

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY
HELD ON TUESDAY, APRIL 21, 2015**

**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 Barakat at 7:00 p.m. The Pledge of Allegiance was led by Mayor Barakat.

ROLL CALL:

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

STAFF: City Manager Keith, City Attorney Reisman, City Planner McIntosh, City Clerk Saldana and Management Analyst Donayre

APPROVAL OF AGENDA:

City Manager Keith suggested to switch agenda items 2 & 3 to accommodate those in attendance for the UUT Committee Report. With that change Councilmember Lewis made a motion to approve the agenda and proceed with City business. 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.

City Attorney Reisman stated that staff is not aware of any conflicts.

CITY COUNCIL REORGANIZATION:

Every year in April the City Council reorganizes and appoints a Mayor and Mayor Pro-Tem for the term of one year.

APPOINTMENT OF MAYOR:

Councilmember Lewis nominated Mayor Pro-Tem Hale for the position of Mayor. Councilmember Pycz seconded the motion, which carried unanimously.

APPOINTMENT OF MAYOR PRO-TEM:

Councilmember Barakat nominated Councilmember Lewis for the position of Mayor Pro-Tem. Councilmember Lathrop seconded the motion, which carried unanimously.

NEW ROLL CALL:

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

PUBLIC COMMENT:

None

**PRESENTATION TO BILL TODD –
OLDER AMERICAN OF THE YEAR:**

Mayor Hale presented a Proclamation naming William "Bill" S. Todd Bradbury's 2015 Older American of the Year. Bill Todd has been serving his community on the City Planning Commission, the Bradbury City Council (from 2000 to 2008), and was also a member of Royal Oaks Trail Committee and Civic Center Sub-Committee. Mr. Todd is being recognized by the City Council and the Los Angeles County Board of Supervisors for his outstanding achievement on behalf of the City of Bradbury.

Bill Todd, who attended with members of his family, thanked the City Council for the honor.

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 be "to waive further reading and adopt."

- A. Minutes - Regular City Council Meeting of March 17, 2015
- B. Resolution No. 15-07: Demands & Warrants for April 2015
- C. Preliminary Financial Statement for the month of March 2015
- D. Second Reading and Adoption of Ordinance No. 339 – Zone Code Amendment No. 15-001: An Amendment to Chapters 9.02.030 and 9.03 of the Bradbury Zone Code relating to the definition of and continuation of non-conforming uses and structures and definition of demolition
- E. Authorize the City Manager to execute a professional services contract with VCA to perform the City's Professional Planning Services (with changes by City Attorney)
- F. Appointment of Planning Commissioners for Districts 1, 3 and 5 for a two-year term ending April 2017
- G. Quarterly Financial Review for the period ending March 31, 2015

MOTION TO APPROVE CONSENT CALENDAR:

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

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

DISCUSSION – UUT COMMITTEE REPORT:

City Manager Keith stated that per Section 6722 of the voter approved Ordinance on the Utility Users Tax (UUT) an Oversight Committee was appointed by the City Council to review and make recommendations concerning the audit and collection of the funds collected and/or remitted for the UUT. This report is being presented to the City Council by the members of this Committee concerning the current year and with consideration of the upcoming 2015-2016 budget. It is recommended that the City Council receive and review this report and provide further direction to staff.

PRESENTATION BY UUT COMMITTEE:

Committee Members Anne Absey and Frank Hernandez made the presentation to the City Council. Ms. Absey stated that the Committee (Frank Hernandez, Chairperson, Anne Absey, Vice-Chairperson, Laurie Stiver, City Treasurer, and Members James Adams, Susan Esparza, Brian Hamill and Daniel Hyde) has reviewed summaries of the City's receipts of UUT revenue from the various service providers subject to the Ordinance. These summaries were furnished by the City Manager at the request of the committee.

The committee has also reviewed Regional Water Quality Control Board – Los Angeles Region Order No. R4-2012-0175 (NPDES Permit No. CAS004001). This order established waste discharge requirements for municipal separate storm water sewer system (MS4) discharges (MS4 Permit). The MS4 Permit identifies the City of Bradbury as a permittee required to comply with the Regional Board's waste discharge requirements. The committee has also requested information concerning the City's expenditures associated with its compliance with the MS4 Permit.

REVENUES & EXPENDITURES:

Committee Chairperson Frank Hernandez and Vice-Chairperson Anne Absey talked about the UUT revenues and UUT expenditures, which includes a 5-year expenditure forecast for UUT funds, which is a table showing the budgeted, estimated, and actual expenses that Staff projects will be incurred responding to the unfunded mandates of the MS4 Permit. While the UUT revenues have now become generally known, the costs of the full implementation of MS4 Permit activities have been somewhat delayed. Based on the information provided by the City, the committee does not recommend an increase in the UUT rates for the forthcoming fiscal year.

UUT AUDIT:

The UUT Committee has investigated the feasibility of obtaining an audit of the records of the service providers to insure that the City is receiving all of the funds that are due under the UUT Ordinance. The City Manager has identified two companies willing to perform auditing services for the City's UUT program and has obtained proposals from them. The terms of the proposals and the qualifications of the two companies vary, but appear reasonable. The City Manager stated that other local cities have had such audits performed and have concluded that they are generally cost-effective and beneficial. The committee recommends that the City Council consider retention of a firm to perform an audit of the service providers.

DISCUSSION:

Councilmember Lathrop stated that we need to look at our General Fund for next year to determine if we should decrease the UUT rates for next year.

Councilmember Pycz stated that the City Council promised to watch the UUT revenues and expenditures to determine the UUT rates each year.

Frank Hernandez, Chairman of the UUT Committee, felt that the City should accumulate reserves, so maybe we would not need the UUT in the future. Mr. Hernandez also stated that he would hate to drop the rate and then have to raise it again later.

Councilmember Barakat stated that lots of homes are being built right now, which should raise our property tax revenues. City Manager Keith replied that the increase in property tax revenue from new homes is occurring but minimal in the amount needed to manage the NPDES Program.

ACTION:

The City Council ordered the UUT Committee Report received and filed. The UUT rate will remain the same for Fiscal Year 2015-2016 as recommended by the Committee and directed staff to work on retaining a firm to perform an audit of the UUT service providers.

DISCUSSION – POSSIBLE AMDENMENT TO THE HILLSIDE DEVELOPMENT STANDARDS:

City Planner McIntosh stated that when the City adopted the hillside development standards, the intention was to provide protection against extreme grading and fill on natural hillside land, to minimize the removal of natural landscape materials and to design homes to be sensitive to their environment and the neighboring properties. The hillside standards only apply to the A-1, A-2 and A-5 zones, which are typically zones that are most likely to contain lots with natural sloping areas.

As the hillside ordinance has been applied over the years, it has become apparent that the slope calculation used to determine hillside lots captures a larger number of properties and site conditions than was original anticipated. Many sites are primarily flat (under 10 percent slope) but meet the hillside definition because of small areas of extreme slope that alter the formula. Additionally, many of the City's large developed lots pre-date the hillside regulations and have graded pad areas that remain viable development areas as old structures are recycled to make way for new homes. While the hillside regulations are helpful in preventing insensitively designed pads, they also do not include any exceptions for properties that have already been graded.

Staff believes that simple changes can be made to the regulations to account for these conditions, thereby meeting the intent of the guidelines without requiring every project to apply for a variance.

First, a change could be made to what part of a site is included in the slope calculation. Rather than including the entirety of a site, areas around the perimeter of the site that would not be impacted by development and are conditioned to be left in a natural state could be excluded from the calculation. Second, an exception could be made to properties that are being developed on a previously graded pad and when no alterations are being proposed to any existing slope areas of the site. The City Council may entertain additional suggestions as well.

RECOMMENDATION:

Staff recommends that the City Council have a discussion about this matter and direct the Planning Commission to review the information and make a recommendation regarding zone code amendments, policies and guidelines.

DISCUSSION:

Mayor Hale, who brought up the issue last month, said his comments would be the same as last month and had nothing further to add.

Councilmember Lathrop felt that if it isn't broken, don't fix it. If the City exempts a property from the hillside development standards, it might be easy to make a mistake in the scope of the exemptions and difficult to fix later.

ACTION:

The City Council directed staff to take this item to the Planning Commission to review the information and make a recommendation regarding zone code amendments, policies and guidelines.

DISCUSSION – CITY COUNCIL LIAISONS FOR FISCAL YEAR 2015-2016 AND RESOLUTION NO. 15-08 PERTAINING TO THE APPOINTMENTS TO THE SGVCOG:

City Manager Keith stated that the City Council will discuss the 2015-16 organization and association assignments. It is recommended that the City Council designate City Councilmembers to organizations and associations and adopt Resolution No. 15-08 pertaining to the San Gabriel Valley Council of Governments.

ASSOCIATION/ORGANIZATION:

California Contact Cities Association (CCCA):

Rep: Mayor Pro-Tem Lewis

Alt: Mayor Hale

League of California Cities:

Rep: Councilmember Lathrop

Alt: Mayor Pro-Tem Lewis

LA County City Selection Committee:

Rep: Mayor Hale (must be Mayor)

Alt: Mayor Pro-Tem Lewis

LA County Sanitation Districts:

Rep: Mayor Hale (must be Mayor)

Alt: Councilmember Barakat

San Gabriel Valley Council of Governments (SGVCOG):

Rep: Mayor Pro-Tem Lewis

Alt: Mayor Hale

Southern California Association of Governments (SCAG):

Rep: Mayor Pro-Tem Lewis

Alt: Councilmember Lathrop

Southern California Joint Powers Insurance Authority (JPIA):

Rep: Councilmember Pycz

Alt: City Manager Keith

Foothill Transit:

Rep: Councilmember Barakat

Alt: Mayor Hale

San Gabriel Valley Mosquito & Vector Control District:

Rep: Councilmember Barakat (term expires December 2015)

Duarte Community Education Council (CEC) and

Duarte Education Foundation:

Rep: Councilmember Lathrop

Alt: Mayor Hale

Duarte Education Foundation:

Rep: Councilmember Lathrop

Alt: Mayor Hale

Area D Emergency Services and
Director of the Bradbury Disaster Committee:

Rep: Mayor Pro-Tem Lewis
Alt: Councilmember Lathrop

Temple Station Booster Club:

Rep: Vacant

Civic Center Committee:

Rep: Mayor Hale
Alt: Councilmember Pycz

MOTION:

Mayor Pro-Tem Lewis made a motion to designate City Councilmembers to the organizations and associations and to adopt Resolution No. 15-08 appointing the Governing Board Member and Alternate Governing Board Member to the San Gabriel Valley Council of Governments. Councilmember Barakat seconded the motion, which was carried by the following roll call vote:

APPROVED:

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

**MATTERS FROM THE
CITY MANAGER:**

City Manager Keith reported on the trail improvements (V-gutter and plant replacement). Councilmember Barakat stated that the sprinklers on Royal Oaks Trail run too much, some of the sprinklers are broken and the trail gates are up.

The Planning Commission will meet tomorrow, Wednesday, April 22, 2015.

MATTERS FROM THE CITY COUNCIL:

MAYOR HALE: Nothing to report

MAYOR PRO-TEM LEWIS: Nothing to report

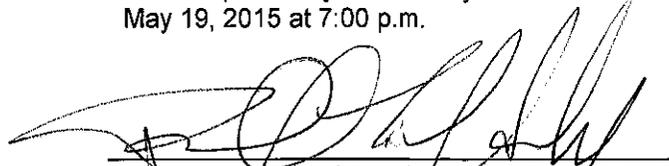
COUNCILMEMBER LATHROP: Nothing to report

COUNCILMEMBER PYCZ: Nothing to report

COUNCILMEMBER BARAKAT: Councilmember Barakat stated that there is no West Nile Virus activity right now.

ITEMS FOR FUTURE AGENDAS: None

ADJOURNMENT: At 8:00 p.m. Mayor Hale adjourned the meeting to Tuesday, May 19, 2015 at 7:00 p.m.



MAYOR – CITY OF BRADBURY

ATTEST:

Claudia Saldana
CITY CLERK - CITY OF BRADBURY