

**MINUTES OF A REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF BRADBURY  
HELD ON TUESDAY, NOVEMBER 17, 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 Hale at 7:00 p.m. The Pledge of Allegiance was led by Mayor Hale.

**ROLL CALL:**

PRESENT: Mayor Hale, Mayor Pro-Tem Lewis, Councilmembers Barakat (arrived at 7:05 p.m.), Lathrop and Pycz

ABSENT: None

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

**APPROVAL OF AGENDA:**

Mayor Pro-Tem Lewis made a motion to approve the agenda to proceed with City business. Councilmember 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 Attorney Reisman stated that staff is not aware of any conflicts.

**PUBLIC COMMENT:**

None

**PRESENTATION:**

Captain Coronne Jacob, Commander of Temple Station, introduced Los Angeles County Sheriff's Department East Patrol Division Chief Stephen Johnson to the City Council and staff. Chief Johnson invited the Council to visit his office at the historical Hall of Justice Building located at 211 W. Temple Street in downtown Los Angeles.

**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 October 20, 2015
- B. Resolution No. 15-26: Demands & Warrants for November 2015
- C. Preliminary Financial Statement for the month of October 2015
- D. Resolution No. 15-28: Notice to LA-RICS Joint Powers Authority of the City's Decision to Opt-Out of the LA-RICS Joint Powers Authority
- E. Resolution No. 15-29: Calling for the Holding of an All Mail Ballot General Municipal Election to be held on Tuesday, April 12, 2016, for the Election of Certain Officers
- F. Resolution No. 15-30: Requesting the Board of Supervisors of the County of Los Angeles to Render Specified Services to the City relating to the Conduct of a General Municipal Election

**MOTION TO APPROVE  
CONSENT CALENDAR:**

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

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

NOES: None

ABSENT: None

Motion passed 5:0

**PRESENTATION – CITY OF DUARTE’S  
PROPOSED TOWN CENTER SPECIFIC  
PLAN:**

City Planner Anne McIntosh introduced Craig Hensley, Community Development Director with the City of Duarte. Mr. Hensley stated that the City of Duarte is in the process of preparing a Specific Plan, which will guide the future development of the commercial district along Huntington Drive between Buena Vista Street and Highland Avenue. The City of Duarte is receiving written comments on the Initial Study until November 23, 2015. A Supplemental Draft Environmental Impact Report will be prepared after that time and prior to public hearings on the draft plan and final plan adoption. Mr. Hensley was available to answer questions and receive comments that the Council may have. The City Council inquired about Duarte’s efforts to attract a new grocery store following the recent closures of Ralphs and Fresh & Easy. Mr. Hensley stated that Smart & Final will open a store in the space where Ralphs used to be.

This being an informational item only, no Council action was required.

**PUBLIC HEARING – AMENDMENT TO  
TENTATIVE PARCEL MAP NO. 72325,  
147 SAWPIT LANE:**

City Planner McIntosh stated that on September 17, 2013, the City Council approved a tentative parcel map to subdivide one 12-acre parcel into two parcels of 7 and 5 acres. A previous tentative parcel map for the exact same subdivision had been approved by the City in 2004, but had expired. In mid-2013, the Community Services District (CSD) reviewed the resubmitted parcel map and recommended that the parcel map be re-approved. The Planning Commission and City Council both conducted public hearings and expedited the approval.

**FIRE DEPARTMENT REVIEW:**

Earlier this year (2015), the applicant, Sanjeet Nijjar, attempted to final the map. It came to the applicant’s attention that the Fire Department had not reviewed the revised parcel map and that their standard conditions, which had been adopted as part of the tentative map process, were no longer valid. The Fire Department would not approve a final map without the updated conditions. This required a new review by the Fire Department and it has taken several months to complete.

**RECOMMENDATION:**

Staff has now received and incorporated the conditions in a new resolution of approval. As the City Council is the final reviewing authority of the tentative map, staff is recommending that the City Council adopt a new resolution of approval with the revised conditions.

**PUBLIC HEARING OPENED:**

Mayor Hale opened the public hearing and asked anyone wishing to speak in favor or opposition to come forward and be heard.

**PUBLIC TESTIMONY:**

Scott Hughes with Picture Perfect Construction was present to represent the property owner/applicant Sanjeet Nijjar.

**PUBLIC HEARING CLOSED:**

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

**DISCUSSION:**

Mayor Hale had some comments regarding Conditions No. 46 and 49 and stated that the CSD requires a concrete rolled berm along the Sawpit Street frontage.

**MOTION:**

Mayor Hale moved to adopt Resolution No. 15-27, a Resolution of the City Council of the City of Bradbury, California, setting forth its findings of fact and conditions for Tentative Parcel Map No. TPM 72325. Mayor Pro-Tem Lewis seconded the motion, which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

Motion passed 5:0

**PUBLIC HEARING FOR ORDINANCE NO. 342: ZONE CODE TEXT AMENDMENT ZTA 15-002 – AN AMENDMENT TO THE HILLSIDE DEVELOPMENT STANDARDS:**

City Planner McIntosh stated that in April 2015, the City Council had a discussion about the current requirements of the hillside development standards and possible unintended impact to development projects on certain properties due to the application of the standards. There have been instances where lots that are predominately flat are captured by the slope calculation and required to apply for a variance in order to find relief from the hillside requirements that cannot be met. The City Council directed staff to prepare a text amendment for consideration by the Planning Commission. The Council was clear that this should not be an overhaul of the entire Hillside Development Standards, but rather a solution for this specific issue.

The Planning Commission discussed this matter in June and continued the discussion to get more information about the practices and policies of other comparable cities. The Planning Commission conducted a hearing on this matter on October 28, 2015. There was no public testimony for this item. The Commission discussed hillside policies of other cities and recommended approval of the language to allow for modifications when warranted.

**RECOMMENDATION:**

It is recommended that the City Council review this item and if it deems appropriate:

1. Open a public hearing and receive public testimony;
2. Read for the first time Ordinance No. 342 amending the hillside development standards to allow a modification to setback requirements as described; and
3. Direct staff to establish a fee equal to the minor architectural review fee for processing the modification request.

**PUBLIC HEARING OPENED:**

Mayor Hale opened the public hearing and asked anyone wishing to speak in favor or opposition to come forward and be heard.

**PUBLIC HEARING CLOSED:**

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

**MOTION:**

Councilmember Pycz made a motion to introduce and read for the first time, by title only, Ordinance No. 342 Amending Chapter 9.06.020 of the Bradbury Zone Code adding a section regarding modifications to Hillside Development Standards for single lots which do not require grading permits. Mayor Pro-Tem Lewis seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

NOES: None

ABSENT: None

Motion passed 5:0

Ordinance No. 342 will be on the December 15 City Council Agenda for second reading and adoption.

**MEDICAL MARIJUANA  
REGULATION AND SAFETY ACT:**

City Attorney Reisman stated that under the Medical Marijuana Regulation and Safety Act the City has until March 1, 2016 to insure that commercial cannabis cultivation is prohibited in the local jurisdiction. Therefore, since this restriction will be made through a zoning ordinance and in order for it to be effective by the March 1, 2016 date to specifically prohibit such activity, this item will need to be reviewed by the Planning Commission at the November meeting. This will allow the City Council to review the findings by the Planning Commission and have the second reading before the City Council before January 29, 2016.

**DRAFT ORDINANCE:**

Assistant City Attorney Lisa Kranitz has drafted an ordinance to be reviewed by the Planning Commission at its November 18 meeting. As currently drafted, the City will explicitly ban all commercial cannabis activities, as well as ban cultivation of marijuana by qualified patients and primary caregivers.

**RECOMMENDTION:**

It is recommended that the City Council review this item on marijuana cultivation and provide direction to staff to share with the Planning Commission in developing a draft ordinance amending various provisions of the Bradbury Municipal Code to prohibit the cultivation of marijuana.

**DISCUSSION:**

The Council wanted to know what would happen if it does not adopt the draft Ordinance. City Attorney Reisman stated that in case on non-action the State will regulate this issue. Councilmember Lathrop stated that the City Council should impose maximum restrictions.

**ACTION TAKEN:**

The City Council directed staff to work with the Planning Commission in developing a draft ordinance amending various provisions of the Bradbury Municipal Code to prohibit the cultivation of marijuana. No formal motion was required for this items.

**LEMON AVENUE SEWER  
EXTENSION:**

Deputy City Engineer Gilbertson stated that at its July 21, 2015 meeting, the City Council directed staff to proceed with the completion of formal improvement plans for the construction of public sewer improvements from Ranchito Road (Monrovia) to Barranca Road (Bradbury). In addition, staff was directed to provide further study for a potential future easterly extension of the public sewer improvements to Winston Avenue and the potential establishment of a sewer reimbursement district.

**BRADBURY ESTATES CSD:**

The Bradbury Estates Community Services District (CSD) is also desirous of connecting to the proposed sewer mainline extension at the intersection of Lemon Avenue and Barranca Road and extending a sewer mainline into the Bradbury Estates via Barranca Road. The portion of the proposed sewer in the Lemon Avenue would be a public sewer owned by the City of Bradbury and maintained by LA County Sanitation Districts.

Any portion of the sewer improvements upstream of the Lemon Avenue public right-of-way and within the Bradbury Estates would be privately constructed, owned and maintained by the CSD. This scenario is similar to the Dovetail Lane sewer improvements currently under construction.

**FINANCIAL REVIEW:**

*Phase I – Ranchito Road to Barranca Road*

The total projected cost to extend the public sewer from Ranchito Road to Barranca Road is \$146,000. This cost includes the preparation of final plans and specifications, construction, preparation of a sewer area study, LA County plan check and annexation fees, construction management (including inspection, soils testing and staking), and a video analysis of the existing Monrovia sewer downstream of the connection. The only cost not included in this estimate would be any required upgrades or repairs needed in the existing Monrovia sewer system identified in the video analysis.

*Phase II – Lemon Avenue Extension from Barranca Road to Winston Avenue (Alternative "A")*

The total projected cost to extend the public sewer from Barranca Road to Winston Avenue is \$625,000. This cost includes the preparation of final plans and specifications, construction, LA County plan check and annexation fees, construction management (including inspection, soils testing and staking), and city processing fees for the establishment of the sewer annexation district. Based on 11 properties that can connect to the public sewer, the reimbursement cost for each parcel would be \$57,000.

*Phase II – Lemon Avenue Extension and Winston Avenue Extension (Alternative "B")*

The total projected cost to extend the public sewer 1,200 feet easterly from Barranca Road and to extend the public sewer northerly in Winston Avenue is \$655,000. This cost includes the preparation of final plans and specifications, construction, LA County plan check and annexation fees, construction management (including inspection, soils testing and staking), potholing of the existing box culvert, and city processing fees for the establishment of the sewer annexation district. Based on 17 properties that can connect to the public sewer, the reimbursement cost for each parcel would be \$38,500.

**RECOMMENDATION:**

It is recommended that the City Council provide further direction to staff.

**DISCUSSION:**

Councilmember Lathrop inquired if the City has community feedback.

Councilmember Barakat stated that the larger picture is that we want everyone connected to the sewer eventually.

There was also discussion about which sewer line (Royal Oaks Drive North or Winston Avenue) the property addressed as 1462 Lemon Avenue is connected to.

**MOTION:**

Councilmember Barakat made a motion to authorize RKA to do further studies on the project in an amount not to exceed \$5,000. Mayor Pro-Tem Lewis seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

Motion passed 4:0

**REJECT OF BIDS FOR MOUNT OLIVE DRIVE SEWER EXTENSION PHASE II:**

Deputy City Engineer Gilbertson stated that at its October 20, 2015 meeting, the City Council awarded the Mount Olive Drive Sewer Extension, Phase II, to Ramona, Inc. in the amount of \$326,445.

After the Council meeting, discussions were held with three (3) principal property owners regarding their commitment of the funding for the project. One of the property owners has declined to contribute their portion of the funding until their proposed development project has been approved by the Planning Commission. As of this date, this property owner has not formally submitted a completed development application, therefore staff estimates a minimum of 4 to 6 months for the project to obtain approval.

The properties located at 412 and 425 Mount Olive Drive are currently under construction with new homes. Both of the projects have been conditioned to connect to the public sewer. In order to allow for the required lateral connections, the sewer mainline in Mount Olive Drive could be extended 400 feet from the existing terminus to allow for lateral connections from these two properties, thereby reducing the overall project scope from 1,400 feet in length to only 400 feet in length. The estimated cost for the reduced project is \$150,000.

**RECOMMENDATION:**

It is recommended that the City Council reject the bids for the Mount Olive Drive Sewer Extension, Phase II Project, direct staff to reduce the project scope, and re-advertise the reduced project for formal bids.

**DISCUSSION;**

Councilmember Lathrop felt that rejecting the bids wasn't necessary and merely asking to down-scope the project was a better solution. City Engineer Gilbertson stated that the City Attorney was consulted regarding this process. Mayor Pro-Tem Lewis stated that going out to bid again could benefit the City.

**MOTION:**

Councilmember Barakat made a motion to reject the bids for the Mount Olive Drive Sewer Extension, Phase II Project, directed staff to reduce the project scope, and re-advertise the reduce project for formal bids. Mayor Pro-Tem Lewis seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

Motion passed 5:0

**APPOINTMENT OF REPRESENTATIVE TO THE SGV MOSQUITO & VECTOR CONTROL DISTRICT BOARD OF TRUSTEES:**

City Manager Keith stated Councilmember Richard G. Barakat serves on the San Gabriel Valley Mosquito & Vector Control District Board of Trustees. His term is set to expire on December 31, 2015.

It is recommended that the City Council appoint a Councilmember/City Staff to the San Gabriel Valley Mosquito & Vector Control District Board of Trustees for a four-year term.

**MOTION:**

Mayor Pro-Tem Lewis made a motion to reappoint Councilmember Richard G. Barakat as the City's Representative to the San Gabriel Valley Mosquito & Vector Control District Board of Trustees for a four-year term. Mayor Hale seconded the motion, which carried unanimously.

Councilmember Barakat thanked the Council for his reappointment and stated that this year there were two deaths from West Nile Virus.

**MATTERS FROM THE CITY MANAGER:**

City Manager Keith reminded the Council of the Joint Study Session with Planning Commission tomorrow at 5:30 p.m.

The Breakfast with Supervisor Antonovich has been scheduled for Wednesday, January 13, 2016, and the City Manager asked the Councilmembers for agenda items they would like to discuss with the Supervisor.

City Hall will be closed November 24-26, 2015 for the Thanksgiving Holiday.

At the December 15<sup>th</sup> meeting, the Council will discuss reconfiguration of the Emergency Response Committee (ERC) as we are heading into El Nino season. Council asked staff to send a postcard to the community about vacancies on the ERC.

Staff is also working on an Annexation project with Monrovia.

**MATTERS FROM THE CITY COUNCIL:**

**MAYOR HALE:**

Mayor Hale inquired about the Woodlyn Lane and Mount Olive Drive Drainage Improvement Project and the status of approval from the affected property owners on Woodlyn Lane.

**MAYOR PRO-TEM LEWIS:**

Nothing to report

**COUNCILMEMBER BARAKAT:**

Councilmember Barakat stated that Foothill Transit needs to address transportation going North and South, especially after the completion of the extension of the Metro Gold Line to Azusa. Currently all bus routes are going East and West.

**COUNCILMEMBER LATHROP:**

Councilmember Lathrop had some comments regarding Duarte's proposed Town Center Development.

**COUNCILMEMBER PYCZ:**

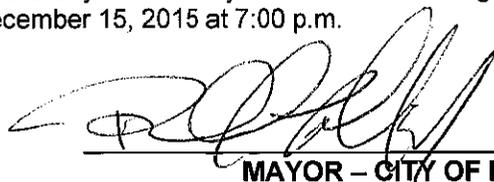
Nothing to report.

**ITEMS FOR FUTURE AGENDAS:**

None

**ADJOURNMENT:**

At 8:10 p.m. the City Council adjourned to the next regular meeting on Tuesday, December 15, 2015 at 7:00 p.m.

  
MAYOR – CITY OF BRADBURY

ATTEST:

Claudia Saldana  
CITY CLERK - CITY OF BRADBURY