exhibit A (collectively the "Permitted Use"). The Permitted Use shall also include the right, subject to the conditions and restrictions set forth herein, to use the Granicus Products and Services up to the levels limited in the applicable term specified in Exhibit A.
  - i. Data Sources. Data uploaded into Granicus Products and Services must be brought in from CITY sources (interactions with end users and opt-in contact lists). CITY cannot upload contact information purchased from a third party into Granicus Products and Services without CONSULTANT's written permission and professional services support for list cleansing.
  - ii. Passwords. Passwords are not transferable to any third party. CITY is responsible for keeping all passwords secure and all use of the Granicus Products and Services accessed through CITY's passwords.
  - iii. Content. CITY can only use Granicus Products and Services to share content that is created by and owned by CITY and/or content for related



organizations provided that it is in support of other organizations but not as a primary communication vehicle for other organizations that do not have a CONSULTANT subscription. Any content deemed inappropriate for a public audience or in support of programs or topics that are unrelated to CITY, can be removed or limited by CONSULTANT.

1. Disclaimers. Any text, data, graphics, or any other material displayed or published on CITY's website must be free from violation of or infringement of copyright, trademark, service mark, patent, trade secret, statutory, common law or proprietary or intellectual property rights of others. CONSULTANT is not responsible for content migrated by Client or any third party.
- iv. Advertising. Granicus Products and Services shall not be used to solely promote products or services available for sale through CITY or any third party unless approved in writing, in advance, by CONSULTANT. CONSULTANT reserves the right to request and review the details of any agreement between CITY and a third party that compensates CITY for the right to have information included in Content distributed or made available through Granicus Products and Services prior to approving the presence of Advertising within Granicus Products and Services.

C. Restrictions. CITY shall not:

- i. Misuse any CONSULTANT resources or cause any disruption, including but not limited to, the display of pornography or linking to pornographic material, advertisements, solicitations, or mass mailings to individuals who have not agreed to be contacted;
- ii. Use any process, program, or tool for gaining unauthorized access to the systems, networks, or accounts of other parties, including but not limited to, other CONSULTANT customers;
- iii. CITY must not use the Granicus Products and Services in a manner that would cause disruption of service based on unreasonable strain on CONSULTANT'S system or network resources;
- iv. CITY must not use the Services as a door or signpost to another server;
- v. Access or use any portion of Granicus Products and Services, except as expressly allowed by this Agreement;
- vi. Disassemble, decompile, or otherwise reverse engineer all or any portion of the Granicus Products and Services;
- vii. Use the Granicus Products and Services for any unlawful purposes;

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

8. REPRESENTATIONS, WARRANTIES, AND DISCLAIMERS.

- A. Representations. Each Party represents that it has validly entered into this Agreement and has the legal power to do so.
- B. Warranties. CONSULTANT warrants that it takes all precautions that are standard in the industry to increase the likelihood of a successful performance for the Granicus Products and Services; however, the Granicus Products and Services are provided "AS IS" and as available.
- C. Disclaimers. EXCEPT AS PROVIDED IN SECTIONS 8.B. ABOVE, EACH PARTY HEREBY DISCLAIMS ANY AND ALL OTHER WARRANTIES OF ANY NATURE WHATSOEVER WHETHER ORAL AND WRITTEN, EXPRESS OR IMPLIED, INCLUDING, WITHOUT LIMITATION, THE IMPLIED WARRANTIES OF MERCHANTABILITY, TITLE, NON-INFRINGEMENT, AND FITNESS FOR A PARTICULAR PURPOSE. CONSULTANT DOES NOT WARRANT THAT GRANICUS PRODUCTS AND SERVICES WILL MEET CITY'S REQUIREMENTS OR THAT THE OPERATION THEREOF WILL BE UNINTERRUPTED OR ERROR FREE.

9. CONFIDENTIAL INFORMATION.

- A. Confidential Information. It is expected that one Party (Disclosing Party) may disclose to the other Party (Receiving Party) certain information which may be

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

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

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

- B. Exceptions. Confidential Information shall not include information which: (i) is or becomes public knowledge through no fault of the Receiving Party; (ii) was in the Receiving Party's possession before receipt from the Disclosing Party; (iii) is rightfully received by the Receiving Party from a third party without any duty of confidentiality; (iv) is disclosed by the Disclosing Party without any duty of confidentiality on the third party; (v) is independently developed by the Receiving Party without use or reference to the Disclosing Party's Confidential Information; or (vi) is disclosed with the prior written approval of the Disclosing Party.
- C. Storage and Sending. In the event that Granicus Products and Services will be used to store and/or send Confidential Information, CONSULTANT must be notified in writing, in advance of the storage or sending. Should CITY provide such notice, CITY must ensure that Confidential Information or sensitive information is stored behind a secure interface and that Granicus Products and Services be used only to notify people of updates to the information that can be accessed after authentication against a secure interface managed by CITY. CITY is ultimately accountable for the security and privacy of data held by CONSULTANT on its behalf.
- D. Return of Confidential Information. Each Receiving Party shall return or destroy the Confidential Information immediately upon written request by the Disclosing

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

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

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

12. TERMINATION.

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

13. INDEMNIFICATION.

- A. Each party (Indemnitor) shall indemnify, defend with counsel approved by the other party (Indemnitee), and hold harmless Indemnitee, its officers, officials, employees and volunteers from and against all liability, loss, damage, expense, and cost (including without limitation reasonable attorneys fees, expert fees and all other costs and fees of litigation) of every nature arising out of or in connection with performance of work hereunder or its failure to comply with any of its obligations contained in this AGREEMENT, regardless of Indemnitee's passive negligence, but excepting such loss or damage which is caused by the sole active negligence or willful misconduct of the Indemnitee. Should Indemnitee in its sole discretion find Indemnitor's legal counsel unacceptable, then Indemnitor shall reimburse the Indemnitee its costs of defense, including without limitation reasonable attorneys fees, expert fees and all other costs and fees of litigation. The Indemnitor shall promptly pay any final judgment rendered against the Indemnitee (and its officers, officials, employees and volunteers) covered by this indemnity obligation. It is expressly understood and agreed that the foregoing provisions are intended to be as broad and inclusive as is permitted by the law of

the State of California and will survive termination of this Agreement.

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

**14. LIMITATION OF LIABILITY.**

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

B. LIMITATION OF LIABILITY. IN NO INSTANCE SHALL EITHER PARTY'S LIABILITY TO THE OTHER PARTY FOR DIRECT DAMAGES UNDER THIS AGREEMENT (WHETHER IN CONTRACT OR TORT OR OTHERWISE) EXCEED THE FEES PAID BY CITY FOR THE GRANICUS PRODUCTS AND SERVICES DURING THE SIX (6) MONTHS IMMEDIATELY PRECEDING THE DATE THE DAMAGED PARTY NOTIFIES THE OTHER PARTY IN WRITING OF THE CLAIM FOR DIRECT DAMAGES. NEITHER PARTY SHALL BE RESPONSIBLE FOR ANY LOST PROFITS OR OTHER DAMAGES, INCLUDING DIRECT, INDIRECT, INCIDENTAL, SPECIAL, CONSEQUENTIAL OR ANY OTHER DAMAGES, HOWEVER CAUSED. NEITHER PARTY MAY INSTITUTE AN ACTION IN ANY FORM ARISING OUT OF NOR IN CONNECTION WITH THIS AGREEMENT MORE THAN TWO (2) YEARS AFTER THE CAUSE OF ACTION HAS ARISEN. THE ABOVE LIMITATIONS WILL NOT LIMIT CITY'S PAYMENT OBLIGATIONS UNDER SECTION 1 ABOVE.

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

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

17. AUDIT OF RECORDS.

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

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

19. INSURANCE REQUIREMENTS.

- A. The CONSULTANT, at the CONSULTANT's own cost and expense, shall procure and maintain, for the duration of the contract, the following insurance policies:
  - 1. Workers Compensation Insurance as required by law. The Consultant shall require all subcontractors similarly to provide such compensation insurance for their respective employees. Any notice of cancellation or non-renewal of all Workers' Compensation policies must be received by the CITY at least thirty (30) days prior to such change. The insurer shall agree to waive all rights of subrogation against the CITY, its officers, agents, employees, and volunteers for losses arising from work performed by the CONTRACTOR for City.



2. General Liability Coverage. The CONSULTANT shall maintain commercial general liability insurance in an amount of not less than one million dollars (\$1,000,000) per occurrence for bodily injury, personal injury, and property damage. If a commercial general liability insurance form or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to the work to be performed under this Agreement or the general aggregate limit shall be at least twice the required occurrence limit.
  3. Automobile Liability Coverage. The CONSULTANT shall maintain automobile liability insurance covering bodily injury and property damage for all activities of the CONSULTANT arising out of or in connection with the work to be performed under this Agreement, including coverage for hired and non-owned vehicles, in an amount of not less than one million dollars (\$1,000,000) combined single limit for each occurrence. Should CONSULTANT own any vehicles used for activities of CONSULTANT arising out of or in connection with the work to be performed under this Agreement, it shall also procure such coverage for owned vehicles.
  4. Professional Liability Coverage. The CONSULTANT shall maintain professional errors and omissions liability insurance for protection against claims alleging negligent acts, errors, or omissions which may arise from the CONSULTANT'S operations under this Agreement, whether such operations are by the CONSULTANT or by its employees, subcontractors, or subconsultants. The amount of this insurance shall not be less than one million dollars (\$1,000,000) on a claims-made annual aggregate basis, or a combined single-limit-per-occurrence basis. When coverage is provided on a "claims made basis," CONSULTANT will continue to renew the insurance for a period of three (3) years after this Agreement expires or is terminated. Such insurance will have the same coverage and limits as the policy that was in effect during the term of this Agreement, and will cover CONSULTANT for all claims made by CITY arising out of any errors or omissions of CONSULTANT, or its officers, employees or agents during the time this Agreement was in effect.
- B. Endorsements. Each insurance policy shall be issued by a financially responsible insurance company or companies admitted and authorized to do business in the State of California, or which is approved in writing by City. Each general liability and automobile liability insurance policy shall be endorsed as follows. CONSULTANT also agrees to require all contractors, and subcontractors to do likewise.
1. "The CITY, its elected or appointed officers, officials, employees, agents, and volunteers are to be covered as additional insured's with respect to liability arising out of work performed by or on behalf of the CONSULTANT, including materials, parts, or equipment furnished in connection with such work or operations."

2. This policy shall be considered primary insurance as respects the CITY, its elected or appointed officers, officials, employees, agents, and volunteers. Any insurance maintained by the CITY, including any self-insured retention the CITY may have shall be considered excess insurance only and shall not contribute with this policy.
  3. This insurance shall act for each insured and additional insured as though a separate policy had been written for each, except with respect to the limits of liability of the insuring company.
  4. The insurer waives all rights of subrogation against the CITY, its elected or appointed officers, officials, employees, or agents.
  5. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to the City, its elected or appointed officers, officials, employees, agents, or volunteers.
  6. The insurance provided by this policy shall not be suspended, voided, canceled, or reduced in coverage or in limits except after thirty (30) days written notice has been received by the CITY.
- C. CONSULTANT agrees to provide immediate notice to CITY of any claim or loss against Contractor arising out of the work performed under this agreement. CITY assumes no obligation or liability by such notice, but has the right (but not the duty) to monitor the handling of any such claim or claims if they are likely to involve CITY.
- D. Any deductibles or self-insured retentions must be declared to and approved by the CITY. At the CITY's option, the CONSULTANT shall demonstrate financial capability for payment of such deductibles or self-insured retentions.
- E. The CONSULTANT shall provide certificates of insurance with original endorsements to the CITY as evidence of the insurance coverage required herein. Certificates of such insurance shall be filed with the CITY on or before commencement of performance of this Agreement. Current certification of insurance shall be kept on file with the CITY at all times during the term of this Agreement.
- F. Failure on the part of the CONSULTANT to procure or maintain required insurance shall constitute a material breach of contract under which the CITY may terminate this Agreement pursuant to Section 12 above.
- G. The commercial general and automobile liability policies required by this Agreement shall allow City, as additional insured, to satisfy the self-insured retention ("SIR") and/or deductible of the policy in lieu of the Consultant (as the named insured) should Consultant fail to pay the SIR or deductible requirements. The amount of the SIR or deductible shall be subject to the approval of the City Attorney and the Finance Director. Consultant understands and agrees that

satisfaction of this requirement is an express condition precedent to the effectiveness of this Agreement. Failure by Consultant as primary insured to pay its SIR or deductible constitutes a material breach of this Agreement. Should City pay the SIR or deductible on Consultant's behalf upon the Consultant's failure or refusal to do so in order to secure defense and indemnification as an additional insured under the policy, City may include such amounts as damages in any action against Consultant for breach of this Agreement in addition to any other damages incurred by City due to the breach.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CITY OF ROLLING HILLS

CONSULTANT

\_\_\_\_\_  
CITY MANAGER

By: \_\_\_\_\_  
TITLE

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Taxpayer ID No.

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael Jenkins , City Attorney