

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY
HELD ON TUESDAY, SEPTEMBER 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. 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, Deputy City Engineer Gilbertson and Steve Loriso with RKA, City Clerk Saldana and Management Analyst Kearney
- APPROVAL OF AGENDA:** Councilmember Lathrop requested to add an emergency item to the agenda: Item #7 San Gabriel Valley Council of Governments National Recreation Area (NRA) White Paper. The item came up after the agenda was posted and action needs to be taken prior to the next meeting. Mayor Pycz made a motion to add agenda item #7 and approved the amended 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:** Maria Galvan, Regional Risk Manager with the Southern California Joint Powers Insurance Authority (CJPIA), introduced herself to the City Council and stated she was just meeting and getting to know her cities.
- Duarte resident Jack Ochoa introduced himself as a candidate for the Duarte School Board. Mr. Ochoa stated that he wants to raise \$100,000 for the school and implement programs such as "Fathers in Class Rooms" to have male role models and bring back art programs.
- 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 August 20, 2013
 - B. Resolution No. 13-27: Demands & Warrants for August 2013
 - C. Financial Statement for the month of August 2013
 - D. Design and Engineering Services Agreement with RKA Consulting Group for Widening Bradbury Road
- ITEM D PULLED FROM CONSENT CALENDAR FOR DISCUSSION:** Councilmember Lathrop requested to pull Item #D from the Consent Calendar for discussion.

DISCUSSION: Councilmember Lathrop suggested to amend the Agreement to include an evaluation of the feasibility of a bike lane.

MOTION TO APPROVE CONSENT CALENDAR ITEM #D: Councilmember Lathrop made a motion to approve the Design and Engineering Services Agreement with RKA Consulting Group for Widening Bradbury Road, as amended. 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

MOTION TO APPROVE CONSENT CALENDAR: Councilmember Hale moved to approve the remainder of the Consent Calendar (Items A, B & C) as presented. 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 – ZONE CODE AMENDMENT NO. ZCA 13-18: (PERMITTED SIGNS) City Planner McIntosh stated that this is a continued discussion regarding permitted signs. 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

RECOMMENDATION: It is recommended that the City Council review the provisions of each sign type, open a public hearing and hear testimony and read for the first time by title only Ordinance No. 331 amending Chapter 9.06.050, Section 9.06.050.030 of the Bradbury Zone Code relating to permitted signs.

PUBLIC HEARING OPENED: Mayor Pycz opened the Public Hearing and asked those wishing to speak 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 read for the first time by title only Ordinance No. 331 relating to permitted signs. 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

Ordinance No. 331 will be on the October City Council Agenda for Second Reading and Adoption.

**PUBLIC HEARING - TENTATIVE
PARCEL MAP NO. 72325,
147 SAWPIT LANE:**

City Planner McIntosh stated that the applicant, Mr. Sanjeet Nijjar, is requesting approval of plans to subdivide a 12.80 gross acre parcel of land into two (2) lots for the future construction of one additional single-family residential dwelling unit.

The Planning Commission conducted a public hearing on this matter on August 28, 2013 and recommended approval of the application to the City Council as conditioned in the Resolution of approval.

RECOMMENDATION: Staff recommends that the City Council adopt Resolution No. 13-28 conditionally approving the proposed subdivision request.

PUBLIC HEARING OPENED: Mayor Pycz opened the Public Hearing and asked those wishing to speak in favor or opposition to come forward and be heard.

PUBLIC TESTIMONY: The applicant, Sanjeet Nijjar, spoke first and stated that he would answer any questions the Council might have.

Karen Suarez, Monrovia, stated that she was concerned about future development. Ms. Suarez also stated that there are invasive plants on the property and volunteered to remove those plants.

Andrew Degs, Monrovia, also had concerns about future development.

Mayor Pycz stated that the City Council is only reviewing the lot split right now and that there are no current plans for any future development.

**PUBLIC HEARING
CLOSED:** There being no further public testimony, Mayor Pycz declared the Public Hearing closed.

MOTION: Mayor Pro-Tem Barakat made a motion to adopt Resolution No. 13-28, conditionally approving Tentative Parcel Map No. TPM 72325 for 147 Sawpit Lane. 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

PUBLIC HEARING –ORDINANCE NO. 330 IMPOSING LOW IMPACT DEVELOPMENT (LID) STRATEGIES AND ADOPTION OF GREEN STREETS POLICY:

Steve Loriso with RKA Consulting Group presented this item for the City Council to consider the adoption of Ordinance No. 330 amending Chapter 4 of the Bradbury Municipal Code to expand applicability of the existing Standard Urban Stormwater Mitigation Plan (SUSMP) requirements by imposing Low Impact Development (LID) strategies on projects requiring building permits and reviewing and adopting a Green Streets Policy.

RECOMMENDATION:

It is recommended that the City Council introduce Ordinance No. 330, read by title only and adopt a "Green Streets Policy" that supports the USEPA guidance regarding "Managing Wet Weather with Green Infrastructure: Green Streets."

PUBLIC HEARING OPENED:

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

PUBLIC TESTIMONY:

Councilmember Hale inquired if the CSD should adopt this policy as well. City Manager Keith replied yes. The City Manager also stated that the City does not have discretion over the requirements in the ordinance as the MS4 Permit calls for items where land uses in Bradbury don't allow for such uses so those items remain in but do not apply. The Ordinance also applies to private streets.

Karen Suarez, Monrovia, stated that this ordinance is a great opportunity for the City and it will raise the aqua fur.

PUBLIC HEARING CLOSED:

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

MOTION:

Councilmember Lathrop made a motion to introduce and read for the first time by title only Ordinance No. 330 "amending Chapter 4 of the City of Bradbury Municipal Code to expand the Applicability of the existing Standard Urban Stormwater Mitigation Plan (SUSMP) requirements by imposing Low Impact Development (LID) strategies on projects requiring Building Permits" and adopt the Green Streets Policy for Bradbury 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

Ordinance No. 330 will be on the October City Council Agenda for Second Reading and Adoption.

DISCUSSION – DESIGN GUIDELINES UPDATE:

City Manager Keith stated that the City Council adopted Design Guidelines in 1995. The Guidelines are a combination of narrative and graphics that have a broad application to property development ranging from site design features such as hillside treatment, tree and view preservation to architectural design standards.

It is appropriate to review the Design Guidelines periodically and make changes for several reasons. Many of the design standards contained in the Guidelines have been codified in the Zoning Code over the years. Therefore, their appearance in both code and the Guideline are

redundant. The Code will always take precedence over Guidelines, so it would be prudent to amend the Guidelines to remove the redundant language.

Another reason to review the Guidelines is to assess whether or not the architectural requirements are still desirable. A number of architects have indicated that the current Guidelines limit the variety of architectural design that they can pursue. Since 1995 there have been new trends in architectural design that are popular, but would not be allowed under these Guidelines.

ALTERNATIVES:

If the City Council approves the idea of updating the Design Guidelines, there are a three different ways to undertake this project:

OPTION ONE:

Ask the City Planner to lead the effort and establish a budget and timeframe for the update. There would be a cost associated with this approach. The budget included an expenditure of \$5,000 for this project. Input could be obtained from the community in an informal way and at regular Planning Commission meetings, so that the only Brown Act meetings are the Commission and Council.

OPTION TWO:

Appoint a volunteer committee to lead the effort and provide a desired schedule for completion. This could include a member of the Planning Commission, a member of the City Council, or other community members that are informed on the issue of the Design Guidelines. This committee could operate independently of staff until such time as the report would need to be presented to the Planning Commission and City Council. This would keep the cost to a minimum. The Committee would operate as a Brown Act committee.

OPTION THREE:

Undertake a combination of the two options above and ask the City Planner to staff a volunteer committee appointed by the City Council. This would be a Brown Act committee. More of the budget would be utilized in the staffing and procedural requirements. The frequency of committee meetings would be limited according to availability of both committee members and the City Planner.

RECOMMENDATION:

Staff recommends Option One. The City Council should direct the City Planner to conduct an initial review of the existing Design Guidelines and make a recommendation for 1) what can be removed due to duplication in the Code, 2) an inventory of sections that should be reviewed, 3) a recommended methodology for obtaining input, and 4) a schedule for completing a draft of the revised Guidelines.

DISCUSSION:

Commissioner Hale suggested that the City Planner prepare a document starting with an inventory and highlight issues with bullet points.

The City Council agreed not to form a committee for now.

MOTION:

Councilmember Hale made a motion to go with Option One and allow a budget expenditure not to exceed \$5,000. 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

**FISCAL YEAR 2013-2014
ANNUAL RATE ADJUSTMENT
FOR SOLID WASTE COLLECTION
AND RECYCLING AND OPTIONS
FOR RATE ADJUSTMENTS
RELATED TO THE CLOSURE OF
PUENTE HILLS LANDFILL :**

City Manager Keith stated that the City of Bradbury contracts with Burrtec Waste Services for solid waste collection and recycling. Pursuant to Section 10.10 of the Franchise Agreement "each subsequent July 1 (after July 1, 1999) the rate for each category of service shall be subject to upward or downward adjustment. Customer rates are comprised of the following categories: contractor service cost, disposal cost, recycling processing, green waste processing cost and manure waste processing cost."

In June, the City Council adopted Resolution No. 13-18 approving additional language that allows Burrtec to take ownership of the City's waste and recyclables in order to negotiate the best deal for the City upon the closure of Puente Hills Landfill. Additionally, at that time the City Council requested Burrtec to wait to adjust the refuse collection and recycling rate that would have become effective July 1, 2013 until November (retroactive to July 2013) or until such rates reflect the closure of Puente Hills Landfill.

Burrtec submitted rate adjustments for residential barrel service, refuse bin service, green waste bin service and recycling bin service in June for Fiscal Year 2013-2014. The majority of the increase is the Consumer Price Index (CPI) of 1.9% and increased tipping fees where applicable. Currently, the recyclables market is not as great as it has been in the past and with the closure of more small nurseries in the area finding suitable locations for manure and green waste is more difficult.

**BURRTEC POWER POINT
PRESENTATION:**

Richard Nino, Director of Municipal Services, presented a power point presentation regarding the 2013 Rate Review Update.

Mr. Nino stated that Puente Hills Landfill will close in November 2013. Burrtec is currently evaluating and comparing alternative materials recovery facilities, transfer stations and landfill options, such as the Azusa Waste Management Transfer Station and Materials Recycling Facility that opened in September 2013. Their rate is \$47 per ton plus fees. In comparison, the current Bradbury rate is \$38.41 for trash and \$22.95 for green waste.

**RATE ADJUSTMENT
ESTIMATES:**

Burrtec estimates that the current monthly service charge for residential barrels will go up from \$15.71 to \$18.80 (\$3.09 increase), 3-yard trash bin from \$133.84 to \$144.19 (\$10.35 increase) and 3-yard green waste bin from \$124.28 to \$144.20 (\$19.82 increase). These estimates assume tipping fee increases of 17% for trash and 53% for green waste.

FUTURE LEGISLATION:

In closing, Mr. Nino also touched on Future Legislation:

- Green Waste as Alternative Daily Cover (AB323)
- Land Application Restrictions
- Product Stewardship and Producer Responsibility
- Mattress Fees (SB 254)

RECOMMENDATION:

City Manager Keith stated that it is recommended that the City Council review and discuss disposal and recycling options with Burrtec related to the necessary rate adjustment due to the closure of the Puente Hills Landfill and direct staff to bring back the item for action at the October meeting.

DISCUSSION:

Mr. Nino requested that Burrtec be allowed to make UUT payments on a quarterly instead of a monthly basis, like franchise fees. The Council requested a separate line item regarding the Utility Users Tax on the bills. There was no official action on this item.

**EMERGENCY ITEM –
SGVCOG NATIONAL
RECREATION AREA (NRA)
WHITE PAPER:**

Councilmember Lathrop stated that in April 2013, the National Park Service transmitted its final San Gabriel Watershed and Mountains Special Resource Study to the Secretary of Interior with a recommendation to create a National Recreation Area for the foothills of the San Gabriel Mountains and the San Gabriel and Rio Hondo River Corridors. Since the release of the Special Resource Study, the San Gabriel Valley Council of Governments (SGVCOG) has been engaged in this process in anticipation of Congresswoman Judy Chu drafting Congressional legislation that would designate a National Recreation Area (NRA).

The Governing Board of the SGVCOG will be considering the NRA White Paper at its September 26, 2013 meeting. Councilmember Lathrop, who is the City's representative on the SGVCOG Governing Board was soliciting input from the City Council regarding this matter before the vote.

Councilmember Lewis questioned why the COG is not opposing this legislation instead of supporting it with 86 conditions.

**MOTION TO OPPOSE
THE NATIONAL RECREATION
AREA (NRA):**

Following discussion, Mayor Pro-Tem Barakat made a motion to oppose the creation of the National Recreation Area (NRA) White Paper. Councilmember Lewis 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 4:1

**MATTERS FROM THE
CITY MANAGER:**

City Manager Keith stated that the Rose Bowl Cycling Event, which was to be held on Sunday, October 20th, has been cancelled and postponed to 2014.

The Emergency Response Committee (ERC) will meet this Thursday, September 19, at 7 p.m.

The September 26 Planning Commission meeting has been cancelled due to a lack of agenda items.

The Fire Hazard Reduction Grant was submitted today. We are expecting to get a response within 3-4 months.

MATTERS FROM THE CITY COUNCIL:

MAYOR PYCZ:

Mayor Pycz stated that the UUT payments to the City should reflect the summer A/C usage.

Mayor Pycz wanted to know the status of the setback issue on Winston, Lemon and Royal Oaks. City Manager Keith stated that the Planning Commission will review this item in October.

MAYOR PRO-TEM BARAKAT: Mayor Pro-Tem Barakat stated the LA County Sanitation Districts worked hard on keeping the Puente Hills Landfill open, but the Board of Supervisors said no.

Foothill Transit is opening their new Industry Park and Ride facility located in the City of Industry on October 7th.

COUNCILMEMBER HALE: Nothing to report

COUNCILMEMBER LEWIS: Nothing to report

COUNCILMEMBER LATHROP: Councilmember Lathrop reminded everyone that the Duarte Education Foundation will hold its Annual Dinner on Sunday, October 13, 4 p.m. at the Village Restaurant.

ITEMS FOR FUTURE AGENDAS: None

CLOSED SESSION

CALL TO ORDER/ROLL CALL: The Closed Session was called to order by Mayor Pycz at 8:45 p.m.

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

ABSENT: None

STAFF: City Manager Keith and City Attorney Reisman

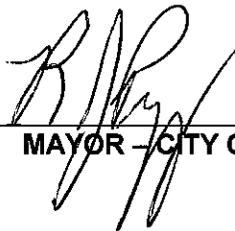
PUBLIC COMMENT REGARDING CLOSED SESSION ONLY: None

CLOSED SESSION ITEMS:

1. **Personnel**
 - A. Pursuant to California Government Code Section 54957 – Evaluation of Performance. Title: Building and Safety Services.

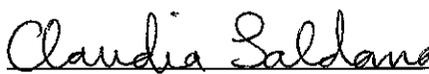
REPORT FROM CLOSED SESSION: City Attorney Reisman reported that the City Council took no reportable action.

ADJOURNMENT: At 8:50 p.m. Mayor Pycz adjourned to the meeting to Tuesday, October 15, 2013 at 7:00 p.m. at the Bradbury Civic Center.



MAYOR – CITY OF BRADBURY

ATTEST:



CITY CLERK – CITY OF BRADBURY