

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY
HELD ON TUESDAY, AUGUST 18, 2020**

**EXECUTIVE ORDER
N-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 Lewis at 7:01 p.m. followed by the Pledge of Allegiance.

ROLL CALL:

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

ABSENT: None

STAFF: City Manager Kearney, City Attorney Reisman, City Engineer Gilbertson and Deputy City Engineer Leveillee (RKA), and City Clerk Saldana

APPROVAL OF AGENDA:

Councilmember Barakat made a motion to approve the agenda to proceed with City business. Mayor Pro-Tem Bruny 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 there were none.

PUBLIC COMMENT:

James Finlay introduced himself as the son of Duarte City Councilmember Margaret Finlay. Mr. Finlay stated he is serving on the Board for the Duarte Unified School District.

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 – Special Meeting of June 16, 2020
- B. Minutes – Regular Meeting of July 21, 2020
- C. Resolution No. 20-515: Demands & Warrants for August 2020

- D. Monthly Investment Report for the month of July 2020
- E. Budget Amendment to the COPS Account for FY 19/20

**QUESTIONS REGARDING
DEMANDS & WARRANTS:**

Councilmember Lathrop had questions regarding two checks. The first one was Check No. 16086 for the Law Office of Kathy M. Gandara and the second was Check No. 16091 for JudicateWest. Are these matters final or ongoing? City Attorney Reisman stated that the check for Kathy M. Gandara is final, the matter with Ramona Inc. (JudicateWest) is ongoing.

**MOTION TO APPROVE
CONSENT CALENDAR:**

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

APPROVED:

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

Motion passed 5:0

**APPROVAL OF CONTRACT WITH DUDEK
FOR FIRE PROTECTION CONSULTUNG
REGARDING AB 68:**

City Manager Kearney stated during the August 10, 2020 Special Meeting, the City Council directed staff to move toward retaining a consultant to provide services to develop a document that analyzes fire hazards associated with AB 68, which is the State's mandate on how cities are to treat accessory dwelling units.

Staff has contacted Dudek, and they are willing to perform an analysis and a draft document. Michael Huff of Dudek was online to answer any questions the Council may have.

**SUMMARY OF
SCOPE OF WORK:**

City Manager Kearney stated that the following is a summary of the scope of work (greater detail is laid out in the proposal): Conduct a review of wildfire structure loss information, Accessory Dwelling Unit law text, building code text, and other relevant related items; perform an analysis of the Accessory Dwelling Unit law in terms of its impacts on fire safety and conflicts with existing fire and building codes.

The following areas will also be addressed as requested by the City:

- Review any challenges of hillside area setbacks being calculated from property lines instead of building pads;
- Investigate safe distances between ADUs or ADUs and other structures in fire severity zones where there are no sprinklers in the ADUs or main residence;
- Understanding the danger of fire spreading if the ADU has sprinklers but the main house does not;
- Understanding the 20-foot right-of-way needed to get a fire truck into the street and how that correlates with 20 feet between buildings for fire apparatus;
- Verifying if a 1,200 square foot addition is added to an existing home (i.e. not an ADU) would one have to add sprinklers to the existing home?

- Understanding State mandated allowances of manufactured homes in the City without significant City review and understanding if it poses any threats in a high fire hazard area; and
- Understanding any contradictions between the State's desire to fortify high fire hazard areas through land use policies and their housing density regulations.

FINANCIAL ANALYSIS:

The estimate for the current scope of work is not to exceed \$10,550. The project will be billed on a time and materials basis and will not exceed the listed anticipated cost unless authorized by the City. The City has \$20,000 in the Long-Term Planning Fee Fund (Account 112-20-7245) that could be used for this purpose.

RECOMMENDATION:

It is recommended that the City Council approve the \$10,550 expenditure and authorize the Mayor to sign the Agreement with Dudek.

DISCUSSION:

Councilmember Barakat inquired if new construction in Bradbury requires fire sprinklers in all zones or in just the high fire hazard area. City Engineer Gilbertson thought fire sprinklers were required for all new construction in all zones. Councilmember Barakat would like to see all new ADUs to have fire sprinklers, regardless of the setback requirements

Councilmember Hale stated that it is his understanding that ADUs don't have to have fire sprinklers if the main residence doesn't have any. Can the City require fire sprinklers for any new ADUs?

Michal Huff (Dudek) stated that he is doing work for the City of Santa Barbara and Santa Barbara put a moratorium on all new ADUs.

Councilmember Lathrop stated that there is no deadline in the contract for the schedule. Council directed the City Manager to work with Michael Huff on the deadline.

MOTION TO APPROVE CONTRACT WITH DUDEK FOR FIRE PROTECTION CONSULTING REGARDING AB 68:

Councilmember Hale made a motion to authorize the Mayor to sign the Professional Services Agreement between the City of Bradbury and Dudek (Fire Protection Services Consultant) not to exceed \$10,550. Councilmember Barakat seconded the motion, which was carried by the following roll call vote:

APPROVED:

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

NOES: None

ABSENT: None

Motion passed 5:0

ADOPTION OF RESOLUTION NO 20-16 – VEHICLE MILES TRAVELLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADBURY ADOPTING "VEHICLE MILES TRAVELLED" THRESHOLDS OF SIGNIFICANCE FOR PURPOSES OF ANALYSING TRANSPORTATION IMPACTS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

City Manager Kearney turned this item over to Deputy City Engineer John Leveillee (RKA).

CITY ENGINEER'S REPORT:

John Leveillee stated that due to changes in State Law, the City is required to adopt new California Environmental Quality Act (CEQA) thresholds of significance for the transportation impacts for new development. For the purposes of CEQA, these changes will modify how the City evaluates new projects for transportation impacts. Specifically, the City is required to use Vehicle Miles Travelled (VMT) instead of Level of Service (LOS) as the metric to evaluate transportation impacts in CEQA documents such as Environmental Impact Reports. Outside of the CEQA process, the City can choose to continue to evaluate projects using the LOS metric. Based on guidance provided through an implementation process led by the San Gabriel Valley Council of Governments, City staff has prepared new CEQA transportation impact thresholds for consideration by the City Council.

RECOMMENDATION:

It is recommended that the City Council review the parameters presented for adopting Vehicle Miles Travelled (VMT) as the analytical tool in determining a project's transportation impact under CEQA; review the thresholds presented by staff to be used as part of a VMT analysis; and adopt these parameters and thresholds by Resolution No. 20-16.

DISCUSSION:

Councilmember Hale inquired if these changes are going to impact Bradbury. John Leveillee replied that it is going to impact large developments.

MOTION:

Councilmember Lathrop made a motion to adopt Resolution No. 20-16: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADBURY ADOPTING "VEHICLE MILES TRAVELLED" THRESHOLDS OF SIGNIFICANCE FOR PURPOSES OF ANALYSING TRANSPORTATION IMPACTS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT Councilmember Barakat seconded the motion which was carried by the following roll call vote:

APPROVED:

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

Motion passed 5:0

MATTERS FROM THE CITY MANAGER:

City Manager Kearney reminded everyone to complete the online AB 1234 Ethics Training by the end of September.

The approval for the subdivision for 1533 Royal Oaks Drive North expires this week. No application for an extension has been filed.

City Manager Kearney stated that he will be on vacation from August 27th through September 1st (4 business days).

MATTERS FROM THE CITY ATTORNEY:

None

MATTERS FROM THE CITY COUNCIL:

MAYOR LEWIS: Nothing to report

MAYOR PRO-TEM BRUNY: Nothing to report

COUNCILMEMBER LATHROP: Nothing to report

COUNCILMEMBER BARAKAT: Councilmember Barakat stated that he just received his first agenda from the San Gabriel Valley Council of Governments (COG) and it is 800 pages long.

COUNCILMEMBER HALE: Nothing to report

ITEMS FOR FUTURE AGENDAS: None

CLOSED SESSION

CALL TO ORDER/ROLL CALL Mayor Lewis, Mayor Pro-Tem Bruny, Councilmembers Lathrop, Barakat, Hale, City Attorney Reisman, City Manager Kearney

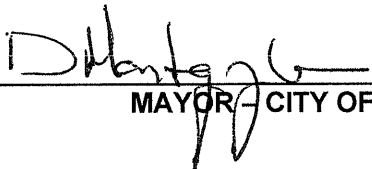
PUBLIC COMMENT REGARDING CLOSED SESSION ONLY: None

RECESS TO CLOSED SESSION: At 7:30 p.m. the City Council recessed to a Closed Session regarding:

A. Conference with Labor Negotiator
Government Code Section 54957(b)(4)
Title: VCA Code Group – Assistant Building Official

RECONVENE TO OPEN SESSION AND ANNOUNCE ANY ACTION TAKEN: At 7:57 pm the Regular Meeting was reconvened and City Attorney Reisman reported that the City Council met in Closed Session to evaluate the performance of the VCA Code Group. The Council instructed the City Manager as to how to proceed.

ADJOURNMENT: At 7:59 p.m. Mayor Lewis adjourned the meeting to a Special Meeting on Monday, September 10, 2020 at 7:00 p.m.


MAYOR, CITY OF BRADBURY

ATTEST:


CITY CLERK – CITY OF BRADBURY