

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY,
HELD ON TUESDAY, DECEMBER 15, 2009 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 7:00 PM.

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

ABSENT: None

STAFF: City Manager Keith, Attorney Reisman, City Planner Meyer, City Clerk Saldana, and Management Analyst Gillison

APPROVAL OF THE AGENDA: Mayor Pro-Tem Hale made a motion to approve the agenda to proceed with City business and moving item # 3 to the end of the agenda and cancelling the closed session. Councilmember Lewis seconded the motion which carried unanimously.

PRESENTATION: City Manager Keith made the introduction of new City employee, Management Analyst Yesica Gillison.

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. Mayor Barakat recused himself from item # 3 as his home is within the 500 foot radius of the project site.

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 to waive the reading and adopt.

- A. Minutes – Adjourned City Council Meeting of November 10, 2009
- B. Minutes - Regular City Council Meeting of November 17, 2009
- C. Financial Statement for the month of November 2009
- D. Resolution No. 09-41 - Demands & Warrants for December 2009

- E. Adoption of the City's Personnel Rules and regulations and personnel policies
- F. Adoption of Resolution No. 09-42 Authorizing the filing of an Energy Efficiency and Conservation Block Grant (EECBG) Application

**MOTION TO APPROVE
CONSENT CALENDAR:**

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

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

NOES: Councilmember Lathrop

ABSENT: None

**PUBLIC HEARING:
READING OF ORDINANCE
NO. 313 – AN ORDINANCE
OF THE CITY COUNCIL OF
THE CITY OF BRADBURY
AMENDING THE MUNICIPAL
CODE BY ADDING CHAPTER
9.06.095 (WATER EFFICIENT
LANDSCAPE ORDINANCE);
ADDING SECTIONS
9.06.010.045, 9.06.010.050
AND 9.06.010.055 IN
CONFORMANCE WITH
ASSEMBLY BILL 1881**

City Manager Keith stated that staff prepared Ordinance No. 313 to meet the requirements of AB1881.

Mayor Pro-Tem Hale did not have a problem adopting the ordinance but wanted to know if it could be tweaked later on.

City Manager Keith stated there is a checklist that should be followed and the Ordinance lays out how future plans will be handled.

Councilmember Guthrie commented that a majority of properties in Bradbury are over an acre.

Councilmember Lewis asked the City Attorney why this is not treated like the Building & Safety Code.

City Attorney Reisman stated that law does not allow for it to be retroactive nor as fixed property and the statute does not provide these same protectors as for Building Standards.

Councilmember Lewis commented the purpose of the Ordinance is to conserve water.

Councilmember Guthrie asked why the language of greater than an acre couldn't be taken out.

City Manager Keith suggested adding that it does not apply to agricultural uses.

Councilmember Lathrop pointed out that it does not mention one can add a second meter.

City Attorney Reisman stated there may be a need for a separate Ordinance for second meters. He also stated that you would need a separate meter to be exempt and a new Ordinance could be brought forth next month.

City Manager Keith stated this Ordinance would serve as an urgency ordinance requiring a 4/5 Council vote.

City Attorney Reisman stated the following wording could be added to the Ordinance: "does not apply to commercial, agricultural, or farm properties with dedicated water meters."

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

Karen Dunst commented on the impacts the Ordinance could have on her property.

Discussion was held on changing the date of when it becomes effective.

City Attorney Reisman stated the date could be changed to December 31, 2009

MOTION TO ADOPT ORDINANCE NO. 313: Mayor Pro-Tem Hale made a motion to adopt Ordinance No. 313 with the amended language. Councilmember Lewis seconded the motion, which was carried by the following roll call vote:

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

NOES: Councilmember Lathrop

ABSENT: None

MATTERS FROM THE CITY MANAGER: City Manager Keith stated that staff would like to extend the Mount Olive Trail with Measure R Funds.

She mentioned that the Royal Oaks Gate will be left open 24/7 and tested at the Gardi gate.

Ms. Keith also provided a reminder that City Hall will be closed next week on Thursday and Friday for the Christmas Holiday, the following Thursday and Friday for the new year holiday and on Monday preceding the next Council Meeting due to the Martin Luther King, Jr. holiday.

MATTERS FROM THE CITY COUNCIL:

MAYOR BARAKAT Mayor Barakat mentioned he had heard nothing but compliments about the trail and Mount Olive Drive improvements.

MAYOR PRO-TEM HALE:

Mayor Pro-Tem Hale had nothing to report.

COUNCILMEMBER GUTHRIE:

Councilmember Guthrie commented on the size of the trees that were planted by Gothic as part of the AQMD Tree Planting Partnership. He does not want to use Gothic again because he felt they overcharged for the trees.

COUNCILMEMBER LATHROP:

Councilmember Lathrop had nothing to report.

COUNCILMEMBER LEWIS:

Councilmember Lewis had nothing to report.

CITY ATTORNEY REPORT

City Attorney Reisman reported on the Cal-Am Rate Case including language for the rate increases. He mentioned it is about 108 pages not including appendices.

Mayor Barakat was excused for Item 3 – Civic Center Project.

CIVIC CENTER PROJECT STATUS UPDATE

City Manager Keith stated that the Civic Center Project was last presented in July and could still be done for the amount budgeted.

Mayor Pro-Tem Hale asked if it had to gone out to bid.

Discussion was held on the need for the fire approval but in order to receive the approval, the water flow needs to be increased. In order to increase water flow for fire, the City would need to install a new water line at a cost of about \$178,000.

Mayor Pro-Tem Hale made a motion to move forward with sending out to bids for the water line and sewer project for the Civic Center. Councilmember Lewis seconded the motion, which was carried by the following roll call vote:

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

NOES: None

ABSTAIN: Mayor Barakat

ADJOURNMENT:

At 8:54 p.m. Mayor Pro-Tem Hale adjourned the meeting to January 19, 2010 at 7:00 p.m.

MAYOR – CITY OF BRADBURY

ATTEST:

CITY CLERK – CITY OF BRADBURY