

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY
HELD ON TUESDAY, MAY 21, 2019**

MEETING CALLED TO ORDER:

The Regular Meeting of the City Council of the City of Bradbury was called to order by Mayor Barakat at 7:00 p.m. The Pledge of Allegiance was led by Councilmember Lewis.

ROLL CALL:

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

ABSENT: None

STAFF: City Manager Kearney, City Attorney Reisman, City Planner Kasama, City Clerk Saldana and Management Analyst Santos Leon

APPROVAL OF AGENDA:

City Manager Kearney stated that tonight's Closed Session has been rescheduled to the June meeting. Councilmember Lewis made a motion to approve the agenda to proceed with City business. Mayor Pro-Tem Hale 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 Mayor Barakat has a conflict of interest regarding agenda item #3 – Discussion on Parking on Certain City Streets (only the portion that deals with Royal Oaks Manor and the City Hall back parking lot). Mayor Barakat is free to speak during the public comment section, but can't participate in the decision-making process or vote.

PUBLIC COMMENT:

Anne Absey, 44 Woodlyn Lane, stated that she thought Cal-Am Water Company would be here tonight to address recurring water leaks on Woodlyn Lane. City Manager Kearney replied that representatives from Cal-Am Water Company will be present at the June City Council meeting to discuss this issue.

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 April 16, 2019
- B. Resolution No. 19-10: Demands & Warrants for May 2019
- C. Monthly Investment Report for the month of April 2019

- D. Resolution No. 19-11: Changing the Term for Planning Commissioners for Districts 1, 3 and 5 from April to June of uneven-numbered years
- E. Audit Report for Fiscal Year 2017-2018

**ITEM #1.D PULLED FROM
CONSENT CALENDAR:**

Councilmember Lathrop pulled item #1.D (Resolution #19-11) from the Consent Calendar for discussion. Councilmember Lathrop stated that it would make more sense to have all Planning Commissioner terms expire in September. The City Council concurred.

**MOTION TO APPROVE
CONSENT CALENDAR
ITEM #1.D ONLY:**

Councilmember Lathrop made a motion to approve Consent Calendar Item #1.D (Resolution No. 19-11) as amended. Councilmember Lewis seconded the motion, which was carried by the following roll call vote:

APPROVED:

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

Motion passed 5:0

**MOTION TO APPROVE
CONSENT CALENDAR
MINUS ITEM #1.D:**

Councilmember Lathrop made a motion to approve the Consent Calendar (minus Item #1.D - Resolution No. 19-11) as presented. Councilmember Lewis seconded the motion, which was carried by the following roll call vote:

APPROVED:

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

Motion passed 5:0

**DISCUSSION ON CIRCULAR DRIVEWAYS
AND PLANNING COMMISSION
APPROVALS FOR ALTERATIONS TO
FRONT YARDS:**

City Manager Kearney stated that staff has recently fielded inquires on the City's regulations related to circular driveways and Planning Commission approvals for any alterations to a property's front yard.

CITY PLANNER KASAMA:

City Planner Kasama stated that the City's development code has certain regulations for driveways, which include side yard setbacks, slope and width. The current code, however, does not address circular driveways. The development code currently allows the City Planner to review minor architectural reviews over the counter, including:

- Minor modifications of the exterior appearance of any building or structure;
- Construction of single-story additions or new accessory structures having less than 1,000 square feet of floor area, which do not exceed 18 feet in height, and which do not require the issuance of a variance; and
- Construction of minor accessory structures such a patio covers, swimming pools, gazebos, garages, barns, fences and gates, or minor landscaping improvements which do not exceed 25% of the parcel size.

RECOMMENDATION:

It is recommended that the City Council review this report and direct staff on how to proceed with regulating circular driveways and requiring Planning Commission approvals to any alterations to a property's front yard.

DISCUSSION:

Mayor Pro-Tem Hale inquired about the minimum width for driveways and suggested that staff reach out to a couple of other cities about their regulations regarding circular driveways.

Councilmember Lathrop stated that he does not have a problem with circular driveways, except maybe in the R-7,500 zone. It's working right now with leaving the discretions to the City Planner.

Mayor Pro-Tem Hale stated that the City has an obligation to the neighborhood to look at front yards and suggested to create some guidelines,

Councilmember Lewis stated that all access points should be carefully reviewed. The Council agreed.

DIRECTION TO STAFF:

The City Council directed staff to reach out to a couple of other cities and research regulations implementing guidelines regarding driveways.

DISCUSSION ON PARKIGN ON CERTAIN CITY STREETS:

City Manager Kearney stated that on January 15, 2019 the City Council reviewed the City's parking permit application process. Historically, the City has been authorizing parking on certain streets in Bradbury that may not comply with regulations for allowable street parking. These streets include Royal Oaks Drive North and Winston Avenue. Should parking be eliminated on Royal Oaks Drive North, this could cause significant challenges for the retirement community as they are the main requestors of parking permits from City Hall.

At the January meeting, the City Council directed staff to conduct a parking study of those streets listed on the Parking Request Form. The parking study has been completed and it is recommended that the City Council maintain current parking restrictions, with the exception of Royal Oaks Drive North. It is recommended that the City Council restrict parking on Royal Oaks Drive North. It is also recommended that the City Council direct staff on how to proceed with the Royal Oaks Manor Retirement Community's request to use the City Hall's back parking lot.

CITY HALL PARKING PERMIT FORM:

City Manager Kearney stated that the current parking permit form covers the City Hall front parking lot, City Hall back parking lot, and the public streets of Winston Avenue, Royal Oaks Drive North, Mount Olive Drive, Lemon Avenue, and Braewood Drive.

The history of parking permits issued indicated that while they are not frequently requested, there is a desire for a parking permit process, especially from the retirement community.

HISTORY OF PARKING PERMITS:

2017

Total Permits Issued: 42
Retirement Community Issued: 35
Resident Issued: 7

2018

Total Permits Issued: 42
Retirement Community Issued: 33
Resident Issued: 9

2019 (to date)

Total Permits Issued: 7
Retirement Community Issued: 7
Resident Issued: 0

RISK MANAGEMENT ISSUES:

It has come to staff's attention that there may be risk management issues associated with the City allowing parking on part of Winston Avenue and all of Royal Oaks Drive North, as these two streets may not be wide enough to fully accommodate parking.

PARKING STUDY:

At the January meeting, the City Council directed staff (RKA, the City's contract engineering firm) to conduct a parking study to better understand official sizes of these streets so that a determination can be made. The following is a brief summary on each of the street examined:

Lemon Avenue

From the Monrovia city limits to Winston Avenue, the width of Lemon Avenue is 28 feet. The absolute minimum for street parking is 28 feet. Because Lemon Ave is acting as a collector street, RKA's recommendation is to restrict parking, even though the municipal code allows for parking on the south side of the street. However, there are bumps on the street to lower speeds. The City Council may decide to maintain parking because it does meet the absolute minimum requirements.

Mount Olive Drive

It is recommended that current parking restrictions be maintained.

Royal Oaks Drive North

The minimum accommodation for street parking is 28 feet. The roadway width of Royal Oaks Drive North is 26 feet. It is therefore recommended that there be no parking or special permit allowances for the entire length of the street.

Winston Avenue

The street can accommodate parking on the east side, but only south of City Hall. The road narrows north of City Hall, and the street then does not meet the required minimum width for parking.

Braewood Drive

It is recommended that current parking restrictions be maintained.

Royal Oaks Retirement Community and Request to Use the City Hall Back Parking Lot

Staff has had initial conversations with the Executive Director of the retirement community, and there is concern about not being able to park on Royal Oaks Drive North. The retirement community is already short on parking, and the elimination of the street parking would cause operational challenges for their occasional events. As such, they are requesting use of the City Hall back parking lot when their special events arise. Although specifics have not yet been discussed, the Executive Director is open to both financial and contractual negotiations for the use of the City's back lot.

RECOMMENDATION:

It is recommended that the City Council maintain current parking restrictions, with the exception of Royal Oaks Drive North. It is recommended that the City Council restrict parking on Royal Oaks Drive North. It is also recommended that the City Council direct staff on how to proceed with the Royal Oaks Manor Retirement Community's request to use the City Hall's back parking lot.

DISCUSSION:

The City Council discussed every street in the parking survey. The City Council discussed the widening Winston Avenue for parking. City Manager Kearney stated that this would be a separate discussion as it is not on the agenda tonight. The City Council agreed that there was no need for change on Lemon Avenue.

PUBLIC INPUT:

The owner of 724 Braewood Drive asked why there are parking restrictions on Braewood Drive. City Manager Kearney stated that it was his understanding that there was a history of Manor employees parking on Braewood Drive. Mayor Barakat added that the employees were there all the time. The resident also asked if there is such a thing as a resident parking permit. City Manager Kearney replied that parking permits are only issued for special events.

DISCUSSION RE PARKING ON ROYAL OAKS DRIVE NORTH:

Councilmember Lewis stated that restricting parking on Royal Oaks Drive North is a major issue.

CITY ATTORNEY:

City Attorney Reisman suggested to let the public speak first as Mayor Barakat has to recuse himself from this part of the discussion.

PUBLIC INPUT:

Rick Barakat, 700 Braewood Drive, stated that our City is residential. When you have a business (i.e. Manor) it is your responsibility to provide parking. Mr. Barakat stated that he would not be opposed to parking on the back lot during City Hall business hours. After commenting, Mayor Barakat left the room.

Sam Oden, Executive Director of Royal Oaks Manor, stated that the majority of their parking requests are weekdays and no evenings. Mayor Pro-Tem Hale inquired if there was any way to generate more parking on the Manor property. Mr. Oden stated that they were maxed out.

Councilmember Lewis stated that the only option the Manor has is to put a parking lot right next to Woodlyn Lane and take out lots of trees in the process. And the City has no say in what the Manor does because it's not under the jurisdiction of Bradbury.

The City Council considered if the City lets the Manor use the City Hall back parking lot whether the City has to allow residents to park there as well.

Councilmember Lathrop was worried about liability to the City if parking on Royal Oaks Drive North continues.

Councilmember Lewis proposed to leave things as they are for now.

MOTION:

Councilmember Lewis made a motion to accept the City Engineer's parking recommendations on all streets except for Royal Oaks Drive North (leave as is). Mayor Pro-Tem Hale seconded the motion, which was carried by the following roll call vote:

APPROVED:

AYES: Mayor Pro-Tem Hale, Councilmembers Lewis, Bruny

NOES: Councilmember Lathrop

ABSENT: None

ABSTAIN: Mayor Barakat

Motion passed 3:1

AMENDMENT NO. 3 TO THE AGREEMENT BETWEEN BRADBURY AND MONROVIA FOR TRANSPORTATION SERVICES:

City Manager Kearney stated that the City Council needs to discuss Amendment No. 3 to the original contract between the City of Bradbury and the City of Monrovia for services related to Monrovia's Dial-a-Ride Program. Compared to past agreements with Monrovia, Amendment No. 3 sets a fixed monthly fee of \$1,300 for Monrovia to provide Dial-a-Ride services for Bradbury residents. The annual cost (\$15,518.16) of the contract can be entirely covered with restricted funds.

HISTORY:

On July 1, 2012 the City of Bradbury entered into an agreement with the City of Monrovia for their Dial-a-Ride services. This agreement was amended by Amendment No. 1 on June 15, 2015, and again by Amendment No. 2 on July 5, 2016. Since the contract expired on June 30, 2017 the City provided a letter of commitment on November 29, 2017 stating that Bradbury would continue paying the regular monthly fee of \$704.07 until services were terminated or a new agreement was signed.

The City of Monrovia has provided Amendment No. 3 for the Bradbury City Council to consider. The City of Monrovia justifies the price increase from \$704.07 to \$1,300 a month based on recent Bradbury ridership from February and March 2019.

RECOMMENDATION:

It is recommended that the City Council approve Amendment No. 3 and authorize the City Manager to contractually sign Amendment No. 3.

DISCUSSION:

Mayor Barakat inquired if the riders have to be Bradbury residents. City Manager Kearney stated that they should be but since the riders register with the City of Monrovia staff does not know if riders include residents of Royal Oaks Manor and/or workers employed by Bradbury residents.

Mayor Pro-Tem Hale stated that the City can buy a car for \$1,300 a month.

City Manager Kearney stated that according to the City of Monrovia is it one (1) rider that keeps using the transportation service. The City Council would like staff to contact Monrovia to find out who this one rider is (this information may be confidential).

City Manager Kearney stated that the City Council also has the option of discontinuing the program altogether. Mr. Kearney added that Monrovia is not willing to change the service area to include the Duarte Gold Line Station.

DIRECTION TO STAFF:

The City Council directed staff to hold off from making a decision for another month to find out more about the one rider. City Manager Kearney stated that technically we don't have a contract with the City of Monrovia right now.

DISCUSSION ON PARTNERING WITH BURRTEC TO ASSIST IN ENFORCING UNPAID CODE ENFORCEMENT CITATIONS:

City Manager Kearney stated that over the past two years, the City has been strengthening its code enforcement program which has led to an increased number of citations issued. Most citations are paid; however, the City has found that it has trouble collecting unpaid fines (there are currently a few outstanding citations).

Recently, staff had a conversation with a number of utility companies to see if they would be interested in partnering with Bradbury to place property tax liens on properties. Burrtec expressed interest, and they already partner with a number of other cities to perform the same service. These cities include Montebello, Palm Desert, La Quinta, Apple Valley, Rialto, Rancho Cucamonga, Fontana and Upland.

PROPOSED PROCESS:

Essentially, the City would issue a citation and any subsequent warning letters associated with the outstanding fine. The City would then turn over the outstanding fine to Burrtec, who would in return place the fine on the property tax roll. Burrtec would be the facilitator of the lien and the lien would show up on the property tax bill from the City of Bradbury. Should a property have an outstanding citation and if a lien was placed on the property, it would not affect trash pick-up at the property.

In exchange for the services, Burrtec is requesting from the City of Bradbury the ability to place their own liens onto properties that have not paid their trash bill. The current contract between Burrtec and Bradbury does not provide them with the authority to place liens on properties for unpaid services. This has resulted in Burrtec sending out warning letters to property owners for unpaid bills with no real way of enforcement.

Staff feels that the community would benefit from the service Burrtec would provide the City, as enforcement of unpaid citations is currently weakening the code enforcement program. Should the City Council decide to move forward, staff would work toward further researching the partnership, which may include amending the contract and/or amending the municipal code.

RECOMMENDATION:

It is recommended that the City Council direct staff to move forward with further researching the partnership with Burrtec to enforce unpaid code enforcement citations.

DISCUSSION:

Mayor Barakat thought it was a wonderful idea but what if Burrtec makes a mistake? Councilmember Lathrop stated that there have to be checks and balances. Are we giving "super powers" to Burrtec to collect our debt? City Attorney Reisman stated that there has to be an appeal process in place.

Councilmember Lathrop felt that the City should look at other ways to collect liens and have the City Attorney look at a City who does this. -City Attorney Reisman stated that this was no problem.

Ann Absey, 44 Woodlyn Lane, stated that the Woodlyn Lane HOA goes to the Registrar-Recorder in Norwalk. City Manager Kearney stated this might not be possible for the City as the City does not have CC&Rs. On top of that, it would require a lot of staff time away from the office.

Councilmember Lathrop was opposed to entering into a partnership with Burrtec right now and suggested that staff research other options.

DIRECTION TO STAFF:

The City Council directed staff to get a sample agreement from Burrtec. City Manager Kearney stated that Burrtec will be at the June meeting anyway for their annual rate increase.

**PROPOSED BUDGET FORECAST
FOR FISCAL YEAR 2019-2020:**

City Manager Kearney stated that the Finance Director Lisa Bailey was out of town. He went on to state that the proposed FY 2019-2020 draft budget is a snapshot of next year's budget forecast and it allows the City Council to discuss its priorities for the coming year. The forecast represents an opportunity for the City Council to review the financial picture before final adoption of the budget in June. With this report, staff is seeking direction from the City Council on what measures to take in the FY 2019-2020 budget.

The City Manager touched on the following topics:

- Key goals developed by the City Council
- Significant Projects Completed in FY 2018-2019
- New items for Consideration utilizing Restricted Funds
- New items for Consideration utilizing General Funds
- Items for Future Consideration
- Work Plan for 2019-2020

RECOMMENDATION:

It is recommended that the City Council review the proposed draft budget and provide staff with input and direction to prepare the final budget for adoption at the June City Council meeting.

PUBLIC COMMENT ON BUDGET:

None

DISCUSSION:

City Manager stated that now was the time for the City Council to go over the line items in the budget for questions and comments.

Mayor Barakat brought up trimming of the oak trees on Royal Oaks Trail.

Mayor Pro-Tem Hale would like to explore the option of a full-time Community Services Officer (CSO) with the \$100,000 in annual COPS funds the City receives. City Manager Kearney stated that COPS funds have to be allocated by resolution.

Councilmember Lathrop stated that seeing a Sheriff's car is more impressive than seeing a CSO car.

City Attorney Reisman suggested to add Lisa Kranitz' services to the costs of the Development Code update.

Councilmember Lathrop stated that the City should budget Measure W Revenue and to raise Community Support expenditures to \$4,000.

Councilmember Lewis stated that a recession is coming in the next five years and that the City should plan for it by bumping up the General Fund Reserve by \$100,000 to cover at least one year of operations. The restricted funds have declined and the expenditures have increased.

DIRECTION TO STAFF:

The City Council directed staff to implement the discussed changes in the final budget document for adoption at the June City Council meeting.

MATTERS FROM THE CITY MANAGER:

City Manager Kearney reminded the City Council of the Breakfast with Supervisor Barger on Monday, June 10th and stated that we need agenda items for the meeting. The Los Angeles Forest Monument and Measure W were suggested for possible discussion topics.

City Manager Kearney stated that the City Council will reorganize at the June meeting, appointing a new Mayor and Mayor Pro-Tem. Staff needs a statement from Councilmember Lewis, who is next in line to serve as Mayor Pro-Tem.

MATTERS FROM THE CITY ATTORNEY:

City Attorney Reisman reminded the City Council of the Closed Session for the City Manager Evaluation at the June meeting.

MATTERS FROM THE CITY COUNCIL:

MAYOR BARAKAT:

Mayor Barakat reported that tomorrow the LA County Sanitation Districts will be ratifying an agreement with the unions representing Sanitation employees.

MAYOR PRO-TEM HALE:

Nothing to report

COUNCILMEMBER LEWIS:

Nothing to report

COUNCILMEMBER BRUNY:

Councilmember Bruny inquired if the Councilmembers received a survey from the Duarte Unified School District regarding future bond(s). They did not. Councilmember Bruny stated that she will try to get a copy of the survey.

COUNCILMEMBER LATHROP:


Councilmember Lathrop reported that there is a homeowner in his district who is not capable of cleaning up his/her home. The City is working with a non-profit group to help with the clean-up. The City's CSO has been working on this as well.

ITEMS FOR FUTURE AGENDAS:

Discussion with representatives from Cal-Am Water Company in June 2019.

ADJOURNMENT:

At 9:07 pm p.m. Mayor Barakat adjourned the meeting to Tuesday, June 18, 2019 at 7:00 p.m.



MAYOR – CITY OF BRADBURY

ATTEST:



CITY CLERK – CITY OF BRADBURY