

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY
HELD ON TUESDAY, MARCH 20, 2018**

- MEETING CALLED TO ORDER:** The Regular Meeting of the City Council of the City of Bradbury was called to order by Mayor Lathrop at 7:00 p.m. Mayor Lathrop led the Pledge of Allegiance.
- ROLL CALL:** PRESENT: Mayor Lathrop, Mayor Pro-Tem Pycz, Councilmembers Barakat, Hale and Lewis
- STAFF: City Manager Kearney, City Attorney Reisman, Cody Howing (RKA), City Clerk Saldana and Management Analyst Santos Leon
- APPROVAL OF AGENDA:** Councilmember Hale made a motion to approve the agenda to proceed with City business. Councilmember Lewis 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.
- 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 February 20, 2018
 - B. Resolution No. 18-07: Demands & Warrants for March 2018
 - C. Monthly Investment Report for the month of February 2018
 - D. Final Acceptance – Lemon Avenue Sewer Extension Project
 - E. Agreement with Michael Baker International for Contractual Work on the Proposed Subdivision and Development Project known as the "Oak View Estates" in the Bradbury Estates
 - F. Second Reading and Adoption of Ordinance No. 354:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY AMENDING THE BRADBURY MUNICIPAL CODE REGARDING PARKING PROHIBITIONS ON DESIGNATED STREETS
 - G. Resolution No. 18-08: Providing for the Appointment to the Offices of this City that were to be elected on Tuesday, June 5, 2018
- ITEM E PULLED FROM CONSENT CALENDAR:** Mayor Lathrop pulled items A, F and G from the Consent Calendar for discussion.

FEB 20, 2018 MINUTES:

Mayor Lathrop had the following correction to page 5 of the February 20, 2018 Minutes: *Mayor Lathrop stated that he prefers story poles for all projects in the City of Bradbury that have potential view impacts as a courtesy to people who already live here.*

ORDINANCE NO. 354:

Councilmember Lewis stated that under designated streets "Mount Olive Drive northerly of Mount Olive Lane" is not marked as a no parking zone with signs. City Manager Kearney stated that staff will check on the signs and could also send letters to the affected residents.

RESOLUTION NO. 18-08:

Mayor Lathrop stated that page 1 of Resolution No. 18-08 needs to be corrected to read "for the full term of four years, ending *June* 2022.

**MOTION TO APPROVE
CONSENT CALENDAR:**

Councilmember Hale made a motion to approve the Consent Calendar, as amended. Mayor Pro-Tem Pycz seconded the motion, which was carried by the following roll call vote:

APPROVED:

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

Motion passed 5:0

**DISCUSSION – DRAFT
STORY POLE POLICY:**

City Manager Kearney stated that during the February 2018 meeting, staff presented a report to Council for discussion on the City's Story Pole Policy. Currently, as it is written in Bradbury Municipal Code (BMC) Section 9.43.030, staff may request the use of story poles for any proposed project that may have a possible impact on the view or vista of any pre-existing structure. Additionally, the City Council and/or Planning Commission may also informally request story poles during the public hearing on an item.

Following the discussion, the City Council directed staff to draft a formalized Story Pole Policy for review and approval.

RECOMMENDATION:

It is recommended that the City Council review the draft Story Pole Policy and provide direction to staff on how to proceed. The City Council may elect to review and approve the policy during the meeting, or it may elect to send the policy to the Planning Commission for review.

DISCUSSION:

Mayor Lathrop suggested to add the following language under "Discretionary Review" to the draft Story Pole Policy:

The City Planner shall find that a project affects the views from adjacent properties and request a Story Pole Plan from the applicant if it is reasonably conceivable that an adjacent property resident may believe his or her view will be impacted. Where it is a close questions, the City Planner should err on the side of requiring a Story Pole Plan.

RECOMMENDATION:

It is recommended that the City Council review the City's story pole policy and provide further direction to staff.

DIRECTION TO STAFF:

Following discussion, the City Council directed staff to send the draft Story Pole Policy to the Planning Commission for review and comments. City Manager Kearney stated that staff will try to add the Story Pole Policy to the March 28, 2018 Planning Commission agenda.

INTRODUCTION AND FIRST READING OF ORDINANCES NO. 355 & 356:

City Manager Kearney stated that in response to the discussion during the February 2018 meeting, the City Council direct staff to strengthen the City's current Property Maintenance Standards. The Council also directed staff to move forward with drafting an ordinance regulating uninhabited and unoccupied residential property. In response to Council's direction, staff is presenting the following two ordinances for Council's review and approval:

Ordinance No. 355:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY AMENDING THE BRADBURY MUNICIPAL CODE REGARDING PROPERTY MAINTENANCE STANDARDS

Ordinance No. 356:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY AMENDING THE BRADBURY MUNICIPAL CODE REGARDING UNINHABITED RESIDENTIAL PROPERTY

DISCUSSION:

City Manager Kearney stated that draft Ordinance No. 356 closely resembles the ordinance of the City of San Marino.

Mayor Pro-Tem Pycz inquired about enforcement of Ordinance No. 356. City Manager Kearney replied that it will be challenging. Ordinance No. 356 establishes an uninhabited residential registry. The process would be defined and staff would need to keep continual record of uninhabited properties. Additionally, the City Council may consider a fee associated with such registry. The City of San Marino charges \$50.00. City Attorney Reisman stated that the City Council can only establish a fee by Resolution, which is not on the agenda for tonight.

Mayor Lathrop proposed numerous language changes to Ordinance No. 355. City Attorney Reisman stated that the language in the Ordinance is standard language which is used most cities for property maintenance standards.

RECOMMENDATION:

It is recommended that the City Council introduce for first reading, by title only, Ordinances No. 355 and No. 356.

MOTION FOR ORDINANCE NO. 355:

Councilmember Lewis made a motion to introduce for first reading, by title only, Ordinance No. 355: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY AMENDING THE BRADBURY MUNICIPAL CODE REGARDING PROPERTY MAINTENANCE STANDARDS. Councilmember Barakat seconded the motion, which was carried by the following roll call vote:

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

Motion passed 4:1

MOTION FOR ORDINANCE NO. 356:

Councilmember Barakat made a motion to introduce for first reading, by title only, Ordinance No. 356: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY AMENDING THE BRADBURY MUNICIPAL CODE REGARDING UNINHABITED RESIDENTIAL PROPERTY. Councilmember Hale seconded the motion, which was carried by the following roll call vote:

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

Motion passed 5:0

ADMINISTRATIVE FEE:

City Manager Kearney asked the Council about charging an administrative fee. City Attorney Reisman stated that the City Council needs to do a fee study, a report and adopt a Resolution at a later date.

DISCUSSION – RENEWAL OF THE UTILITY USER TAX:

City Manager Kearney stated that during the February meeting, the City Council discussed renewing the City's Utility User Tax (UUT). As part of the discussion, Council directed staff to return at the March meeting with an update on the City's stormwater obligations.

RECOMMENDATION:

It is recommended that the City Council receive this report.

MOTION FOR PURPOSE OF DISCUSSION:

Following discussion, Councilmember Barakat made a motion to place the UUT renewal on the November ballot. Councilmember Lewis seconded motion.

ROLL CALL VOTE:

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

City Attorney Reisman stated that the motion failed because 4 votes are required to move forward to place a measure on the ballot.

NO ACTION TAKEN:

No further action was taken by the City Council at this time.

MATTERS FROM THE CITY MANAGER:

City Manager Kearney stated that staff is moving forward with public street tree trimming and asked the Council if the City should replace trees that had to be removed. Councilmember Barakat said no, Mayor Lathrop stated that we should. The City has a list of tree stumps and could offer residents free trees to plant (not in the right-of-way). Staff was directed to agendaize this item for further discussion.

City Manager Kearney stated that the City has \$130,000 in Rule 20A money to fund undergrounding utilities. City Manager Kearney asked the Council if they were interested in selling the Rule 20A money since \$130,000 is not enough to do any significant undergrounding project. The Council said no.

City Manager Kearney reported that the Sheriff's Department recently discovered \$50,000 in unspent COPS funds. With this money the City could double up on traffic patrol for one year. Councilmember Barakat suggested that the Sheriff's Department refund the recently issued Check in the amount of \$31,000 and keep the \$50,000. City Manager Kearney stated that he did not know if refunding the COPS funds was an option. Councilmember Barakat stated that he did not want to spend all this money in one year. Councilmember Hale stated that he needs more time to think about this.

City Manager Kearney stated that the City has \$286,000 in restricted funds for road work. \$7,500 needs to be spent in this fiscal year. The City is planning to spend \$150,000 in the next fiscal year to slurry seal the City streets. It was suggested to spend \$7,500 to fix both ends of Royal Oaks Drive North and to fix a bad patch on Royal Oaks Drive left by a Cal-Am Water repair.

City Manager Kearney stated that he will be on vacation from May 18 to June 1, 2018.

MATTERS FROM THE CITY ATTORNEY:

City Attorney Reisman stated that he will undergo ear surgery on April 4th and will not be available during that week.

MATTERS FROM THE CITY COUNCIL:

MAYOR LATHROP:

Nothing to report

MAYOR PRO-TEM PYCZ:

Nothing to report

COUNCILMEMBER BARAKAT:

Councilmember Barakat stated that City Treasurer Laurie Stiver was offended by a recent Bradbury Newsletter article on the front page looking for a "new" Treasurer. City Manager Kearney stated that he already apologized to Ms. Stiver but that the City has an obligation to "advertise" appointed positions when the term expires.

COUNCILMEMBER HALE:

Nothing to report

COUNCILMEMBER LEWIS:

Nothing to report

ITEMS FOR FUTURE AGENDAS:

Public Street Tree Trimming and possible replacement of removed trees.

CLOSED SESSION

PUBLIC EMPLOYEE PERFORMANCE EVALUATION:

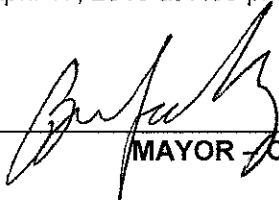
The City Council convened to a Closed Session to discuss Public Employee Performance Evaluation pursuant to Government Code Section 54957(b)(4)
Title: VCA Code Group (Building & Safety Services)

RECONVENE INTO OPEN SESSION:

The City Council reconvened into Open Session and to announce any action taken. City Attorney Reisman reported that the City Council discussed the matter. No formal votes were taken..

ADJOURNMENT:

At 8:20 p.m. Mayor Lathrop adjourned the meeting to Tuesday, April 17, 2018 at 7:00 pm.



MAYOR - CITY OF BRADBURY

ATTEST:



CITY CLERK - CITY OF BRADBURY