

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY
HELD ON TUESDAY, MARCH 18, 2014**

- 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, General Plan Consultant Meyer, City Planner McIntosh, Deputy City Engineer Gilbertson and Management Analyst Kearney
- APPROVAL OF AGENDA:** Mayor Pro-Tem Barakat made a motion to approve the agenda as presented and proceed with City business. Councilmember Hale 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 is not aware of any conflicts and none were reported.
- PRESENTATIONS:**
- A. Proclamation Declaring April Donate for Life Month
 - B. Recognition of Retired City Planner David Meyer
- DMV/DONATE LIFE:** Mayor Pycz read the DMV/Donate Life California Month Proclamation. A volunteer/organ donor from Donate Life were present to receive the proclamation. All Californians are encouraged to sign up with the Donate Life California Registry when applying for or renewing their driver's licenses or ID cards.
- Councilmember Lewis stated that the number of individuals (121,000) on the national organ transplant list is compelling, but even more compelling can be the story of one. Councilmember Lewis stated that last year a young man in Bradbury was in desperate need of a donor lung. Jake Bigley was born with cystic fibrosis. He was fortunate to receive a donor lung just in time and he is now a healthy young man.
- RETIRED CITY PLANNER DAVID MEYER:** Mayor Pycz presented a City Plaque to retired City Planner David Meyer for twenty years of service with the City of Bradbury. Councilmember Barakat commended Mr. Meyer on his excellent stewardship of the City's development during the past twenty years. Mr. Meyer thanked the City Council and stated that it had been a great honor to serve the City.
- 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 February 18, 2014
- B. Resolution No. 14-06: Demands & Warrants for March 2014
- C. Financial Statement for the month of February 2014
- D. Letter of Opposition to House Resolution HR 29

CORRECTION TO MINUTES:

Councilmember Lathrop made a correction to the February 18, 2014 Minutes, Page 3, which should read: "Councilmember Lathrop has taken a new position with a law firm, which *may* create a conflict of interest for him serving as the City's representative on the SGVCOG."

**MOTION TO APPROVE
CONSENT CALENDAR:**

Councilmember Hale moved to approve the Consent Calendar, as amended. 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

**PUBLIC HEARING -
GENERAL PLAN UPDATE
2012-2030:**

City Manager Keith stated that the proposed General Plan 2012-2030 Update has been prepared in accordance with the State of California Planning Law and the adopted State General Plan Guidelines. The draft General Plan contains six of the seven mandated general plan elements plus a Climate Action Plan.

**EXECUTIVE SUMMARY BY
GENERAL PLAN CONSULTANT
DAVID MEYER:**

General Plan Consultant David D. Meyer, LDM Associates, presented the executive summary/staff report for the General Plan 2012-2030 Update. Mr. Meyer stated that the City Council determined that the City's General Plan should be updated to reflect the residents' current visions and aspirations for the long-range physical development of the City. To that end the City Council appointed a 9-member General Plan Steering Committee comprised of members of the City Council, the Planning Commission and residents from each of the five council districts. The Committee held a workshop and numerous public meetings in order to solicit input from residents and interested parties relative to the long-range development goals for the City. A variety of methods were employed to solicit input from community residents and interested parties.

The General Plan Steering Committee used the guidelines established by the State to examine the City's physical development that has occurred since incorporation in 1957. Data identifying constraints that have a direct bearing on achieving various development scenarios were examined. After collecting relevant information the process of determining the residents' goals and objectives was initiated.

The Steering Committee found that the City's mission statement of "Preserving Rural Tranquility" is as relevant now as it was decades ago when it was initially adopted. The mission statement provides guidance to local decision makers as they implement the community's land use policies. Based on the Steering Committee's recommendation, the General Plan Update 2012-2030 was developed. This update maintained the same exact development patterns as set forth in the 1994 and 2007 General Plans; the existing goals, objectives and policies were expounded upon, but the substance did not change.

**OBJECTIONS BY
ALVARADO SMITH:**

On July 24, 2013 and August, 2013 the Planning Commission held public hearings. Written and verbal objections were presented by the law firm of AlvaradoSmith on behalf of D&M Investments Inc., the owners of approximately 192 acres of the 302 acres of vacant undeveloped hillside property in the northern portion of the City adjacent to the City of Monrovia and the Angeles National Forest. At the close of the public hearings the Planning Commission recommended that the City Council approve the Addendum and the General Plan 2012-2030 Update.

Responses were sent to AlvaradoSmith clarifying that there was no change in the development potential for the 302 acres of vacant undeveloped hillside property and that minor tweaks were made to the Update that was presented to the City Council. Regardless of the assurances and changes, D&M filed essentially the same objections with the City Council.

On November 19, 2013 the City Council held a public hearing, reviewed the Planning Commission's recommendation, solicited input from the general public, and considered all the objections raised by AlvaradoSmith. After debate and deliberation, the City Council referred the matter back to the Planning Commission with directions that the objections filed by AlvaradoSmith be reviewed.

The City Planning staff, General Plan Consultants, Environmental Consultant and the City Attorney have made further clarifications to only the narrative and demographic portions of the General Plan Update and the EIR Addendum, which were presented to the Planning Commission during the public hearing on February 26, 2014. AlvaradoSmith was in attendance, but did not provide any comments during the hearing, although they did file a subsequent Public Records Request. At the conclusion of the public hearing the Planning Commission adopted Resolution No. PC 13-231, recommending that the City Council approve Addendum No. 1 to the Final Certified EIR prepared for the 1994 General Plan and adopt General Plan 2012-2030 Update, dated February 5, 2014.

Mr. Meyer concluded his report and asked if the Members of the City Council had any questions. The Council had no questions.

RECOMMENDATION:

It is recommended that at the close of the public hearing, the City Council adopt a Resolution approving Addendum No. 1 to the 1994 Final Environmental Impact Report for the 1994 General Plan and adopt the revised iteration of the General Plan Update 2012-2030, dated February 5, 2014.

PUBLIC HEARING OPENED:

Mayor Pycz opened the 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 APPROVE
GENERAL PLAN UPDATE:**

Mayor Pro-Tem Barakat made a motion to adopt Resolution No. 14-07:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
BRADBURY, CALIFORNIA, APPROVING ADDENDUM NO. 1
TO THE 1994 CERTIFIED EIR FOR THE 1994 GENERAL PLAN

(Dated February 5, 2014) AND ADOPTING GENERAL PLAN AMENDMENT NO. GPA 13-01 GENERAL PLAN 2012-2030 UPDATE (Dated February 5, 2014).

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

DISCUSSION – ANIMAL CONTROL SERVICES WITH PASADENA HUMANE SOCIETY:

Management Analyst Kevin Kearney reported that recently the City of Monrovia switched animal control service providers to the Pasadena Humane Society. A number of Bradbury residents have requested that the City look into switching services from the County of Los Angeles Department of Animal Care and Control to the Pasadena Humane Society.

Kevin introduced Elizabeth Campo of the Pasadena Humane Society (PHS). Ms. Campos stated that the PHS is an independent, donor-supported, non-profit agency that provides animal care for abandoned and homeless animals. The PHS is responsible for animal control and welfare for seven area cities that include La Canada Flintridge, San Marino, Sierra Madre, Arcadia, Glendale, Pasadena, South Pasadena, and now Monrovia, so it makes sense that Bradbury should be included as well. Ms. Campos handed out informational packets to the Council and staff.

FINANCIAL IMPACT:

Management Analyst Kearney stated that unlike the LA County Department of Animal Care and Control, who sends a monthly bill, the PHS charges a flat rate of \$4.24 per capita. The per capita is based on the 2010 Census population of 1,048, which equates to \$4,454 annually. The flat rate includes disaster response. Ultimately, upon comparison of the two providers staff believes the City would get better services for PHS.

RECOMMENDATION:

It is recommended that the City Council review the proposal by the Pasadena Humane Society and provide staff with further direction.

PUBLIC COMMENT:

Mayor Pycz opened the discussion for public comment.

Dan Lien, 31 Woodlyn Lane, stated that before he moved to Bradbury he was a resident of Pasadena for 10 years. Mr. Lien praised the Humane Society for their great response and love of animals. Mr. Lien disclosed that he is personally involved with the PHS through golf tournaments and banking services. Mr. Lien recommended to take a tour of the new care facility in Pasadena. Mr. Lien was joined by several of his neighbors desiring this change.

MOTION:

Councilmember Lewis made a motion to direct the City Manager to work with the Pasadena Humane Society to provide a contract for City Council approval and to formulate a transition plan. 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

**PUBLIC HEARING – ZONE CODE
AMENDMENT NO. ZCA 14-22:**

City Planner McIntosh presented the staff report for Zone Code Amendment No. ZCA 14-22: Draft Ordinance Amending Section 9.05.060.040e.g. of the Bradbury Zone Code relating to Height of Open-Gables in the A-5 Zone.

City Planner McIntosh stated that the City Council directed her to begin to review and update the City's Design Guidelines. This item is the second proposed amendment.

This recommended zone code amendment would eliminate the 28 foot height limit for open-gable roof ends in the A-5 zone. The height limit in the A-5 zone can be 35 feet under certain conditions. Currently one of those conditions limits the gable-end of a roof to 28 feet. To comply with this condition, the house would be required to step down by seven feet at the end, but this is not consistent with the desirable classic, traditional design sought after by many architects. An example is the English Tudor style which has open gable ends as a standard design feature.

The previous language presented to the City Council at the last meeting was not clear. Staff has worked on improved language as follows: "A gable-end of a roof and any flat building vertical wall surface of such roof must be designed consistent with the designated architectural style of the structure in order to exceed the 28 feet height limit of the zone."

PUBLIC HEARING OPENED:

Mayor Pycz opened the 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:

Councilmember Hale made a motion to introduce and waive first reading of Ordinance No. 335:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA, AMENDING SECTION 9.05.060.040.E.G OF THE MUNICIPAL CODE.

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

**DISCUSSION – AUTHORIZATION
TO PROCEED WITH MOUNT OLIVE
SEWER REIMBURSEMENT DISTRICT:**

City Manager Keith stated that the City received correspondence from three Bradbury property owners agreeing to fully fund the cost to extend the public sewer on Mount Olive Drive and request that the City establish a Sewer Reimbursement District to recover the costs beyond their "fair share."

300, 330 & 338 MOUNT OLIVE DRIVE:

Deputy City Engineer Gilbertson reported that in July of last year, the property owners for the three (3) vacant properties located at 300, 330 and 338 Mount Olive Drive approached City staff to express their desire to extend the public sewer on Mount Olive Drive in order to connect their future single family developments in lieu of constructing separate private septic sewer systems.

**PUBLIC MEETING HELD
ON JULY 23, 2013:**

All of the residents of Mount Olive Drive that are upstream of the end of the existing public sewer (north of Mount Olive Lane) were invited to a public meeting on July 23, 2013 to discuss the extension of the public sewer. The purpose of the public meeting was to determine if there was sufficient support from the property owners to pay their "fair share" portion of the total cost of the sewer improvements so that the City could collect the necessary funds to proceed with the improvements. Four (4) property owners attended the meeting with one resident being opposed to any future sewer improvements. In addition, one resident on Mount Olive Drive submitted written correspondence in opposition to the project. Due to the lack of support from the other property owners on Mount Olive Drive this alternative was abandoned.

Over the past several months, staff continued discussion with the initial three property owners and consequently they have agreed to fully fund the cost of the sewer extension on Mount Olive Drive with a request that the City establish a Sewer Reimbursements District to allow them the opportunity to recoup the remainder of the costs when the other property owners on Mount Olive Drive abandon their private septic systems and connect to the public sewer system in the future.

**ESTIMATED COST TO EXTEND
PUBLIC SEWER:**

There are twelve (12) properties on Mount Olive Drive that could potentially connect to the proposed sewer extension. The estimated cost to extend the public sewer approximately 1,359 lineal feet on Mount Olive Drive is \$250,000. The total cost for the project, including the cost for plan preparation and construction management, annexation fees, connection fees, and City processing fees is estimated to be \$400,000. This equates to a cost of approximately \$33,333 per parcel.

RECOMMENDATION:

It is recommended that the City Council authorize staff to process with the establishment of a Sewer Reimbursement District for the extension of the public sewer improvement of Mount Olive Drive.

PUBLIC COMMENT:

Mayor Pycz opened the discussion for public comment.

Marcie R. (inaudible), Duarte Mesa, stated that the Duarte Mesa Association is interested in being advised of the public meetings concerning the sewer extension on Mount Olive Drive.

DISCUSSION:

Mayor Pro-Tem Barakat wanted to know what triggers the requirement to connect to the public sewer. City Planner McIntosh stated that the trigger would be construction of a new house or a remodel. City Manager Keith stated that 333 Mount Olive Drive is already hooking up to the sewer through a private easement.

**PUBLIC HEARING
SET FOR APRIL:**

City Attorney Reisman stated that the City Council needs to hold a public hearing on this matter to create the Reimbursement District.

MOTION:

Councilmember Hale made a motion to go forward with the project and set a public hearing for April 15, 2013 regarding the establishment of a Sewer Reimbursement District for the extension of the public sewer improvement of Mount Olive Drive. Councilmember Lewis 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 stated that our annual breakfast meeting with Supervisor Antonovich is scheduled for April 16 at 8:00 am.

Last year's agenda topics were:

1. Measure R and the Gold Line Extension
2. Economic Impacts of the Closure of Puente Hills Landfill
3. State and other Mandates – NPDES, Realignment
4. Update regarding gang Intervention Program in Duarte and Monrovia.
5. State of the County

The Council felt that the State of the County, NPDES and transportation should be on the agenda.

City Manager Keith stated that there is a good chance that the Planning Commission meeting on March 26 will be cancelled. The City Planner has not received any updates for the projects at 606 Spring Point Drive or 1388 Sharon Hill Lane.

Management Analyst Kevin Kearney will be on vacation next week. The City Manager will be on call for jury duty starting Monday.

The City Manager is planning to take vacation the first two weeks in June. Therefore, the plan is to have a draft budget on the May agenda.

The UUT Committee will meet on Tuesday, April 1, and make its presentation to the City Council on April 15.

**MATTERS FROM THE
CITY ATTORNEY**

City Attorney Reisman stated that the April 15 City Council meeting falls on the first night of Passover and that he would like to be excused unless an important matter comes up.

MATTERS FROM THE CITY COUNCIL:

MAYOR PYCZ:

Mayor Pycz inquired about the progress on the Stormwater meetings. City Manager Keith stated the City's intent is to have an Enhanced Watershed Management Plan approved by the Regional Water Board, but that Stormwater is never going to go away, it's an ongoing issue. Mayor Pycz stated that he would like to see a more detailed list of UUT fund expenditures, so he can explain these expenditures to his constituents.

MAYOR PRO-TEM BARAKAT:

Mayor Pro-Tem Barakat reported that he serves on the Personnel Committee for the San Gabriel Valley Mosquito & Vector Control District. The Committee is working on changing the medical plan requirements for employees and is establishing a 2-tier system to save costs.

Mr. Barakat also stated that his District Three appointee on the UUT Committee recently resigned and that he has someone new who will get in touch with the City Manager.

COUNCILMEMBER HALE:

Nothing to report.

COUNCILMEMBER LEWIS:

Nothing to report.

COUNCILMEMBER LATHROP:

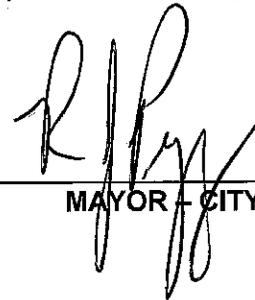
Councilmember Lathrop stated that he is still listed as the Representative for the San Gabriel Valley Council of Governments on the agenda. It should be Mayor Pycz.

ITEMS FO FUTURE AGENDAS:

None

ADJOURNMENT:

At 7:48 p.m. Mayor Pycz adjourned the meeting to Tuesday, April 15, 2014 at 7:00 p.m.



MAYOR - CITY OF BRADBURY

ATTEST:

Claudia Saldana
CITY CLERK - CITY OF BRADBURY