

**MINUTES OF A REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF BRADBURY  
HELD ON TUESDAY, JULY 17, 2018**

- MEETING CALLED TO ORDER:** The Regular Meeting of the City Council of the City of Bradbury was called to order by Mayor Barakat at 7:00 p.m. Mayor Barakat led the Pledge of Allegiance.
- ROLL CALL:** PRESENT: Mayor Barakat, Mayor Pro-Tem Hale, Councilmembers Lewis, Bruny and Lathrop  
STAFF: City Manager Kearney, City Attorney Reisman, City Clerk Saldana and Management Analyst Santos Leon
- APPROVAL OF AGENDA:** Councilmember Lewis made a motion to approve the agenda to proceed with City business. Mayor Pro-Tem Hale 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.  
  
City Attorney Reisman stated that he was not aware of any conflicts of interest pertaining to the agenda items.
- 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 City Council Meeting of June 19, 2018  
B. Resolution No. 18-19: Demands & Warrants for July 2018  
C. Resolution No. 18-20: Authorizing Signatures for Accounts in the Name of “City of Bradbury”  
D. Monthly Investment Report for the month of June 2018  
E. Professional Services Agreement between the City of Bradbury and Michael Baker International for Initial Consultation Services  
F. Agreement between the City of Bradbury and Nevis Capital, LLC for the Payment of Fees and Costs related to Contract Environmental, Planning, Engineering and Legal Services for Initial Consultation on Development of Chadwick Ranch Estates
- MOTION TO APPROVE CONSENT CALENDAR:** Councilmember Lathrop made a motion to approve the Consent Calendar as presented. Councilmember Lewis seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

Motion passed 5:0

**DISCUSSION – POLICY REGULATING  
SHORT-TERM RENTALS:**

City Manager Kearney stated that short-term rentals are a growing industry with advantages and disadvantages for communities and neighborhoods. Staff has discovered a few listings of accommodations in Bradbury and this raises a number of questions about the City's position regarding this practice. Through this discussion, the City should decide whether short-term rentals should be left alone, regulated, or restricted. Should there be a desire for regulations and restrictions, it would be fitting for the Planning Commission to further study this item, as this would require amendments to the City's residential zoning standards.

**ANALYSIS:**

Short-term residential rentals, once popular with beach and tourist areas, are becoming commonplace in all areas throughout the country. This popularity has resulted in a number of "sharing" sites/online hosting platforms such as Airbnb, HomeAway, ZenRentals, Craigslist, to name a few. These platforms become a direct link between the hosts (i.e. property owners) and the travelers or temporary visitors. These platforms make it easy to rent a home, apartment, or room for a short period of time. A short-term rental is typically defined as a rental of private residential property for 30 days or less.

**NEIGHBORHOOD CONCERNS:**

Local Governments have started looking closely at the issue because of a concern with the loss of housing stock, loss of residential character and neighborhoods, as well as the impacts of business uses in residential areas. Neighbors are often impacted with parking, traffic, noise, as well as having public safety concerns. On the other side of the issue are private property rights and the desire of owners to supplement their income with short-term rentals for a variety of reasons.

City Manager Kearney stated that should there be a desire to fully regulate short-term rentals, staff could develop an ordinance that prohibits these activities, similar to the City of Hermosa Beach.

**RECOMMENDTION:**

It is recommended that the City Council provide direction to staff on the options and recommendations regarding short-term rentals. The City Council may elect to provide input on these rentals, and/or refer this matter to the Planning Commission for further study and to provide a formal recommendation to the City Council.

**DISCUSSION:**

Councilmember Lathrop stated that he likes the Hermosa Beach approach, which prohibits short-term rentals.

Mayor Barakat stated that he would favor restricting short-term rentals completely.

**DISCUSSION:**

Councilmember Bruny was concerned about property rights.

City Manager Kearney stated that if the City restricts short-term rentals, already established short-term leases or agreements will not be affected.

Councilmember Lewis stated that he is thinking about property owners and has a hard time banning short-term rentals. What business is it of the City?

City Attorney Reisman stated that there are no published opinions on short-term rentals.

**PUBLIC COMMENT:**

Mayor Barakat opened the discussion for public comment.

John Sitton, 2116 Gardi Street, stated that on 4<sup>th</sup> of July weekend Gardi Street was littered with debris. Short-term renters have no ties to the neighborhood and no permanent resident is present at the Airbnb on Gardi Street. There are 2,000 to 3,000 people in and out every year.

Gayle Jenkins, 2115 Gardi Street, stated that traffic has increased, there is no one onsite, there is no accountability, and the Sheriff's took hours to respond to calls on July 4<sup>th</sup>.

Stella Tsai, 623 Fairlee Avenue, stated that Hermosa Beach is not the only City prohibiting short-term rentals. The Airbnb on Gardi Street offers one-day rentals with a one-day notice starting at \$299/night. The street is littered with trash. Bradbury residents pay premium prices to live in this community.

**COUNCIL DISCUSSION:**

Councilmember Lathrop stated that Gardi Street is in a residential zone, no hotels are allowed, and short-term rentals are inconsistent with the zoning code.

Councilmember Lewis inquired about what happens if they continue to rent out the house after we ban short-term rentals. City Attorney Reisman stated that the City can start with administrative citations and notify Airbnb to take down the listings in Bradbury.

Councilmember Hale inquired if the Ordinance could require an onsite manager. City Attorney Reisman replied that enforcing regulations are staff intensive and Bradbury only has three employees.

**MOTION:**

Councilmember Lathrop made a motion to send the item to the Planning Commission with the direction to prohibit short-term rentals in the City of Bradbury. Mayor Pro-Tem Hale seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

NOES: Councilmember Lewis

ABSTAIN: None

Motion passed 4:1

**GRANT OPPORTUNITY FOR A  
BRADBURY COMMUNITY WILDFIRE  
PROTECTION PLAN:**

Management Analyst Santos Leon stated that in June 2018 staff submitted a Hazard Mitigation Grant Program Notice of Interest to the California Governor's Office of Emergency Services (Cal OES) requesting grant funds for the development of a California Wildfire Protection Plan. Staff recently received confirmation that the proposed plan was determined to be an eligible Hazard Mitigation Grant Program (HMGP) activity and invited the City to develop a full sub-application for consideration of HMGP funding.

**BACKGROUND:**

The City Council has expressed the completion of a Community Wildfire Protection Plan (CWPP) to be a priority since the adoption of the 2014/2015 Work Plan. At the June meeting, the completion of a CWPP was again listed a priority for the 2018/2019 Work Plan.

A CWPP defines wildfire threat risk areas within an adjacent to the community for interface fires, identifies measures necessary to mitigate those risks (i.e. tree removal, spacing, pruning) and outlines a plan of action and proposed cost to implement these measures.

Developing a CWPP would not only fulfill an item from the City's current Work Plan, it is also consistent with the City's most recent Local Hazard Mitigation Plan, which identifies the City at high risk of wildfire probability. Drafting a CWPP without the assistance of a consultant has proven to be a challenge due to research, data analysis, and mapping requirements that are beyond staff's expertise. Staff researched the cost to develop a CWPP and found the average cost to be approximately \$60,000.

**FINANCIAL REVIEW:**

As part of the Hazard Mitigation Grant Program requirements, activities cannot exceed 75% of the total eligible cost and the sub-applicant must provide a minimum of 25% of the total project cost. As a result, the City may be required to provide \$15,000 in funding and request \$45,000 in grant funds to supplement the cost toward a CWPP.

However, the \$15,000 may not be an accurate reflection of the amount the City would have to supplement given the grant allows for in-kind contributions, which are non-cash donations of a good or service that can be given a value. Time dedicated by the Los Angeles County Fire Department personnel, City staff, the Emergency Response Committee, and other community volunteers may be accounted for and used as in-kind donations to reduce the amount of monetary contributions made by the City.

The City was notified of the project's eligibility last week and if allowed time to do further research, staff may be able to provide a more representative estimate on how much monetary funding the City will need to contribute for the completion of a CWPP by the August City Council meeting.

**RECOMMENDATION:**

It is recommended that the City Council review this report and direct staff on how to proceed with the grant to request funding for the development of a California Wildfire Protection Plan.

**DISCUSSION:**

Mayor Pro-Tem Hale inquired if brush clearance services were included in the grant proposal. City Manager Kearney replied no, the brush clearance service is a different grant.

**MOTION:**

Councilmember Lewis made a motion to authorize staff to apply for the grant to develop a Bradbury Community Wildfire Protection Plan. Councilmember Bruny seconded the motion, which was carried by the following roll call vote:

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

NOES: None

ABSTAIN: None

**APPROVED:**

Motion passed 5:0

**DISCUSSION – PROPERTY MAINTENANCE STANDARDS FOR CONSTRUCTION PROJECTS:**

City Manager Kearney stated that pursuant to a recent Councilmember request, this report addresses the City’s current property maintenance standards in relation to construction sites.

**BACKGROUND:**

The City has Property Maintenance Standards that address property standards for residential zones within the City. Typically, these standards apply to homes that have already been built and are occupied. Although these standards can be applied to homes under construction, it could be argued that construction sites are different due to the nature of construction activity. As such, staff has not been aggressively applying these standards to construction sites.

Cities such as San Marino and Beverly Hills have specific sections in their municipal codes that address property maintenance standards for construction projects.

**RECOMMENDATION:**

It is recommended that the City Council review this report and direct staff on how to proceed. Should there be a desire to amend the City’s Municipal Code, staff will return with a draft ordinance at the next meeting based on Council direction.

**DISCUSSION:**

Mayor Barakat cited 703 Braweood Drive as an example of a construction site that needs to be addressed.

Councilmember Lathrop stated that construction fence screening invites trouble and poses safety concerns. Mayor Pro-Tem Hale said that most cities require screens during construction.

The Council inquired if this item has to go to the Planning Commission first. City Attorney Reisman replied no.

**MOTION:**

Mayor Pro-Tem Hale made a motion to direct staff to draft an Ordinance similar to the one the City of San Marino has. Councilmember Lewis seconded the motion, which was carried by the following roll call vote:

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

NOES: None

ABSTAIN: None

**APPROVED:**

Motion passed 5:0

**DISCUSSION – IMPLEMENTATION  
OF PROPERTY MAINTENANCE  
STANDARDS:**

City Manager Kearney stated that pursuant to a Councilmember request, this item initiates a discussion with the Council on how staff should proceed with the enforcement of certain maintenance standards and arranging for water and landscape services for unoccupied residential properties.

It is recommended that the City Council discuss this item and direct staff on how to proceed.

**DISCUSSION:**

City Attorney Reisman explained the process of dealing with code enforcement. Staff starts with issuing a citation, followed by the conference with the City Attorney, going to court, and possible jail time (if no compliance is achieved).

Mayor Barakat inquired about getting compliance from someone who is out of the country. City Attorney Reisman stated that it is difficult.

City Manager Kearney stated that mailings often bounce back to City Hall.

Mayor Pro-Tem Hale wants a process in place that deals with property owners who totally disregard their neighbors.

Councilmember Lathrop stated that the City has an abatement process in place (BMC Section 9, Chapter 115) and wants the City to follow it.

**PUBLIC COMMENT:**

Mayor Barakat opened the discussion for public comment.

Stella Tsai, 623 Fairlee Avenue, stated that the property immediately next to her on the corner of Mount Olive & Gardi is a rental and it's a mess. City Manager Kearney stated that staff will take a look at it.

The City Council encouraged residents to email addresses of problem properties to the City Manager.

Councilmember Lathrop stated that he wants to look at the properties in question himself and wants the Council to follow the process established in the Municipal Code.

Mayor Barakat stated that Councilmember Lathrop is working on the assumption that property owners will cooperate. Mayor Barakat would like a quicker turnaround on abatement issues.

**ACTION:** The City Council directed staff to agendize this discussion for continuation at a future meeting.

**ORDINANCE AMENDING CHAPTER 3 ALTERING THE SECTIONS OF MEMBERS AND ORGANIZATIONS:** City Manager Kearney stated that draft Ordinance No. 357 amends Bradbury Municipal Code Sections 2.04.210 and 2.04.250, and adds a nepotism regulation and rotation schedule for the Planning Commission. The draft ordinance also cleans up language and alters the rotation date from April to June of each year, which coincides with the City Council's new consolidated June election and rotation schedule.

**RECOMMENDATION:** It is recommended that the City Council introduce, waive reading in full, and read by title only Ordinance No. 357:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY, AMENDING THE BRADBURY MUNICIPAL CODE REGARDING THE BRADBURY PLANNING COMMISSION

**DISCUSSION:** Councilmember Lathrop proposed to add "all persons appointed shall be registered voters of the City and shall maintain their principal place of residence *and district* within the City at the time of their appointment.

**PUBLIC INPUT:** Commissioner Novodor, 220 Mount Olive Drive, agreed with the nepotism clause, but preferred the Council leave the Planning Commission rotation process as it.

Commissioner Dunst, 1527 Lemon Avenue, also agreed with the nepotism clause but stated that ethics regulation should cover that already. Commissioner Dunst also stated that the Planning Commission is a good unit.

**MOTION:** Mayor Pro-Tem Hale made a motion to introduce, waive reading in full, and read by title only Ordinance No. 357. Councilmember Lathrop seconded the motion, which was carried by the following roll call vote:

**APPROVED:** AYES: Mayor Barakat, Pro-Tem Hale, Councilmembers Lewis, Bruny and Lathrop  
NOES: None  
ABSTAIN: None

Motion passed 5:0

**DISCUSSION REGARDING JOINT CITY COUNCIL & PLANNING COMMISSION RETREAT:** City Manager Kearney stated that a joint City Council and Planning Commission Retreat was scheduled for Saturday, January 20, 2018 at the Monrovia Canyon Park Cabin. Unfortunately, a majority of the Planning Commission was unavailable to attend and the retreat was cancelled.

**RECOMMENDATION:** It is recommended that the City Council discuss rescheduling the retreat and provide direction to direct staff on how to proceed.

**DISCUSSION :**

Mayor Pro-Tem Hale inquired if the City Manager had any available dates for the cabin. City Manager Kearney replied not yet.

Mayor Barakat stated that we should have done this a year ago. No one wants to give up a Saturday morning, but the City Council and the Planning Commission need to be on the same page.

The Council looked at their calendars and instructed the City Manager to check the availability of the cabin for September 8, September 15, and October 6, 2018.

City Manager Kearney inquired if the City Council still wishes to have a facilitator (Don Hopper) present. The answer was yes.

**MOTION:**

No motion was required.

**MATTERS FROM THE CITY MANAGER:**

City Manager Kearney stated that Bradbury Night Out is next week on Thursday, July 26, from 6-8 pm. We will have two food trucks and ice cream, a balloon artist, vendors and a raffle. Last year about 100 people attended the event.

City Manager Kearney stated that the County Stormwater measure is on the November ballot. Supervisor Kathryn Barger voted no on the proposed parcel tax.

City Manager Kearney reminded the City Council that the deadline to take the AB1234 Ethics Training and renew the Certificate is September.

**MATTERS FROM THE CITY ATTORNEY:**

City Attorney Reisman stated that his office has moved to 11355 Olympic Boulevard, Suite 300, Los Angeles, CA 90064. The phone number is the same.

City Attorney Reisman also informed Council and staff that he will undergo ear surgery next week and therefore won't be able to attend Bradbury Night Out on July 26<sup>th</sup>.

**MATTERS FROM THE CITY COUNCIL:**

**MAYOR BARAKAT:**

Nothing to report

**MAYOR PRO-TEM HALE:**

Mayor Pro-Tem Hale inquired when the Housing Element update will be on the City Council agenda. City Manager Kearney replied that due to noticing requirements and Mayor Pro-Tem Hale being out for the August meeting the Housing Element update will be on the September City Council agenda.

**COUNCILMEMBER LEWIS:**

Nothing to report

**COUNCILMEMBER LATHROP:**

Nothing to report

**COUNCILMEMBER BRUNY:**

Nothing to report



**ITEMS FOR FUTURE AGENDAS:**

Councilmember Bruce Lathrop suggested three items for future agendas:

- Signage that we have “license plate readers” and “no solicitors”
- CSO is not in radio contact with the Sheriff’s Dept.
- Subsidy program (doorbell ring) like Duarte

**ADJOURNMENT:**

At 8:32 p.m. Mayor Barakat adjourned the meeting in memory of Don Burnett to Tuesday, August 21, 2018 at 7:00 pm.

  
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**MAYOR – CITY OF BRADBURY**

**ATTEST:**

  
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**CITY CLERK – CITY OF BRADBURY**