

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY
HELD ON TUESDAY, JANUARY 20, 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 Planner McIntosh,
City Clerk Saldana and Management Analyst Kearney

APPROVAL OF AGENDA:

Councilmember Lewis made a motion to approve the agenda as presented 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 Manager Keith stated that staff is not aware of any conflicts.

PUBLIC COMMENT:

None

**PRESENTATION BY LA COUNTY
SHERIFF'S DEPARTMENT:**

Coronne Jacob, Captain of Temple Station, introduced the City's new liaison, Lt. Tom McNeal. Chris Marks, the previous liaison, has been promoted to Captain of Carson Station.

Captain Jacob proceeded with a power point presentation regarding Crime Statistics for 2014 in the City of Bradbury. The highlights of the power point presentation included:

- Bradbury Part I Crime Comparison 2012-2013 (crime was up 70% due to larceny)
- Bradbury Part I Crime Comparison 2013-2014 (crime was down 35.29%)
- Bradbury Part I Crimes Comparison 2010-2014
- Duarte Part I Crimes Comparison 2010-2014
- Gangs (Demonstration Site, Gang Injunction, Duroc Crip Gang Injunction, Monrovia Nuevo Varrio Gang Injunction)
- Active PSP (Releases early from state prison and supervised by County Probation Department. Minimum supervision is 1 year)
- PSP Arrests thru 12/31/14 (PSP arrests by Temple Station: 115)
- Active Parolee (Normal release from state prison and supervised by State Parole/Department of Corrections. Minimum supervision is 3 years.)

A copy of the Bradbury Crime Statistics will be available at City Hall.

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 December 3, 2014
- B. Resolution No. 14-33: Demands & Warrants for December 2014
- C. Preliminary Financial Statement for the month of November 2014
- D. Resolution No. 15-01: Demands & Warrants for January 2015
- E. Preliminary Financial Statement for the month of December 2014
- F. Resolution No. 15-02: Tax Sharing Agreements with the County of Los Angeles for Sewer Project
- G. Resolution No. 15-03: Allocation of COPS Funds
- H. Resolution No. 15-04: Authorizing the use of Electronic Fund Transfers (Direct Deposit) for Employee Compensation
- I. Quarterly Financial Review of General Fund Operations as of December 31, 2014
- J. Fiscal Year 2014-2015 Budget Amendment

**MOTION TO APPROVE
CONSENT CALENDAR:**

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

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

Motion passed 5:0

**DISCUSSION – POSSIBLE
AMENDMENT TO THE DEVELOPMENT
CODE TO DISTINGUISH BETWEEN A
DEMOLITION AND NEW
CONSTRUCTION PROJECT VERSUS
A REMODEL:**

City Planner McIntosh stated that staff is bringing this item to the City Council's consideration because the City is receiving many requests for residential remodels that result in a substantial demolition of the existing structures. The Bradbury Municipal Code does not contain any parameters to define a remodel versus a demolition. Tonight the City Council will have a discussion about the pros and cons of adding a definite policy to the code regarding this issue.

ANALYSIS:

It is common for zoning codes to contain a standard for how much of a structure can be removed before compliance with new construction requirements can be enforced. The Bradbury Municipal Code does not contain such a standard. Additionally, the International Building Code and California Building Code do not include a definition either allowing each city to identify its own criteria. Therefore, an applicant can get permits for a "remodel" to an existing structure with very little of the original structure preserved in the project.

As an example, the City recently approved projects at 412 Mount Olive Drive and 425 Mount Olive Drive as "remodels" to existing single-family houses. This exempts each project from complying with current development standards, but also from meeting certain building code requirements. In the eyes of the typical neighbor and community member, these are not remodels, but rather new homes.

At 425 Mount Olive Drive for example, only a very small portion of the foundation and framing were kept intact until construction could begin. At 412 Mount Olive Drive, the framing of the original house was kept, but the roof, walls and stucco were removed.

**APPLICATION OF DEVELOPMENT
(ZONING) STANDARDS:**

The primary zoning benefit/impact of creating a demolition definition is the requirement to bring non-conforming properties into conformance. If a structure is demolished, then the new structure must comply with current development standards. In Bradbury, it is not common that existing primary structures are not in compliance with the code due to ample lot sizes. However, we do see secondary residences and accessory structures in yard areas and sometimes substandard parking on the site. If it is desirable to have a mechanism to bring these non-conformities into conformance, then a demolition definition would be the tool for that.

**IMPACTS ON PROPERTY TAX
ASSESSMENT):**

The difference between new construction, remodeling and normal repairs are often treated differently by the Assessor's Office. Under ordinary circumstances, new construction will add value to a property while repairs are typically considered part of ordinary property maintenance and do not trigger a change in the assessment. Remodeling may result in an increased assessment, but this depends on the extent of the work. These differences create an incentive for applicants to claim that their construction work is a remodel, rather than new construction.

**CODE AMENDMENTS
TO CONSIDER:**

Two common definitions for remodel are either the retention of 50% of the existing walls, or a project valuation of less than a 50% valuation of project cost. Some codes list both standards and apply the most conservative of the two standards. There is nothing scientific about the 50% standard, it is just one way that cities address this issue.

Other cities evaluate based on the criteria below:

- If the structure is demolished and rebuilt on the existing foundation, it is considered new construction
- Any additional area added to the original building is considered new construction.
- Any alterations to the interior is considered as remodeling as long as there is no a resulting increase in area.
- Adding a new structural element is considered new construction.

The City Council may wish to direct staff to bring forward an ordinance amending the development code to add definitions to "remodel" and "demolition."

RECOMMENDATION:

It is recommended that the City Council discuss the current guidelines, option for adding further guidelines, and provide direction to staff regarding contents and process on this issue.

DISCUSSION:

Mayor Pro-Tem Hale asked City Planner McIntosh what her recommendation was. City Planner McIntosh recommends 50% retention of existing walls as a guideline for Bradbury.

The City Council would like to see a comparison of 2-3 other cities.

Mayor Barakat wants to address non-conforming structures.

Councilmember Lewis stated that the LA County Assessor's office has a policy about what constitutes a remodel versus new construction and suggested that the City adopt its own policy to be consistent. Councilmember Lathrop stated that the City policy should not discourage remodels because of cost.

DIRECTION TO STAFF:

Staff was directed to bring back a recommendation for a code amendment with definitions of remodel vs new construction. If the City Council decides to amend the zoning code, the item will be sent to the Planning Commission for review and recommendation.

MATTERS FROM THE CITY MANAGER:

City Manager Keith stated that next week will be busy with meetings:
Monday, January 26 – UUT Meeting at 6 p.m.
Tuesday, January 27 – District Four Meeting at 7:00 p.m.
Wednesday, January 28 – Planning Commission Meeting at 7:00 p.m.

City Manager Keith asked if the City Council had any questions regarding the proposed Irwindale Speedway outlet mall. The City Council did not have any questions.

The City Manager stated that we may find ourselves with too many applications to process to pay for with the City Planner's monthly retainer of \$3,900.

Councilmember Lewis stated that our fee structure basically takes care of that.

Mayor Pro-Tem Hale suggested to charge an expediting fee and former City Planner David Meyer could handle the overflow because it is not fair for owners to have to wait several months to get on the agenda.

Councilmember Pycz preferred to handle the overflow in house by expanding Anne's hours.

It was agreed to let City Planner Anne McIntosh handle the overflow, let her decide how many applications to process per month, and to pay her above the retainer amount, if necessary.

City Manager Keith stated that residents have brought to staff's attention Cal-Am's practice of estimating water bills. Residents noticed that usage fees billed are exactly the same as the previous year. This is because Cal-Am Water is using estimates from last year and makes adjustments at a later point in time. This practice does not sit well with water users.

City Manager Keith reminded everyone that this is Management Analyst Kevin Kearney's last meeting before moving on to the City of Beverly Hills.

MATTERS FROM THE CITY COUNCIL:

MAYOR BARAKAT: Nothing to report

MAYOR PRO-TEM HALE: Nothing to report

COUNCILMEMBER LEWIS: Nothing to report

COUNCILMEMBER LATHROP: Nothing to report

COUNCILMEMBER PYCZ: Nothing to report

ITEMS FOR FUTURE AGENDAS: Discussion regarding California American Water Company's billing practices.

CLOSED SESSION

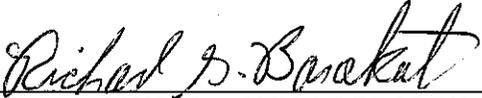
ROLL CALL: PRESENT: Mayor Barakat, Mayor Pro-Tem Hale, Councilmembers Lewis, Lathrop and Pycz

PUBLIC COMMENT REGARDING CLOSED SESSION ONLY: None

PERSONNEL: Pursuant to California Government Code Section 54957, the City Council discussed Evaluation of Performance. Title: City Manager.

RECONVENE OPEN SESSION AND ANNOUNCE ANY ACTION TAKEN: No reportable action was taken.

ADJOURNMENT: At 8:00 p.m. Mayor Barakat adjourned the meeting to Tuesday, February 17, 2015 at 7:00 p.m.



MAYOR – CITY OF BRADBURY

ATTEST:



CITY CLERK – CITY OF BRADBURY