

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY,
HELD ON TUESDAY MARCH 16, 2010 AT 7:00 PM
IN THE COUNCIL CHAMBERS AT CITY HALL
600 WINSTON AVENUE, BRADBURY, CA 91008**

CALL TO ORDER/PLEDGE OF ALLEGIANCE: The regular meeting of the City Council of the City of Bradbury was called to order by Mayor Barakat at 7:02 PM.

ROLL CALL: PRESENT: Mayor Barakat, Mayor Pro-Tem Hale (arrived at 7:10 pm), Councilmembers Guthrie, Lathrop and Lewis

ABSENT: None

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

APPROVAL OF THE AGENDA: Councilman Lathrop made a motion to approve the agenda to proceed with City business. Councilmember Lewis seconded the motion which carried unanimously.

PROCLAMATION OF FIX A LEAK WEEK: The City Council Declared March 15-21, 2010 Fix a Leak Week.

DISCLOSURE OF ITEMS REQUIRED BY GOV. CODE SECTION 1090 & 81000 ET SEQ.: In compliance with the California Political Reform Act, each City Council Member 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 reported that he was not aware of any conflicts of interests with any of the items on the agenda.

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 Council Member request 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 16, 2010
- B. Financial Statement for the month of February 2010
- C. Resolution No. 10-10: Demands & Warrants for March 2010
- D. Adoption of Resolution No. 10-11 Approving the Disaster Resolution
- E. Final Acceptance-Mount Olive Pedestrian Pathway
- F. Planning Commission Appointment for District 2
- G. Project Completion on the 2009 Fire Reduction Grant
- H. Final Payment to Shield Sewer Construction-City Hall

Connection Project

CORRECTION TO MINUTES: On Item E Councilman Lathrop inquired about the missing piece of fence on the Mount Olive Trail and when that would be replaced. Staff stated the piece of fence would be addressed during the next phase of the project.

City Attorney Reisman noted that on the first page of the February 16, 2010 Minutes under the DISCLOSURE OF ITEMS REQUIRED BY GOV. CODE SECTION 1090 & 81000 ET SEQ.: section that it should be corrected to say that “he was not aware of any conflicts of interests with any of the items on the agenda” rather than “there were no conflicts”.

Councilman Lewis introduced to the public Mr. Bill Novodor and his wife Ruth. Councilman Lewis nominated Mr. Novodor to fill the vacancy in the Planning Commission.

Mayor Barakat remarked that the method used by Councilman Lewis in selecting a nominee was not how the Council did it in the past. In the past that resumes were presented to the council of the people being considered and that the final decision rested with the Councilman’s district for which the vacancy existed.

Discussion ensued on when this method was used in the past and Councilman Lathrop proposed that the City Council consider formalizing the nomination process in the future.

MOTION TO APPROVE CONSENT CALENDAR: Councilmember Lathrop moved to approve the Consent Calendar as amended. Councilman Lewis seconded the motion, which was carried by the following roll call vote:

AYES: Mayor Barakat, Councilmembers Guthrie Lathrop and Lewis

NOES: None

ABSENT: None

**ITEM #2: DISCUSSION
RESOLUTION NO. 10-12
PRESERVATION OF
BUILDINGS, STRUCTURES
AND LOCATIONS THAT MAY
HAVE HISTORICAL
SIGNIFICANCE TO THE
COMMUNITY:**

City Manager Keith requested that since one of the property owners who objected to this item was not yet present that the Council consider moving the item farther down the agenda. There was no objection from the City Council to discuss it later in the meeting.

**ITEM #3: PUBLIC HEARING-
ZONE CODE AMENDMENT
NO 09-15-FIRST READING
OF ORDINANCE NO. 316 AN
ORDINANCE OF THE CITY**

Each City in the State of California is required to adopt a General Plan and each General Plan must contain a Housing Element. Each Housing Element must be submitted to the State Department of Housing and Community Development (HCD) for review and critique to ensure that the proposed Housing Element

**COUNCIL OF THE CITY OF
BRADBURY AMENDING THE
BRADBURY MUNICIPAL
CODE AS REQUIRED TO
MEET THE STATE
MANDATED
REQUIREMENTS
REGARDING AFFORDABLE
HOUSING ACCOMMODATIONS:**

complies with State Law. The State Department of HCD certified that the City of Bradbury's Updated Housing Element 2008 (dated October, 20, 2009) is in full compliance with State Law.

In order to comply with State Law as directed by HCD, the City must consider modifying its Zone Code in an effort to implement the policies set forth in the Housing Element 2008. The Planning Commission reviewed the Zone Code for possible revisions that will implement the goals and objectives set forth in the Housing Element 2008. The Planning Commission adopted Resolution No. 10-201.PC recommending that the City Council amend the Bradbury Zone Code to implement the goals and objectives of the revised Housing Element 2008.

ANALYSIS:

The Planning Commission reviewed the Zone Code for methods of implementing the State mandated provisions set forth in the new adopted Housing Element 2008 (adopted by the City Council on October 20, 2009).

The modifications of the Zone Code are to provide for the following:

1. The Construction of a wide variety of residential dwelling units that include mobile homes, manufactured housing, multi-family rental dwellings, and accessory dwelling units to include Single Room Occupancy (SROs); and
2. Emergency Shelters, Transitional Housing and Supportive Housing; and
3. Provide incentives to developers to construct dwelling units that will accommodate the housing needs of low and very low income household; and
4. Remove constraints that impact housing for person with disabilities.

Recent changes to State Law requires local government to identify local need for emergency shelters and identify zone districts that have adequate capacity for the construction and use of emergency shelters to meet the identified need. Cities must then modify their Zone Codes within one year of adoption of the housing element, in order to provide for emergency shelters and other mandated facilities and services to meet the housing needs of the homeless and low and moderate income person. The identified zone(s) must permit a sufficient number of year-round emergency shelters to adequately accommodate the city's unsheltered need without the need to issue a conditional use permit or other discretionary permit.

The follow modifications are offered for consideration in an effort to meet the State's requirements and the goals and objectives set forth in the City's housing element.

Title 9.03 (Definitions)

1. Single Room Occupancy Residential Dwelling Units- Units to house personnel involved in the care and maintenance of the primary dwelling or the associated on site farming activity.
2. Emergency Shelter-Housing with minimal supportive services for homeless persons that is limit to occupancy of six months or less by a homeless person
3. Transitional Housing- buildings configured as rental housing developments, but operated under different program requirements.
4. Supportive Housing-Housing with no limit on length of stay and is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing.
5. Supportive Housing Target Population-Persons as defined in the California Health and Safety Code having one or more disabilities, including mental illness, substance abuse or individuals eligible for services under the Lanterman Developmental Disabilities services act.
6. Modify Existing definition "Guest Houses or Accessory Living Structures" to define **Accessory Living Quarters**

Overlay Zone- Affordable Housing

It is proposed that the Zone Code be amended to create an Overlay Zone that accomplishes the following

1. Emergency Shelter- the use of single family dwelling units as emergency shelter for homeless persons with minimal support services provided
2. Transitional Housing- permits the use of single family dwelling unit or a second dwelling unit to be rented to homeless individuals or families transitioning to permanent housing
3. Supportive Housing-permits the use of a single family dwelling unit or a second dwelling unit to be rented to a member of the target population as defined by the California Health and Safety Code section 50675.14

Section 9.05 of the Bradbury Zoning Code

1. Section 9.05.010.020 shall be amended to add the Affordable Housing Overlay Zone.
2. R-7,500 Zone- Section 9.05.020.020 (B)(2) shall be amended to provide for one attached Accessory Living Quarters as defined in this code is permitted. Detached Accessory Living Quarters are not permitted.
3. Section 9.05.020.020 (B) Add number (9) to indicate that manufactured housing units to include mobile homes that comply with the State Housing Code and the City's Design Guidelines are permitted when installed on a permanent foundation.

4. R-20,000 Zone-Section 9.05.030.020 (B)(2) shall be amended to provide for one attached Single-Room Occupancy dwelling unit as defined in this code.
5. Section 9.05.030.020(B)(3) shall be amended to provide one attached or detached second dwelling unit, guesthouse one granny house which may be permitted provided that such detached structure shall be located a minimum of 20 feet from the main dwelling unit.
6. Section 9.05.030.020(B) Add number (10) to indicate that manufactured housing units to include mobile homes that comply with the State Housing code and the City's Design Guidelines are permitted when installed on a permanent foundation.
7. A-2 Zone-Section 9.05.050.020(B)(3) shall be amended to provide for one attached Single-Room occupancy accommodation per gross acre as defined in this code
8. Section 9.05.050.020(B)(3) shall be amended to provide for one attached or detached second dwelling unit, guesthouse or granny house which may be permitted provided that such detached structure shall be located a minimum of 20 feet from the main dwelling unit.
9. Section 9.05.050.020 (B) Add number (10) to indicate that manufactured housing units to include mobile homes that comply with the State Housing Code and the City's Design Guidelines are permitted when installed on a permanent foundation
10. A-5 Zone-Section 9.05.060.020(B)(2) shall be amended to provide for one attached Single-Room occupancy accommodation per gross acre as defined in this code
11. Section 9.05.060.020(B)(3) shall be amended to provide for one attached or detached second dwelling unit, guesthouse or granny house which may be permitted provided that such detached structure shall be located a minimum of 20 feet from the main dwelling unit
12. Section 9.05.060.020 (B) Add number (10) to indicate that manufactured housing units to include mobile homes that comply with the State Housing Code and the City's Design Guidelines are permitted when installed on a permanent foundation.

Off Street Parking Modifications

To address the increased parking that will result from the creation of these new living units, staff is recommending that the following be added to the existing parking regulations:

Off Street Parking-Hillside (9.06.020.170 (B): Shall require in addition to the minimum off street parking required, provide a minimum of two uncovered off street parking spaces. The intent is

to relieve parking congestion all narrow hillsides streets to allow for adequate vehicle circulation.

Off Street Parking-Minimum Number (9.06.040.030): each single family unit with not more than 4 bedrooms shall provide two parking spaces located in a garage. Dwelling units with more than for bedrooms shall provide one additional off-street parking space in a garage for each increment of two additional bedrooms or rooms used for sleeping purposes.

Accessory Living Quarters

Amend Chapter 9.05.09 of the Zone Code to reflect the goals and objectives set forth in the Housing Element 2008

FINANCIAL REVIEW: The proposed modifications to the Zone Code will not have a significant financial impact on the City's general fund

RECOMMENDATION: It is recommended that the City Council open a public hearing and read for the first time by title only Ordinance No. 316 amending the Bradbury Municipal Code as mentioned herein as required to meet the State mandated requirements regarding affordable housing accommodations.

DISCUSSION: Councilman Lewis wanted to make sure that with the creation of the Overlay Zone this doesn't mean every property can build these types of units. Planner Meyer stated that each property is handled individually so as to prevent a saturation of this type of housing in one area. It could come from a request from the Property Owner, Planning Commission or City Council.

City Planner Meyer stated that the creation of the Overlay Zone doesn't not automatically allow for its usage, property owners still need to get approval from the Planning Commission. It creates a "tool" for the Planning Commission to use.

There was general discussion among the Council members that these State mandates were being "shoved down" the throat of small cities and there was nothing that can be done about it and as a result was changing the look and feel of the community.

PUBLIC HEARING OPENED: Mayor Barakat opened the public hearing and invited those wishing to speak to come forward and be heard.

PUBLIC HEARING CLOSED: There being no public testimony, Mayor Barakat declared the public hearing closed.

MOTION TO WAIVE READING AND READ FOR FIRST TIME ORDINANCE NO. 316 Councilman Lewis made a motion to waive the reading and read for the first time by title only Ordinance No. 316 amending the Bradbury Municipal Code as required meeting the State mandated requirements regarding affordable housing

accommodations. Councilman Lathrop seconded the motion, however Mayor Barakat called for a roll-call vote for the motion which carried as follows:

AYES: Mayor Barakat and Councilmen Lathrop and Lewis.

NOES: Mayor Pro-Tem Hale and Councilman Guthrie

ABSENT: None

ABSTAIN: None

**ITEM #4: ZONE CODE
AMENDMENT ZCA NO. 10-
16. FIRST READING OF
ORDINANCE NO. 315
AMENDING THE BRADBURY
MUNICIPAL CODE
ADDRESSING STATE
MANDATED WATER
EFFICIENCY
REQUIREMENTS:**

The State of California Assembly Bill 1881 (Laird) requires that cities adopt Water Efficient Landscape Ordinances that are at least as effective in conserving water as the State's Model ordinance as promulgated by the State Department of Water Resources. The City Council adopted Urgency Ordinance No. 313 on December 15, 2009 in an effort to comply with the provisions of State law.

The City Council then sent Ordinance No. 313 to the Planning Commission for review and recommendation as to its consistency with the City's adopted General Plan. The Planning Commission recommended several minor modifications to Ordinance No. 313 and found the amended Ordinance to be consistent with the goals and objectives of the City's adopted General Plan.

ANALYSIS:

The Planning Commission recommended three modifications for the City Council to consider when adopting Ordinance No. 313

1. Section No. 9.06.095.030- Definitions. The term "Project Net Landscape Area" shall be amended to include: non irrigated agricultural areas and required slope planting.
2. Section No. 9.06.095.030- Definitions. The term "Special Landscape Area" shall be amended to include: non-irrigated agricultural areas and required slope planting.
3. Section 9.06.095.040(B)- Applicability shall be amended to include: "6. Non-Irrigated agricultural areas and required slope planting".

PUBLIC HEARING OPENED:

Mayor Barakat opened the public hearing and invited those wishing to speak to come forward and be heard.

PUBLIC HEARING CLOSED:

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

DISCUSSION:

Councilman Lewis stated:

This motion and the previous motions are two "pills" that the City Council and City don't want to swallow; they are being forced on us by the state. He further stated the grandstanding taking place

here with the City Council is on par with the log jam that is taking place in Sacramento and Washington D.C. The Council needs to act and step up and pass the legislation that we can't fight.

**MOTION TO WAIVE
READING AND READ FOR
FIRST TIME BY TITLE ONLY
ORDINANCE NO. 313:**

Following discussion, Councilman Lewis made a motion to waive the reading and read for the first time, under protest; by title only Ordinance No. 313 amending the Bradbury Municipal Code as required to meet the State mandated requirements.

Mayor Barakat seconded the motion which was carried by the following roll call vote:

AYES: Mayor Barakat, Mayor Pro-Tem Hale and Councilmen Lathrop and Lewis.

NOES: Councilman Guthrie

ABSENT: None

ABSTAIN: None

**ITEM #5 DISCUSSION OF
PROPERTY MAINTENANCE
STANDARDS REGARDING
THE REGULATION OF OFF-
STREET PARKING AND
STORAGE OF RECREATION
VEHICLES:**

The Bradbury City Council has determined that the parking and storage of vehicles and equipment in the required front yard and side yard setbacks has become a significant property maintenance issue and that the existing regulations must be enhanced in order to protect the public health and welfare and preserve the character of the city.

State Planning Law requires that the City's planning agency must make a finding of consistency with the goals and objectives of the adopted General Plan before the City's Zone Code can be amended. Therefore, the Planning Commission is hereby directed to examine the existing Bradbury Zone property maintenance standards and make recommendation as to how to strengthen the regulations prohibiting the parking and storage of vehicles and equipment on the residentially zoned property.

ANALYSIS:

Planning Commission Direction

It will be helpful if specific direction is given to the Planning Commission in order for it to focus its research and deliberations. Directions such as:

1. Precise description of the issue
2. Description of the inadequacies of existing regulations;
3. Anticipated outcome(s)

STAFF RECOMMENDATION:

Staff recommends that the City Council provide the Planning Commission with clear and precise direction regarding potential modification of the City's Zoning Code.

DISCUSSION:

Mayor Barakat stated that there need to be definitive standards about setbacks to address the problem with motor homes in side yard setback areas. It defeats the purpose of the setback if these

vehicles are parked within the setback area. People don't complain because they have to live with their neighbors.

Councilman Lewis stated there is an issue with wording of storage because of typical communities' definitions. In Bradbury, the orientation of front yard doesn't exist in all areas i.e. Estates. Change front yard to 'street frontage' so as to define what a property's front vs. side vs. rear setback is.

Councilman Lathrop said he isn't hearing a lot of public input in regards to these issues of RVs and their parking, and as a result we might be putting a lot of hardship on a few properties. Maybe there are other issues that need be addressed in terms of maintenance standards.

Councilman Guthrie stated that the code needs to eliminate the phrase "inoperable" and "operable" and should apply uniformly to all vehicles on a property in terms of vehicles storage in yards on paved yard surfaces. Mayor Barakat remarked that in terms of parking on unpaved surfaces we have to worry about water contamination.

Councilman Lathrop said that these regulations need to also consider hiding vehicles and how to address farm vehicles and those special "exceptions" in the storage of large vehicles.

Mayor Barakat stated the Commission needs to address time limits of how long these vehicles can be stored in the "front". Maybe allow one 7-day period in a 30 day period or something like that. Additionally, consider overnight vehicle parking regulations.

**ITEM #2
RESOLUTION NO. 10-12
PRESERVATION OF
BUILDINGS, STRUCTURES
THAT MAY HAVE
HISTORICAL SIGNIFIANCE
TO THE COMMUNITY:**

The State of California notified the City of Bradbury that it is deficient in its development policies concerning the preservation of buildings, structures and locations that may have historical significance to the community. In March 2009, the City Council directed the Planning Commission to examine methods of protecting and preserving buildings, structures and locations of historical significance. The Planning Commission solicited public input and it reviewed alternative methods of preserving buildings, structures and locations of historical significance. The Planning Commission adopted its Resolution No. 09-200.PC recommending that the City Council adopt a policy directing staff to follow certain procedures when examining development proposals for specified parcels of land that have historical significance to the community.

ANALYSIS:

The Planning Commission found that the City of Bradbury Development Code does not contain a definition of Historic Landmark. The Federal Secretary of the Interior has adopted "Standards for the Treatment of Historic Properties". The adopted

standards include the following definition of a historic landmark:

- **Historic Landmark:** Improvement or natural feature that meets the criteria identified in a local ordinance or is nominated to the National Register of Historic Places or the California Register of Historic Resources. Historic Landmarks can be sites associated with local, state or national cultural, social, economic, political or natural history, events or persons significant to the history of the community or it reflects significant geographical patterns, include those associated with different eras of settlement and growth, particular transportation modes or distinctive examples of park or community planning.
- **Local Historic Landmark:** Cities are provided with the opportunity to identify and locate historic landmarks. However, cities should develop criteria to identify site that may have historic significance to the community. Potential Local Historic Landmarks include sites and structures, located in a community, that comply with locally adopted criteria that define items or issues of historical significance.

POTENTIAL HISTORICAL LOCATIONS:

Staff tentatively identified four parcels of land that may contain buildings or structures of historical significance to the community.

1. **2001 Royal Oaks Drive North** (aka 2010 Gardi Street)- The existing two-story main dwelling unit.
2. **1775 Royal Oaks Drive North**- The buildings commonly referred to as the barn, stone milk-house and the cistern.
3. **5 Bradbury Hills Road**- The main single-story dwelling unit.
4. **555 Deodar Lane**- The two-story dwelling commonly referred to as the stone carriage house.

DESIGNATION OF HISTORIC RESOURCES:

The City of Bradbury has not adopted criteria for the designation of historic resources. The four identified parcels of land may or may not meet the Federal or State Regulations and Guidelines for designation as a “historical resource”. A detailed survey of the sites could be conducted by a state or federally recognized and certified individual or firm capable of determining the historical significance of the sites and the buildings or structures on the sites.

The four sites may contain buildings and structures that are locally significant as a historic resource. Certain buildings and structures may have common architectural attributes that represent a particular type of historic community resources. In any event the four parcels contain buildings and structures that are of interest to the community and they may warrant the exercise of care to insure the buildings are preserved or documented for the enjoyment of future generations.

Notification: The owners of the four parcels of land were invited to attend the Planning Commission public hearings. Each property owner provided the Commission with helpful input. Three of the four property owners seem to be support of a policy or program. The three owners requested that the Planning Commission consider only development policies or restrictions that would not prevent them from making minor or exterior alternations to the buildings or structures found to have historical significant as well as interior modifications.

One property owner (2001 Royal Oaks Drive North/ 2010 Gardi street) is very concerned that the City will create restrictions that will hamper his plans to sell the site for possible future subdivision and development. This property owner has requested that the City not adopt any regulations or policies that would jeopardize his ability to develop the property. Even though this site was removed from consideration, this property owner is opposed to the recommendations made by the Planning Commission.

RECOMMENDATION:

Staff recommends that the City Council adopt Resolution No. 10-12 establishing development policies regarding the preservation of buildings, structures and locations that may have historical significance to the community.

DISCUSSION:

Councilman Guthrie inquired of staff why the Mead property (1533 Royal Oaks Drive North) was not included on this list. Planner Meyer stated no information was provided that indicated the property had historical significance at the time of review.

Councilman Lathrop asked why staff eliminated the Rohan House (2001 Royal Oaks Drive North/2010 Gardi Street) from this list. Planner Meyer stated in regards to the argument presented by the property owner that there is little potential for subdivision and noted he had not removed it, the Planning Commission did.

The City Council agreed after a brief discussion that 2001 Royal Oaks should be added to the list of properties.

City Manager Keith suggested that the City Council form a volunteer committee to conduct research and collect historical photos from residents in area. Mayor Pro Tem-Hale added that these photos can be copied and then displayed in the new City Hall.

PUBLIC HEARING OPEN:

Mayor Barakat opened the public hearing and invited those wishing to speak to come forward and be heard.

PUBLIC COMMENT:

Ann Armstrong, 1775 Royal Oaks Drive North, stated that she did not mind if her house was added to the other suggested items for Preservation.

Following the comment of Ann Armstrong, the City Council had a brief discussion regarding a group of volunteers working with staff to collect data, information and photos on the history of Bradbury. The Council deemed this an important project since the City has no official historical society or library.

PUBLIC HEARING CLOSED: There being no further public testimony, Mayor Barakat declared the public hearing closed.

**MOTION TO APPROVE
RESOLUTION
NO. 10-12:**

Councilman Lathrop made a motion to adopt Resolution No. 10-12 setting forth its findings of fact and determination relative to development policies regarding the preservation of buildings, structures and locations having historical significance to the community as well as adding 2001 Royal Oaks Drive North (2010 Gardi Street) to the list of buildings and structures that are of historical significance. Mayor Pro-Tem Hale seconded the motion which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

The City Council under this motion approved the following:

1. The Planning and Building Department staff **shall not** issue permits for the exterior modification or expansion of identified buildings or structures having historical significance to the community. However, the issuance of permits for the installation of solar panels and the reroofing of such buildings and structures with similar or in-kind material is exempt from this policy; and
2. The Planning and Building Department staff **shall not** issue demolition permits for buildings or structures identified as having historical significance to the community without first receiving direction from the Planning Commission; and
3. Applicants seeking permits for the exterior modification or demolition of buildings or structures identified as having historical significance to the community shall be subject to a fee exempt duly noticed public hearing before the Planning Commission; and
4. Staff shall prepare and keep a map of the location of buildings, structures and sites that are of historical significance to the community provided that the owners of such buildings, structures and sites consent to such designation. The Planning Commission and City Council has

reason to believe that the specified buildings or structures as having historical significance to the community:

- **2001 Royal Oaks Drive, North** (aka **2010 Gardi Street**) – The two story existing main dwelling unit.
- **1775 Royal Oaks Drive, North** – The buildings commonly referred to as the barn, stone milk house and the cistern
- **5 Bradbury Hills Road** - The principal single-story dwelling unit.
- **555 Deodar Lane** – The two-story dwelling commonly referred to as the stone carriage house

For reference the Planning Commission's review shall be limited to the following:

- Determine that the construction activity complies with the City's development standards and design guidelines; and that the appearance of the proposed addition is consistent with the architectural style or concept of the original building;
- Determine that before the demolition of a building or structure of local historical significance, it shall be adequately photographed and documented; and that all reasonable efforts shall be made to create a written and photographic history of the building or structure before it is demolished. The documentation program shall be provided by the City at no cost to the applicant or property owner.
- Determine that all reasonable alternatives to the expansion or demolition of buildings or structures have been examined; and that effort has been expended to reconcile the applicant's construction objectives with the City's desire to preserve buildings, structures and sites of historical significance to the community.
- Determine that the applicant's construction objectives are not unduly restricted as compared with the development opportunities afforded to owners of similar property that is not designated as being of historical significance to the community or contains buildings or structures of historical significance.

**ITEM # 6
RESOLUTION NO. 10-13 IN
SUPPORT OF WILDERNESS
AND WILD RIVER**

It is recommended that the City Council adopt Resolution No. 10-13 in support of a movement extending certain "wilderness" and "wild river" designations in the Angeles National Forest to protect areas from encroaching land development in these areas.

**DESIGNATIONS FOR THE
SAN GABRIEL MOUNTAINS:**

ANALYSIS:

The Wilderness Society and the “San Gabriel Mountains Forever” group, consisting of businesses, community groups, faith leaders, conservation groups and individuals has requested that the City Council consider the adoption of a Resolution in support of certain “wilderness” and “wild river” designations in the Angeles National Forest, so that support for these designations could be demonstrated to Congressman David Drier

Congress previously established the Sheep Mountain, Cucamonga, and San Gabriel Wilderness areas which began just north of Monrovia and stretch east above the foothill cities out to Rancho Cucamonga.

The adoption of the resolution would encourage congress to extend this protection to surrounding areas in the Angeles National Forest. Congress can also protect rivers, such as the San Gabriel Rive and San Antonio Creek, as “wild and scenic”. This would ensure that wild stretches of rivers and creeks remain wild and recreational opportunities are preserved. In addition to concerns over development encroachment, the Angeles National Forest Service, the lead agency managing the local mountains, plans to close down and reduce capacity and hours at numerous recreational facilities throughout the San Gabriel Mountains die to budget constraints.

RECOMMENDATION:

Staff recommends that the City Council adopt Resolution No. 10-13 supporting wilderness and Wild River designations for the San Gabriel Mountains.

PUBLIC HEARING OPENED:

Mayor Barakat opened the public hearing and invited those wishing to speak to come forward and be heard.

PUBLIC COMMENT:

Daniel Rossman, 4821 Avoca Street, Los Angeles; of the Wilderness Society provided the City Council with further information including the distinction between this study and the Department of the Interior’s study regarding the feasibility of turning portions of the San Gabriel Mountains into a National Park.

This according to Mr. Rossman is different in that it addresses the Wild Rivers and different areas as those suggested by the Department of the Interior Study

PUBLIC HEARING CLOSED:

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

**MOTION TO APPROVE
RESOLUTION**

Mayor Pro-Tem Hale made a motion to adopt Resolution No. 10-13 supporting Wilderness and Wild River Designations for the

NO. 10-09:

San Gabriel Mountains. Councilman Lewis seconded the motion which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

**ITEM # 7:
RESOLUTION NO. 10-14 IN
SUPPORT OF THE LOCAL
TAXPAYER, PUBLIC
SAFETY AND
TRANSPORTATION ACT OF
2010**

It is recommended that the City Council adopt Resolution No. 10-14 in Support of the Local Taxpayer, Public Safety and Transportation Protection Act of 2010 and consider joining the Coalition of Californians to Protect Local Tax payer and Vital Services.

ANALYSIS:

The State of California has shown a penchant in recent years to take or borrow funds from local entities in an effort to address shortfalls in the state's budget. In 2009, the state legislature voted to borrow \$1.9 billion in local property taxes and take \$2 billion in redevelopment funds from cities.

Historically, California voters have passed separate ballot measures to stop state raids of local government funds. A coalition of local government, transportation and transit advocates recently filed a constitutional amendment with the California Attorney General, called the *Local Taxpayer, Public Safety, and Transportation Protection Act of 2010*, for potential placement on California's November 2010 statewide ballot. The approval of this ballot initiative will further prevent state politicians from seizing, diverting, shifting, borrowing, transferring, suspending or otherwise taking or interfering with tax revenues dedicated to funding local government services, including redevelopment, transportation improvement projects and mass transit.

The measure, if passed by voters, would close loopholes and prevent the state from borrowing, raiding or otherwise redirecting local government (local taxes & property taxes), transportation (HUTA and Proposition 42 funds) and public transit funds. With the state continuing to raid and borrow local government, transit and transportation funds, the proposed measure is deemed necessary to protect taxpayers and the vital local government and transportation services that support the quality of life and the economy of local residents.

California voters in 2004 passed proposition 1A in an effort to protect local funds that are crucial for public safety and other municipal services. Despite legal disputes, the state has been able to target redevelopment and transportation funds for the taking, and then is "borrowing" property tax funds with no clear

ability to repay these funds.

The League of California Cities has launched the effort for a ballot measure as an additional tool for protecting the local funds for our cities. The organizers need to obtain exactly 694,354 signatures by April 15, 2010, but are attempting to gather 1.1 million by that date.

FINANCIAL REVIEW:

There is no fiscal impact to the City of Bradbury resulting from the adoption of this resolution.

Passage of the initiative will provide further protection to the City's revenues including the Highway User Taxes (HUTA) that the City of Bradbury used for street maintenance and repair, street sweeping and other road improvements. A portion of these funds will be at risk without passage of the initiative.

RECOMMENDATION:

Staff recommends that the City Council select Option #1 in pursuing support for of the Local Taxpayer, Public Safety and Transportation Protection Act and its placement on the November 2010 Statewide Ballot.

DISCUSSION:

There was general discussion about the frustrations of the State Government taking tax dollars that belong to local governments and for their continuance to provide unfunded State mandates like every item on this agenda.

**MOTION TO APPROVE
RESOLUTION NO. 10-14:**

Councilman Lathrop made a motion to adopt Resolution No. 10-14 supporting supporting The Local Taxpayer, Public Safety and Transportation Protection Act of 2010. Councilman Guthrie seconded the motion which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

**ITEM #8: APPROVAL OF
PROFESSIONAL SERVICES
AGREEMENT WITH RKA
ENGINEERING TO PROVIDE
DESIGNS FOR THE
EXTENSION OF THE MOUNT
OLIVE PEDESTRIAN
PATHWAY AND TRAFFIC
CALMING FOR THE
NORTHERN SECTION:**

The City Council requested of staff at its last meeting to explore the feasibility of extending the Mount Olive Path in the northerly direction to the City Limit.

In order to provide those options to the City Council, the City must enlist the services of a professional engineer who specializes in traffic safety. It is recommended that the City Council review the proposal by RKA Consulting Group and provide further direction to staff.

ANALYSIS

In an effort to continue to improve the safety of Mount Olive Drive

and beautification of the neighborhood, staff was asked to explore extending the pathway south to Gardi Street which was approved to move forward with design concepts and public meetings at the last City Council meeting.

The City Council requested staff work with the City Engineer to complete options for the Northern Section to the city limits for traffic calming and extending the pedestrian pathway. IN order for this to be accomplished staff requested a proposal from the City Engineer not to exceed \$4,200.

FINANCIAL REVIEW

The City has been using its Proposition C Reserve Funds and Measure R (ARRA Swap) Funds for this project. There are currently enough funds in the Measure R account to pay for the initial design of the southern most portion of the project.

STAFF RECOMMENDATION

It is recommended that the City Council review the proposal by RKA Consulting Group and provide further direction to staff.

DISCUSSION

Councilman Guthrie commented on the fact that just the past weekend two cars ran the stop sign at the intersection of Mount Olive Drive and Mount Olive Lane and that the speed sensor going southbound showed their speed in the 40 MPH range. He inquired about changing the layout so as to create a right hand turn instead of the current layout.

Mayor Pro-Tem Hale inquired about installing a round-a-bout in the intersection or even speed bumps at the stop signs themselves. Engineer Gilbertson stated that he would look into the two possibilities suggested.

PUBLIC COMMENT

Rich Forester, 2236 High Mesa Drive, Duarte stated that the Mesa residents like the current traffic calming and trail systems in place and would like them to continue.

Bill Gomez, 635 Mount Olive, asked if we (City) still have the Sheriff's patrol on Mount Olive. Lieutenant Harshmann stated that there were still patrols in the area and would be increased if need be.

MOTION TO DIRECT STAFF

Councilman Lathrop made a motion to direct staff to look at the options suggested by the City Council as well as take from the meeting to be held on the 28th of March the concerns the residents had and come up with alternatives for traffic calming and pedestrian movement. Councilman Guthrie seconded the motion which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

**ITEM #9
REVIEW OF COMMUNITY
SUPPORT APPLICATION
PROCESS AND PROGRAM
GUIDELINES**

Review the Community Support Funding Program for non-profit organizations to include guidelines and an application process and provide further direction to staff.

ANALYSIS

Every year, in conjunction with the City's Budget Process, the City Council allocates funds for the City's Community Support Program.

Historically, the City has donated funds to a variety of local and regional community service related organizations that provide needed services to Bradbury residents. The money for the Grant Program comes from the City's General Fund and the sale of the City's annual CDBG allocation. Over the past several years, the City has made its grant allocation at the end of the calendar year. However, requests for assistance for a variety of worthwhile programs and projects are solicited from the City throughout the year.

Over the past few years the funding for grants has dwindled due to budget constraints but the requests for City assistance seems to be on the rise. Therefore, it was suggested that the City look at creating a formalized process by which it would receive and evaluate requests annually.

STAFF RECOMMENDATION

It is recommended that the City Council review the proposed application and program guidelines and provide further direction to staff.

DISCUSSION

Mayor Pro-Tem Hale stated that maybe the formal process would help applications from the Friends of Duarte Library who keep making requests. Additionally, this program should not be advertised and just be kept among those donated.

Councilman Lathrop stated that we should mail applications out to those only who requested support from Bradbury last year. He doesn't want to send forms to organizations and build up their expectations that they would receive funding and in the end they are turned down.

MOTION TO DIRECT STAFF

Councilman Lathrop made a motion to direct staff to send the applications to those organizations that have requested funding in the past and to notify them of the Fall deadline to submit the forms. Councilman Lewis seconded the motion which was carried by the following roll call vote:

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

NOES: None
ABSENT: None
ABSTAIN: None

MATTERS FROM THE CITY MANAGER:

The City Clerk will be going to Germany from March 22-April 5. There is no Planning Commission meeting in March due to there a lack of agenda items. The Census forms have been mailed out to the residents.

The ERC and Mount Olive Drive meetings will be held on March 25th and at the April Meeting there will be the swearing in of the new Councilman and the reorganization of the City Council.

The City Manager also announced she will be out on vacation the week prior to the next City Council Meeting.

MATTERS FROM THE CITY COUNCIL:

MAYOR PRO-TEM HALE: Nothing to Report

COUNCILMEMBER LATHROP: Nothing to Report

COUNCILMEMBER GUTHRIE: Nothing to Report

COUNCILMEMBER LEWIS: Nothing to Report

MAYOR BARAKAT: Nothing to Report

ITEMS FOR FUTURE AGENDAS: None

CLOSED SESSION: Mayor Barakat adjourned the meeting to a Closed Session regarding conference with legal council to discuss (1) Personnel/Evaluation of Performance (Title: City Manager) pursuant to California Government Code Section 54957.

RECONVENE OPEN SESSION AND ANNOUNCE ANY ACTON TAKEN: The open session was reconvened and City Attorney Reisman reported that the City Council met in Closed Session to discuss personnel matters.

The Personnel/Evaluation of Performance (Title: City Manager) was continued to the April 13, 2010 meeting.

ADJOURNMENT: At 9:30 pm Mayor Barakat adjourned the meeting to Tuesday, April 13, 2010, at 7:00 pm and Closed Session at 6:15 pm.

MAYOR – CITY OF BRADBURY

ATTEST:

CITY CLERK – CITY OF BRADBURY