

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY
HELD ON TUESDAY, SEPTEMBER 16, 2019**

MEETING CALLED TO ORDER:

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

ROLL CALL:

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

ABSENT: None

STAFF: City Manager Kearney, City Attorney Reisman, City Planner Kasama, City Clerk Saldana and Management Analyst Santos Leon

APPROVAL OF AGENDA:

Councilmember Lathrop proposed to move up the AQMD Presentation from item #4 to item #2. Councilmember Barakat made a motion to approve the agenda to proceed with City business as amended. Councilmember Lathrop 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.

Councilmember Lathrop stated that he has a conflict of interest in regards to item #5 (Sign Board at Royal Oaks Elementary School) and will abstain from the discussion.

PUBLIC COMMENT:

Ray Poke with South California Edison stated that SCE has filed its wildfire mitigation plan with the Public Utilities Commission (PUC) in February 2019. SCE has launched a community outreach effort aimed at raising awareness about what the company is doing to address wildfire risk.

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 August 20, 2019
- B. Resolution No. 19-23: Demands & Warrants for September 2019
- C. Monthly Investment Report for the month of August 2019
- D. Ordinance No. 364: Amending the Bradbury Municipal Code regarding Property Maintenance Standards
- E. Ordinance No. 365: Amending the Bradbury Municipal Code regarding the Public Safety Committee
- F. Final Acceptance and Filing of Notice of Completion: 2018-2019 Slurry Seal Project

**ITEMS PULLED FROM
CONSENT CALENDAR:**

Councilmember Lathrop wished to pull item A (August Minutes) and item D (Ordinance No. 364) from the Consent Calendar for discussion. Councilmember Lathrop had two changes to the minutes (Animal Control Agreement and COPS Funding).

Councilmember Lathrop suggested the following change to Section 12 of Ordinance No. 364: Any *motor* vehicle parking on unpaved areas which are not designated as driveways. The ordinance is written to read: Any vehicle or trailer parking on unpaved areas which are not designated as driveways. Mayor Hale and Councilmember Barakat did not agree with the change and Mayor Pro-Tem Lewis stated that the Council had agreed on "any vehicle or trailer" at the last meeting.

**MOTION TO ADOPT
ORDINANCE NO. 364:**

Councilmember Barakat made a motion to adopt Ordinance No. 364 as written. Mayor Pro-Tem Lewis seconded the motion, which was carried by the following roll call vote:

APPROVED:

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

Motion passed 4:1

**MOTION TO APPROVE
CONSENT CALENDAR:**

Mayor Pro-Tem Lewis made a motion to approve the Consent Calendar (minus items D) with the minutes as amended. Councilmember Barakat seconded the motion, which was carried by the following roll call vote:

APPROVED:

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

Motion passed 5:0

**PRESENTATION -AQMD
AIR QUALITY UPDATE:**

Michael Cacciotti, South Coast AQMD Governing Board Member and South Pasadena Councilmember, gave brief updates on the following topics, programs and incentives:

- South Coast AQMD Air Monitoring
- Challenges to Meeting Air Quality Health Standards
- Health Impacts
- Volkswagen Settlement (2019)
- Voucher Incentive Program (VIP)
- South Coast AQMD Incentive Programs
- Residential EV Charger Incentive Program
- Commercial Electric Lawn and Garden Equipment Incentive & Exchange Program
- Residential Electric Lawn Mower Rebate Program
- Furnace Rebate Program

PUBLIC HEARING – MID TERM UPDATE OF THE HOUSING ELEMENT AND ADOPTION OF RESOLUTION NO.19-24:

City Planner Kasama stated that State law requires that cities include in their General Plan a Housing Element that covers and eight-year period. The City of Bradbury adopted its current Housing Element in November 2014 for the 2013-2021 planning period. The State also requires a mid-term update of the Housing Element. Before the City Council tonight is the draft Mid-Term Update, which has been reviewed by the State Housing and Community Development Department and has been found to meet the statutory requirements of State Housing Element law.

PLANNING COMMISSION REVIEW:

The draft Mid-Term Update was reviewed by the Planning Commission at their August 28, 2019 meeting. The Planning Commission adopted Resolution No. PC 19-284 to recommend that the City Council adopt the Mid-Term Update.

RECOMMENDATION:

It is recommended that the City Council open the public hearing and solicit testimony on the draft Mid-Term Update, close the public hearing, and determine that the Mid-Term Update is to be adopted as drafted with an exemption under CEQA, and approve a motion to adopt Resolution No. 19-24 for adoption of the Mid-Term Update.

PUBLIC HEARING OPENED:

Mayor Hale opened the public hearing asking those wishing to speak in favor or opposition to come forward and be heard.

PUBLIC HEARING CLOSED:

There being no public input, Mayor Hale declared the public hearing closed.

MOTION TO ADOPT RESOLUTION NO. 19-24 ADOPTING THE MID-TERM UPDATE TO THE 2014-2021 HOUSING ELEMENT:

Mayor Pro-Tem Lewis made a motion to adopt Resolution No. 19-24:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA, ADPTING THE MID-TERM UPDATE TO ITS 2014-2021 HOUSING ELEMENT WITH AN EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

Councilmember Barakat seconded the motion, which was carried by the following roll call vote:

APPROVED:

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

NOES: None

ABSENT: None

Motion passed 5:0

PUBLIC HEARING – ORDINANCE NO. 366 DEVELOPMENT CODE UPDATE:

City Planner Kasama stated that two development matters that have recently been discussed are flag lots and intersection visibility. Staff was directed to amend the development standards to preclude flag lots and update the visibility regulations. A draft ordinance was prepared and reviewed by the Planning Commission at their August 28, 2019 meeting. The Planning Commission adopted Resolution No. PC 19-285 to recommend approval of the proposed Development Code amendments.

Ordinance No. 366 has been drafted with Development Code amendments to add minimum lot frontage requirement, update the intersection vision clearance requirements, and to update the Official Zoning Map.

RECOMMENDATION:

It is recommended that the City Council open the public hearing and solicit testimony on proposed Ordinance No. 366:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA, AMENDING THE BRADBURY MUNICIPAL CODE TO ADD MINIMUM LOT FRONTAGE REQUIREMENTS, UPDATE THE INTERSECTON VISION CLEARANCE REQUIREMENTS, AND UPDATE THE OFFICIAL ZONING MAP

PUBLIC HEARING OPENED:

Mayor Hale opened the public hearing asking those wishing to speak in favor or opposition to come forward and be heard.

PUBLIC HEARING CLOSED:

There being no public input, Mayor Hale declared the public hearing closed.

DISCUSSION:

Councilmember Lathrop wanted know if property owners can still apply for a flag lot configuration through a variance or specific plan. City Planner Kasama replied yes.

Councilmember Lathrop also had concerns regarding the 20-foot vision clearance for corner lots, stating that the minimum should be zone specific.

Mayor Hale stated that corner is corner with the same visual impact.

City Planner Kasama stated that the Ordinance is intended for public safety.

MOTION:

Mayor Pro-Tem Lewis made a motion to determine that the ordinance is exempt under CEQA and introduced Ordinance No. 366 for introduction and first reading, by title only. Councilmember Bruny seconded the motion, which was carried by the following roll call vote:

APPROVED:

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

NOES: None

ABSENT: None

Motion passed 5:0

DISCUSSION WITH DUSD SUPERINTENDENT REGARDING A SIGN BOARD AT ROYAL OAKS ELEMENTARY SCHOOL IN EXCHANGE FOR EASEMENTS AT THE SCHOOL AS PART OF THE MOUNT OLIVE LANE SEWER PROJECT:

City Manager Kearny reported that staff received approval from the City Council in May 2017 to move forward with plans and engineering for the design of the Mount Olive Sewer Project. The design is almost complete, but requires easements from the Duarte Unified School District. The District is ready to execute the easement documents, but is requesting that Bradbury participate in the design and purchase of an electronic sign board. The overall cost for the sign board is \$90,000 and DUSD is asking for half (\$45,000) from the City of Bradbury.

RECOMMENDATION:

It is recommended that the City Council discuss with the Superintendent an amount acceptable to fund the electronic sign board so that staff can continue moving forward with the Mount Olive Lane Sewer Project. Once an amount is agreed upon, the City Council should determine if funds to pay for the sign should be included in the reimbursement district or paid from the General Fund Balance.

**SUPERINTENDENT
GORDON AMERSON:**

DUSD Superintendent Gordon Amerson addressed the City Council stating that since January 2019 he has been engaged with his team in an ongoing conversation with the City of Bradbury regarding the project to construct a sewer line along the northern edge of the Royal Oaks STEAM Academy property line.

The District Team is prepared to move forward with recommending to the DUSD Board of Education to grant the easement. During the course of the conversation, a discussion began about partnering with the City of Bradbury to assist with the cost of installing a digital marquee. The District realizes that \$45,000 is not a small request but believes that both the District and the City of Bradbury can benefit from partnering on this project.

DISCUSSION:

Councilmember Barakat stated that Royal Oaks Elementary doesn't have many Bradbury students and inquired if DUSD is only going to grant the easement if the City agrees to contribute \$45,000 for the electronic sign board. Superintendent Amerson replied no, that is not the case.

Councilmember Barakat did not wish to put the burden of paying for the electronic sign board on the homeowners and suggested that the City contribute \$25,000. Councilmember Bruny countered with \$30,000 and Mayor Pro-Tem Lewis offered \$40,000. Councilmember Barakat agreed to contribute \$40,000 and asked that the School District dedicate a plaque on the marquee to the City of Bradbury in recognition of the funding partnership.

MOTION:

Mayor Pro-Tem Lewis made a motion to match 50% for the electronic sign board at Royal Oaks Elementary school with a cap of \$40,000. Councilmember Bruny seconded the motion, which was carried by the following roll call vote:

APPROVED:

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

NOES: None

ABSENT: None

ABSTAIN: Councilmember Lathrop

Motion passed 4:0

Superintendent Amerson thanked the City Council for their kind contribution.

MATTERS FROM THE CITY MANAGER: City Manager Kearney had nothing to report.

MATTERS FROM THE CITY ATTORNEY: City Attorney Reisman had nothing to report.

MATTERS FROM THE CITY COUNCIL:

MAYOR HALE: Nothing to report

MAYOR PRO-TEM LEWIS: Nothing to report

COUNCILMEMBER BRUNY: Nothing to report

COUNCILMEMBER LATHROP: The Duarte Education Foundation Fundraiser Dinner will be held on October 19 at a private residence in the Duarte Mesa. Tickets are \$50 per person. Councilmember Bruny added that the Foundation helps teachers with grants.

COUNCILMEMBER BARAKAT: Nothing to report

ITEMS FOR FUTURE AGENDAS: None

CLOSED SESSION

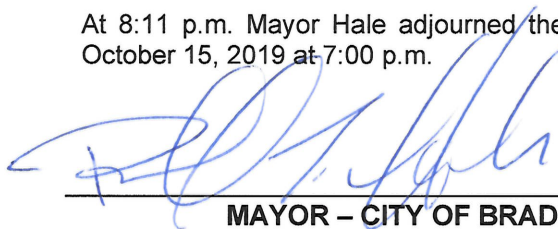
ROLL CALL: Mayor Hale, Mayor Pro-Tem Lewis, Councilmembers Bruny, Lathrop, Barakat, City Manager Kearney and City Attorney Reisman

PUBLIC COMMENT REGARDING CLOSED SESSION ONLY: None

RECESS TO CLOSED SESSION: **Public Performance Evaluation**
Government Code Section 54957(b)(4)
Title: Building & Safety

RECONVENE TO OPEN SESSION AND ANNOUNCE ANY ACTION TAKEN: City Attorney Reisman reported that the City Manager was instructed on how to proceed. No formal votes were taken.

ADJOURNMENT: At 8:11 p.m. Mayor Hale adjourned the meeting to Tuesday, October 15, 2019 at 7:00 p.m.



MAYOR – CITY OF BRADBURY

ATTEST:



CITY CLERK – CITY OF BRADBURY