

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY
HELD ON TUESDAY, DECEMBER 17, 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 7:00 p.m.

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 and City Clerk Saldana

APPROVAL OF AGENDA: Mayor Pro-Tem Barakat made a motion to approve the agenda and proceed with City business. Mayor Pycz 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 Manager Keith stated that Mayor Pycz and Mayor Pro-Tem Barakat need to abstain from voting on Consent Calendar Item 1.E – Ordinance No. 333: Zone Code Amendment No. ZCA 13-20 Creating Chapter 9.05.085 - Lemon/Winston/Royal Oaks Drive North Overlay Zone.

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 November 19, 2013
- B. Resolution No. 13-33: Demands & Warrants for December 2013
- C. Financial Statement for the month of November 2013
- D. Resolution No. 13-34: Allocating the City of Bradbury's Citizens Option for Public Safety (COPS) Funds
- E. Second Reading of Ordinance No. 333: Zone Code Amendment No. ZCA 13-20 Creating Chapter 9.05.085 – Lemon/Winston/Royal Oaks Drive North Overlay Zone
- F. General Plan 2013-2030 Studies Additional Appropriations

MOTION TO APPROVE CONSENT CALENDAR ITEMS A, B, C, D & F: Councilmember Lewis moved to approve Consent Calendar Items A, B, C, D & F as presented. Councilmember Hale 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

**MOTION TO APPROVE
CONSENT CALENDAR
ITEM E:**

Councilmember Lewis moved to approve Consent Calendar Item E as presented. Councilmember Hale seconded the motion, which was carried by the following roll call vote:

AYES: Councilmembers Hale, Lewis and Lathrop

NOES: None

ABSENT: None

ABSTAIN: Mayor Pycz and Mayor Pro-Tem Barakat

Motion passed 3:0

**PUBLIC HEARING – ZONE CODE
AMENDMENT NO. ZCA 13-21
RELATING TO ROOF PITCH:**

City Planner McIntosh stated that the City Council directed her to begin to review and update the City's 1995 design guidelines. Some of the provisions of the Design Guidelines have become outdated and do not reflect current trends and values in design and architecture. An analysis of the entire existing guidelines is underway. This item is the first proposed amendment. It is intended to provide more flexibility in the code for architecturally appropriate roof pitch. This recommended zone code amendment would eliminate the 3.5:12 minimum roof pitch requirements.

**REASON FOR ZONE CODE
AMENDMENT:**

In recent years, there has been a trend in the design world of returning to the modern architecture style. Staff is recommending that the code be amended to allow more flexibility and to eliminate the need for an applicant to request a variance for roof pitch. The City can still require that a recognizable architectural style is present in all applications, and projects can still be conditioned to limit or restrict or screen rooftop equipment through the architectural review and neighborhood compatibility progress.

RECOMMENDATION:

It is recommended that the City Council open the public hearing, accept public testimony, and introduce for first reading Draft Ordinance No. 332: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA, AMENDING SECTIONS 9.05.020.040 G, 9.05.030.040 G, 9.05.040.040 G, 9.05.050.040 G AND 9.05.060.040 G OF THE MUNICIPAL CODE.

PUBLIC HEARING OPEN:

Mayor Pycz opened the public hearing and asked anyone speaking in favor or opposition to come forward and be heard.

PUBLIC TESTIMONY:

None

PUBLIC HEARING CLOSED:

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

DISCUSSION:

Councilmember Hale stated that it is great that we're seeing a lot of modern architecture.

Councilmember Lathrop stated that he was concerned about roof equipment in the R-20,000 and R-7,500 Zone, the issue being closer proximity of homes on the smaller lots. Councilmember Lathrop also stated that he would like to talk about this issue at his District Four State of the District meeting.

The new language reads "the approval body may require the applicant to provide documented proof of necessity." What is proof of necessity? City Planner McIntosh answered that "proof of necessity" is something that would be covered under the architectural plan review.

MOTION:

Councilmember Lewis made a motion to introduce for first reading Ordinance No. 332: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA, AMENDING SECTIONS 9.05.020.040 G, 9.05.030.040 G, 9.05.040.040 G, 9.05.050.040 G AND 9.05.060.040 G OF THE MUNICIPAL CODE, omitting the R-20,000 and R-75,000 Zones from the Ordinance. Councilmember Hale seconded the motion, which was carried by the following roll call vote:

APPROVED:

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

NOES: Councilmember Lathrop

ABSENT: None

Motion passed 4:0

City Manager Keith stated that Ordinance No. 332 will be on the January 21, 2014 agenda for second reading and adoption.

DISCUSSION – CONSIDERATION OF COMMENTS TO THE PROPOSED ADOPTION OF THE 2014 LOS ANGELES COUNTY FIRE CODE FOR THE CONSOLIDATED FIRE PROTECTION DISTRICT:

City Manager Keith stated that the County of Los Angeles Fire Department provides fire protection services for the City of Bradbury through the Los Angeles County Consolidated Fire Protection District. The County Fire Department serves as the Fire Code Official to the City and the Fire District via the 2011 Consolidated Fire Protection District Code of Los Angeles County.

As per the December 10, 2013 letter from Fire Chief Daryl L. Osby, it is anticipated that in early 2014 the Fire Department will hold a public hearing before the Los Angeles County Board of Supervisors to update the Consolidated Fire Protection District Code for the County. As a governing body within the District the Fire Department has supplied the City with a matrix outlining the significant changes within the 2014 Fire Code adoption from the 2013 California Fire Code. The draft ordinance is over 168 pages but is available at City Hall should anyone wish to review it.

Per State Law the County is notifying the City of the proposed changes. If the City has any concerns regarding the proposed changes it can submit them in writing to the Fire Department by December 31st.

Once the Code is adopted by the Board of Supervisors it is recommended and has been past practice for the City to adopt the code in its entirety as the City's Fire Code.

RECOMMENDATION:

It is recommended that the City Council review the items in the matrix regarding the new Fire Code and provide direction to staff.

DISCUSSION:

Councilmember Hale felt that there was not enough time to review the proposed changes by December 31.

In regards to the Section that states "traffic calming devices that affect fire apparatus now require approval by the fire code official" the City Council was concerned about who has jurisdiction over speed humps and traffic calming devices, the City or the Fire Department.

Councilmember Lathrop was also concerned that existing traffic calming measures will be grandfathered in.

DIRECTION TO STAFF:

Staff was directed to send a letter commenting on the concerns over local control.

DISCUSSION – CONSIDERATION OF AN AGREEMENT WITH E-PLANSOFT TO PROVIDE PROFESSIONAL SERVICES TO THE CITY OF BRADBURY FOR BUILDING AND PLANNING PERMIT SOFTWARE:

City Manager Keith stated that currently all development project applications and permits are in hard copy format and are manually tracked and permitted. This process is time intensive, duplicates efforts and poses storage and security issues for the City. As a result, staff has been reviewing cost effective solutions and new technologies in order to manage this process better. The City has the opportunity to partner with a company, e-PlanSoft, to streamline the development process electronically for \$450 a month, which could be offset by modifying our current technology fee to 6%. This minor adjustment to the fee makes the monthly fee cost neutral because the use of the new permit systems is paid for by those that will use it.

ANALYSIS:

E-PlanSoft's online electronic plan review (e-PlanCheck) is designed with small to mid-sized municipalities and public agencies in mind. Their e-PlanCheck allows a collaborative, simultaneous review process that lets each department check codes and plans at the same time. Their electronic plan review software allows simultaneous checking of plans by various departments without the usual wait times. Different departments can now collaborate with each other and leave feedback comments or messages in real time so there are no delays in getting the plan checking work completed. All comments and corrections can be seen by all reviewing parties. Within this industry leading process is a permit issuing module that will allow the building department to issue building permit electronically.

Staff will also have access to all the plan review/permit system project statuses since all information is continually updated in real time. The software will replace the current manual process to record, review, track and store applications and permits. E-PlanSoft's software also streamlines the plan review process in an effort to reduce cost, increase efficiency and improve customer service.

FINANCIAL REVIEW:

E-PlanSoft will allow the City up to 5 user licenses, which will include Planning, Building, Engineering, City Hall and VCA. E-PlanSoft will train all City staff/contractors and be able to assist with any questions to ensure optimum functionality. E-PlanSoft is offering the City an exclusive offer of free software, with a monthly maintenance fee of \$450, or \$5,400 a year. Once the system is active online and in use, E-PlanSoft will proceed with ongoing maintenance, user support services and updates when necessary.

RECOMMENDATION:

It is recommended that the City Council authorize the City Manager to execute a professional services agreement with E-PlanSoft for the implementation of the planning and building permit software and raise the technology fee for plan check and building permits from 3% to 6%.

DISCUSSION:

City Manager Keith stated that E-PlanSoft is a start-up company so there are concerns about what would happen if the company goes under. Staff is proposing to operate parallel systems through the current fiscal year, ending June 30, 2014.

Councilmember Lewis stated that the monthly maintenance cost of \$450 goes up after the first year to \$625 a month. City Manager Keith stated that the City could negotiate the monthly maintenance fee after the first year to continue for an additional two years.

Councilmember Hale stated that he doesn't want the City to get stuck with or dependent on E-PlanSoft.

City Attorney Reisman stated that he would like to draw up a standard Professional Services Agreement similar to other City contracts.

Councilmember Lewis inquired if the City can digitize prior projects. City Manager Keith stated that all of the City's permits are currently being scanned for that purpose. Once the permits are complete we will look at options for plans.

City Manager Keith suggested to try E-PlanSoft for one year and see how it goes and review the efficiency and benefits to the City and customers.

Councilmember Hale stated that we have to work diligently for our residents and that income to the City is lost by delays. We need to get plans in and out faster.

City Manager Keith stated that the Planning Department needs 20 hours to do a full staff report for a new project for it to be legally defensible. Our contract Planner works 20 hours a month, that's one project per month.

Councilmember Hale felt that we need to get through this process quicker and suggested to maybe charge expediting fees.

Mayor Pro-Tem Barakat stated that expediting fees will favor wealthier property owners and push everyone else on the back burner for months which would be unfair and would cause resentment.

Mayor Pycz reminded everyone to get back on topic and that perhaps this is the first step in moving us forward.

MOTION:

Councilmember Lewis made a motion to authorize the City Manager to execute a professional services agreement drafted by the City Attorney with E-PlanSoft for the implementation of the planning and building permit software and to set a public hearing to raise the technology fee for plan check and building permit from 3% to 6%. 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

MATTERS FROM THE CITY MANAGER:

City Manager Keith stated that the City Council needs to schedule a special meeting for the Housing Element Update. This meeting has to happen after the Planning Commission meeting on January 22. The City Council agreed to meet on Tuesday, January 28, 2014 at 6 p.m.

City Hall will be closed from Tuesday, December 24 to January 1, 2014 and will re-open on Thursday, January 2, 2014.

MATTERS FROM THE CITY COUNCIL:

MAYOR PYCZ:

Nothing to report.

MAYOR PRO-TEM BARAKAT:

Mayor Pro-Tem Barakat stated that the LA County Sanitation District will increase sewer rates because of the revenue loss due to the Puente Hills Landfill closure.

The San Gabriel Valley Mosquito & Vector Control District came in under budget for this year and will be using the surplus for capital repairs.

The LA County Sheriff's Department held a re-dedication ceremony for the David March memorial.

COUNCILMEMBER HALE:

Nothing to report.

COUNCILMEMBER LEWIS:

Councilmember Lewis wished everyone "Happy Holidays."

COUNCILMEMBER LATHROP:

Nothing to report.

ITEMS FOR FUTURE AGENDAS:

None

ADJOURNMENT:

At 8:00 p.m. Mayor Pycz adjourned to the meeting to Tuesday, January 21, 2014 at 7:00 p.m. at the Bradbury Civic Center.



MAYOR - CITY OF BRADBURY

ATTEST:



CITY CLERK - CITY OF BRADBURY