

REGULAR MEETING **MINUTES**

Regular Meeting of the City of Bradbury City Council **Tuesday, September 19, 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 Barakat at 7:00pm followed by the Pledge of Allegiance lead by Councilmember Lewis.

ROLL CALL -

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

ABSENT: None.

STAFF: City Manager Kearney, City Clerk Jensen, Management Analyst Flores, City Planner Kasama, City Attorney Reisman and Assistant City Attorney Kranitz.

APPROVAL OF AGENDA: Mayor Pro Tem Hale made a motion to approve the new agenda with Councilmember Lewis seconding that motion. Without any objections, the Council proceeded with the City of Bradbury business.

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 he was not aware of any potential conflicts.

1. Public Comment - No Members of the Public in Attendance.

ACTION ITEMS*

2. Consent Calendar Approval Before voting on the approval of the Consent Calendar, City Manager Kearney reported the Direct Deposit Payroll for City Manager in the September 19, 2023 Demands & Warrants should be \$15,833.33 and not \$18,533.33. The totals for the page are correct; however, and based upon the correct figure of \$15,833.33. Mayor Pro Tem Hale approved the newly clarified section and Councilmember Bruny seconded the approval.

- A. Minutes: Regular Meeting, Tuesday, August 15, 2023.
- B. Resolution No. 23-18: Demands & Warrants for September 19, 2023.
- C. Monthly Investment Report for the Month of August 2023.

It was moved to approve the Consent Calendar by Mayor Pro Tem Hale with Mayor Barakat seconding that motion. Motion passed 5:0.

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

NOES: None.

ABSENT: None.

3. Presentation – Citrus College

Citrus College Trustee Mary Ann Lutz and Superintendent Dr. Greg Schultz explained since opening in 1915 to present day, Citrus College has providing educations to over 200K residents from Pasadena to Claremont. They announced the new "First time student (any age) = Two Years Free Tuition" program and how they awarded approximately 1890 degrees and 2200 certificates in the fields of science, business management, criminal justice, cosmetology, diesel tech, real estate and vocational nursing. Lastly, the Council was invited to visit their popular Theatre of Performing Arts and attend the next monthly "Workforce Development Tour" on October 20, 2023.

4. Authorization to extend the Lemon Avenue Trail Improvements around 1550 Lemon Avenue on Winston Avenue.

Engineer Dave Gilbertson of RKA explained that extending the current Lemon Avenue trail plans about 130' South of the Winston/Lemon intersection around the front of 1550 Lemon Avenue actually creates a safer ingress/egress point by providing greater visibility especially during the dark hours. The extension would also include an ADA ramp and a sign announcing the trail. The area around 1550 Lemon is not wide enough for the trail so an additional 3' pedestrian easement is required from the 1550 Lemon property. In exchange for this easement, the City agrees to reconstruct the "drive approach" area only on their driveway. The additional costs for these changes are \$24,500.00 bringing total costs to \$262,699.47.

Mayor Pro Tem Hale made motion to approve the trail extension, the additional costs associated with the extension, issuing a change order to the contractor doing the work or SDC Engineering and approving the Pedestrian Easement Agreement with 1550 Lemon Avenue. Councilperson Bruny seconded the motion which the Council passed unanimously with a 5:0 vote.

5. Urgency Ordinance No. 385U and Regular Ordinance 387: Density Bonus Ordinance and Finding that Adoptions are Exempt from CEQA Under the Common Sense Exemption.

The State Density Bonus Law enables developers to have greater density than what the local zoning laws allow provided that affordable housing is included in the development. This Ordinance also provides for waivers of local development regulations as incentives for developers to provide affordable housing. The City does not have any density bonus provisions so the proposed Ordinance will help bring the City into compliance with State Law. Because the Density Bonus Law is subject to frequent amendments, the proposed Ordinance is to adopt the State law by reference which means the City will not have to amend its Ordinance every time the State makes an amendment. The Planning Commission considered the proposed regular Ordinance at its August 23rd meeting and adopted Resolution No. PC. 23-312 which recommends approval and adoption by City Council of the Urgency Ordinance No. 385U effective immediately and the regular Ordinance No. 387 to be introduced with a second reading and adoption scheduled for the next regular meeting on October 17, 2023.

Mayor Barakat opened and subsequently closed the Public Hearing due to no one from the public being present.

Councilmember Lathrop made a motion to approve the emergency Ordinance 385U with Councilmember Bruny seconding the motion. Because the vote requires a vote of 4:5, a roll call vote was performed. All councilmembers including the mayor passed the motion 5:0.

The regular Ordinance 387 was introduced by a motion from Mayor Pro Tem Hale and seconded by Councilmember Bruny. The motion passed unanimously with a 5:0 vote. It was scheduled for a second reading and adoption at the next regular meeting on October 17, 2023.

6. Ordinance No. 386: Reasonable Accommodations Policy and Procedures Ordinance No. 386 and Finding that Adoption is exempt from CEQA under the Common Sense Exemption.

City Planner Kasama introduced Ordinance No. 386 to the Council. This ordinance requires local governments to make reasonable accommodations in land use and zoning regulations to reduce impediments to equal access to housing.

Mayor Barakat opened and subsequently closed the Public Hearing due to no one from the public being present.

Ordinance 386 was introduced by a motion from Mayor Pro Tem Hale and seconded by Councilmember Bruny. The motion passed unanimously with a 5:0 vote. It is scheduled for a second reading and adoption at the next regular meeting on October 17, 2023.

7. Ordinance No. 388: Amendment to Chapter 85 of the Bradbury Municipal Code Relating to Secondary Living Quarters and SB 9 Units and Findings that the Ordinance is exempt from CEQA.

Legislature has amended the laws relating to accessory dwelling units. Ordinance No. 388 amends the Bradbury Code to reflect State laws and resolves an interplay between SB 9 units and ADUs.

It is recommended that the City Council hold a public hearing to determine that Ordinance No. 388 is exempt under CEQA, introduce the Ordinance, and schedule the 2nd reading and adoption for the next regular meeting on October 17, 2023.

Mayor Barakat opened and subsequently closed the Public Hearing due to no one from the public being present.

Councilmember Lewis made a motion to introduce the Ordinance and schedule the 2nd reading and adoption for the next regular meeting on October 17, 2023. Councilmember Bruny seconded the motion which passed unanimously 5:0.

8. Discussion on Issuing Separate Addresses for Accessory Dwelling Units.

State Law allows ADUs to have separate utilities outside from the main house. Utility companies; however, require separate addresses from the main house if two separate meters are used.

As such, the City of Bradbury will use the "Letter A" behind the primary dwellings numerical portion of address. For example: 123A Main Street.

9. **Approval of the JPA with LARA: Resolution No. 23-19** -

Management Analyst Flores explained how the City of Bradbury is one out of 18 members comprising the Los Angeles Regional Agency or "LARA" which is administered by the Joint Powers Agreement or "JPA." The JPA also helps cities comply with the State's recycling laws which are amended often. The recent adoption of SB 1383 requires the JPA to be amended and restated by the State to accommodate the necessary changes.

It is recommended that the City of Bradbury approve Resolution No. 23-19 which gives the City Manager the authorization to sign the revised JPA as amendments occur bypassing the need to bring before City Council each time there is an amendment.

Councilmember Lewis made the motion to approve Resolution No. 23-19 with Councilmember Bruny seconding the motion. The motion passed unanimously.

10. Discussion of the City's Investment Policy.

The City's Investment has gone through some change but nothing "structural." This is more of an update to current practices and what the City is doing. As the City Manager, City Treasurer and City Finance Director discussed the Policy, it became aware there was a large amount of money in the checking account and not only is it not making any money, but the FDIC does not insure above \$250K. It was discussed to release a large portion of this account and roll it into something like a CD or Treasury Bill which is insured, very liquid and interest earning. Some of the funds could be put into LAIF until the checking balance was \$250K.

Mayor Barakat suggested moving the Texas and BMW accounts into a 6-month account earning around 5.5%. The City Manager asked for formal approval to accomplish all of this after speaking with the City Treasurer. Mayor Pro Tem Hale made a motion giving formal approval and Councilmember Bruny seconded the motion. It passed unanimously 5:0.

11. Recap on Bradbury Night Out.

It was decided during last month's council meeting to revisit this topic to ensure all councilmembers have time to consider whether July is the best month to have the event. The end of July is one of the hottest months so the council will decide if changing the date to a month with traditionally less heat but still enough sunlight after 8:00pm so no one is walking in the dark which is unsafe.

The months of May, June and October were discussed but it was agreed to wait until the next regular meeting on October 17, 2023 to have a final vote.

12. Matters from the City Manager: None.

13. Matters from the City Attorney: None.

14. Matters from the City Council:

Mayor Barakat: None

Mayor Pro Tem Hale: Prevent burglaries in Bradbury.
Increase City's fence Height from 6"
Fence around perimeter with wrought iron curved tops

Councilmember Lathrop Planning Commission and City Council Retreat.

Councilmember Bruny None

Councilmember Lewis None

15. **Items for Future Agendas:**

- A. Using Monrovia Police services
- B. SCE at next council meeting
- C. Cal Recycle Program

CLOSED SESSION

RECESS TO CLOSED SESSION @ 8:11pm. Councilmembers, City Attorney Reisman and City Manager Kearney discussed the following:

A. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION Pending Litigation pursuant to Government Code sec. 54956.9, (d)(1)
Californians for Homeownership, Inc. v. City of Bradbury - L.A. Superior Court Case No. 22STCP01381

B. 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

C. PENDING LITIGATION

Pending Litigation pursuant to Government Code Section 54956.9 (d)(3) (Based on existing facts and circumstances, the legislative body of the local agency is meeting only to decide whether a closed session is authorized pursuant to paragraph (d) (2). (1 potential case).

D. PENDING LITIGATION

Pending Litigation pursuant to Government Code Section 54956.9 (d)(2) A point has been reached where, in the opinion of the legislative body of the local agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency. (1 potential case)

E. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Government Code Section 54957 (b)(4); Title: Building & Safety


F. EMPLOYEE DISCIPLINE

Consideration of employee discipline pursuant to Government Code section 54957.1(a)(5) (City Manager)

REPORT FROM CLOSED SESSION: At 8:50pm, Closed Session ended – City Attorney Reisman reported session was “informative only” and no formal votes taken.


ADJOURNMENT At 8:52 pm, Mayor Barakat moved to adjourn the meeting and Councilmember Lathrop seconded the motion. The Regular City Council Meeting was adjourned to Bradbury Civic Center, 600 Winston Avenue, Bradbury, CA 91008 on Tuesday, October 17, 2023 at 7:00pm.

SIGNED BY:


MAYOR RICHARD BARAKAT
City of Bradbury
Mayor Pro Tem Hale

10/14/2023
DATE

ATTEST:


CITY CLERK DIANE JENSEN
City of Bradbury

10.17.2023
DATE