

**MINUTES OF A REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF BRADBURY  
HELD ON TUESDAY, AUGUST 20, 2013**

- MEETING CALLED TO ORDER:** The Regular Meeting of the City Council of the City of Bradbury was called to order by Mayor Pycz at 7:01 p.m. Mayor Pycz led the pledge of allegiance.
- ROLL CALL:** PRESENT: Mayor Pycz, Mayor Pro-Tem Barakat, Councilmembers Hale, Lewis and Lathrop
- ABSENT: None
- STAFF: City Manager Keith, City Attorney Reisman, City Planner McIntosh, City Clerk Saldana and Management Analyst Kearney
- 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 be "to waive further reading and adopt."
- A. Minutes - Regular City Council Meeting of June 25, 2013
  - B. Minutes – Special City Council Meeting of July 31, 2013
  - C. Resolution No. 13-25: Demands & Warrants for August 2013
  - D. Financial Statement for the month of June 2013
  - E. Financial Statement for the month of July 2013
  - F. Staggered Appointment of Members to vacant and alternate Emergency Response Committee seats
  - G. Annual Review and Approval of the City's Investment Policy and Authorize City Manager and Finance Director to Invest City Funds
  - H. Resolution No. 13-26: Approval of revised Gann Appropriations Limit
- ITEM G PULLED FROM CONSENT CALENDAR FOR DISCUSSION:** Councilmember Lathrop requested to pull Item G (City's Investment Policy) from the Consent Calendar for discussion.
- DISCUSSION:** Councilmember Lathrop felt that on page 1 of the Investment Resolution it should be resolved that 2, not 1, signatures should be required.
- The other concern was the Safekeeping Agreement with US Bank, Section 16 (Arbitration) in Minneapolis, Minnesota. The City Attorney

recommended to change the Arbitration location to Los Angeles, California, and to add City Manager Michelle Keith as a signer.

**MOTION TO APPROVE CONSENT  
CALENDAR ITEM #G:**

Mayor Pycz made a motion to approve the City's Investment Policy and authorize the City Manager and Finance Director to Invest City Funds. Councilmember Lathrop seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

NOES: None

ABSENT: None

Motion passed 5:0

**MOTION TO APPROVE  
CONSENT CALENDAR:**

Councilmember Hale moved to approve the remainder of the Consent Calendar as presented. Mayor Pro-Tem Barakat seconded the motion, which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

Motion passed 5:0

**PUBLIC HEARING – MASTER FEE  
SCHEDULE UPDATE:**

City Manager Keith stated that Government Code Section 66014 requires that local government fees can be calculated so that the fees do not exceed the estimated reasonable cost of providing the service for which the fee is charged. The City completed this process in May 2009 and has not updated the fee schedule since that time.

**RECOMMENDATION:**

It is recommended that the City Council open a public hearing and adopt Resolution No. 13-24 approving the City's Master Fee Schedule. The proposed fee schedule for the Fiscal Year 2013-2014 budget recommends a CPI of 3% across the board. If adopted, the new master fee schedule will go into effect September 20, 2013.

**DISCUSSION:**

Councilmember Barakat pointed out that the word "disturbance" on page 4 of the fee schedule is misspelled. Staff will correct the typo.

**PUBLIC HEARING OPENED:**

Mayor Pycz opened the Public Hearing and asked those speaking in favor or opposition to come forward and be heard.

**PUBLIC HEARING CLOSED:**

There being no public testimony, Mayor Pycz declared the Public Hearing closed.

**MOTION TO MASTER FEE  
SCHEDULE:**

Councilmember Hale made a motion to adopt Resolution No. 13-24, establishing a Master Fee Schedule for Fiscal Year 2013-2014 for the City of Bradbury. Councilmember Lathrop seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

NOES: None

ABSENT: None

Motion passed 5:0

**PUBLIC HEARING – ZONE CODE  
AMENDMENT NO. ZCA 13-18:  
(PERMITTED SIGNS)**

City Planner McIntosh stated that currently, there are minimal standards regarding signs in the Bradbury Municipal Code. These standards do not provide enough specificity regarding property signs or temporary signage for real estate and construction activity in residential zones and have no guidelines for campaign and political signs. The proposed ordinance would provide more detailed and comprehensive information about signage in the City.

The City Council initiated a discussion about signage in January and the Planning Commission has discussed proposed regulations on two occasions. The draft ordinance contains provisions for the following types of signs:

- Permanent Property Identification Signs
- Permanent Incidental Signs
- Temporary Real Estate Signs
- Temporary Construction Signs
- Temporary Political Signs
- Prohibited Signs
- Design Guidelines for Signs
- Non-conforming signs and amortization

**DISCUSSION:**

City Manager Keith stated that the City Attorney has made some modifications to the draft ordinance. The City Manager also stated that the City Council does not have to do a first reading of the ordinance tonight.

Councilmember Barakat inquired why the City has to allow trades to advertise. City Manager Keith replied that only one sign per construction site will be allowed.

Councilmember Hale stated that the Bradbury CSD has an ordinance against signs and the City ordinance should reflect that.

After much discussion, the City Council directed staff to make many substantial changes to the draft ordinance, including prohibiting construction sign, and grandfathering existing property signs.

**PUBLIC HEARING OPENED:**

Mayor Pycz opened the Public Hearing and asked those speaking in favor or opposition to come forward and be heard.

**PUBLIC TESTIMONY:**

Karen Dunst, 1527 Lemon Avenue, stated that the Planning Commission only really discussed construction signs, not property identifications signs.

**PUBLIC HEARING TO BE  
CONTINUED:**

The City Council directed staff to present the modified draft ordinance at the next meeting and continued the public hearing to the September 17, 2013 meeting.

**DISCUSSION – STREET WIDTH,  
PARKWAY TREATMENTS, FRONT  
YARD SETBACKS AND POTENTIAL  
DESIGN GUIDELINES ALONG  
LEMON, WINSTON AND ROYAL  
OAKS DRIVE NORTH:**

City Manager Keith stated that the City Council will discuss the options for addressing aesthetics along the street frontages of Lemon, Winston and Royal Oaks Drive North, including the possibility of creating opportunities for a future pedestrian/equestrian and/or bicycle trail.

City Planner McIntosh stated that the right-of-way along the three streets is 40 feet and the street widths vary as do the location of property line walls, fences and hedges. An example is the property to the north of City Hall. The street is 26 feet wide at this point, and the fence/wall locations on the private properties on both sides of the street are three to five feet, from curb to curb, even though the city-owned parkway areas should be

seven feet on each side or a combined total of 24 feet across. Photos of the specified streets were shown.

It appears that at some point in time, property owners were allowed to place fences, wall and hedges within the public right-of-way.

The City Council can discuss different potential goals for addressing the right-of-way on these streets, including increased public access along the right-of-way, consistency of parkway treatments, aesthetic standards of parkway treatments, and maintenance.

**RECOMMENDATION:**

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

**DISCUSSION:**

City Manager Keith stated that according to the City Engineer, these streets cannot be narrowed. This was in response to a Councilmember question about narrowing the street like Mount Olive Drive.

Mayor Pycz compared the east and west side of Winston as an example. He would like to see more uniform setbacks as a focal point of community.

Mayor Pro-Tem Barakat asked for an explanation of "right-of-way." City Planner McIntosh stated that it means it's public, not private. City Planner McIntosh stated that we need to know what is public and what is private.

Councilmember Lewis stated that the City has completed the improvements on Mount Olive Drive, now it's time to review and concentrate on another area of the community.

City Planner McIntosh recommended sending this item to the Planning Commission for review and maybe do an overlay zone for these three streets.

**MOTION:**

Councilmember Lathrop made a motion to send this item to the Planning Commission to review and make a recommendation to the City Council regarding zone code amendments, policies and guidelines. Councilmember Lewis seconded the motion, which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

Motion passed 5:0

**APPOINTMENT OF THE  
UTILITY USERS TAX  
OVERSIGHT COMMITTEE:**

City Manager Keith stated that in May 2013, the voters of Bradbury approved Measure BB. The voter approved Ordinance No. 327 required the formation of an Oversight Committee. According to Article VI Chapter 7 Section 6722 of the City Utility Users Tax Ordinance a 6-member Oversight Committee is to be established. The committee is to be comprised of the City Treasurer plus five members of the public, with each Councilmember making one appointment.

The City Council is now required to appoint a Utility Users Tax Citizens Oversight Committee to review the uses that are budgeted for the revenue generated by this tax and to make recommendations to the City

Council for this use. It is recommended that the City Council appoint five (5) members of the public to the UUT Oversight Committee.

Staff would recommend this committee be staffed by the Finance Director and City Manager. In addition, this committee will be subject to the Brown Act and its meetings will be open to the public.

City Manager Keith stated that the following persons meet the eligibility criteria for appointment to the UUT Citizens Oversight Committee and have submitted an application/interest to serve. The Council may nominate any person below that meets the eligibility criteria:

Frank Hernandez (District One)  
Anne Absey (District Two)  
James Adams (District Two)  
Ann Armstrong (District Three)  
Stella Tsai (District Three)  
Susan Collins-Esparza (District Four)  
Daniel Hyde (District Five)

**DISCUSSION:**

The City Council discussed whether or not to appoint just one representative from each district or alternates as well. The City Council also discussed term limits and staggered term limits.

**MOTION TO APPOINT THE  
UUT OVERSIGHT COMMITTEE:**

Following discussion, Mayor Pro-Tem Barakat made a motion to appoint Frank Hernandez (District One) for a 1-year term, James Adams (District Two) for a 2-year term and Absey (District Two) as the alternate, Ann Armstrong (District Three) for a 1-year term and Stella Tsai (District Three) as the alternate, Susan Collins-Esparza (District Four) for a 1-year term and Daniel Hyde (District Five) for a 2-year term. Councilmember Hale seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

NOES: None

ABSENT: None

Motion passed 5:0

**FIRE HAZARD REDUCTION  
GRANT:**

Management Analyst Kevin Kearney stated that in 2008, the City of Bradbury was awarded a grant from the California Fire Safe Council-United States Forest Service in the amount of \$293,400 for brush reduction in the City. When adding in the matching funds (in kind and monetary) from the City of Bradbury, Los Angeles County Fire Department and the Bradbury Estates HOA, the project award was \$391,200. In 2009, a contract was signed with Gothic Landscape Maintenance and the total area of brush reduction was 274.75 acres. The overall method used to this brush reduction project was called "Shaded Fuel Break," which refers to a forest management strategy used for mitigating the treat of wildfire in areas where natural fire regimes have been suppressed leading to a dangerous buildup of combustible vegetation.

In 2010 and 2011, the City submitted the Phase 2 portion of the City of Bradbury Integration Fire Hazard Reduction Plan for the 2011 and 2012 funding years. The City's proposals were not funded.

One of the Council's priorities for the 2012-2014 is Disaster Preparedness. Come September of this year, the City will again have opportunity to apply for funding for the Integration Fire Hazard Reduction Plan – Phase 2 for the 2014 grant cycle.

**RECOMMENDATION:**

Staff recommends that the City Council direct Staff to move forward with applying to the California Fire Safe Council grant for the 2014 cycle and allocate \$50,000 in undesignated reserves as matching funds. As part of the grant application, staff will be drafting a Community Wildfire Protection Plan to be reviewed by the Emergency Response Committee and City Council at a later time.

**DISCUSSION:**

Mayor Pro-Tem Barakat inquired if we will be able to use goats this time. City Manager Keith replied maybe, however in 2009 the brush was cleared by hand due to its density and the fact that it was not edible for goats.

The question was asked if the Woodlyn Lane Improvement Association (WLIA) would also be able to make a contribution. Councilmember Lewis replied that he will bring it up at the next WLIA meeting in January 2014 but stated that in any case it would not be a large amount.

Councilmember Lathrop suggested adding a discussion item for a future agenda to put aside \$10,000 a year for fire mitigation (not from UUT funds).

**MOTION:**

Councilmember Lathrop made a motion to direct Staff to move forward with applying to the California Fire Safe Council grant for the 2014 cycle and allocate \$50,000 in undesignated reserves as matching funds. Councilmember Hale seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

NOES: None

ABSENT: None

Motion passed 5:0

**MEASURE R EXPENDITURE PLAN AMENDMENT:**

City Manager Keith stated that at the last meeting, Councilmember Hale requested the City Council consider sending a letter of support to include the extension on the Gold Line to Claremont and eventually to Ontario Airport as part of Metro's Measure R Expenditure Plan Amendment. Should the City Council approve such a support position on this matter, the City would be joining numerous San Gabriel Valley agencies and communities.

**MOTION:**

Councilmember Lewis made a motion to approve the letter of support and take a position on the Los Angeles Metro Measure R Expenditure Plan Amendment. Mayor Pro-Tem Barakat seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

NOES: None

ABSENT: None

Motion passed 5:0

**MATTERS FROM THE CITY MANAGER:**

City Manager Keith acknowledged and thanked the Nijjar Family for the donation of a new flag pole for the Civic Center.

The City Manager stated that she will attend a Stormwater Forum at the City of Hope on August 21.

The Planning Commission will meet on Wednesday, August 28, and review the Environmental documents for the General Plan Update.

City Manager Keith stated that she will be out of the office on August 30 and 31.

City Hall will be closed on Monday, September 2, for Labor Day, and Friday, September 6, for First Friday Closure.

The City of Pasadena approved the Rose Bowl Cycling Event to be held on Sunday, October 20th. There will be no road closures.

**MATTERS FROM THE CITY COUNCIL:**

**MAYOR PYCZ:**

Nothing to report

**MAYOR PRO-TEM BARAKAT:**

Mayor Pro-Tem Barakat stated that the San Gabriel Valley Mosquito & Vector Control District has reported one death from West Nile Virus.

**COUNCILMEMBER HALE:**

Councilmember Hale felt that the Planning Commission should look into updating the City's Design Guidelines and look at issues such as flat roofs. City Manager Keith stated that the update of the Design Guidelines is already included in the budget. Mr. Hale asked for staff to bring this item for the City Council's review how to proceed.

Mr. Hale also stated that he has termed off the Duarte School Bond Oversight Committee.

**COUNCILMEMBER LEWIS:**

Nothing to report

**COUNCILMEMBER LATHROP:**

Councilmember Lathrop stated that he and City Manager Keith will meet with the new Executive Director of the San Gabriel Valley COG on Wednesday, September 4th.

The Duarte Education Foundation will hold its Annual Dinner on Sunday, October 13.

The Northview School Cafeteria, which was completed with money from the bond measure, is finished.

**ITEMS FOR FUTURE AGENDAS:**

Councilmember Lathrop requested an item putting \$10,000 a year aside for fire mitigation. City Manager Keith suggested discussing this item with the next budget cycle.

Councilmember Hale requested the Design Guideline Update process be reviewed.

**CLOSED SESSION**

**CALL TO ORDER/ROLL CALL:**

The Closed Session was called to order by Mayor Pycz.

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

ABSENT: None

STAFF: City Manager Keith and City Attorney Reisman

**PUBLIC COMMENT REGARDING  
CLOSED SESSION ONLY:**

None

**CLOSED SESSION ITEMS:**

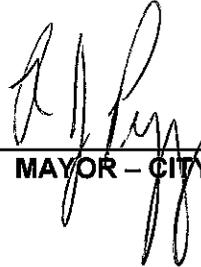
1. **Pending Litigation:**
  - A. Pursuant to California Government Code Section 54956.9(a)  
California American Water CPUC Proceedings
  - B. People v. Yo Maiwandi
2. **Initiation of Litigation:**
  - A. Pursuant to California Government Code Section 54956(c)  
One potential case

**REPORT FROM CLOSED SESSION:**

City Attorney Reisman reported that the City Council had no reportable action.

**ADJOURNMENT:**

At 9:30 p.m. Mayor Pycz adjourned to the meeting to Tuesday, September 17, 2013 at 7:00 p.m. at the Bradbury Civic Center.



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**MAYOR – CITY OF BRADBURY**

**ATTEST:**

  
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**CITY CLERK – CITY OF BRADBURY**