

**MINUTES OF A REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF BRADBURY  
HELD ON TUESDAY, DECEMBER 18, 2018**

**MEETING CALLED TO ORDER:** The Regular Meeting of the City Council of the City of Bradbury was called to order by Mayor Barakat at 7:05 p.m.

**ROLL CALL:** PRESENT: Mayor Barakat, Mayor Pro-Tem Hale, Councilmembers Lewis and Lathrop  
ABSENT: Councilmember Bruny  
STAFF: City Manager Kearney, City Attorney Reisman, City Clerk Saldana and Management Analyst Santos Leon

**APPROVAL OF AGENDA:** Mayor Pro-Tem Hale made a motion to approve the agenda to proceed with City business. Councilmember Lewis seconded the motion which carried.

**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 staff was aware of none.

**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 November 20, 2018  
B. Resolution No. 18-34: Demands & Warrants for December 2018  
C. Monthly Investment Report for the month of November 2018  
D. Ordinance No. 361: An Ordinance of the City Council of the City of Bradbury, California, Amending Title II, Chapter 4, of the Bradbury Municipal Code to Add Article III, Establishing the Bradbury Public Safety Committee  
E. Fiscal Year 2016-2017 Annual Financial Report

**MOTION TO APPROVE CONSENT CALENDAR:** Councilmember Lewis made a motion to approve the Consent Calendar, as presented. Councilmember Lathrop seconded the motion, which was carried by the following roll call vote:

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

Motion passed 4:0

**RESOLUTION NO. 18-35:  
147 SAWPIT LANE  
TPM 72325**

City Manager Kearney stated that Mr. Sanjeet Nijjar, the owner of 147 Sawpit Lane, has submitted Tentative Parcel Map No. TPM 72325 to subdivide the 12.81-acre property into two lots of 7.77 acres and 5.04 acres. The proposed subdivision was approved in 2004, but the approval expired. The subdivision was resubmitted in 2013, and was conditionally approved, and the approval was updated in 2015 to include new conditions of approval from the Fire Department. However, that approval has also expired. This submittal is to reapprove the subdivision. The proposed design of the subdivision has not changed, but this new submittal will have to be reviewed anew by the Fire Department as well as all other agencies that may be affected, or that may be required to provide services to the new lots.

**PLANNING COMMISSION REVIEW:**

The Planning Commission considered the proposed subdivision at their November 28, 2018 meeting and adopted Resolution No. PC 18-279 to recommend that the City Council conditionally approve the lot split.

**RECOMMENDATION:**

It is recommended that the City Council adopt Resolution No. 18-35 to conditionally approve Tentative Parcel Map No. TPM 72325 for a two-from-one lot split at 147 Sawpit Lane with a determination that the subdivision of Categorically Exempt under CEQA.

**PUBLIC HEARING OPENED  
AND CLOSED:**

Mayor Barakat opened the public hearing and asked those speaking in favor or opposition to come forward and be heard. There being no public testimony, Mayor Barakat declared the public hearing closed.

**MOTION:**

Mayor Pro-Tem Hale moved to adopt Resolution No. 18-35:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA, SETTING FORTH ITS FINDINGS OF FACT AND DECISION WITH A CATEGORICAL EXCEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) TO CONDITIONALLY APPROVE TENTATIVE PARCEL MAP NO. TPM 72325 FOR A TWO-FROM-ONE LOT SPLIT AT 147 SAWPIT LANE.

Councilmember Lewis seconded the motion, which was carried by the following roll call vote;

**APPROVED:**

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

Motion passed 4:0

**PURCHASING OF AN AUTOMATED  
EXTERNAL DEFIBRILLATOR (AED)  
FOR CITY HALL:**

Management Analyst Santos Leon reported that the Public Safety Committee (formerly Emergency Response Committee) is recommending that an Automated External Defibrillator (AED) be purchased and placed in City Hall, as well as Adult and Pediatric First Aid/CPR/AED training be provided.

**RECOMMENDATION:**

It is recommended that the City Council review the proposed AED product and training information and allocate \$3,277.90 to Account Number 101-23-7757.

**FINANCIAL REVIEW:**

Management Analyst Santos Leon stated that the estimated total of \$3,277.90 reflects the cost of a Philips HeartStart AED (\$1,577.90 plus \$300 installation) as well as Adult and Pediatric First Aid/CPR/AED training for ten (10) people (\$1,400.00)/

The cost was not budgeted for Fiscal Year 2018-19, however should the City Council desire to move forward with the purchase of the AED and training, it is recommended that the City Council allocate \$3,277.90 to account 101-23-7757.

**DISCUSSION:**

Mayor Pro-Tem Hale questioned why the AED should be here at City Hall and not in the CSO's car (Note: the CSO car is already outfitted with an AED).

City Attorney Reisman stated that it is a good idea to have an AED at City Hall.

Karen Dunst, 1527 Lemon Avenue, stated that the Philips AED is standard and easy to use (battery operated) equipment.

Commissioner Robert Jones, 620 Spring Point Drive, stated that he would be interested in attending the training.

**MOTION:**

Councilmember Lewis made a motion to allocate \$3,277.90 to Account Number 101-23-7757 for the purchase of a Philips HeartStart AED and to provide Adult & Pediatric First Aid/CPR/AED Training. Mayor Pro-Tem Hale seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

NOES: None

ABSENT: Councilmember Bruny

Motion passed 4:0

**ORDINANCE NO. 362:**

AN ORDINANCE OF THE CITY COOUNCIL OF THE CITY OF BRADBURY AMENDING THE BRADBURY MUNICIPAL CODE TO DEFINE AND ADD REGULATIONS FOR RESIDENTIAL CARE FACILITIES AND SUPPORTIVE AND TRANSITIONAL HOUSING, ADD A NEW DEFINITION OF MULTI-FAMILY DWELLING, AMEND THE ACCESSORY LIVING QUARTERS DEFINITIONS AND REGULATIONS, AND ADD REASONABLE ACCOMMATION PROCEDURES FOR DISABLED PERSONS

**BACKGROUND:**

City Manager Kearney stated that the required update of the City's Housing Element of the General Plan was due on October 15, 2017. The City's consultant, Karen Warner Associates, prepared the prior 2014 Housing Element Update and will prepare the upcoming update. In preparing for the update, the consultant found that several Development Code amendments that were required by the 2014 Housing Element had not been implemented. These amendments need to be in place before the City can submit the next update to the State Department of Housing and Community Development. The amendments are as follows:

- New Definitions and Regulations for Residential Care Facilities, and Supportive and Transitional Housing
- New Definition of Multi-Family Dwelling
- Amendment of the Accessory Living Quarters Definitions and Regulations
- Addition of Reasonable Accommodation Procedures for Disabled Persons

**PLANNING COMMISSION REVIEW:**

The amendments were reviewed by the Planning Commission at their March 28<sup>th</sup>, April 25<sup>th</sup>, May 23<sup>rd</sup> and June 27<sup>th</sup> regular meetings. At the June 27, 2018 meeting, the Planning Commission adopted Resolution No. PC 18-275 to state that the Commission found the proposed amendments to be consistent with the Housing Element and to recommend to the City Council approval of the amendments.

**STUDY SESSION:**

The City Council considered the proposed amendments at a public hearing at its September 18, 2018 meeting. The Council asked the City Attorney about changes to the amendments and requested a study session to allow for in-depth reviews of the proposed amendments. A study session was held on October 9, 2018 and Council directed staff to add several measures to the proposed amendments. Because the Council made changes to the amendments, the City of Bradbury Development Code requires that the changes be reviewed by the Planning Commission. At the November 18, 2018 regular meeting, the Planning Commission reviewed a draft of Ordinance No. 362, which includes the City Council's changes to the proposed amendments. The Commission directed staff to convey to the City Council a recommendation to approve Ordinance No. 362 as drafted.

**ENVIRONMENTAL DOCUMENT:**

The proposed Ordinance No 362 is exempt under the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines, Section 15061(b)(3) which states that the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to review under CEQA.

**RECOMMENDATION:**

It is recommended that the City Council approve a motion to close the public hearing, determine that the ordinance is exempt under CEQA, and introduce Ordinance No. 362 for first reading, by title only.

**DISCUSSION:**

Councilmember Lathrop stated that in light of the Paradise fire he is proposing the following changes:

Section 9.85.020 (4) All accessory living quarters, whether attached or detached, must conform to all setback, lot coverage, floor area, **emergency evacuation capacity**, and building bulk requirements of the applicable zone, and if detached, must be at least 20 feet from any other building.

Section 9.85.030 (2) The accessory living quarter(s) will not overload the capacity of the neighborhood to absorb the physical and use impacts of the unit(s) in terms of parking, adequacy of water and sewer services, traffic volumes and flows, **emergency evacuation capacity**, and utilities consumption.

The City Council also instructed the City Attorney to take out the word *master lessor* in Section 9.85.020 (7) The owner of the property ~~or the master lessor or the entire property~~ must occupy either the main dwelling or an accessory living quarter unit.

**PUBLIC HEARING OPENED:**

Mayor Barakat opened the public hearing and asked those speaking in favor or opposition to come forward and be heard.

**PUBLIC TESTIMONY:**

Robert Jones, 620 Spring Point Drive, felt that the City Council was "messaging" with estate planning and making the ordinance overly complicated.

**PUBLIC HEARING CLOSED:**

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

City Manager Kearney stated that staff would make the proposed changes and bring back Ordinance No. 362 for Second Reading and Adoption at the January 15, 2019 meeting.

**MOTION:**

Councilmember Lewis made a motion to introduce Ordinance No. 362 for First Reading, by title only, as amended, and determine that the ordinance is exempt under CEQA. Mayor Pro-Tem Hale seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

NOES: None

ABSENT: Councilmember Bruny

Motion passed 4:0

**ORDINANCE NO. 363:**

AN ORDINANCE OF THE CITY COOUNCIL OF THE CITY OF BRADBURY AMENDING TITLE XI OF THE BRADBURY MUNICIPAL CODE TO REVISE CHAPTER 2, GENERAL SANITATION

**CLEAN UP LANGUAGE REGARDING ADOPTION OF LA COUNTY PUBLIC HEALTH CODE:**

City Manager Kearney stated that Ordinance No. 363 cleans up language in the City's adoption of the County's Public Health Code. Staff recently discovered some inconsistencies with the City's previous adoption of the County's Public Health Code. There is no significant impact in the adoption of Ordinance No. 363, other than to ensure the code reads correctly.

**RECOMMENDATION:**

It is recommended that the City Council introduce for First Reading, by title only, Ordinance No. 363.

**PUBLIC HEARING OPENED  
AND CLOSED:**

Mayor Barakat opened the public hearing and asked those speaking in favor or opposition to come forward and be heard. There being no public testimony, Mayor Barakat declared the public hearing closed.

**MOTION:**

Councilmember Lewis made a motion to introduce Ordinance No. 363 for First Reading, by title only. Mayor Pro-Tem Hale seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

NOES: None

ABSENT: Councilmember Bruny

Motion passed 4:0

**NEW PROPOSED MOU FOR COMMUNITY  
SERVICES OFFICER PROGRAM:**

City Manager Kearney stated that the cities of Bradbury and Monrovia entered into an agreement on January 17, 2017 for a shared Community Services Officer (CSO) program for the Fiscal Year 2017/18. The agreement was valid for one year and was effective through June 20, 2018. The City of Monrovia has provided Bradbury with a new agreement for the current Fiscal Year 2018/19 through June 20, 2023. The new agreement is essentially a replica of the previous agreement, with one exception – the new agreement prices Bradbury's cost share at \$50,000 instead of the previous \$37,000.

**RECOMMENDATION:**

It is recommended that the City Council adopt Resolution No. 18-36 which alters the current COPS allocation to include \$50,000 for the CSO program for Fiscal Year 2018/19. It is also recommended that the City Council amend the 2018/19 budget to allocate \$50,000 in COPS funds for the CSO program, and direct the City Manger to enter into an agreement with the City of Monrovia for the CSO program.

**DISCUSSION:**

Mayor Barakat inquired about the increase. What is it for? City Manager Kearney replied that Monrovia stated that \$50,000 is the fully burdened cost of the CSO program, but did not provide a cost breakdown or justification.

Councilmember Lewis asked if the original estimate of \$37,000 was so bad that is was off by 1/3. The City Council needs to see justification for the cost increase before approving the new Memorandum of Understanding (MOU).

City Manager Kearney stated that the City has enough money in COPS funds to pay for the CSO program.

**ITEM TABLED:**

The City Council directed the City Manager to ask the City of Monrovia for a justification of the cost increase and tabled the approval of the new MOU for the CSO Agreement.

**DISCUSSION ON COMMUNITY SUPPORT FUNDS:**

City Manager Kearney reported that as a result of the Los Angeles Civic Grand Jury findings for the City of Bradbury, the City donated \$3,000 in Fiscal Year 2016/17 to support organizations that provide housing and shelter to those in need. Although this was a mandatory one-time donation, the City Council decided to budget and allocate \$3,000 to similarly donate to Union Station Homeless Services, Foothill Unity Center and Friends in Deed in Fiscal Year 2017/18.

**RECOMMENDATION:**

Similar to last year, the City Council budgeted \$3,000 this fiscal year to donate to support community homelessness. It is recommended that the City Council direct staff on how to expend the budgeted \$3,000, which has been set aside for a charitable donation.

**MOTION:**

Mayor Barakat made a motion to expend the \$3,000 in charitable donations the same way as was done last year. Councilmember Lathrop seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

Motion passed 4:0

**RECAP – MEETING WITH THE DEPT OF FISH AND WILDLIFE:**

City Manager Kearney stated that on Thursday, December 13, 2018 City staff and members of the City Council met with representatives of the California Department of Fish and Wildlife (F&W) to talk about the potential of setting up a community meeting for residents to discuss bear nuisance issues within the City.

**WILDLIFE WATCH PROGRAM:**

During the meeting, F&W brought up their Wildlife Watch Program. In essence, the program is designed for local agencies to first develop a management plan before a community meeting is held. After the plan is developed F&W trains community volunteers in wildlife management techniques to go door-to-door and advise other residents in the wildlife management technique that they learned.

City Manager Kearney stated that the City Council Agenda packet includes two management plans (Cities of Arcadia and Torrance) brought up as an example during the meeting. However, all plans through F&W's program to this point have only dealt with coyote management. F&W has advised that a document from the City of Pasadena is being developed in dealing with bears, but it has not been finalized or made public yet.

**BEAR MANAGEMENT PLAN:**

City Manager Kearney stated that the development of a first known bear management plan in the region is a considerable undertaking that should first be discussed before moving forward with such a plan. Additionally, the crafting of a plan will take time, and it should be discussed if a community meeting should be held before a plan is developed.

**RECOMMENDATION:** It is recommended that the City Council discuss with staff on how to proceed with either a Community Meeting or a Wildlife Management Plan.

**DISCUSSION/ACTION:** Following discussion, the City Council directed staff to try and get a copy of the bear management plan of the City of Pasadena and hold a community meeting in February.

**MATTERS FROM THE CITY MANAGER:** City Manager Kearney stated that staff is reviewing the current ERC membership.

City Manager Kearney also stated that 1901 Royal Oaks Drive North and the Chadwick Ranch properties are moving forward.

**MATTERS FROM THE CITY ATTORNEY:** Nothing to report.

**MATTERS FROM THE CITY COUNCIL:**

**MAYOR BARAKAT:** Mayor Barakat stated that he attended a 4-hour Foothill Transit meeting regarding public transportation being all electric by 2023, but the problem is that there is not enough power to achieve that goal.

**MAYOR PRO-TEM HALE:** Nothing to report

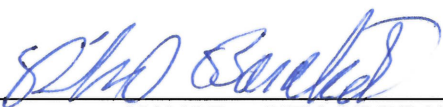
**COUNCILMEMBER LEWIS:** Nothing to report

**COUNCILMEMBER BRUNY:** Not present

**COUNCILMEMBER LATHROP:** Nothing to report

**ITEMS FOR FUTURE AGENDAS:** Councilmember Lathrop proposed to revisit prohibited short-term rentals for special events to allow for flexibility. The City Council had no interest in revisiting this matter.

**ADJOURNMENT:** At 8:12 p.m. Mayor Barakat adjourned the meeting to Tuesday, January 15, 2019 at 7:00 p.m.

  
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**MAYOR – CITY OF BRADBURY**

ATTEST:

  
\_\_\_\_\_  
**CITY CLERK – CITY OF BRADBURY**