

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY
HELD ON TUESDAY, MARCH 21, 2017**

**MEETING CALLED TO ORDER AND
PLEDGE OF ALLEGIANCE:**

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

ROLL CALL:

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

ABSENT: None

STAFF: Interim City Manager Inman, City Attorney Reisman, City Clerk Saldana and Management Analyst Parker-St John

APPROVAL OF AGENDA:

Councilmember Hale made a motion to approve the agenda and proceed with City business. Councilmember Pycz seconded the motion which carried.

**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.

Mayor Pro-Tem Lathrop stated that he has to abstain from approving demands & warrants for AxonTech.

PUBLIC COMMENT:

Captain Coronne Jacobs stated that she was promoted to Commander and that April 1st is her last day at Temple Station. Captain Jacobs came to say goodbye and informed the Council that Dave Flores will be the new Captain.

PRESENTATION OF PROCLAMATION:

The City Council proclaimed April 2017 as "DMV/Donate Life California Month" in the City of Bradbury. No representative from OneLegacy was present to receive the proclamation.

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 City Council Meeting of February 21, 2017
- B. Minutes – Adjourned City Council Meeting of March 9, 2017
- C. Resolution No. 17-05: Demands & Warrants for March 21, 2017
- D. Monthly Investment Report for the month of February 2017
- E. Recommendation to renew the City's Street Sweeping Contract with Burrtec Waste Industries
- F. Recommendation to extend the existing Interim City Manager Temporary Employment Agreement until no later than May 31, 2017

CORRECTION TO MINUTES:

There was a correction to the February 21, 2017 Minutes on page 4 to read as follows: Councilmember Pycz made a motion to install two 25 mph speed limit signs *accompanied by senior facility signs* at the following locations ...

**STREET SWEEPING CONTRACT
PULLED FOR DISCUSSION:**

Mayor Pro-Tem Lathrop pulled consent calendar item #E (Street Sweeping Contract with Burrtec Waste Industries) for discussion. Section 4. TERMINATION reads "Contractor shall have the right to terminate this contract for any reason on thirty calendar days' notice to City." Mayor Pro-Tem Lathrop stated that the City needs more than 30 days notice. The City Council directed the City Attorney to change the language from 30 days to 60 days notice. There was also discussion regarding Section 10.E IDEMNIFICATION. The City Attorney was instructed to insert standard language pertaining to mutual indemnification and bring the contract back next month for approval with those two changes.

**MOTION TO APPROVE CONSENT
CALENDAR:**

Councilmember Hale made a motion to approve the Consent Calendar items A, B, C, D, and F as presented. Councilmember Barakat seconded the motion, which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

Motion passed 5:0

**MUNICIPAL CODE CODIFICATION
FOR THE CITY OF BRADBURY:**

City Attorney Reisman stated that after more than a year's work with staff, Municipal Code Corporation (Municode) has finally completed its codification of the Bradbury Municipal Code. There were many changes, both for the sake of clarity, and to update old ordinances to conform with new or revised statutes. All changes and their origins are denoted in notes following the sections.

FINANCIAL REVIEW:

At the March 9, 2017 meeting the City Council approved an additional expenditure of \$2,000 for the legal review of the re-codified Municipal Code.

RECOMMENDATION:

It is recommended that the City Council waive further reading and introduce Ordinance No. 346:

ORDINANCE NO. 346:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA, ADOPTING AND ENACTING A MUNICIPAL CODE FOR THE CITY, PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN, PROVIDING PENALTIES FOR THE VIOLATIONS THEREOF; PROVIDING FOR THE MANNER OF AMENDING SUCH CODE, AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE

MOTION:

Councilmember Hale made a motion to introduce and read for the first time, by title only, Ordinance No. 346. Mayor Pro-Tem Lathrop seconded the motion, which was carried by the following roll call vote:

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

Motion passed 5:0

**COUNTY OF LOS ANGELES
BUILDING CODES:**

Since incorporation, the City of Bradbury has adopted the County of Los Angeles Building Codes by reference, which includes the County's local amendments to the State Building Codes. The proposed Ordinance is the routine, three-year cycle update when the California cities adopt the updated California codes. The State's Health and Safety Code (Section 17958) mandates that the California Building Standards Commission adopt and publish the California Building Standards Code (Title 24 of the California Code Regulations) every three years. State law provides that the California Codes become effective in January 2016. Therefore, the State Codes are already in effect, but without the benefit of local amendments.

RECOMMENDATION:

It is recommended that the City Council waive further reading and introduce Urgency Ordinance No. 347U:

ORDINANCE NO. 347U:

AN ORDINANCE OF THE CITY OF BRADBURY ADOPTING BY REFERENCE TITLE 26 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA BUILDING CODE, 2016 EDITION; TITLE 27 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA ELECTRICAL CODE, 2016 EDITION; TITLE 28 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA PLUMBING CODE, 2016 EDITION; TITLE 29 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA MECHANICAL CODE, 2016 EDITION; TITLE 30 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA RESIDENTIAL CODE, 2016 EDITION; TITLE 31 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA GREEN BUILDING STANDARDS CODE, 2016 EDITION; ADD TITLE 33 OF THE LOS ANGELES COUNTY CODE, INCORPORATING THE CALIFORNIA EXISTING BUILDING CODE, EDITION 2016; ADD THE CALIFORNIA HISTORICAL BUILDING CODE, EDITION 2016; MAKING AMENDMENTS TO SAID CODES; AMENDING TITLE IV, CHAPTER 3, TITLE XVII, CHAPTERS 1, 2, 3, 4, 5, 6, 7, 8, 9 AND ADDING CHAPTERS 12 AND 13

MOTION:

Councilmember Barakat made a motion waive reading and adopt Urgency Ordinance No. 347U, and schedule a public hearing and first reading for Ordinance No. 347 on April 18, 2017. Councilmember Hale seconded the motion, which was carried by the following roll call vote:

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

Motion passed 5:0

DISCUSSION ITEM:

RECOMMENDATION TO SEND LETTERS OF SUPPORT FOR PROPOSED CALIFORNIA LEGISLATION (SB 541, SB 589, AND AB 1180) RELATIVE TO MS4 PERMITTING REQUIREMENTS

Interim City Manager Inman stated that staff has become aware of four pieces of state legislation that are working their way through the State Legislature. At the SGVCOG Joint Water Policy Committee and Water Technical Advisory Committee Meeting of March 15, staff from legislators' offices were on hand to describe the proposed legislation. Each of the measures was described by legislative staff as requiring a good deal of "heavy lifting" due to expected opposition. Three of the four bills are at a point where letters of support may be in order, should the City Council be in agreement. The proposed legislation is:

SB 589 (HERNANDEZ):

This bill is intended to incorporate the federal EPA Financial Capability Assessment (FCA) into a statute requiring State and Regional Boards to include FCA into MS4 permitting. The FCA is an EPA policy document, which does not carry the weight of the law. As such, state agencies may choose to disregard the FCA policy, which in short would require those agencies to consider the impact of their regulation upon cities and households within the regulated areas. As has been discussed in the past, the current MS4 regulation in the Los Angeles area has been adopted without any identified source of local funding. High stormwater regulatory compliance costs would have to be passed in some form to the voters. It is expected that this bill will be opposed by the environmental lobby.

SB 541 (ALLEN):

This bill would require the State Department of Education, the State Water Resources Control Board, and the Division of the State Architect and the Office of Public School Construction within the Department of General Services, to consult and recommend best design practices that include water capture design standards for all new, reconstructed, or altered public schools, including school grounds. The bill would require these recommendations to be reported to the Governor and the Legislature on or before January 1, 2019. A similar bill was proposed a few years ago but failed due to heavy opposition by school districts as being unaffordable.

AB 1180 (HOLDEN):

This bill would increase the California Tire Recycling Fee by \$1.50 per tire to be deposited into a Stormwater Permit Compliance Fund. This fund would provide for competitive grants used for permit compliance associated with the zinc content in tires. It is expected that this measure will be strongly opposed by the tire manufacturers' lobby.

DISCUSSION AND MOTIONS:

Following discussion of the proposed bills, the City Council took the following action:

Motion to send a letter in **support** of **SB 541**:

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

NOES: Councilmember Pycz

ABSENT: None

Motion passed 4:1

Motion to send a letter in **support** of **SB 589**:

AYES: Mayor Lewis, Councilmembers Barakat and Hale

NOES: Mayor Pro-Tem Lathrop, Councilmember Pycz

ABSENT: None

Motion passed 3:2

Motion to send a letter to **oppose** **AB 1180**:

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

NOES: None

ABSENT: None

Motion passed 5:0

MATTERS FROM THE CITY MANAGER:

Interim City Manager Inman stated that he contacted LAFCO this week regarding the annexation of four Monrovia parcels. There is no progress to report. We are waiting for the tax resolutions from LAFCO for Council action.

Regarding the CSO program with the City of Monrovia, four top candidates have been selected and are going through the 45-day background check right now.

Code Enforcement update: 53 Woodlyn Lane is in compliance.

April 8th is Earth Day. Four trees will be planted in Bradbury, two at City Hall to replace dead trees. Neither the Mayor nor the Mayor Pro-Tem are available to attend the earth day event.

ICM Inman stated that LA County Public Works has completed the debris basin clean-out and a total of 56,000 cubic yards of debris have been removed.

ICM Inman stated that the San Diego County Water Authority (SDCWA) recently sent letter to City Managers and Councilmembers throughout Southern California regarding their positions on Metropolitan Water District's turf removal rebate program, financial management, water rates and governance. Mr. Inman asked the Council if they would like to discuss this item at a future meeting. The answer was yes.

MATTERS FROM THE CITY COUNCIL:

MAYOR LEWIS: Nothing to report

MAYOR PRO-TEM LATHROP: Mayor Pro-Tem Lathrop stated that the Duarte Unified School District will make its College Announcements soon.

COUNCILMEMBER BARAKAT: Nothing to report

COUNCILMEMBER HALE: Councilmember Hale would like to discuss hiring a special Planner for the Oak View Estates Project at the next meeting.

COUNCILMEMBER PYCZ: Nothing to report

- ITEMS FOR FUTURE AGENDAS:**
- Revised Street Sweeping Contract with Burrtec
 - Second Reading and Adoption of Ordinance No. 346 (new Municipal Code for the City of Bradbury)
 - Public Hearing: Introduction and First Reading of Ordinance No. 347 (Adoption of Los Angeles County Building Codes, 2016 Edition)
 - Fire Chief Jim Enriquez will discuss evacuation procedures during the 2016 Fish Fire
 - Discussion regarding the need for a special Planner for Oak View Estates
 - Discussion Item: San Diego County Water Authority vs Metropolitan Water District

ADJOURNMENT: At 7:50 p.m. Mayor Lewis adjourned the meeting to an adjourned meeting on Monday, March 27, 2017 at 1:00 p.m.



MAYOR – CITY OF BRADBURY

ATTEST:



CITY CLERK – CITY OF BRADBURY