

AGENDA

**Regular Meeting of the Bradbury City Council
To be held on Tuesday, August 15, 2023
Closed Session Immediately Following
at the Bradbury Civic Center
600 Winston Avenue, Bradbury, CA 91008**

OPEN SESSION 7:00 PM

Each item on the agenda, no matter how described, shall be deemed to include any appropriate motion, whether to adopt a minute motion, resolution, payment of any bill, approval of any matter or action, or any other action. Items listed as "For Information" or "For Discussion" may also be subject of an "action" taken by the Board or a Committee at the same meeting.

CALL TO ORDER/PLEDGE OF ALLEGIANCE

ROLL CALL: Mayor Barakat, Mayor Pro Tem Hale, Councilmembers Lathrop, Lewis & Bruny.

APPROVAL OF THE AGENDA: Majority Vote of City Council to proceed with City Business

DISCLOSURE OF ITEMS REQUIRED BY GOVERNMENT CODE SECTION 1090 & 81000 ET.SEQ.

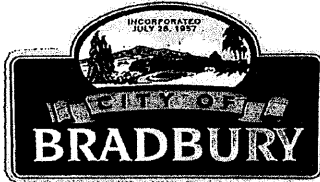
1. PUBLIC COMMENT

Anyone wishing to address the City Council on any matter that is not on the agenda for a public hearing may do so at this time. Please state your name and address clearly for the record and limit your remarks to five minutes.

Please note that while the City Council values your comments, the City Council cannot respond nor take action until such time as the matter may appear on a forthcoming agenda.

Routine requests for action should be referred to City staff during normal business hours, 8:30am - 5:00pm, Monday through Friday, at 626.358.3218.

The City of Bradbury will gladly accommodate disabled persons wishing to communicate at a city public meeting. If special assistance is needed, please call the City Manager's Office (626.358.3218) 48 hours prior to the scheduled meeting.



MEMO

To: Mayor and City Council
From: Diane Jensen, City Clerk
Re: **08.15.2023, Resolution No. 23-16, Section 2-E Demands & Warrants.**

The Demands and Warrants included in the Agenda Packet for the City Council meeting on Tuesday, August 15, 2023 is complete with the exception of check numbers for the "Regular" check section. While preparing the Agenda packets, we learned from Cougar Mountain (the check software company) that we would need to wait until Monday, 8.14 to print our checks due to a glitch at Cougar Mountain. It is important to note that aside from the vendor checks being without a check number, all of the other information is complete (amount of check, vendor name and purpose of the check.) Per our regular protocol, the checks will be printed and presented to the Mayor for signature at the City Council meeting, Tuesday, August 15, 2023.

Thank you,

Diane Jensen – City Clerk
City of Bradbury.

ACTION ITEMS*

2. 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, the motion will be deemed to "to waive the reading and adopt."

- A. Minutes: Regular Meeting, Tuesday, June 20, 2023
- B. Minutes: Special Meeting, Thursday, July 06, 2023.
- C. Minutes: Regular Meeting, Tuesday, July 18, 2023.
- D. Minutes: Special Meeting, Thursday, July 27, 2023.
- E. Resolution No. 23-16: Demands & Warrants for August 15, 2023.
- F. Monthly Investment Report for the month of July 2023
- G. Resolution No. 23-17: A Resolution of the City Council of the City of Bradbury, California, designating Mario Flores as the Deputy City Clerk.

3. PRESENTATION – VICE CHAIR CACCIOTTI FROM SOUTH COAST AQMD

Vice Chair Cacciotti will be providing an update on air quality and the work of AQMD.

4. URGENCY ORDINANCE NO. 385U FOR DENSITY BONUS ORDINANCE AND FINDING THAT ADOPTION IS EXEMPT FROM CEQA UNDER THE COMMON-SENSE EXEMPTION.

State law includes provisions of law known as the Density Bonus Law (DBL) which provides incentives for developers to provide affordable housing. The DBL requires local governments to adopt an ordinance regarding implementation of this law. Urgency Ordinance No. 385U is recommended for immediate adoption and requires a 4/5 vote of the City Council.

5. DISCUSSION ON THE CITY'S INVESTMENT POLICY

At the request of Councilmember Lathrop, this item prompts a discussion on the City's Investment Policy. It is recommended that the City Council review the City's Investment Policy and provide direction to Staff if any alteration to the Policy is needed.

6. RECAP ON BRADBURY NIGHT OUT

At the request of Mayor Barakat, this item allows the City Council to provide any feedback on the Bradbury Night Out event to City Staff. It is recommended that the City Council provide direction to Staff on any items related to the event.

7. MATTERS FROM THE CITY MANAGER

8. MATTERS FROM THE CITY ATTORNEY

9. MATTERS FROM THE CITY COUNCIL

Mayor Barakat

LA County Sanitation Districts

LA County City Selection Committee

Director of Bradbury Disaster Committee

So. California Joint Powers Insurance Authority

Mayor Pro Tem Hale

Councilmember Lathrop

League of California Cities

Duarte Community Education Council (CEC)

Councilmember Bruny

Area "D" Office of Disaster Management

Duarte Education Foundation

Foothill Transit

Councilmember Lewis

10. ITEMS FOR FUTURE AGENDAS

CLOSED SESSION

CALL TO ORDER/ROLL CALL

PUBLIC COMMENT – REGARDING CLOSED SESSION ONLY

RECESS TO CLOSED SESSION REGARDING:

A. CONFERENCE WITH LEGAL COUNSEL

Existing Litigation: Government Code Section 54956.9(d)(1)

Case Name: CALIFORNIANS FOR HOMEOWNERSHIP, INC.
V. CITY OF BRADBURY

Case No.: Los Angeles Superior Court #22STCP01381

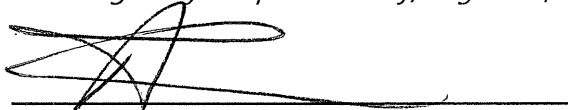
REPORT FROM CLOSED SESSION

ADJOURNMENT:

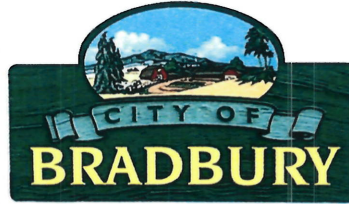
The City Council will adjourn to a Regular Meeting at the Bradbury Civic Center, 600 Winston Avenue, Bradbury, CA 91008 on Tuesday, September 19, 2023 at 7:00 p.m.

* ACTION ITEMS: Regardless of a staff recommendation on any agenda item, the City Council will consider such matters, including action to approve, conditionally approve, reject or continue such item. Further information on each item may be procured from City Hall.

"I, Diane Jensen, City Clerk, hereby certify that I caused this agenda to be posted at the Bradbury City Hall entrance gate by 5:00pm on Friday, August 11, 2023."

A handwritten signature in black ink, appearing to be "Diane Jensen", written over a horizontal line.

City Clerk – City of Bradbury



REGULAR MEETING

MINUTES

Regular Meeting of the City of Bradbury City Council
Tuesday, June 20, 2023
Bradbury Civic Center

CALL TO ORDER – The Regular Meeting of the City Council of the City of Bradbury was called to order by Mayor Lathrop at 7:00pm followed by the Pledge of Allegiance.

ROLL CALL:

PRESENT: Mayor Lathrop, Mayor Pro Tem Barakat, Councilmembers Lewis, Bruny & Hale.

STAFF: City Manager Kearney, City Attorney Reisman & Assistant City Clerk Jensen.

CITY COUNCIL REORGANIZATION: According to Bradbury Municipal Code Section 2.01.060, annually in June, the City Council reorganizes and from its members, selects a new Mayor and Mayor Pro Tem. Candidates for Mayor Pro Tem must self-nominate by writing a statement of intent. City Manager Kearney received such writing from Councilmember Richard Hale.

Councilmember Hale motioned to appoint Mayor Pro Tem Barakat to Mayor which was seconded by Councilmember Lewis and carried unanimously. Mayor Barakat motioned to appoint Councilmember Richard Hale to Mayor Pro Tem. Councilmember Bruny seconded the motion which was carried unanimously.

NEW ROLL CALL:

PRESENT: Mayor Barakat, Mayor Pro Tem Hale, Councilmembers Lewis, Bruny & Lathrop.

APPROVAL OF AGENDA: Councilmember Lewis made a motion to approve the agenda and it was seconded by Councilmember Lathrop. It was the consensus of the Council to proceed.

DISCLOSURE OF ITEMS REQUIRED BY GOVERNMENT CODE SECTION 1090 & 81000 ET. SEQ. – *In compliance with the California Political Reform Act, each City Councilmembers 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 aware of no potential conflicts.

PUBLIC COMMENT ABOUT ANYTHING NOT ON THE AGENDA: - No public comments.

ACTION ITEMS

1. Consent Calendar Approval

- Minutes: Regular Meeting of May 16, 2023
- Resolution No. 23-07: Demands & Warrants for May 2023
- Monthly Investment Report for the month of May 2023
- Resolution No. 23-08: A Resolution of the City Council of the City of Bradbury, California, Designating Diane Jensen as City Clerk
- Resolution No. 23-09: Approval of Gann Appropriation Limit for FY 2023-24
- Reappointment of Public Safety Committee Seats

APPROVAL OF CONSENT CALENDAR: Mayor Pro Tem Hale made a motion to approve the Consent Calendar as presented. Councilmember Lathrop seconded the motion, which was carried by the following roll call:

AYES: Mayor Barakat, Mayor Pro Tem Hale, Councilmembers, Lewis, Lathrop & Bruny.

NOES: None.

2. Award of Bid – Lemon Avenue Trail Project

Bids for the Lemon Avenue Trail project were opened on May 2, 2023 with SDC Engineering Inc. being the lowest responsible bidder. Three members of the Public spoke to the Councilmembers concerning their requests for indemnification language.

- a. Brad Selby, 1442 Lemon Avenue, provided a letter (*see attachment*)
- b. Dan Hyde at 1462 Lemon Avenue
- c. Niveen Elguindi at 1550 Lemon Avenue.

Due to a variety of unresolved indemnification issues, it was recommended that no decisions be made tonight but to wait about 30 days or until the next City Council meeting on July 18, 2023. Mayor Pro Tem Hale made the motion and Councilmember Lathrop seconded it.

3. Fiscal Year 2023-24 Annual Rate Adjustment for Solid Waste Collection & Recycling

Because Burrtec's new rates for trash, recycling, manure and green waste were scheduled to increase on July 1, 2023, Burrtec representative Michael Heftman explained the increases. The increases are CPI-based at around 7.74%. An example being a 90-Gallon Trashcan pre-July 1st was \$27.95/mo. and after is \$32.07/mo.

SB 1383 requires every jurisdiction to provide organic waste collection services to residents; however, due to the size of the City of Bradbury, this regulation does not apply. AB 661 went into effect January 1, 2023. This piece of legislation states that paper products like toilet paper and paper towels must be at least 40% recycled content. Napkins 45% and Facial tissues 10%.

Councilman Lathrop made a motion to approve the new rates commencing July 1, 2023. Mayor Pro Tem Hale seconded the motion, which passed 5:0.

4. Adoption of Resolution No. 23-10: Adoption of Budget for Fiscal Year 2022-2023, Resolution No. 23-11: Allocating the City of Bradbury's Citizen Option for Public Safety (COPS) Funds, and Resolution No. 23-12: Allocation the City of Bradbury's SB 1 Funds.

The budget for Fiscal Year 2023-2024 was presented and explain by City Manager Kearney at last month's City Council meeting. Tonight's meeting was to answer any questions and approve. Because there were no questions, the Council agreed with Staff's recommendation to approve the budget.

Mayor Pro Tem Hale made a motion to adopt and approve Resolution No. 23-10, Resolution No. 23-11 and Resolution No. 23-12. Councilmember Lathrop seconded the motion.

5. City Council Liaisons for Fiscal year 2023/2024 and Consideration of Resolution No. 23-13 Pertaining to the Appointments to the San Gabriel Valley Council of Governments
No changes were made to the current San Gabriel Valley Council Government other than Councilmember Lathrop to be the 2023-2024 Liaison for the League of California Cities. Hazard Mitigation Plan to be updated & renewed by February 24th. Will comply with getting permits on-line.

City Council adopted Resolution No. 23-13 with a motion from Mayor Pro Tem Hale and a second to that motion from Councilmember Lathrop.
6. Matters from the City Manager - City is ready for a successful Bradbury Night Out event. Kevin stated he had received questions regarding subdividing without specifics at the 1901 Royal Oaks property.
7. Matters from the City Attorney – Nothing.
8. Matters from the City Council -
Mayor Barakat – “Penney Property” – Can debris can be pushed back?
Mayor Pro Tem Hale –
Councilmember Lathrop – No comments.
Councilmember Lewis – No Comments.
Councilmember Bruny – No Comments.
9. ITEMS FOR FUTURE AGENDAS –
 - Re-Look at Monrovia to bid a police force.
 - Finalize Lemon Trail project.

CLOSED SESSION

RECESS TO CLOSED SESSION @ 8:23pm: Councilmembers, City Attorney Reisman and City Manager Kearney discussed the following:

Conference with Legal Counsel – Pending Litigation

Pending Litigation pursuant to Government Code sec. 54956.9, (a)
LAFCO Annexation No. 2021-10 to the City of Bradbury

Conference with Legal Counsel – Pending Litigation

Pending Litigation pursuant to Government Code sec. 54956.9, (d)(1)
Grow Monrovia v. City of Bradbury - L.A. Superior Court Case No. 23STCP00128

Public Employee Performance Evaluation – Government Code Section 54957 (b)(4)

City Manager Evaluation (City Manager not present during this discussion)

Agency Negotiator: Cary S. Reisman, City Attorney

Unrepresented Employee: City Manager

Authority Gov’t Code Section: 54957.6

REPORT FROM CLOSED SESSION – At 8:58pm, Closed Session ended – Attorney Reisman reported on the two pending litigations stating the session was "informative" only and no formal votes were taken. Vote taken regarding City Manager's annual salary increase to \$190,000.00 retroactive to May 2023.

AYES: Councilmember Lathrop, Councilmember Bruny and Mayor Pro Tem Hale.

NAYS: Mayor Barakat and Councilmember Lewis.

ADJOURNMENT – At 9:02pm, Mayor Barakat moved to adjourn the meeting and all of the other Councilmembers were in favor. The Regular City Council meeting was adjourned to Bradbury Civic Center, 600 Winston Avenue, Bradbury, CA 91008 on Thursday, July 6th for a Special Study Session. Meeting at 6:30 pm.

SIGNED BY:

08.15.2023

RICHARD G. BARAKAT, MAYOR
CITY OF BRADBURY

DATE

ATTEST:

08.15.2023

DIANE JENSEN, CITY CLERK
CITY OF BRADBURY

DATE

Attachment

June 2023 City Council Mtg. RE: Lemon Trail

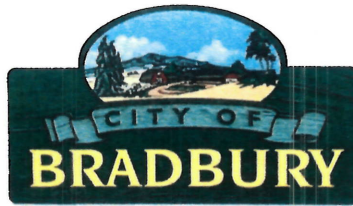
We are the Selbys, at 1442 Lemon Avenue. We feel the Lemon Trail along our street could be a real asset for the community, and we think new aprons for our driveway entrances would be nice. But, for us, we have not signed the Easement document, and it comes down to the liability issue.

We agree with our neighbors. The extent of the indemnification offered to us in the Easement document is not sufficient. Indemnification is only offered if lawsuits arise from an action of the city or its employees. It does not protect us from lawsuits arising from accidents, nor does it require the city to defend us in such cases.

By building the path, the city is inviting people to use the path. Doesn't it make sense to indemnify the homeowners who will receive the excess traffic?

We request that the city council delay action on the Lemon Trail project until the Southside Lemon Avenue residents can meet with our councilperson or the city to fully discuss and resolve our issues.

--Judith and Brad Selby



SPECIAL MEETING **MINUTES**

Special Meeting of the City of Bradbury City Council
Thursday, July 6, 2023
Bradbury Civic Center

CALL TO ORDER – The Special Meeting of the City Council of the City of Bradbury was called to order by Mayor Barakat at 6:30p.

ROLL CALL:

PRESENT: Mayor Barakat, Mayor Pro Tem Hale, Councilmember Lewis, Bruny and Lathrop.

ABSENT: None.

STAFF: City Manager Kearney, City Planner Kasama, City Clerk Jensen and Assistant City Attorney, Kranitz. City Attorney Reisman attended via Zoom.

APPROVAL OF AGENDA: Councilmember Lewis motioned to approve the Agenda with Mayor Pro Tem Hale seconding the motion.

AYES: Mayor Barakat, Mayor Pro Tem Hale, Councilmember Lewis, Councilmember Bruny and Councilmember Lathrop.

NOES: None.

ABSENT: None.

DISCLOSURE OF ITEMS REQUIRED BY GOVERNMENT CODE SECTION 1090 & 81000 ET. SEQ. – *In compliance with the California Political Reform Act, each City Councilmembers 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 aware of no potential conflicts.

PUBLIC COMMENT ABOUT ANYTHING NOT ON THE AGENDA: - No public comments.

ACTION ITEMS

1. Consent Calendar Approval

A. Resolution No. 23-14: Authorizing the Signatures for Accounts in the Name of the 'City of Bradbury.' A motion was made by Councilmember Bruny to approve the Consent Calendar. Mayor Pro Tem Hale seconded the motion. The motion passed 5:0 by roll call.

2. Study Session: The City Council Will Discuss Planning Matters Related to the Housing Element and Development Code

Assistant City Attorney Lisa Kranitz presented and explained to the Council the key proponents and issues of the Housing Element requirements. She compared the City's current language concerning ADU's and how this language should be updated to comply with the States's Regulations.

Key Dates:

1. July 31st, 2023 – Adopt to submit HCD the City's 6th Cycle (2022-2029) Revised Draft Housing Element and the Affordable Housing Overlay.
2. December 2023 – Settlement Agreement Overlay completion.
3. December 2023, - Amend City of Bradbury's ADU code language.

ADJOURNMENT At 8:02 pm, Mayor Barakat moved to adjourn the meeting and Councilmember Bruny seconded the motion. The Special Meeting was adjourned with a passing 5:0 vote to Bradbury Civic Center, 600 Winston Avenue, Bradbury, CA 91008 on Tuesday, July 18, 2023 at 7:00pm.

SIGNED BY:

RICHARD BARAKAT, MAYOR
CITY OF BRADBURY

08.15.2023

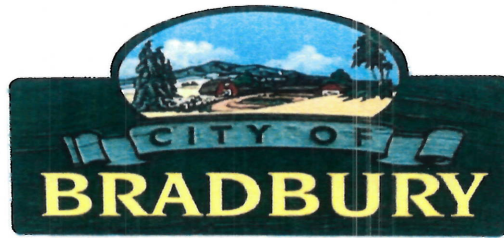
DATE

ATTEST:

DIANE JENSEN, CITY CLERK
CITY OF BRADBURY

08.15.2023

DATE



SPECIAL MEETING **MINUTES**

Special Meeting of the City of Bradbury City Council
Wednesday, July 26, 2023
Bradbury Civic Center

CALL TO ORDER – The Special Meeting of the City Council of the City of Bradbury was called to order by Mayor Pro Tem Hale at 6:37pm.

ROLL CALL:

PRESENT: Mayor Pro Tem Hale, Councilmembers Lewis, Bruny and Lathrop.

ABSENT: Mayor Barakat.

STAFF: City Manager Kearney, City Planner Kasama, City Clerk Jensen and Assistant City Attorney Kranitz. Our City Attorney Reisman attended via Zoom.

APPROVAL OF AGENDA: Councilmember Lewis motioned to approve the Agenda with Mayor Pro Tem Hale seconding the motion. The motion passed all approved 4:0.

AYES: Mayor Pro Tem Hale, Councilmember Lewis, Councilmember Bruny and Councilmember Lathrop.

NOES: None.

ABSENT: Mayor Barakat.

DISCLOSURE OF ITEMS REQUIRED BY GOVERNMENT CODE SECTION 1090 & 81000 ET. SEQ. – *In compliance with the California Political Reform Act, each City Councilmembers 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.*

Via Zoom, City Attorney Reisman stated he was unaware of any potential conflicts with those in attendance.

PUBLIC COMMENT ABOUT ANYTHING NOT ON THE AGENDA: - No public comments.

ACTION ITEMS

1. Discussion on the 6th Cycle Housing Element Overlay

Mayor Pro Tem Hale motioned to approve the currently proposed location of the 6th Cycle Housing Element Overlay and Councilmember Bruny seconded the motion. The motion passed 4:0.

ADJOURNMENT At 6:52pm, Mayor Pro Tem Hale made a motion to adjourn the meeting. Councilmember Lathrop seconded the motion. The meeting was adjourned with a unanimous vote passing 4:0. This Special Meeting was adjourned to Bradbury Civic Center, 600 Winston Avenue, Bradbury, CA 91008 on Tuesday, August 15th, 2023 at 7:00pm.

SIGNED BY:

08.15.2023

RICHARD BARAKAT, MAYOR
CITY OF BRADBURY

DATE

ATTEST:

08.15.2023

DIANE JENSEN, CITY CLERK
CITY OF BRADBURY

DATE

RESOLUTION NO. 23-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA, APPROVES THE DEMANDS & WARRANTS FOR PRE-RELEASED CHECKS No. 17596 THROUGH No. 17606 AND APPROVING DEMANDS & WARRANTS FOR REGULAR CHECKS No. _____THROUGH No. _____.

The City Council of the City of Bradbury does hereby resolve as follows:

Section 1. That the demands as set forth hereinafter are approved and warrants authorized to be drawn for payment from said demands in the amount of \$8,796.93 (pre-released Checks) and \$63,393.68 (regular Checks) on August 15, 2023 from the General Checking Account.

PRE-RELEASED CHECKS (due before City Council Meeting):

<u>Check #</u>	<u>Vendor & Due Date</u>	<u>Description</u>	<u>Subtotal\$</u>	<u>Total \$</u>
17596	Southern Calif. Edison 07.11.2023	Service: 600 Winston 6.21.23-7.23.23 Acct. 101-16-6400		\$319.42
17597	Kevin Kearney 07.19.2023	BNO Reimbursement Deposit to The Habit Acct. 101.11.6100		\$3,362.02
17598	Southern Calif. Edison 07.11.2023	Service: 2298 Gardi Street Acct. 200-48.6400		\$41.41
17599	Southern Calif. Edison 07.24.2023	Service: 600 Winston "street lights" Acct. 101-16-6400		\$1,104.04

PRE-RELEASED CHECKS TOTAL: \$8,796.93

Charter Communications Inv. #0101050072323	Spectrum Internet August '23 Acct. 101.16.6230		\$169.98
Vision Service Plan Statement# 818398869	Vision Insurance – August '23 City Manager (family) Acct. 101.12.5100 City Clerk - Jensen Acct. 101.13.5100	\$61.07 <u>\$23.66</u>	\$84.73
Frontier 08.15.2023	Fire Alarm Line – August 2023 Acct. 101.23.7420		\$73.39
Priority Landscape Inv# 15094	<u>July 2023 Landscape Services:</u> Bradbury Civic Center Acct. 101-21-7020 Royal Oaks Drive North Acct. 101-21-7015 Mount Olive Drive Acct. 101-21-7035 Lemon Trail Acct. 101-21-7045	232.01 446.16 597.33 <u>156.32</u>	\$1,431.82
Priority Landscape Invoice# 15298	<u>August 2023 Landscape Services:</u> Bradbury Civic Center Acct. 101-21-7020 Royal Oaks Drive North Acct. 101-21-7015 Mount Olive Drive Acct. 101-21-7035 Lemon Trail Acct. 101-21-7045	232.01 446.16 597.33 <u>156.32</u>	\$1,431.82
Priority Landscape Inv. # 15387	200' Bender Board R.O. Trail Braewood to Winston Avenue Stop Sign August '23 Acct. 101.21.7015		\$1,500.00
Priority Landscape Inv. # 15388	Clean-up overflow lot City Hall Following BNO. – August '23 Acct. 101.21.7020		\$650.00
Staples Inv#3292037851 Inv#3297257881	Office Supplies Acct. 101-16-6200		\$423.57
So. Calif. Gas 08.14.2023	600 Winston Ave. – July 2023 Acct. 101.16.6400		\$16.45
Southern Calif. Edison 08.14.2023	2298 Gardi Street 06.21.23– 07.23.23 Acct. 200-48.6400		\$41.41
Southern Calif. Edison 08.14.2023	600 Winston (CH) 6.21.23–7.23.23 Acct. 101-16-6400		\$607.97

Southern Calif Edison 08.14.2023	LS-1-ALLNITE (lights) Acct.		\$1,104.18
Superclean Co. Inv. #1794	Interior/Exterior Window Washing Screen Washing Gutter Cleaning Acct: 101.16.6430		\$550.00
Delta Dental 07.12.23	Dental Insurance - August City Manager/Family Acct. 101.12.5100 City Clerk – Jensen Acct. 101.13.5100	\$124.86 <u>\$40.74</u>	\$165.60
The Standard 07.01.2023	<u>Basic Life and AD&D: - July</u> City Manager Acct. 101.12.5100 City Clerk Acct. 101.13.5100	\$14.48 <u>\$14.48</u>	\$28.95
Team Logic IT July 2023	IT Monthly Service – July Acct. 101.16.6230		\$690.00
Team Logic IT 08.01.2023	IT Secure Upgrade “SonicWall” Acct. 113.20.8120		\$1,265.77
Post Alarm Services 07.05.23	City Hall Fire Alarm System July Acct. 101.23.7420		\$132.92
Pasadena Humane Society Inv#JUL2023Bradbury	Animal Control Services July 2023 Acct. 101-25-7000		\$1,012.28
Veronica Tam Inv# 3318	<u>Housing Element Project</u> <u>Management</u> Second Amendment ND/MND HCD Submittal and Review Project Management Acct. 101.20.7245	\$5,200.00 \$2,122.10 \$2,520.00 <u>\$360.00</u>	\$10,202.10
Consensus Cloud Solutions Inv# 2700342	eFax for Services for August 2023 Acct. 101.16.6230		\$10.00
City of Monrovia Inv.#2400228	Transportation Services – July 2023 Acct: 204.40.7325		\$704.07
California JPIA Inv.# ENVIRO01210	Pollution Liability Insurance Program July 2023 – July 2024 Acct. 101.16.6300		\$189.00
US Bank July 2023	Safekeeping Operations – July '23 Acct. 101.14.7010		\$76.25

Kevin Kearney July 2023	Reimbursements BNO – July '23		\$1,613.67
	Gift Cards x 8	\$400.00	
	Final Payment to Ice Cream Vendor	\$951.05	
	Audio Equipment	\$215.57	
	Single Roll of Raffle Tickets	\$7.88	
	Acct. 101.11.6100		
	Management Analyst Interview Meal		
	Acct. 101.12.6025	<u>\$39.17</u>	
LA County Sheriff Dept. Inv.#233708EC	Law Enforcement June '23		\$10,729.52
	Acct. 101-23-7410		
U.S. Bank 07.23.23	<u>City of Bradbury Visa Card</u>		\$4,412.79
	<i>CM Kevin Kearney Visa - 2711</i>		
	USPS.com	\$102.20	
	Acct. 101.16.6450		
	AMZN MKTP -	\$874.91	
	Acct. 101.16.6450		
	ZOOM – Remote meeting Access	\$49.00	
	Acct. 113.20.8120		
	VISTA PRINT –	\$520.66	
	Acct. 101.11.6100		
	BLUEBEAM – Software B. Inspector	\$300.00	
	Acct. 113.20.4500		
	PANARA BREAD – Management		
	Analyst Interview Lunches	\$108.46	
	101.12.6025		
	PAYPAL – League Calif. Dinner	\$75.00	
	101.12.6020		
	AMAZON –	\$437.95	
	Acct.		
	BEEN VERIFIED	\$52.44	
	Acct.		
	PAYPAL – Calif Cal Cities Conf.	\$725.00	
	Acct. 101.12.6020		
	JAKES ROADHOUSE – Meal MA		
	Acct. 101.12.6025	\$52.52	
	THE PIN CENTER – BNO gift pins		
	Acct. 101.11.6100	<u>\$647.76</u>	<u>\$3,996.78</u>
	<i>CC Sophia Musa Visa – 2600</i>		
	BROADVOICE – City Hall Phone	<u>\$202.04</u>	<u>\$202.04</u>
	Acct. 101.16.6440		
	<i>CC Diane Jensen Visa – 6814</i>		
	USPS.Com Postal Store	\$110.54	
	UPS Store	\$30.00	
	Acct. 101.16.6120		
	DOLLAR TREE – TP, Paper Towels, Water	\$23.43	
	Acct. 10116.6450		
	LEAGUE CALIF. CITIES – Membership	<u>\$50.00</u>	
	Acct. 101.13.6020		<u>\$213.97</u>

Jones & Mayer July 2023	<u>City Attorney:</u> Retainer Amount Acct. 101-15-7020 CA for Home Ownership Acct. 101-15-7070 Grow Monrovia Hours Acct. 101.15.7070 Penney Receivership Acct. 101-15-7070 Zoning/General Plan Acct. 101-15-7075	\$3,000.00 \$142.50 \$101.92 \$83.88 <u>\$6,070.50</u>	\$9,398.80
Kevin Kearney August 2023	Monthly Cell Phone Pay - August Acct. 101.12.6440		\$75.00
T-Mobile July 2023 Inv#975204096-24	Mobile Business Internet (Hot Spot) Acct. 113-20-8120		\$32.00
GWMA Inv# HYU-23-09	FY 23-24 Shared Annual Cost Harbor Toxic Upstream Acct. 102.42.7630		\$1,363.39
Coverall Inv.#15227150182	Office Cleaning – August '23 Acct.101.16.6460		\$394.00
Liras' Mechanical Inv# 259	Maintain & Repair A/C City Hall Acct 101.16.6470		\$440.00
RKA Inv. #33846	Professional Services for July '23 City Engineering Services Development Projects Acct. 101.19.7230		\$3,433.50
RKA Inv.#33845	City Engineering Services July '23		\$1367.50
RKA Inv.#33821	Bradbury/Wildrose Street Widening		\$7,571.25

TOTAL REGULAR CHECKS

\$63,393.68

Section 2. That the demands as set forth hereinafter are approved and warrants authorized to be drawn for payroll from said demands in the amount of \$16,788.12 (EFT payments) on August 15, 2023 from the General Checking Account.

**DIRECT DEPOSIT – PAYROLL
AUGUST 2023**

ACH	Kevin Kearney City Manager	Salary Acct. 101.12.5010 Withholdings Acct. 101.00.2011	\$18,533.33 <u>-\$4,250.37</u>	\$11,582.96
ACH	Diane Jensen City Clerk	Salary Acct. 101.13.5010 Withholdings Acct. 101.00.2011 PERS Pepra Acct: 101.13.5100	\$6,145.83 -\$1,581.67 <u>-\$476.30</u>	\$4,087.86
ACH	Mario Flores M. Analyst	Salary Acct. 101.16.5010 Withholdings Acct. 101.00.2011 PERS Pepra Acct: 101.16.5100	\$5,416.66 -\$1,287.89 <u>\$419.80</u>	\$3,708.97
			Total Payroll	\$19,379.79

Section 3. That the demands as set forth hereinafter are approved and warrants authorized to be drawn for benefits and withholding payments from said demands in the amount of \$16,788.12 (EFT payments) on August 15, 2023 from the General Checking Account.

**ELECTRONIC FUND TRANSFER (EFT)
AUGUST 2023**

EFT	AETNA	<u>Health Insurance August '23</u>		\$2,738.72
		City Manager - Kearney Acct. 101.12.5100	\$1,784.23	
		City Clerk - Jensen Acct. 101.13.5100	<u>\$954.49</u>	

EFT	EDD	<u>August 2023</u>		\$1,648.28
		State Tax	\$1,401.72	
		SDI	<u>\$246.56</u>	
		Acct. 101.00.2011		

EFT	IRS	Federal Tax Withholdings	\$3,529.85	\$7,413.03
		S. Security (employee)	\$1,544.57	
		S. Security (City)	\$1,544.57	
		Medicare (Employee)	\$397.23	
		Medicare (City)	<u>\$397.23</u>	
		Acct. 101-00-2011		

EFT	PERS	City Manager - Kearney Acct. 101.12.5100	\$2,698.17	\$4,482.27
		City Clerk - Jensen Acct. 101.13.5100	\$948.30	
		M. Analyst - Flores Acct. 101.16.5100	<u>\$835.80</u>	
	GASB-68 Fee	Classic Members	\$350.00	\$700.00
		Pepira New Members	<u>\$350.00</u>	
		Acct. 101.00.5100		

TOTAL EFT

\$16,788.12

**RICHARD G. BARAKAT, MAYOR
CITY OF BRADBURY**

ATTEST:

"I, Diane Jensen, City Clerk, hereby certify that the foregoing Resolution, being Resolution No. 23-16, was duly adopted by the City Council of the City of Bradbury, California, at a regular meeting held on the 15th day of August 2023 by the following roll call vote:"

AYES:

NOES:

ABSENT:

**DIANE JENSEN, CITY CLERK
CITY OF BRADBURY**

City of Bradbury Monthly Investment - July '23

CASH ON DEPOSIT BY ACCOUNT

Bank Accounts:

Wells Fargo Bank - General Checking

Investments:

Local Agency Investment Fund (LAIF)

Metro Credit Unit

Texas Exchange Bank Crowley CD

BMW Bank of NA

Salal Credit Union Seattle Wash

Amount	Maturity	Interest Rate
\$ 1,819,639.07	n/a	0%
\$ 3,423,775.19	n/a	3.17%
\$ 243,000.00	7/26/2024	5.55%
\$ 249,000.00	7/9/2024	0.50%
\$ 248,000.00	12/10/2024	0.90%
\$ 240,000.00	9/29/2023	4.20%

CASH & INVESTMENTS ON DEPOSIT BY FUND

Funds

General Fund (101)
Utility Users Tax Fund (102)
Deposits Fund (103)
Long Term Planning Fee Fund (112)
Technology Fee Fund (113)
Gas Tax Fund (200)
SB 1 Gas Tax Fund (201)
Prop A Fund (203)
Prop C Fund (204)
TDA Fund (205)
Sewer Fund (206)
STPL Fund (208)
Recycling Grant Fund (209)
Measure R Fund (210)
Measure M Fund (212)
Measure W Fund (213)
COPS Fund (215)
County Park Grant Fund (217)
CWPP Grant Fund (219)
ARPA Fund (220)

Amount
\$4,908,385.31
\$553,702.09
(\$10,121.98)
\$8,401.85
\$14,273.70
\$7,656.78
(\$55.96)
\$58,200.08
\$33,601.53
(\$848.96)
\$0.00
\$1,060.28
\$29,920.12
\$72,393.44
\$82,244.04
\$39,781.14
\$396,006.90
\$9,297.89
\$19,516.01
\$0.00

Total

\$ 6,223,414.26

Total

\$ 6,223,414.26

I hereby certify that there are sufficient funds available to meet the City's obligations for the next three (3) months.

This report is prepared in accordance with the guidelines established in the Statement of Investment Policy adopted November 21, 2017

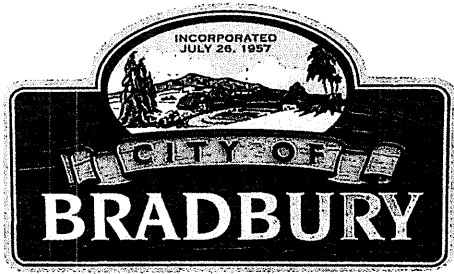
Submitted By:



Reviewed By:

Kevin Kearney
City Manager

Laurie Stiver
City Treasurer



Richard Barakat, Mayor (District 3)
Richard Hale, Mayor Pro Tem (District 1)
Monte Lewis, Council Member (District 2)
Bruce Lathrop, Council Member (District 4)
Elizabeth Bruny, Council Member (District 5)

City of Bradbury Agenda Memo

TO: Honorable Mayor and Members of the City Council

FROM: Kevin Kearney, City Manager

DATE: August 15, 2022

SUBJECT: **Resolution No. 23-17: A Resolution of the City Council of the City of Bradbury, California, Designating Mario Flores as Deputy City Clerk**

ATTACHMENTS: 1. Resolution No. 23-17

SUMMARY

Typically, the Management Analyst is designated as the Deputy City Clerk to assist with signing and posting agendas, minutes and fulfil other regulatory city clerk duties in the absence of a City Clerk. Without such designation, agendas may not be posted during specific time frames if the City Clerk happens to be on vacation or out sick. With the recent departure of the City's Management Analyst, Kevin Kearney was designed as the Deputy City Clerk. Now that Mario Flores has filled the position as Management Analyst, he can fill the spot as the Deputy City Clerk.

The recommendation is to designate Mario Flores, Management Analyst, as the Deputy City Clerk. This will allow him to fulfil specific duties required by law during the absence of the current City Clerk.

STAFF RECOMMENDATION

It is recommended that the City Council adopt Resolution No. 23-17, which designates Mario Flores, the City's current Management Analyst, as the Deputy City Clerk.

FOR CITY COUNCIL AGENDA _____

AGENDA ITEM # _____

ATTACHMENT #1

RESOLUTION NO. 23-17

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF BRADBURY, CALIFORNIA, DESIGNATING
MARIO FLORES AS DEPUTY CITY CLERK**

WHEREAS, The City of Bradbury needs to designate a Deputy City Clerk in the event of the absence of the City Clerk;

WHEREAS, The City of Bradbury desires to designate Mario Flores as the Deputy City Clerk and remove Kevin Kearney as the current Deputy City Clerk;

WHEREAS, The designation of Deputy City Clerk for Mario Flores shall take effect starting August 15, 2023.

NOW, THEREFORE IT IS HEREBY RESOLVED, ORDERED AND FOUND by the City Council of the City of Bradbury, State of California, as follows:

1. The City Council of the City of Bradbury hereby designates Mario Flores as Deputy City Clerk; and
2. The City Clerk shall certify to the adoption of this Resolution.

PASSED AND ADOPTED by the City Council of the City of Bradbury, State of California this 15th day of August, 2023, by the following vote:

MAYOR – CITY OF BRADBURY

ATTEST:

ASSISTANT CITY CLERK – CITY OF BRADBURY

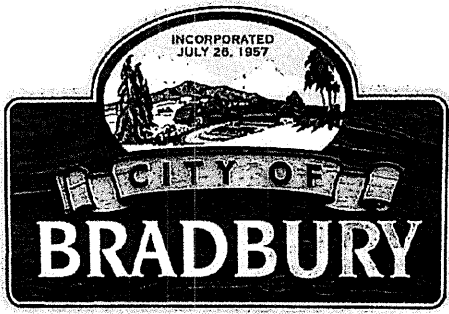
"I, Diane Jensen, City Clerk, hereby certify that the foregoing Resolution, being Resolution No. 23-17, was duly adopted by the City Council of the City of Bradbury, California, at a regular meeting held on the 15th day of August, 2023 by the following roll call vote:"

AYES:

NOES:

ABSENT:

CITY CLERK – CITY OF BRADBURY



Richard G. Barakat, Mayor (District 3)
Richard T. Hale, Jr. Mayor Pro Tem (District 1)
Monte Lewis, Council Member (District 2)
Elizabeth Bruny, Council Member (District 5)
Bruce Lathrop, Council Member (District 4)

City of Bradbury Agenda Memo

TO: Honorable Mayor and Members of the City Council

FROM: Kevin Kearney, City Manager

INITIATED BY: Lisa Kranitz, Assistant City Attorney

DATE: August 15, 2023

SUBJECT: **Urgency Ordinance No. 385U for Density Bonus Ordinance and Finding that Adoption is Exempt from CEQA under the Common Sense Exemption**

ATTACHMENTS: 1) Urgency Ordinance No. 385

SUMMARY

State law includes provisions of law known as the Density Bonus Law ("DBL") which provides incentives for developers to provide affordable housing. The DBL requires local government to adopt an ordinance regarding implementation of this law. An urgency ordinance, which requires a 4/5 vote of the City Council, is presented for immediate adoption.

ANALYSIS

The Density Bonus Law

Government Code sections 65915 through 65918 provide for density bonuses and other incentives when a developer builds a housing project and provides a minimum percentage of affordable housing. While the DBL encompasses a number of sections, the primary section is section 65915.

Under the DBL, developers get additional density, as well as incentives and waivers of development standards if they provide a specified amount of affordable housing. The DBL also sets the maximum parking that can be imposed on a project, ranging from one parking space for a studio to one bedroom to 2 ½ spaces for a unit of 4+ bedrooms.

An incentive or concession is basically a reduction in site development standards or a modification of zoning code requirements or architectural design requirements that exceed the minimum building standards and that result in identifiable and actual cost reductions. The city is required to grant a proposed incentive or concession unless it makes one of the following findings based on substantial evidence: 1) it will not result in identifiable and actual cost reductions; 2) it would have a specific, adverse impact upon the public health or safety which cannot be mitigated without rendering the development unaffordable; 3) it would have a specific adverse impact on the physical environment which cannot be mitigated without rendering the development unaffordable; 4) it would have a specific adverse impact on historical property which cannot be mitigated without rendering the development unaffordable; or 5) it would be contrary to law.

Waivers are required where the development standard would have the effect of physically precluding the construction of an affordable development. There is no limit to the number of waivers a developer may request.

The amount of density and incentives are on a sliding scale dependent upon the amount of affordable housing that is provided. The number of waivers a developer may receive are unlimited.

Density Bonus by Affordability Levels

	Affordability Level					
	Very Low	Low	Moderate for sale common interest (condominiums)	Senior Housing	Lower (Low, Very Low, or combination)	Lower and within 1/2 mile of major transit stop
Minimum percent of affordable units to qualify for density bonus	5%	10%	10%	100%	100%	100%
Minimum density bonus awarded	20%	20%	5%			
Minimum percent of affordable units to achieve maximum density bonus	15%	24%	44%			
Maximum density bonus	50%	50%	50%	20%	80%*	no limit

NOTES

Refer to § 65915(f) to determine the density bonus where the affordable units provided is between the minimum to qualify and the minimum to achieve the maximum density bonus.

Number of Concessions or Incentives to Be Granted Based on the Minimum Percent of Affordable Units Before Density Bonus is Applied at Various Affordability Levels

		Number of concessions or incentives to be granted			
		1	2	3	4
Affordability level	Very Low	5%	10%	15%	100%*
	Low	10%	17%	24%	100%*
	Moderate	10%	20%	30%	n/a

Adoption by Reference

Since the DBL was first adopted in 1982, it has been amended over 20 times, including every year since 2012 with the exception of 2017. These constant amendments make it very difficult to maintain a legally compliant local ordinance. Accordingly, the Ordinance is drafted to incorporate the DBL by reference as it may be amended from time to time. This allows the City to simply adopt implementing regulations rather than repeat a very lengthy law that is frequently amended.

Urgency Ordinance

As mentioned at the outset, Bradbury is currently out of compliance with state law and does not have an ordinance to implement the Density Bonus Law. On August 1, 2023, a potential developer submitted a conceptual site plan review application which would include providing affordable housing under the DBL. In order to have procedures in place, it is necessary to adopt an ordinance that will take effect immediately.

CEQA

There is a common sense exemption to CEQA where it can be seen with certainty that the project will not have a significant effect on the environment. As the urgency ordinance gives no greater development rights than what is provided for under state law, it will not create any significant effects on the environment and a notice of exemption should be filed under CEQA Guidelines § 15061(b)(3).

PUBLIC NOTICE PROCESS

Because this matter comes before the City Council as an urgency ordinance, the only public notice was the 72-hour agenda posting requirements. However, in addition to adopting an urgency ordinance, staff will also process this as a regular ordinance with a public hearing before the Planning Commission on August 23, 2023 and then it will return to the City Council, both with noticed, public hearings.

STAFF RECOMMENDATION

Staff recommends that the City Council adopt Urgency Ordinance No. 385U, which requires a 4/5 vote.

ATTACHMENT #1

URGENCY ORDINANCE NO. 385U

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA, ADOPTING CHAPTER 9.30 OF THE BRADBURY MUNICIPAL CODE RELATING TO DENSITY BONUS LAWS AND MAKING A FINDING THAT ADOPTION IS EXEMPT FROM CEQA UNDER THE COMMON SENSE EXEMPTION OF CEQA GUIDELINES SECTION 15061(b)(3)

WHEREAS, the City of Bradbury ("City") is in the process of adopting its 6th Cycle Housing Element for the 2021-2029 period; and

WHEREAS, although the Housing Element has not yet been adopted, the City has received comments from the Department of Housing and Community Development ("HCD") on the drafts that have been presented; and

WHEREAS, one of HCD's comments on the City's 6th Cycle Housing Element related to the need for the City to adopt an ordinance to implement the State Density Bonus Law ("DBL"); and

WHEREAS, given the complexity of the DBL and the frequency with which it is amended, the City desires to adopt the law by reference with local implementation procedures; and

WHEREAS, the City currently does not have any procedures regarding application of the DBL as required by California Government Code section 65915; and

WHEREAS, the City has received a conceptual plan review for the City's first ever density bonus project; and

WHEREAS, the City needs to immediately adopt a density bonus ordinance to have local implementation procedures if and when an application is filed;

WHEREAS, on August 15, 2023, the City Council considered this Ordinance at a regularly scheduled City Council meeting; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. Chapter 30 is hereby added to the Bradbury Development Code (Title IX of the Bradbury Municipal Code) to read as follows:

CHAPTER 30. – DENSITY BONUS

Sec. 9.30.010. – Purpose.

The purpose of this Chapter is to implement the requirements of the Density Bonus Law set forth at Government Code section 65915 *et seq.*

Sec. 9.30.020. – Adoption by reference.

The state Density Bonus Law, set forth at Chapter 4.3 of the Planning and Zoning law of California and found at Government Code sections 65915 through 65918, as the same may be amended from time to time, is hereby adopted by reference as the City of Bradbury's Density Bonus provisions and shall be implemented in accordance with this Chapter.

Sec. 9.30.030. – Applicability.

This Chapter shall apply to any housing development that is entitled to receive a density bonus pursuant to the state Density Bonus Law.

Sec. 9.30.040. – Procedures.

(a) Application submittal. An application for a density bonus, including an incentive or concession and waiver, shall be filed concurrently with an application for a housing development and shall be processed concurrently.

(b) Application contents. An application for a density bonus shall include the following information:

(1) The number of density bonus units being requested;

(2) A reduced parking ratio request pursuant to Government Code section 65915(p);

(3) An incentive(s) or concession(s) request pursuant to Government Code section 65915(d) that results in identifiable and actual cost reductions to provide for the affordable housing;

(4) A waiver(s) or reductions of development standard(s) request pursuant to Government Code section 65915(e) that would have the effect of physically precluding the construction of the housing development at the densities or with the allowed incentive(s) or concession(s).

(c) If an application for a density bonus is incomplete, the applicant shall be timely notified of such incompleteness in accordance with the provisions of applicable law.

(d) If a proposed housing development would be inconsistent with the City's Development Code or the state Density Bonus Law, the applicant shall be provided

notice of such inconsistency in accordance with the Housing Accountability Act, Government Code section 65589.5.

(e) A density bonus application shall be approved or denied in conjunction with the housing development application by the body approving such application within the time frames required for approval of such development.

Sec. 9.30.050. – Requirements.

(a) The applicant for a density bonus shall enter into a regulatory agreement with the City in a form to be approved by the City Attorney and said agreement shall be recorded against the property. The regulatory agreement shall be approved by the approval authority on the underlying project. If an appeal is taken of the project, then the regulatory agreement shall be approved by the decision maker on appeal.

(b) The applicant shall be required to pay the City's costs for any third party consultants required to assist the City in drafting a regulatory agreement, developing guidelines, verifying the eligibility of owners or tenants of the affordable units, or any other matter relating to the density bonus.

(c) The required affordable dwelling units shall be constructed concurrently with market-rate units unless both the final decision-making authority of the City and the developer agree within the affordable housing agreement to an alternative schedule for development.

(d) The exterior design and construction of the affordable dwelling units shall be consistent with the exterior design and construction of the total project development and shall be consistent with any affordable residential development standards that may be prepared by the City. The affordable units shall be similar in size and number of bedrooms to the market-rate units. If the development project includes a range of unit sizes, then the affordable units shall provide a range of unit sizes in proportion to the market-rate units.

(e) The affordable units shall have the same amenities as the market rate units, including the same access to and enjoyment of common open space, parking, storage, and other facilities in the residential development, provided at an affordable rent or at affordable ownership cost specified by Health and Safety Code section 50052.5 and California Code of Regulations Title 25, Section 6910 – 6924, as the same may be amended from time to time. Developers are strictly prohibited from discriminating against tenants or owners of affordable units in granting access to and full enjoyment of any community amenities available to other tenants or owners outside of their individual units.

(f) If the development project is for units that will be sold, then the affordable dwelling units shall also be for sale units. The regulatory agreement may make provisions for rental of the units for the same level of affordability that qualified the applicant for the density bonus if the unit is not sold within a period of time specified in the agreement.

SECTION 2. Effective Date. This Ordinance shall take effect immediately pursuant to Government Code section 36937. The grounds for the urgency are that the City has no implementation procedures in place to process a density bonus project and needs such procedures in place immediately as it appears that a density bonus project may be submitted in the near future. These procedures will help ensure that the intent of State law is met.

SECTION 3. CEQA. This Ordinance is categorically exempt from CEQA pursuant to the common sense exemption set forth in Guidelines section 15061(b)(3) that CEQA only applies to projects which have the potential for causing a significant effect on the environment and where it can be seen with certainty that there is no possibility that the activity will have a significant effect, the activity is not subject to CEQA. This Ordinance enacts a procedure as required by federal and state law and does not change the density, intensity, or allowed uses or would have other effects on the environment. The changes are not for any specific project and therefore will not impact any environmental resource of hazardous or critical concern, will not create cumulative impacts, or impacts to scenic highways, hazardous waste sites, or historical resources. This Ordinance simply implements state law. As such, staff is directed to file a Notice of Exemption pursuant to CEQA Guidelines sections 15061(b)(3).

SECTION 4. Severability. If any provision of this Ordinance is held to be unconstitutional, it is the intent of the City Council that such portion of this Ordinance be severable from the remainder and that the remainder be given full force and effect.

SECTION 5. The City Clerk shall certify to the adoption of this Ordinance.

PASSED, APPROVED and ADOPTED this 15th day of August, 2023.

Richard G. Barakat
Mayor

ATTEST:

Diane Jensen
City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF BRADBURY)

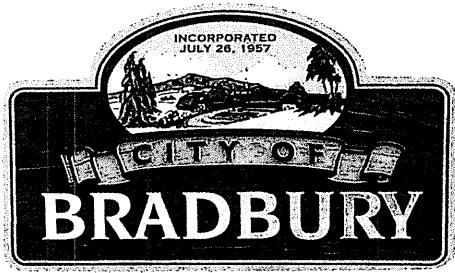
I, Diane Jensen, City Clerk of the City of Bradbury, do hereby certify that the foregoing urgency ordinance, being Ordinance No. 385U, was duly passed by the City Council of the City of Bradbury, signed by the Mayor of said City, and attested by the City Clerk, all at a regular meeting of the City Council held on the 15th day of August, 2023, that it was duly posted and that the same was passed and adopted by the following vote, to wit:

AYES:

NAYS:

ABSENT:

Diane Jensen
City Clerk
City of Bradbury



Richard Barakat, Mayor (District 3)
Richard T. Hale, Mayor Pro Tem (District 1)
Monte Lewis, Council Member (District 2)
Bruce Lathrop, Council Member (District 4)
Elizabeth Bruny, Council Member (District 5)

City of Bradbury Agenda Memo

TO: Honorable Mayor and Members of the City Council

FROM: Kevin Kearney, City Manager

DATE: August 15, 2023

SUBJECT: **DISCUSSION ON THE CITY'S INVESTMENT POLICY**

ATTACHMENTS: 1) Bradbury's Current Investment Policy
2) Hidden Hills Investment Policy
3) Sierra Madre Investment Policy

SUMMARY

At the request of Councilmember Lathrop, this item prompts a discussion on the City's Investment Policy (Attachment #1). To assist with the discussion, Staff has also attached the Investment Policies of Hidden Hills and Sierra Madre (Attachment #s 2 & 3).

In November 2017 (prior to all current employees), the City Council revised the City's Investment Policy to allow for negotiable CDs out to three years in maturity. Under the direction of the City Treasurer, the standard investment practice has been to invest in CDs from 1 to 3 years in length. The current practice is to invest in 1-year CDs since the interest rate has been increasing.

The monthly investment report for the month of July 2023 reflects the following cash on deposit by account:

Bank Account	Amount	Maturity	Interest Rate
Wells Fargo Bank – Checking	\$1,628,823.23	N/A	0%
Investments:			
Local Agency Investment Fund	\$3,423,775.19	N/A	3.17%
Metro Credit Union	\$243,000	07/25/2024	5.55%
Texas Exchange Bank Crowley CD	\$249,000	07/09/2024	0.50%
BMW Bank of NA	\$248,000	12/10/2024	0.90%
Salal Credit Union Seattle Wash	\$240,000	09/29/2023	4.20%

RECOMMENDATION

It is recommended that the City Council review the City's Investment Policy and provide direction to Staff if any alteration to the Policy is needed.

ATTACHMENT #1

ATTACHMENT #2

Statement of Investment Policy
Fiscal Year 2023-24

• Hidden Hills

1.0 Policy:

This Investment Policy applies to the City of Hidden Hills ("City"). It is the policy of the City to protect, preserve and maintain its respective assets. The City shall invest public funds in a manner that will provide the highest investment return commensurate with maximum security, while meeting the respective cash flow demands of the City and conforming to all State and Local statutes governing the investment of public funds.

2.0 Scope:

The City follows the practice of pooling cash and investments of all funds, except for funds required to be held by outside fiscal agents under the provisions of bond indentures, or other funds as designated by the City Council or the City Treasurer. Funds contained in the City's pool are designated as "General Portfolio". This investment policy applies to the investment of surplus funds contained in the "General Portfolio". These funds are accounted for in the Annual Financial Statements and include:

- The General Fund
- All Special Revenue Funds
- All Trust and Agency Funds

3.0 Prudence:

The City is held to the prudent investor standard set forth in Section 53600.3 of the Government Code which states: "When investing, reinvesting, purchasing, acquiring, exchanging, selling or managing public funds, a trustee shall act with care, skill, prudence and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims to safeguard the principle and maintain the liquidity needs of the agency."

Accordingly, this is the standard of prudence to be used and applied by the City Treasurer (and other persons under the supervision and responsibility of the Treasurer pursuant to Section 5.3) to manage the City's investment portfolio, per the delegation of authority by the City Council to the Treasurer set forth in Section 5.3 of this Investment Policy.

It is the City's full intent, at the time of purchase, to hold all investments until maturity to ensure the return of all invested principal dollars. However, it is realized that market prices of securities will vary depending on economic and interest rate conditions at any point in time. It is further recognized, that in a well-diversified investment portfolio, occasional measured losses are inevitable due to economic, bond market or individual security credit analysis. These occasional losses must be considered within the context of the overall investment program objectives and the resultant long-term rate of return.

4.0 Objectives:

The cash management system of the City is designed to accurately monitor and forecast expenditures and revenues, thus ensuring the investment of monies to the fullest extent possible. The City strives to maintain the level of investment of surplus funds as near to 100% as possible. Consistent with this factor, investments are made under the terms and conditions of Articles 1 (commencing with Section 53600) and 2 (commencing with Section 53630) of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code of California. Consistent with Government Code Section 53600.5, the primary objectives, in priority order, of the investment activities of the City shall be:

4.1. Safety: Safety of principal is the foremost objective of the investment program. "Safety" means that the overall value of invested public funds shall not be diminished in the process of securing and investing those funds or over the duration of the investments. To attain this objective, portfolio diversification is required.

a. Reduction of Credit Risk: Credit risk is defined as the risk of loss due to failure of the issuer of a security. This risk shall be mitigated by investing in investment grade securities and by diversifying the investment portfolio so that the failure of any one issuer does not unduly harm the City's capital base and cash flow.

b. Reduction of Market Risk: Market risk is defined as market value fluctuations due to overall changes in the general level of interest rates. This risk shall be mitigated by limiting the average maturity of the City's investment portfolio to two years, the maximum maturity of any one security to five years, structuring the portfolio based on historic and current cash flow analysis eliminating the need to sell securities prior to maturity and avoiding the purchase of long term securities for the sole purpose of short term speculation.

4.2. Liquidity. The investment portfolio of the City will remain sufficiently liquid to enable such agency to meet all operating requirements of such agency which might be reasonably anticipated. Additionally, since all possible cash demands cannot be anticipated, a large portion of the securities held should be those for which active secondary markets exist. The liquidity of each type of authorized investment is included in its description in Section 8 "Authorized and Suitable Investments" section of this policy.

4.3. Return on Investment (Yield): The investment portfolio shall be designed with the objective of attaining a rate of return throughout budgetary and economic cycles, commensurate with the investment risk constraints and the cash flow characteristics of such portfolio.

In general, the California Government Code limits authorized investments to those classes of securities which have lower risk (and therefore lower yields) than other higher risk investment choices. In each investment transaction the anticipated return on investment is subordinate to the preceding requirements of safety and reduction of credit and interest rate risk.

5.0 Delegation of Authority:

Authority to manage the investment program of the City is derived from Government Code Sec. 53601 and 53607 (which respectively authorize a legislative body to invest public funds, and the

legislative body's delegation of such authority to the treasurer of the corresponding agency) and the City's Municipal Code.

5.1 Responsibilities of the City Council. The City Council shall consider and adopt yearly a written investment Policy. As provided in this policy, the Council shall receive and review quarterly Investment Reports.

5.2. Responsibilities of the City Manager. The City Manager is responsible for supervising the City Treasurer. The City Manager is also responsible to keep the City Council fully advised of the investment portfolio and as to the financial condition of the City.

5.3. Responsibilities of the City Treasurer. Pursuant to Government Code Section 53607, the City Council delegates the authority to invest or reinvest surplus funds, and to sell or exchange securities so purchased for and on behalf of the City, to the City Treasurer for the one-year period commencing from the date of adoption of this Investment Policy, and the City Treasurer shall make a monthly report of those transactions to the City Council.

No person may engage in an investment transaction except as provided under the terms of this policy. The City Treasurer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of investment advisors. The City Treasurer is charged with responsibility for the conduct of all treasury functions, including the custody and investment of City funds, the development of procedures to implement this Investment Policy, and the rendering of the monthly transactions reports and quarterly investment reports (containing such information as specified in Section 15.0) required by this policy.

6.0 Ethics and Conflicts of Interest:

Officers and employees involved in the investment process are required by the City of Hidden Hills Conflict of Interest Policy and State Government Code Section 81000 to disclose annually to the City Council any material financial interests in financial institutions that conduct business within the City and further to disclose any large personal financial/investment positions that could be related to the performance of the City, particularly with regard to the time of purchase and sales, as part of the City's conflict of interest reporting requirements.

7.0 Authorized Financial Dealers, Institutions and Portfolio Managers:

The City Treasurer will maintain a list of financial institutions authorized to provide investment services, including portfolio management. The City Treasurer will exercise prudence in the selection of any portfolio managers, provide suitable safeguards to prevent abuse in the exercise of discretion by a portfolio manager, and will remain responsible for any investment decisions made by the portfolio manager. In addition, a list will also be maintained of security broker/dealers approved to provide direct services to the City. These broker/dealers shall be selected by credit worthiness and be authorized to provide broker-dealer services in the State of California. In addition, broker dealers selected for the list shall meet the requirements of Government Code Section 53601.5 (which currently requires that they be one of the following: (i) an institution licensed by the state as a broker-dealer, as defined in Section 25004 of the Corporations Code, (ii) a member of a federally regulated securities exchange, (iii) a national or state-chartered bank, (iv) a savings association or federal

association (as defined by Section 5102 of the Financial Code), or (v) a brokerage firm designated as a primary government dealer by the Federal Reserve Bank). These may include "primary" dealers or regional dealers that qualify under Securities & Exchange Commission Rule 15c3-1 (uniform net capital rule), so long as such dealers also meet one of the foregoing criteria of Government Code Section 53601.5. No public deposit shall be made except in a qualified public depository and pursuant to the collateralization (or federal insurance) and depository contract requirements as established by state law (including, without limitation, Article 2 (commencing with Section 53630) of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code). Financial institutions authorized to provide investment services to the City, including portfolio management, shall utilize security broker/dealers who are duly licensed and authorized to provide investment services in the State of California and otherwise meet one of the requirements of Government Code Section 53601.5 but shall not be limited to the list of approved broker/dealers maintained by the City.

Anyone providing financial services to the City, including portfolio management, must adhere to the investment policies of the City as adopted annually by the City Council.

All financial institutions and broker/dealers who desire to become qualified bidders for investment transactions, including portfolio management, must supply the City Treasurer with the following:

- Audited financial statements for the institutions three most recent fiscal years;
- Proof of Financial Industry Regulatory Authority (FINRA) registration;
- Proof of State registration; and
- Certification of having read and understood the investment policy and the depository contracts of the City.

A current audited financial statement is required to be on file for each financial institution, broker/dealer and portfolio manager with which the City invests.

Selection of financial institutions and broker/dealers authorized to engage in transactions with the City shall be at the sole discretion of the City. An annual review of the financial condition of qualified bidders will be conducted by the City Treasurer.

8.0 Authorized and Suitable Investments:

Investable funds, which include funds not needed for the immediate needs of the City, are determined by the City Treasurer. Notwithstanding, one year's anticipated revenues shall be invested in Local Agency Investment Funds administered by the State Treasurer's Office pursuant to the authority conferred by Government Code Section 16429.1. All other investments shall be made in accordance with Sections 53600 et seq., of the Government Code. If not otherwise specified herein, the maximum term or remaining maturity shall be as specified in Section 11.0 of this policy. Within the context of limitations, the following investments are authorized, as further limited herein by this Policy and subject to the portfolio concentration limits set forth herein and in Table 1, appended to this policy:

8.1 U.S. Treasury Bonds, Notes & Bills and "Strips" - United States Treasury notes, bonds, bills, or certificates of indebtedness, or those for which the faith and credit of the United States are pledged for the payment of principal and interest.

In addition, through the commercial book-entry system, a Treasury fixed-principal note or bond or a Treasury inflation-protected security may be stripped, and each interest payment and the principal payment becomes a separate security (also known as Separate Trading of Registered Interest and Principal of Securities or “STRIPS”). Each component has its own identifying number and can be held or traded separately. Broker/dealers may market the principal portion of these “stripped” securities or “Strips” at deep discounts. In accordance with Government Code Section 53601.6, interest-only Strips are not authorized for the City. However, principal-only Strips (also known as “zero-coupon Treasury securities” or “Discount Notes”) are authorized investments, if they meet the requirements of Government Code Section 53601.6(b), which specifies that a local agency shall not invest any of its surplus funds in any security that could result in zero interest accrual if held to maturity.

8.2 Federal Agency Obligations or United States Government-Sponsored Enterprise (GSE) Obligations – Federal agency or United States government-sponsored enterprise (GSE) obligations, participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises. As to GSEs, there are numerous government-sponsored enterprises which issue debt instruments, but many lack the liquidity necessary to fit the portfolio requirements of the City. Purchases of government-sponsored enterprise securities should be limited to the issues of the Government National Mortgage Association, the Federal Farm Credit Bank, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, and the Federal Home Loan Bank.

To the extent the investment is (a) a mortgage-pass through security, collateralized mortgage obligation, mortgage-backed or other pay-through bond, equipment lease-backed certificate, consumer receivable pass-through certificate, or consumer receivable-backed bond and (b) not fully guaranteed as to principal and interest by federal agencies or a GSE, the investment shall also meet the criteria specified in Section 8.6 of this policy.

8.3 Repurchase Agreements - A repurchase agreement is a contractual agreement between a financial institution or dealer and the City by which the City purchases securities from a counterparty seller, the counterparty seller agrees to repurchase the securities on or before a specified date and for a specified amount, and the counterparty delivers the underlying securities to the City by book entry, physical delivery, or by third-party custodial agreement. Repurchase agreements authorized by this section shall not exceed 20 percent of the City’s surplus moneys that may be invested pursuant to this policy.

Repurchase agreements may only be made with primary dealers of the Federal Reserve Bank of New York. The City will not enter into repurchase agreements for a period greater than 7 days. The market value of the securities that underlie a repurchase agreement will not be less than the greater of (a) 102% of the funds borrowed by the counterparty seller against those securities or (b) the sum of the funds borrowed by the counterparty seller against the securities plus accrued interest. And, the securities will be only treasuries meeting the requirements of Section 8.1 of this policy and agencies of the United States government meeting the requirements of Section 8.2 of this policy.

8.4 Medium term corporate notes or bonds (rated A or above by a nationally recognized statistical rating organization (NRSRO)) – all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized

and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States may be bought only through major banks or primary dealers which offer competitive secondary markets for the purchase or sale of the notes before maturity, such as Bank of America, Goldman Sachs, and J. P. Morgan. Purchases of medium term corporate notes or bonds shall not exceed 30 percent of the City's surplus moneys that may be invested pursuant to this policy.

8.5 Commercial paper - (which must have a rating of the highest ranking or of the highest letter and number rating as provided for by a NRSRO (e.g., A1 (S&P) or P1 (Moody's)) - may be bought through major banks or primary dealers which can offer or arrange competitive secondary markets for the purchase or sale of the paper before maturity. The longest maturity approved for commercial paper is 270 days.

The entity that issues the commercial paper shall meet all of the following conditions in either paragraph (a) or (b):

a. The entity (i) is organized and operating in the United States as a general corporation; (ii) has total assets in excess of five hundred million dollars (\$500,000,000); and (iii) has debt other than commercial paper, if any, that is rated "A" or higher by an NRSRO.

b. The entity (i) is organized within the United States as a special purpose corporation, trust, or limited liability company; (ii) has program wide credit enhancements including, but not limited to, overcollateralization, letters of credit, or a surety bond; and (iii) has commercial paper that is rated "A-1" or higher, or the equivalent, by an NRSRO.

The City may invest no more than 25 percent of its moneys in eligible commercial paper. The City may not purchase more than 10 percent of the outstanding commercial paper of any single issuer.

8.6 Mortgage-backed securities – a mortgage-pass-through security, collateralized mortgage obligation, mortgage-backed or other pay-through bond, equipment lease-backed certificate, consumer receivable pass-through certificate, or consumer receivable-backed bond with a fixed coupon issued by an agency of the U.S. government or a GSE, provided that the stated final maturity of such security does not exceed five (5) years from the date of purchase. To be eligible, the issuer of such security, obligation, bond, or certificate must have an A or higher rating for the issuer's debt as provided by an NRSRO, and the security, obligation, bond, or certificate itself must be rated in a rating category of AA or its equivalent or better by an NRSRO. Purchases of securities, obligations, bonds, or certificates authorized by this section shall not exceed 20 percent of the City's surplus moneys that may be invested pursuant to this policy.

8.7 Negotiable Certificates of Deposit (CDs) or Non-negotiable, FDIC-insured CDs or Time Deposits with fixed coupons and fixed maturity date which may not exceed five (5) years and are issued by a nationally or state-chartered bank, a savings association or a federal association (as defined by Section 5102 of the Financial Code), a state or federal credit union, or by a federally licensed or state-licensed branch of a foreign bank. Purchases of CDs and time deposits shall not, in total, exceed 30 percent of the City's funds that may be invested pursuant to this policy.

8.8 Local Agency Investment Funds (LAIF) administered by the State Treasurer's Office.

8.9 Passbook accounts maintained solely to provide for ongoing operational needs shall not exceed the maximum amount insured by the FDIC and shall be subject to the requirements of this policy.

8.10 Shares of Beneficial Interest Issued by a Joint Powers Authority – the joint powers authority must be organized pursuant to Government Code Section 6509.7 and invest in the securities and obligations authorized for local agency investment by Government Code Section 53601.

To be eligible, the joint powers authority issuing the shares (each of which shall represent an equal proportional interest in the underlying pool of securities owned by the joint powers authority) shall have retained an investment adviser that (i) is registered or exempt from registration with the U.S. Securities and Exchange Commission; (ii) has not less than five years of experience investing in the securities and obligations authorized for local agency investment by Government Code Section 53601; and (iii) has assets under management in excess of five hundred million dollars (\$500,000,000).

8.11 State and Local Agency Bonds, Warrants and Treasury Notes (rated “BBB” or above (or equivalent) by a NRSRO before insurance). The following may be purchased except that the remaining term to maturity at the time the investment is purchased cannot exceed five years.

a. Registered state warrants or treasury notes or bonds of the State of California, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the State of California or by a department, board, agency, or authority of the State of California.

b. Registered treasury notes or bonds of any of the other 49 states in the U.S., including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by a state or by a department, board, agency, or authority of any of the other 49 states in the U.S.

c. Bonds, notes, warrants, or other evidences of indebtedness of a local agency within the State of California, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the local agency, or by a department, board, agency, or authority of the local agency.

No more than 5 percent of the City’s funds that may be invested pursuant to this policy shall be invested in bonds, warrants, notes, or other evidences of indebtedness of a single local agency within the State of California or of a single state. For purposes of the foregoing limitation, bonds, warrants, notes, or other evidences of indebtedness of a related entity of a local agency or state shall be included in the calculation with respect to moneys invested in such local agency or state.

Also, no more than 15% of the City’s funds that may be invested pursuant to this policy shall be invested in bonds, warrants, notes, or other evidences of indebtedness (of states within the U.S. and/or California local agencies) that have been assigned a rating within the “BBB” (or equivalent) rating category (i.e., “BBB” or “BBB+”. “BBB-“ rated obligations are below the minimum eligible rating of “BBB”).

8.12 Shares of Beneficial Interest Issued by “Money Market Funds” – shares of beneficial interest issued by diversified management companies that are money market funds registered with the U.S. Securities and Exchange Commission under the Investment Company Act of 1940.

To be eligible, the investment company (i.e., money market fund) must meet either of the following criteria: (a) attained the highest ranking or the highest letter and numerical rating provided by not less than two NRSROs, or (b) retained an investment adviser registered or exempt from registration with the U.S. Securities Exchange with not less than five years’ experience managing money market mutual funds with assets under management in excess of five hundred million dollars (\$500,000,000). The shares authorized by this section must be of the type sold without any sales commission or sales charge of any kind (true no-load funds). Purchases of money market fund shares shall not exceed 20 percent of the City’s moneys that may be invested pursuant to this policy.

8.13 Other Investment Guidelines:

Securities may be sold at a loss in order to improve the risk or return characteristics of the portfolio, to prevent anticipated further erosion of principal or when trading for securities that result in an expected net economic gain to the City. If securities owned by the City are downgraded by both Moody's and S&P to a level below the quality required by this Investment Policy, it shall be the City's policy to sell such securities promptly.

Exemptions - Any investment currently held that does not meet the guidelines of this policy shall be exempted from the requirements of this policy. At maturity or liquidation, such monies shall be reinvested only as provided by this policy.

Prohibited Investments - The list of eligible securities contained in the California Government Code is extensive and includes a number of categories which are not suitable investments for funds of the City. The categories in the list which have such limitations are as follows:

The City shall not invest any funds pursuant to Section 53600, et. seq., in inverse floaters, range notes, interest-only strips that are derived from a pool of mortgages, or any security that could result in zero interest accrual if held to maturity.

9.0 Collateralization:

All investments of the City shall be collateralized to the extent required by the State Government Code. (E.g., repurchase agreements, and deposits exceeding the maximum amount insured by the FDIC.)

The collateral for deposits exceeding the maximum amount insured by the FDIC in local savings associations is held at the Federal Home Loan Bank of San Francisco. The collateral for such deposits in local banks is held in the City's name in the trust department of one of the banks with which the City has a current safekeeping agreement (so long as the issuer of the deposit is not the same bank as the bank holding the collateral) and is authorized pursuant to Government Code Sections 53656(b) and 53657 by the Administrator of Local Agency Security designed by Government Code Section 53661 (presently, the Commissioner of Business Oversight) or with the Federal Reserve Bank of San Francisco.

Acceptable collateral instruments are U.S. Treasury or Federal Agency or GSE issues of the types authorized by Government Code Sections 53651(a) and 53651(f), respectively, equal in market value to at least 110% of the deposit of the City. Alternatively, prime seasoned first trust deeds meeting the requirements of Government Code Section 53651.2 and equal in value to at least 150% of the deposit of the City may also be placed by savings associations with the Federal Home Loan Bank of San Francisco to cover collateral requirements for City deposits.

Securities which serve as collateral for repurchase agreements with banks may be held in the issuing bank's trust department, provided that a master repurchase agreement has been executed ensuring the fiduciary separation of these assets from other bank assets.

10.0 Safekeeping and Custody:

All security transactions, including collateral for repurchase agreements, entered into by the City shall be conducted on a delivery-versus-payment (DVP) basis. Securities will be held by a third party custodian and evidenced by safekeeping receipts. Pursuant to Government Code Section 53608, the third party custodian shall be a federal or state association (as defined by Section 5102 of the Financial Code), a trust company or a state or national bank located within the State of California, the Federal Reserve Bank of San Francisco or any branch thereof within the State of California, or any Federal Reserve Bank or any state or national bank located in any city designated as a reserve city by the Board of Governors of the Federal Reserve System.

The transferring of investment funds will be carried out exclusively by use of the Federal Reserve Bank's electronic wire transfer system. Each Banker or Primary Dealer with which the City does business shall receive in writing from the City Treasurer and City Manager or designee a listing which limits transfers of funds to pre-authorized bank accounts only.

The listing will also contain the names of the City staff authorized to request such transfers and will be updated in writing for changes of authorized staff and bank accounts as necessary.

Transfers from one account of the City to another shall require the request of only one authorized staff member. Transfers from the City's account to third parties shall require the request of two authorized staff members.

11.0 Maximum Maturities:

To the extent possible, the City will attempt to match its investments with anticipated cash flow requirements. Pursuant to Government Code Section 53601, if not otherwise specified herein, no investment shall be made in any security, other than a security underlying a repurchase agreement authorized by Section 8.3, that at the time of the investment has a term remaining to maturity in excess of five (5) years from the date of purchase, unless the City Council has granted express authority to make that investment either specifically or as a part of an investment program approved by the City Council no less than three months prior to the investment.

12.0 Internal Control and Audits:

The City Treasurer shall establish an annual process of independent review by an external auditor. This review may be part of the City's annual financial audit performed by an independent certified public accountant which is designed to meet the requirements of the federal Single Audit Act of 1984

and related Office of Management and Budget Circular A-128 or at any other time as determined by the City Treasurer.

13.0 Reporting and Investment Policy Adoption:

The City Treasurer in conjunction with the City Manager and City Attorney shall review and update this Investment Policy annually and present the written, updated policy to the City Council, for consideration and adoption as provided in Government Code Section 53646 et al.

14.0 Interest Earnings:

All moneys earned and collected from investments authorized in this policy shall be allocated yearly to various fund accounts based on the monthly cash balance in each fund as a percentage of the entire pooled portfolio.

15.0 Reporting and Reviews:

The City Treasurer shall make a monthly report to the City Council of the transactions to invest or reinvest surplus funds, and to sell or exchange securities so purchased for and on behalf of the City, in compliance with California Government Code Section 53607.

The City Treasurer shall review and render quarterly reports to the City Manager and City Council in compliance with California Government Code Section 53646(b). These reports will include the face amount and the purchase price of the cash investment, the classification of the investment, the name of the issuer institution or entity, the rate of interest, the maturity date, the current market value and accrued interest due for all securities.

The quarterly report will include a statement of the portfolio's compliance with the City's investment policy and a statement denoting the City's ability to meet its expenditure requirements for the next six months. Additionally, and if applicable, the report will include the amount held by the City's deferred compensation administrator(s).

16.0 Legislative Changes:

Any State of California legislative action, that further restricts allowable maturities, investment type or percentage allocations, will be incorporated into the City of Hidden Hills' Investment Policy and supersede any and all previous applicable language.

17.0 Investment Policy Adoption:

The City's Investment Policy shall be adopted by Resolution of the City Council on an annual basis. This Investment Policy shall be reviewed at least annually to ensure its consistency with the overall objectives of preservation of principal, liquidity and yield, and its relevance to current law and financial and economic trends. Any amendments to the policy shall be forwarded to City Council for approval.

TABLE 1

<u>Investment Type:</u>	<u>Dollar or Percent Limits</u> (calculated separately for each agency's portfolio)	<u>Maturity</u> (Not to Exceed)	<u>Liquid</u>
1. General Instruments			
State Investment Fund (LAIF)	The maximum set by LAIF	On demand	Yes
U.S. Treasury Bonds, Notes & Bills	None	5 yrs.	Yes
Federal Agency or U.S. Government Sponsored-Enterprises	None (subject to Sections 8.2 and 8.6 (mortgage-backed securities) of the investment policy)	5 yrs.	Yes
Obligations of the State of California, any of the other 49 states, or any local agency of the State of California with a rating of "BBB" or above (or equivalent) before insurance.	5% of total portfolio with respect to obligations of a single local agency within the State of California or of a single state 15% of total portfolio with respect to obligations rated "BBB" or "BBB+" ("BBB-" is not eligible)	5 yrs.	Yes
2. Collateralized Investments			
Repurchase Agreements	20% of total portfolio	7 days	Yes
Deposit accounts	Amounts above FDIC-insurance must be collateralized	On demand	Yes
3. Uncollateralized Instruments			
Non-negotiable, FDIC-insured CDs or Time Deposits	30% of total portfolio*	5 years	No
Negotiable Certificates of Deposit (CDs)	30% of total portfolio*	5 years	Yes
Medium Term Corporate Notes* and Bonds*	30% of total portfolio**	5 years	Yes
Commercial Paper	25% of total portfolio	270 days	Yes
Mortgage-Backed Securities	Not to exceed 20%	5 yrs.	Yes

Investment Type:	<u>Dollar or Percent Limits</u> (calculated separately for each agency's portfolio)	<u>Maturity</u> (Not to Exceed)	<u>Liquid</u>
<p>*Percent Limit (30% of total portfolio) is a collective limit as to Time Deposits, non-negotiable FDIC-insured CDs, and negotiable CDs.</p> <p>** Percent Limit is a collective limit as to Medium Term Corporate Notes & Corporate Bonds, which are governed by Gov. Code Sec. 53601(k).</p>			
4. Other Instruments			
Shares of "money market funds" which are sold without any sales commission or sales charge of any kind (true no-load funds) and rated the highest ranking or highest letter and numerical rating provided by at least two NRSROs	20% of total portfolio	On demand	Yes
Shares of beneficial interest issued by a JPA	None	On demand	Yes

ATTACHMENT #3

CITY OF SIERRA MADRE
STATEMENT OF INVESTMENT POLICY
Fiscal Year 2022 - 2023

I. PURPOSE

The purpose of this Investment Policy is to establish investment guidelines for the City Treasurer. Each transaction and the entire portfolio must comply with California Government Code Section 53600, et seq., and this policy.

The City Council of the City of Sierra Madre and its related authorities and agencies recognize its responsibility to properly direct the investments of funds under its care. The purpose of this policy is to provide guidelines for the investment of funds based upon prudent cash management practices and in conformity with all applicable statutes. In instances in which the Policy is more restrictive than Federal or State law, the Policy supersedes.

II. SCOPE

This Investment Policy applies to all financial assets of the City of Sierra Madre as accounted for in the Annual Report. Funds specifically exempt from this policy include bond proceeds, employee deferred compensation plans, funds held in trust with the City with specific investment instructions, and any funds held in employee pension plans. Policy statements outlined in this document focus on the City of Sierra Madre's pooled funds, but will also apply to all other funds under the City Treasurer's span of control unless specifically exempted by statute or ordinance.

The primary guiding investment policy for bond proceeds will be dictated by the bond documents governing such funds as long as the documents are approved by the City Council or related governing board. As a minimum standard for the investment of bond proceeds, the governing bond documents will have permitted investment language that follows guidelines used by one of the two largest bond insurers in the United States. Deviations from this guideline may be made with the expressed consent of the City Council.

III. PRUDENCE

The standard to be used by investment officials shall be that of a "prudent expert" and shall be applied in the context of managing all aspects of the overall portfolio. When investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters

would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency. Within the limitations of this section and considering individual investments as part of an overall strategy, investments may be acquired as authorized by law.

The City Treasurer and designees appointed to manage the investment portfolio, acting within the intent and scope of this investment policy and other written procedures, and exercising due diligence, shall be relieved of personal responsibility and liability for an individual security's credit risk or market price changes, provided deviations from expectation are reported in a timely manner and appropriation is taken to control adverse developments.

IV. INVESTMENT OBJECTIVES

All investments shall be prudently invested in order to earn a reasonable return while awaiting application for governmental purposes. The specific objectives for all investments are ranked in order of importance.

- **Safety-** The preservation of principal is the primary objective. The City will undertake investments in a manner that ensures the preservation of capital in the overall portfolio.
- **Liquidity-** As a second objective, the investment portfolio should remain sufficiently flexible to enable the City Treasurer to meet all operating requirements, which may be reasonably anticipated. To the extent possible, the maturity of investments selected will match the projected City's cash requirements, including an amount to cover reasonably estimated contingencies.
- **Public Trust -** In managing the investment portfolio, the City Treasurer and authorized investment officials should avoid any transactions that might impair public confidence.
- **Diversification -** The investment portfolio will be diversified to avoid risk regarding specific security types or individual financial institutions.
- **Reasonable Market Rate of Return -** All investments should be designed to attain market average rate of return through budgetary and economic cycles, consistent with the average maturity of its portfolio and the credit quality of its securities.

The investment function will have additional goals of: assuring ongoing compliance with Federal, State, and local laws governing the investment of funds kept by the City, maintaining reserves for long-term projects and contingencies, and establishing quality standards and limits to the type of investments made and with which institutions investments are placed with.

V. DELEGATION OF AUTHORITY

Under authority granted by the City Council, the City Treasurer is responsible to invest and reinvest all unexpended funds in the City treasury. Daily management responsibility of the investment program has been delegated to the City Treasurer, who shall establish procedures for the operation consistent with this investment policy.

The City Treasurer serves as the chief investment officer for the City and is authorized to invest or deposit the City's funds in accordance with this policy, California Government Code Sections 53600, et seq., and all other related Federal and State laws. In the absence of the City Treasurer, the City Manager or his/her designee will serve as the chief investment officer. The City Treasurer may appoint deputy treasurers to act on behalf of the City. The City Treasurer will provide written authorization in delegating any of his/her authority.

The City Manager's responsibility includes establishing, monitoring, and maintaining a strong system of investment controls. The City Manager will provide periodic oversight to the investment function that includes but is not limited to reviewing quarterly investment reports issued by the City Treasurer.

The City Council's primary responsibilities over the investment function include establishing investment policies, annually reviewing such policies, reviewing quarterly investment reports issued by the City Treasurer, authorizing bond documents and other unique financing transactions, and authorizing any deviations from the City's investment policies.

The City may, in its discretion, engage the services of one or more external investment managers to assist in the management of the City's investment portfolio in a manner consistent with the City's objectives. Such external managers may be granted discretion to purchase and sell investment securities in accordance with this Investment Policy. Such managers must be registered under the Investment Advisers Act of 1940.

VI. ETHICS AND CONFLICTS OF INTEREST

All officials, staff members and consultants involved in the investment functions will refrain from personal business activity that could conflict with the execution of the investment function or which may impair their ability to make impartial investment decisions. Officials, staff members, and consultants will disclose to the City Manager any financial interests with a financial institution, provider, dealer, or broker that conducts business with the City. Officials, staff members, and consultants will further disclose any personal financial positions that could be related to the performance of the City's portfolios.

All bond issue providers including but not limited to underwriters, bond counsel, financial advisors, brokers, and dealers, will disclose any fee sharing arrangements or fee splitting to the City Manager prior to the execution of any transactions. The providers must disclose

the percentage share and approximate dollar amount share to the City prior to the execution of any transactions.

Additionally, the City Treasurer is required to annually file appropriate financial disclosures as required by the Fair Political Practices Commission (FPPC).

VII. INDEMNIFICATION OF INVESTMENT OFFICIALS

Any investment officer exercising his/her authority with due diligence and prudence, and in accordance with the City's Investment Policy, will not be held personally liable for any individual investment losses or total portfolio losses.

VIII. AUTHORIZED FINANCIAL DEALERS AND INSTITUTIONS

The City Treasurer shall maintain a list of financial institutions authorized to provide investment services. In addition, a list will also be maintained of approved security broker/dealers selected by credit worthiness who are authorized to provide investment services in the State of California. These may include primary dealers or regional dealers that qualify under Securities & Exchange Commission rule 15C3-1 (uniform net capital rule). No public deposit shall be made except in a qualified public depository as established by state laws. All financial institutions and broker/dealers who desire to become qualified bidders for investment transactions must supply the City Treasurer with the following: (e.g. audited financial statements, proof of National Association of Security Dealers certification, trading resolution, proof of State registration, certification of having read the City's investment policy and depository contracts.

An annual review of the financial condition and registrations of qualified bidders will be conducted.

IX. AUTHORIZED AND SUITABLE INVESTMENTS

The investing of City funds is governed by the California Government Code, Sections 53600 et seq. Within the context of the limitation, the following investments are authorized, as further limited herein:

- I. United States Treasury Bills, Bonds, and Notes or those for which the full faith credit of the United States is pledged for the payment of principal and interest.
2. Obligations issued by Government Sponsored Enterprises such as the Government National Mortgage Association (GNMA), the Federal Farm Credit Bank System (FFCBS), the Federal Home Loan Banks (FHLB), the Federal National Mortgage Association (FNMA), the Federal Home Loan Mortgage Corporation (FHLMC), Federal Agricultural Mortgage Corporation (FAMCA) and the Tennessee Valley Authority.

Investments detailed in Item 3 and Item 4 are further restricted to a percentage of the cost value of the portfolio in any one-issuer name to a maximum of 5%. The total value invested in any one issuer shall not exceed 5% of the issuer's net worth.

3. Bills of exchange or time drafts drawn on and accepted by commercial banks, otherwise known as banker's acceptances. Banker's acceptances purchased may not exceed 180 days to maturity or 40% of the market value of the portfolio. No more than 30% may be invested in the banker's acceptances of any one commercial bank pursuant to this section.
4. Commercial paper of "prime" quality of the highest ranking or of the highest letter and number rating as provided for by a nationally recognized statistical rating organization (NRSRO) that is "A" or higher, or the equivalent, by an NRSRO, having assets in excess of \$500,000,000. Purchases of eligible commercial paper may not exceed 270 days to maturity nor represent more than 10% of the outstanding paper of the issuing corporation. Purchases of commercial paper may not exceed 25% of the market value of the portfolio.
5. Negotiable Certificates of Deposit issued by nationally or state chartered banks or state or federal savings institutions. Purchases of negotiable certificates of deposit may not exceed 30% of the total portfolio. A maturity limitation of five (5) years is applicable.
6. Repurchase agreements, which specify terms and conditions, may be transacted with banks and broker dealers. The maturity of the repurchase agreements shall not exceed 92 days. The market value of the securities used as collateral for the repurchase agreements shall be monitored by the investment staff and shall not be allowed to fall below 102% of the value of the repurchase agreement. Repurchase agreements may not exceed 20% of the market value of the portfolio.
7. Local Agency Investment Fund (LAIF), a State of California managed investment pool, may be used up to the maximum permitted by California State Law.
8. Bonds, notes, warrants, or other evidence of indebtedness of the State of California or any local agency within the State of California, or of the other 49 states, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by the local agency, or by a department, board, agency or authority of the local agency. A maximum of 10% may be invested in municipal obligations and the maturity of these investments shall not exceed 5 years. In addition, the issuer itself must have a minimum credit rating of "A" or equivalent by a NRSRO.

The City Treasurer shall provide a table with each quarterly investment report that indicates compliance with the above noted percentage limit for each investment type.

Ineligible investments include the following but are not limited to: mutual funds with weighted average maturities greater than 91 days, reverse repurchase agreements, medium term corporate notes, investment agreements, guaranteed investment agreements, zero interest accrual bonds, first mortgages or trust deeds, inverse floaters, range notes, interest- only strips, and common stocks.

X. COLLATERALIZATION

In accordance with California Government Code Section 53652, depository institutions shall secure all active and inactive deposits in excess of insured amounts, including certificates of deposits. Collateral shall be maintained with the agent of depository.

XI. SAFEKEEPING

All security transactions, including collateral for repurchase agreements, entered into by the City of Sierra Madre shall be conducted on a delivery versus payment basis. The City will utilize a third party custodian for the holding of investments.

XII. MAXIMUM MATURITIES

To the extent possible, the City will attempt to match its investments with anticipated cash flow requirements. Pursuant to State law, no investments shall have a maturity in excess of five years, unless the Code specifies a shorter maximum maturity. Investments related to bond reserve funds are not subject to this maximum.

XIII. INTERNAL CONTROLS

The Finance Department shall establish a system of internal controls, which shall be reviewed by the City's independent auditors. The controls shall be designed to prevent losses of public funds arising from fraud, employee error, and misrepresentation by third parties, unanticipated changes in financial markets, or imprudent action by employees and officers of the City.

XIV. LEVERAGING

The City may not purchase investments on a margin or through a margin account. The City may not leverage its investments through the use of reverse repurchase agreements.

XV. REPORTING

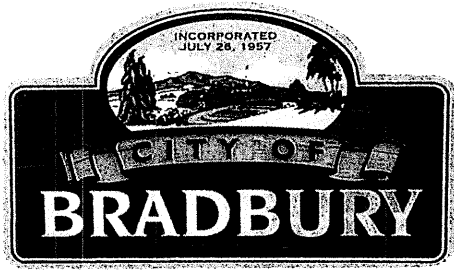
The City Treasurer or designee shall submit quarterly investment reports to the City Council within 60 days of the quarter end. This report will include elements of the

quarterly reports as prescribed by Government Code Section 53646. Required elements of the quarterly report include:

1. Type of Investment
2. Name of Institution
3. Date of Maturity
4. Amount of Deposit or Cost of Security
5. Current Market Value of All Securities and Source of the Valuation
6. Rate of Return
7. Statement that the portfolio is in compliance with this investment policy and if not, the manner in which the portfolio is not in compliance
8. Statement denoting the ability of the City to meet its pool's expenditures requirements for the next six months

XVII. POLICY ADOPTION

The City of Sierra Madre Investment Policy is adopted annually by resolution of the City of Sierra Madre legislative authority. The City Treasurer and the City Manager will review the policy on an annual basis and recommend modifications to the City of Sierra Madre City Council. Whether or not modifications are made to this investment policy, the City Council will review the policy on annual basis in accordance with State law.



Richard Barakat, Mayor (District 3)
Dick Hale, Mayor Pro Tem (District 1)
Montgomery Lewis, Council Member (District 2)
Bruce Lathrop, Council Member (District 4)
Elizabeth Bruny, Council Member (District 5)

City of Bradbury Agenda Memo

TO: Honorable Mayor and Members of the City Council

FROM: Kevin Kearney, City Manager

DATE: August 15, 2023

SUBJECT: **A RECAP ON BRADBURY NIGHT OUT 2023**

SUMMARY

The City of Bradbury held its annual Bradbury Night Out on Thursday, July 27, 2023 from 6:00pm to 8:00pm. Overall, there were no significant issues, and the City had its highest attendance ever. Two events ago (pre-COVID), the event hit approximately 150 people, which included vendors and residents. Last year (first year post-COVID) the event hit approximately 180. This year, the event had somewhere over 200 people. Event counts are based on reports from the food vendors since this is the event's only control-points. Ice cream reported 198 and food was approximately 210.

Staff has fielded requests to change the date of Bradbury Night Out due to the high heat and humidity during the typical July month. The event, and its name, is a combination celebration of National Night Out (typically on August 1st) and Bradbury's Birthday/Incorporation (July 26th); however, this does not preclude the City Council from changing the event to another day/month. While the event had been scheduled in May years ago, May can often bring rain. Consideration could be given to the beginning of October since it has cooler days/evenings, lack of rain, and absence of holidays.

This item allows the City Council to provide any feedback on the event to City Staff. It is recommended that the City Council provide direction to Staff on any items related to Bradbury Night Out.