

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY
HELD ON TUESDAY, AUGUST 16, 2022
AT THE BRADBURY CIVIC CENTER
600 WINSTON AVENUE, BRADBURY, CA 91008**

**CALIFORNIA GOVERNMENT
CODE SECTION 54953(e)(1):**

Pursuant to California Government Code Section 54953(e)(1), the City is allowing Councilmembers, Staff and the public to participate in this meeting by means of a Zoom video or telephone call. Participants will be able to hear the entire proceedings and be able to speak during Public Comment, Public Hearing, and other authorized times. Members of the public must maintain silence and mute their microphones and telephones except during those times.

MEETING CALLED TO ORDER:

The Regular Meeting of the City Council of the City of Bradbury was called to order by Mayor Lathrop at 7:00 p.m. followed by the Pledge of Allegiance.

ROLL CALL:

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

ABSENT: Councilmember Lewis

STAFF: City Manager Kearney, City Attorney Reisman, City Clerk Saldana and Management Analyst Musa

COUNCILMEMBER LEWIS EXCUSED:

Mayor Pro-Tem Barakat made a motion to excuse Councilmember Lewis from the meeting. Councilmember Hale seconded the motion, which carried.

APPROVAL OF AGENDA:

Councilmember Hale made a motion to approve the agenda to proceed with City business. Mayor Pro-Tem Barakat seconded the motion, which carried unanimously.

**DISCLOSURE OF ITEMS REQUIRED BY
GOV. CODE SECTION 1090 & 81000
ET SEQ.:**

In compliance with the California Political Reform Act, each City Councilmember has the responsibility to disclose direct or indirect potential for a personal financial impact as a result of participation in the decision-making process concerning agenda items.

City Attorney Reisman stated that he was not aware of any potential conflicts of interest.

PUBLIC COMMENT:

None

CONSENT CALENDAR:

All items on the Consent Calendar are considered by the City Council to be routine and will be enacted by one motion unless a Councilmember requests otherwise, in which case the item will be removed and considered by separate action. All Resolutions and Ordinances for Second Reading on the Consent Calendar are deemed to "waive further reading and adopt."

- A. Minutes: Regular Meeting of July 19, 2022
- B. Resolution No. 22-22: Demands & Warrants for August 2022
- C. Monthly Investment Report for the month of July 2022

**MOTION TO APPROVE
CONSENT CALENDAR:**

Councilmember Hale made a motion to approve the Consent Calendar as presented. Mayor Pro-Tem Barakat seconded the motion, which was carried by the following roll call vote:

APPROVED:

AYES: Mayor Lathrop, Mayor Pro-Tem Barakat, Councilmembers Hale and Bruny
NOES: None
ABSENT: Councilmember Lewis

Motion passed 4:0

**APPROVAL OF CONSULTANT
AGREEMENT WITH DE NOVO PLANNING
GROUP FOR UPDATE OF THE SAFETY
CHAPTER OF THE HEALTH AND SAFETY
ELEMENT OF THE GENERAL PLAN:**

City Manager Kearney stated that Government Code Section 65302(g) regulating General Plans requires the City to update its Safety Element (the Safety Chapter of the Health and Safety Element) with the revision of the Housing Element.

California Government Code Section 65302(g) relating to Safety Elements of the General Plan has been amended to include analysis of additional topics, including those related to wildfires and climate adaptation and resiliency. While the recent hazard mitigation plan addresses many of the wildfire requirements, it does not address climate adaptation and resiliency. Staff does not have the expertise to prepare this update.

The City reached out to two consultants that is has been working before with to obtain a proposal for the update of the Safety Chapter of the Health & Safety Element. Only De Novo Planning Group provided a response. De Novo is a well-respected planning firm that has prepared Safety Element updates for a number of cities (i.e. Gardena and Hawthorne).

PROPOSAL:

De Novo has provided a proposal for \$37,250. The project is billed on the time expended, but it is a "not-to-exceed contract." Staff has checked with other cities updating their Safety Element as to costs and it is in line with those cities.

RECOMMENDATION:

It is recommended that the City Council approve the Agreement between the City of Bradbury and De Novo Planning Group, Inc. for services to update the City's Safety Element at a not-to-exceed amount of \$37,250.

DISCUSSION:

City Manager Kearney stated that this discussion was continued from the July meeting and staff supplied the City Council with more information, such as:

- City of Los Angeles: Safety Element Background & Summary of Amendments;
- Introducing SB 379: Climate Adaptation and Resiliency Strategies; and
- SCAG: Southern California Climate Adaptation Framework

Perry Banner from De Novo Planning Group was online to answer questions about the Safety Element Update.

Councilmember Hale asked how long the process takes. City Manager Kearney stated that the time table is in De Novo's proposal.

City Manager Kearney stated that the City Council approves the Safety Element, not the HCD (Department of Housing and Community Development).

There will be two public hearings: one with the City Council and one with the Planning Commission. Community input can be taken at the regular City Council meeting and regular Planning Commission meeting.

MOTION TO APPROVE AGREEMENT WITH DE NOVO PLANNING GROUP:

Councilmember Hale made a motion to approve the Professional Services Agreement with De Novo Planning Group, Inc. for the Preparation of an Update to the Safety Chapter of the Safety Element of the General Plan at a not-to-exceed amount of \$37,250. Mayor Pro-Tem Barakat seconded the motion, which was carried by the following roll call vote:

APPROVED:

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

NOES: None

ABSENT: Councilmember Lewis

Motion passed 4:0

PRESENTATION - AN UPDATE BY CALIFORNIA AMERICAN WATER ON THE LEMON AVENUE RESERVOIR:

City Manager Kearney stated that California American Water (Cal-Am) has been coordinating with City Staff on the demolition, filling, and landscaping of the Lemon Avenue reservoir. At the February 2022 City Council meeting, Cal-Am presented plans that included estimates of 26,000 cubic yards of import soil transported by approximately 3,250 haul trucks to fill the Reservoir. It was assumed soils import and grading would take place over 25 days, which translated to about 130 trucks per day. The City Council commented that the import of soils seemed excessive, especially since Cal-Am did not have immediate plans to develop the site. Since the February meeting, Cal-Am has revised their plans and reduced the volume of import. The initial estimates of 26,000 cubic yards of import soil has now been reduced to approximately 15,000 cubic yards.

HAUL ROUTE:

The current haul route from the project site is west on Lemon Avenue, then south of Mountain Avenue to the 210 Freeway. The route passes by the Wild Rose Elementary School in Monrovia, and an additional assessment would need to be conducted on the health risks.

LONG-TERM PLANS FOR RESERVOIR SITE:

It is unknown at this time what will happen to the Reservoir site in the long term. Cal-Am has conducted a study on system-wide storage, and the results of the study suggested it as a site for additional water storage. However, Staff has been told that

the timeline associated with the construction of such water storage is unknown.

CAL-AM REPRESENTATIVES:

(Name), Civil Engineer, and Brandon (Name), Landscape Architect, were online to make the presentation and answer questions from the City Council.

DISCUSSION:

Councilmember Hale stated that he is not comfortable with the project, because he is concerned that Cal-Am will fill the site and then put a new tank on top. Councilmember Hale also was concerned about the traffic and the nearby school. Maybe Cal-Am should to post a bond for the road.

Councilmember Hale stated that he wants to see the plans and asked if our City Engineer, David Gilbertson, could look at them as well.

Councilmember Hale stated that he built a tank for Cal-Am in the past which included landscaping. As soon as the tank was finished, Cal-Am shut off the water and all of the landscaping died. He does not want that to happen again.

The Cal-Am Representatives stated that the current site is getting watered, but right now water conservation is necessary. Other than that, is Cal-Am going in the right direction?

ACTION TAKEN:

City Manager Kearney stated that he will set up a meeting between Cal-Am, the City Engineer and Councilmember Hale to look at the finalized plans for the Lemon Water Reservoir.

PRESENTATION BY SOUTHERN CALIFORNIA EDISON ON WILDFIRE MITIGATION EFFORTS:

Jeanette Soriano, Government Relations Manager, and Albert Diaz, District Manager of Monrovia, gave a presentation on Wildfire Mitigation Efforts by Southern California Edison.

The topics of the Power Point Presentation included:

- 2021 Wildfire Season
- SCE's Wildfire Mitigation Activities
- Public Safety Power Shutoffs (PSPS)
- Reducing the Need for PSPS
- PSPS Communications
- Customer Programs and Resources

Edison provided Council and Staff with a sample of Insulated Wire.

DISCUSSION:

Mayor Lathrop inquired if the City could use its Rule 20A money to pay for insulated wire in the City of Bradbury. Ms. Soriano stated that this would be a great idea, but that the Rule 20A program is for undergrounding utilities only and that the PUC is retiring the Rule 20A program soon.

**DISCUSSION OF THE ANNEXATION
OF THE ROYAL OAKS RETIREMENT
COMMUNITY:**

City Manager Kearney stated that the City of Bradbury redistricted in 2021. As part of the process, the City Council directed Staff to annex a portion of Royal Oaks Drive North, directly below the Retirement Community (“Manor”), which was found to be in Los Angeles County territory. Such an annexation would ensure that Bradbury’s District Three meets regulations regarding district contiguity. Staff recently learned of a Duarte Councilmember’s desire to annex the Retirement Community, which would affect Bradbury’s current District map and annexation efforts of a portion of Royal Oaks Drive North.

ANALYSIS:

It is Staff’s understanding that since the incorporation of Bradbury in 1957, the Retirement Community has always been an unincorporated parcel of land belonging to Los Angeles County. The Retirement Community has a lot size of approximately 17.71 acres and the County Assessor’s map shows the property divided by three legal lot lines (pursuant to the Subdivision Map Act).

The following are current resident estimates of the Retirement Community in comparison to Bradbury:

Population:

City of Bradbury - 925

Retirement Community – 260

Number of registered Voters:

City of Bradbury - 650

Retirement Community – 199

City Staff recently met with the Manor’s Executive Director to better understand the Community and its desire for annexation.

OPTIONS:

City Manager Kearney stated that there are a few options the City Council can explore in response to a potential City of Duarte annexation of the Retirement Community:

1. The City of Bradbury could annex the entire Retirement Community;
2. The City of Duarte could annex the majority of the Retirement Community and Bradbury could annex a side and/or northern most section;
3. The City of Duarte could annex the entire Retirement Community;
4. The City of Bradbury could continue with its current annexation plan through LAFCO since an application is already pending.

FINANCIAL ANALYSIS:

A Bradbury annexation of the Retirement Community is unlikely to produce significant property tax revenue since the property belongs to a non-profit organization. After credits for the claimed, non-profit exemption, initial estimates assume City property tax revenues to be approximately \$500 a year. There could be additional future revenue sources for planning reviews and building permits.

**INFORMAL CONTRACT WITH
BEAR DEMOGRAPHICS:**

Staff has entered into an informal contract with Bear Demographics and Research, Inc. for a not-to-exceed amount of \$2,500 to provide initial consulting services on an hourly basis to advise Staff on a potential annexation and/or redistricting.

RECOMMENDATION:

This item is a review of the background on the 2021 redistricting, the efforts to annex a portion of Royal Oaks Dive North, and options for the City Council to explore if the City of Duarte were to annex the Retirement Community. It is recommended that the City Council direct Staff on how to proceed.

DISCUSSION:

Mayor Lathrop stated that he is not in favor of annexing the entire Retirement Community.

Mayor Pro-Tem Barakat felt that the City does not need to do anything about the redistricting.

Councilmember Hale also does not want to annex the entire Manor, because the residents would make up an entire district.

Mayor Lathrop inquired if Duarte can annex the Manor. Andrew Westall from Bear Demographics replied that is up to LAFCO.

Councilmember Bruny was also not in favor of annexing the Manor.

PUBLIC COMMENT:

Mr. Andrew Smith, Executive Director of the Royal Manor, stated that they prefer a full annexation by either the City of Bradbury or the City of Duarte. They don't want to be part of Los Angeles County.

MOTION:

Councilmember Hale made a motion for Bradbury to continue with its current annexation plan through LAFCO and to let Duarte annex the Manor. Mayor Pro-Tem Barakat seconded the motion.

COMMENT FROM LAFCO:

Paul Novak of LAFCO stated that under the current law cities must be contiguous. In our scenario the City of Duarte is not contiguous with the Manor. The City Council needs to amend its motion to explore other option, because the Duarte Mesa does not touch Royal Oaks Drive North.

MORE DISCUSSION:

Mayor Pro-Tem Barakat stated that Duarte Councilmember Margaret Finley wants Duarte to annex the Manor. Mayor Pro-Tem Barakat suggested to let Duarte or the County maintain Royal Oaks Trail.

Mayor Lathrop said let Duarte do what they want to do.

AMENDED MOTION:

Councilmember Hale amended his motion for the City of Bradbury to do nothing, to withdraw our application with LAFCO for the annexation of a portion of Royal Oaks Trail and to send a letter to the County to ask them to maintain the trail in front of the Manor. Mayor Pro-Tem Barakat seconded the motion, which was carried by the following roll call vote:

APPROVED:

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

NOES: None

ABSENT: Councilmember Lewis

Motion passed 4:0

**DISCUSSION ON THE UPCOMING
RETIREMENT OF THE CITY CLERK:**

City Manager Kearney stated that this is an ongoing discussion about the planned retirement of City Clerk Claudia Saldana in the spring of 2023, and the challenges associated with filling her position. This is an informal discussion with no formal recommended actions. Rather, this item seeks input from the City Council on how they would like to proceed. It is expected that there will be multiple discussions on this item in the next few months.

The City Clerk's position has expanded with the City's needs since she started working for the City in June of 1988. Today Claudia's position has three main functions. These roles and responsibilities are equivalent in other cities to 1) City Clerk, 2) Accounting Technician, and 3) Executive Assistant to the City Manager.

City Manager Kearney stated the City Council discussed this item at the July 2022 meeting and requested additional job descriptions for both the positions of City Clerk and Accounting Technician. The City Council additionally requested the most recent Bradbury job announcement for the Management Analyst.

Mayor Lathrop stated that the City should outsource payroll and some of the light accounting could be done by the Management Analyst. City Manager Kearney stated that the Management Analyst position was not recruited for accounting tasks. City Manager Kearney also stated that he asked the current Management Analyst if she would be willing to take over some of Claudia's responsibilities and she declined.

Councilmember Bruny inquired about what the part-time Finance Director's responsibilities are. City Manager Kearney replied that the Finance Director's responsibilities are different from the tasks that Claudia is doing. The Finance Director prepares the City's financial reports, completes reports required by the State Controller's Office, prepares Journal Entries, manages investments (CDs) for the City, and is the main liaison for City audits. It would not make sense to have the Finance Director take over Claudia's responsibilities as he gets paid \$87/hour, because he is a CPA. On top of that, the Finance Director is at the office only once a week for half a day and may not be available to dedicate more time to Bradbury.

NO ACTION TAKEN:

This was an informal discussion and the City Council took no formal action. It is expected that there will be more discussions regarding this item over the next few months.

**DISCUSSION ON THE USE OF
CAL RECYCLE FUNDS:**

Management Analyst Musa stated that the City received \$5,000 from the CalRecycle Beverage Container Recycling/County Payment Program. At the April City Council Meeting, Staff was directed to contact the City of Duarte about partnering and installing a water refill station on the Duarte portion of Royal Oaks Trail. City Staff identified an old water refill station that needs to be replaced but the proposal was complicated due to an existing partnership between Duarte and a third-party organization in regards to a plaque that would be placed on the water refill station stating that it was a donation from the City of Bradbury. Since then, the City of Duarte has designated two more potential locations for a water refill station to be installed.

RECOMMENDATION:

It is recommended that the City Council review both potential locations and approve one of the proposed areas for the installation of a water refill station for the City of Duarte at a not-to-exceed amount of \$7,500.

DISCUSSION:

Mayor Pro-Tem Barakat suggested to place the water refill station near the bridge on Royal Oaks Trail. Mayor Pro-Tem Barakat also stated that there is no water refill station on Mount Olive Drive.

DIRECTION TO STAFF:

The City Council directed Staff to identify possible locations for a water refill station in the City of Bradbury and to report back at the next City Council meeting.

**DISCUSSION AND UPDATE ON
BRADBURY NIGHT OUT:**

Bradbury Night Out (BNO) is an annual event to celebrate the City's anniversary and National Night Out. This year's Bradbury Night Out took place on July 28, 2022. Management Analyst Musa reported that we had over 26 service providers hosting a booth and three food vendors. Residents enjoyed the variety of vendors present, especially the Wildlife Learning Center, which brought several animals, including a porcupine, armadillo, hedgehog, owl and more. One of the highlights of BNO was the attendance of Los Angeles County Supervisor Kathryn Barger.

The City allocated \$10,000 for the event but only spent \$7,000. Based on the feedback received from residents and vendors, the main challenge was long wait times for food and event parking. Staff hopes to improve the parking situation and will consider hiring a different food vendor for next year's event.

MATTERS FROM THE CITY MANAGER:

City Manager Kearney stated that the CSO contract with the City of Monrovia should be ready soon and that we may have to call a Special Meeting before the regular September City Council Meeting to adopt the contract.

MATTERS FROM THE CITY ATTORNEY:

City Attorney Reisman stated that he enjoyed Bradbury Night Out and that he bonded with an owl (Zeus from the Wildlife Learning Center).

MATTERS FROM THE CITY COUNCIL:

MAYOR LATHROP: Nothing to report

COUNCILMEMBER BARAKAT: Nothing to report

COUNCILMEMBER HALE: Nothing to report

COUNCILMEMBER LEWIS: Not present

COUNCILMEMBER BRUNY: Nothing to report

ITEMS FOR FUTURE AGENDAS: None

CLOSED SESSION

**PUBLIC COMMENT REGARDING
CLOSED SESSION ONLY:** None

RECESS TO CLOSED SESSION: The City Council adjourned to a Closed Session to discuss:

- A. Appointment of Temporary Public Employee**
Government Code Section 54957(b)(1)
Title: Management Analyst

REPORT FROM CLOSED SESSION: City Attorney Reisman reported that the City Council met in Closed Session to discuss the matter regarding the Management Analyst. No formal votes were taken or required.

ADJOURNMENT: At 9:15 p.m. Mayor Lathrop adjourned the meeting to a regular meeting to be held on Tuesday, September 20, 2022 at 7:00 p.m.



MAYOR – CITY OF BRADBURY

ATTEST:



CITY CLERK – CITY OF BRADBURY