

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY
HELD ON TUESDAY, DECEMBER 21, 2021**

EXECUTIVE ORDER NO. 25-20:

Pursuant to Governor Newsom's Executive Order N-25-20, the City is allowing Council Members, Staff and the public to participate in this City Council meeting by means of a Zoom video or telephone call. Participants will be able to hear the entire proceedings (other than the Closed Session) and be able to speak during Public Comment, Public Hearing, and other authorized times. Members of the public must maintain silence and mute their microphones and telephones except during those times.

MEETING CALLED TO ORDER:

The Regular Meeting of the City Council of the City of Bradbury was called to order by Mayor Bruny at 7:00 p.m. followed by the Pledge of Allegiance.

ROLL CALL:

PRESENT: Mayor Bruny, Mayor Pro-Tem Lathrop, Councilmembers Barakat and Hale

ABSENT: Councilmember Lewis

STAFF: City Manager Kearney, City Attorney Reisman (remote), City Clerk Saldana and Management Analyst Musa

**COUNCILMEMBER LEWIS
EXCUSED:**

Councilmember Barakat made a motion to excuse Councilmember Lewis from the meeting. Councilmember Hale seconded the motion, which carried.

APPROVAL OF AGENDA:

Councilmember Hale made a motion to approve the agenda to proceed with City business. Councilmember Barakat seconded the motion, which carried unanimously.

**DISCLOSURE OF ITEMS REQUIRED BY
GOV. CODE SECTION 1090 & 81000
ET SEQ,:**

In compliance with the California Political Reform Act, each City Councilmember has the responsibility to disclose direct or indirect potential for a personal financial impact as a result of participation in the decision-making process concerning agenda items. City Attorney Reisman stated he was aware of none.

PUBLIC COMMENT:

None

CONSENT CALENDAR:

All items on the Consent Calendar are considered by the City Council to be routine and will be enacted by one motion unless a Councilmember requests otherwise, in which case the item will be removed and considered by separate action. All Resolutions and Ordinances for Second Reading on the Consent Calendar are deemed to "waive further reading and adopt."

- A. Minutes: Regular Meeting of November 16, 2021
- B. Minutes: Adjourned Meeting of December 7, 2021
- C. Resolution No. 21-23: Demands & Warrants for December 2021
- D. Monthly Investment Report for the month of November 2021
- E. Resolution No. 21-24: Authorizing Submittal of Application for CalRecycle Funds

**MOTION TO APPROVE
CONSENT CALENDAR:**

Councilmember Barakat made a motion to approve Consent Calendar as presented. Councilmember Hale seconded the motion, which was carried by the following roll call vote:

APPROVED:

AYES: Mayor Bruny, Mayor Pro-Tem Lathrop,
Councilmembers Barakat and Hale

NOES: None

ABSENT: Councilmember Lewis

Motion passed 4:0

URGENCY ORDINANCE NO. 380:

AN URGENCY ORDINANCE OF THE CITY OF BRADBURY, CALIFORNIA, ADOPTING CHANGES TO TILTE IX OF THE BRADBURY MUNICIPAL CODE RELATING TO THE IMPLEMENTATION OF SENATE BILL 9 FOR THE CREATION OF URBAN LOTS SPLITS AND TWO RESIDENTIAL UNITS PER LOT

The City Council was provided an amended version of Ordinance No 380 before the meeting.

BACKGROUND:

City Manager Kearney stated that on September 16, 2021 Governor Newsom signed SB 9 into law, which adds two new sections to the Government code relating to the development of multiple units on a single-family residential lot and lot splits. Section 65852.1 requires a local agency to ministerially approve a housing development of no more than two (2) residential units (either 2 new or 1 new addition to an existing unit) within a single-family residential zone without discretionary review or a hearing when the proposed development meets all of the listed requirements. Similarly, Section 66411.7 requires a local agency to ministerially approve a parcel map for a lot split in the single-family zone when the map meets all of the listed requirements. The purpose of SB 9 is to allow up to four units on a lot where there once was one unit in single-family residential zones.

EFFECT ON BRADBURY:

Despite these provisions, it is expected that SB 9 will have little, if any, impact on the City of Bradbury. Because of how houses are situated on existing lots, it would be difficult to split a lot and have four units on a developed lot without demolition of the existing structure. Most residents would be hesitant to destroy their existing single-family home, and SB 9 prohibits demolition of alteration of a structure if it has been rented out within the last three years, and allows the City to limit demolitions of more than 25% of existing exterior structural walls in other circumstances. SB 9 also prohibits owners from repeatedly subdividing property and prohibits developers or owners from acting in concert with others to successively split and develop adjacent properties.

RECOMMENDTION:

It is recommended that the City Council open the public hearing and receive testimony from the public and adopt Urgency Ordinance No. 380, which immediately amends Tile IX of the Bradbury Municipal Code relating to urban lot splits and two-unit housing developments.

**PUBLIC HEARING OPENED
AND CLOSED:**

Mayor Bruny opened the public hearing for public testimony. There being no public input, Mayor Bruny declared the public hearing closed.

**MOTION TO ADOPT URGENCY
ORDINANCE NO. 380:**

Councilmember Barakat made a motion to adopt Urgency Ordinance No. 380: AN URGENCY ORDINANCE OF THE CITY OF BRADBURY, CALIFORNIA, ADOPTING CHANGES TO TILTE IX OF THE BRADBURY MUNICIPAL CODE RELATING TO THE IMPLEMENTATION OF SENATE BILL 9 FOR THE CREATION OF URBAN LOTS SPLITS AND TWO RESIDENTIAL UNITS PER LOT, as amended. Councilmember Hale seconded the motion, which was carried by the following roll call vote:

APPROVED:

AYES: Mayor Bruny, Mayor Pro-Tem Lathrop,
Councilmembers Barakat and Hale
NOES: None
ABSENT: Councilmember Lewis

Motion passed 4:0

ORDINANCE NO. 381:

AN ORDINANCE OF THE CITY OF BRADBURY, CALIFORNIA, ADOPTING BY REFERENCE TITLE 26 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA BUILDING CODE, 2019 EDITION; TITLE 29 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA MECHANICAL CODE, 2019 EDITION; TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA PLUMBING CODE, 2019 EDITION; TITLE 27 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA ELECTRICAL CODE, 2019 EDITION; TITLE 30 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA RESIDENTIAL CODE, 2019 EDITION; TITLE 31 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2019 EDITION; TITLE 33 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA EXISTING BUILDING CODE, EDITION 2019; THE CALIFORNIA HISTORICAL BUILDING CODE, EDITION 2019; MAKING AMENDMENTS TO SAID CODES; AMENDING TITLE IV, CHAPTER 3, TITLE XVII, CHAPTERS 1, 2, 3, 4, 5, 6, 7, 8, 9, 12 AND 13

BACKGROUND:

City Manager Kearney stated that the California Health and Safety Code requires that the City adopt the same building standards as those contained in the California Building Standards Code, with the exception that the City may establish more restrictive building standards as reasonably necessary because of local climatic, geological, and/or topographic conditions. Health and safety Code Section 18941.5 requires that all City amendments, together with the State Building Standards Code, become effective 180 days after the publication of the State Building Standards Code, or at a later date established by the Building Standards Commission. The Code went into effect on April 2, 2020, but the update Code was never adopted by the City.

CALIFORNIA FIRE CODE

Because the City contracts with the Los Angeles County Fire Department, the City is required to adopt the same Code as the County.

The proposed ordinance adopts by reference, with certain changes and amendments, the 2019 California Fire Code, and adopts as Title 32 the Fire Code for the District. The ordinance includes specific building codes that are more stringent than those adopted by the State Fire Marshall as contained in the California Building Standards Code, and makes the required findings necessary due to local climatic, geological, and/or topographical conditions in Los Angeles County, including the City of Bradbury.

FINANCIAL IMPACT:

It is important to note that no new fees have been established, nor have any fees been raised, as a result of this proposed ordinance.

RECOMMENDATION:

It is recommended that the City Council hold a public hearing and introduce for first reading, by title only, Ordinance No. 381.

PUBLIC HEARING OPENED AND CLOSED:

Mayor Bruny opened the public hearing for public testimony. There being no public input, Mayor Bruny declared the public hearing closed.

MOTION TO INTRODUCE ORDINANCE NO. 381:

Councilmember Hale made a motion to introduce for first reading, by title only, Ordinance No. 381. Mayor Pro-Tem Lathrop seconded the motion, which was carried by the following roll call vote:

APPROVED:

AYES: Mayor Bruny, Mayor Pro-Tem Lathrop, Councilmembers Barakat and Hale
NOES: None
ABSENT: Councilmember Lewis

Motion passed 4:0

Second Reading and Adoption of Ordinance No. 381 is set for the January 18, 2022 City Council Meeting.

REVIEW OF ADMINISTRATIVE FILM POLICY NO. 12-01:

Management Analyst Musa stated that Film Ordinance No. 379 was introduced at the October 19, 2021 City Council meeting, The City Council adopted Ordinance No. 379 at the November 16, 2021 meeting. Ordinance No. 379 amended the Bradbury Municipal Code related to filming and refers to the City's Film Policy. Since the last City Council meeting, staff has updated the film policy and film permit application based on City Council feedback at the November meeting.

RECOMMENDATION:

It is recommended that the City Council further review the updated film policy and discuss any other desired changes.

DURATION OF FILMING:

City Manager Kearney stated that the City Council wished to discuss duration of filming at tonight's meeting.

Councilmember Hale stated that the Bradbury Estates HOA allows 30 consecutive days of filming four times a year.

Mayor Bruny suggested to hear public input before discussing further changes to the City's film policy.

**PUBLIC COMMENT
AND DISCUSSION:**

Maria Mak, 215 Barranca Road, was not happy with the HOA rule of allowing 30 days of filming four times per year, which equals 120 days of filming. Mayor Pro-Tem Lathrop stated that duration should be tied to location. Councilmember Hale stated that in the HOA policy staging and strike down is included in the 30 days.

Mrs. Mak also did not like #3, which reads in part "Verified abstentions will be deemed approvals." Councilmember Hale stated that many Estates residents are out of the country for long periods of time. Mayor Pro-Tem Lathrop stated that he does not think that verified abstentions should be approvals. It was suggested that unverified abstentions won't count.

Mrs. Mak inquired about how much notice would be given to residents in advance of any filming activity. City Manager Kearney replied that the noticing is done by the production company, not the City.

Danny Bakewell (address?) stated that he thinks the Administrative Policy gives too much discretion to the City Manager. City Manager Kearney stated that he always notifies the Councilmember(s) of filming before issuing any permits.

The next issue was how to deal with a television series. How much of a break should there be in between filming the next season? Councilmember Hale suggested a 3-month hiatus in between seasons.

Maria Mak stated that it sounds like there is a loophole for series and that it could go on forever.

Danny Bakewell stated that an element is coming to the City that does not live here and it is completely out of control and now it's open season for production companies casing the City.

Mayor Bruny replied that everyone living in the Estates has visitors, it's not just film crews. Mayor Bruny stated that this issue is a discussion for the HOA.

PUBLIC COMMENT CLOSED:

There being no further comments, Mayor Bruny closed the discussion for public input and asked the Council if Staff should bring back the changes at the January meeting. Mayor Pro-Tem Lathrop stated that he would like to approve the Film Policy tonight.

**MOTION TO APPROVE
FILM POLICY NO. 12-01:**

Mayor Pro-Tem Lathrop made a motion to adopt Film Policy No. 12-01 with the amendments discussed tonight. Councilmember Barakat seconded the motion, which was carried by the following roll call vote:

APPROVED:

AYES: Mayor Bruny, Mayor Pro-Tem Lathrop,
Councilmembers Barakat and Hale
NOES: None
ABSENT: Councilmember Lewis

Motion passed 4:0

UPDATE ON ANNEXATION:

City Manager Kearney stated that the Annexation of the portion of Royal Oaks Drive North (directly adjacent to the retirement community) is moving forward.

MATTERS FROM THE CITY MANAGER:

City Manager Kearney stated that City Hall will be closed for Winter Break from Thursday, December 24, 2021 through Monday, January 3, 2022. City Hall will re-open on Tuesday, January 4, 2022.

Councilmember Barakat wanted to know if our CSO Derek Hensel will be working the week between Christmas and New Year. City Manager Kearney replied yes.

The City Council stated that they would like the Building Inspector to work during Winter Break as well. City Manager Kearney stated that he will ask the Building Inspector, Mark Handler, if he would be willing to come in on December 28th, 29th and the 30th.

MATTERS FROM THE CITY ATTORNEY:

City Attorney Reisman stated that he had nothing to report and wished everyone a Merry Christmas and a Happy New Year.

MATTERS FROM THE CITY COUNCIL:

MAYOR:

Nothing to report

MAYOR PRO-TEM LATHROP:

Mayor Pro-Tem Lathrop stated that due to the State's Redistricting the City of Bradbury is no longer in Assembly-woman Blanca Rubio's District.

COUNCILMEMBER BARAKAT:

Nothing to report

COUNCILMEMBER HALE:

Nothing to report

COUNCILMEMBER LEWIS:

Not present

ITEMS FOR FUTURE AGENDAS:

City Manager Kearney stated that lots of Planning discussions will be coming up in the next year. City Manager Kearney also stated that there will be a discussion with California American Water Company regarding water pressure.

CLOSED SESSION

**PUBLIC COMMENT REGARDING
CLOSED SESSION ONLY:**

None

RECESS TO CLOSED SESSION:

At 8:06 p.m. the City Council adjourned to a Closed Session to discuss the following:

A. Public Employee Performance Evaluation

Government Code Section 54957(b)(4)

Title: City Attorney

REPORT FROM CLOSED SESSION:

The City Council met in closed session, evaluated the performance of the City Attorney and advised the City Manager regarding preparation of the performance evaluation report.

ADJOURNMENT:

At 8:16 p.m. Mayor Bruny adjourned the meeting to a Regular Meeting on Tuesday, January 18, 2022 at 7:00 p.m.



MAYOR – CITY OF BRADBURY

ATTEST:



CITY CLERK – CITY OF BRADBURY