

# **AGENDA**

**Regular Meeting of the Bradbury City Council  
To be held on Tuesday, March 16, 2021  
Closed Session Immediately Following  
at the Bradbury Civic Center  
600 Winston Avenue, Bradbury, CA 91008**

*Pursuant to Governor Newsom's Executive Order N-25-20, the City is allowing Council Members, Staff and the public to participate in this City Council meeting by means of a Zoom video or telephone call. You will be able to hear the entire proceedings (other than the Closed Session) and 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. The Zoom information is: <https://us02web.zoom.us/j/83104632201>, One tap mobile +16699009128,,83104632201#, or dial (669) 900-9128 and enter code 831 0463 2201#.*

## **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 Lewis, Mayor Pro-Tem Bruny, Councilmembers Lathrop, Barakat and Hale

**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.**

### **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, 8:30 am - 5:00 pm, Monday through Friday, at (626) 358-3218.*

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The City of Bradbury will gladly accommodate disabled persons wishing to communicate at a City public meeting. If you require special assistance to participate in this meeting, please call the City Manager's Office at (626) 358-3218 at least 48 hours prior to the scheduled meeting.

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### **ACTION ITEMS\***

#### **1. 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 be “to waive the reading and adopt.”*

- A. Minutes: Regular Meeting of February 16, 2021
  - B. Minutes: Adjourned Meeting of March 1, 2021
  - C. Resolution No. 21-05: Demands and Warrants for March 2021
  - D. Monthly Investment Report for the month of February 2021
  - E. Adoption of Ordinance No. 373: An Ordinance of the City Council of the City of Bradbury, California, Amending the Zoning Provisions of the Bradbury Municipal Code Relating to Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) in Accordance with State Law and Provisions Related to Accessory Living Quarters (ALQs).
2. **Introduction of Ordinance No. 374: An Ordinance of the City Council of the City of Bradbury, California, Amending the Bradbury Municipal Code to Add Development Standards for Yard Areas Adjacent to Streets and for Parkway Areas**  
The Planning Commission at its January 27, 2021 meeting adopted Resolution No. PC 21-295 to recommend that the City Council adopt an ordinance to address the improvements of yard areas adjacent to streets. The City Council reviewed the draft regulations at its February 16, 2021 meeting and found the proposed regulations acceptable. Staff drafted Ordinance No. 374 for the City Council’s consideration and introduction.
  3. **Presentation by Burrtec on SB 1383: Organic Waste Recycling**  
SB 1383 establishes targets to achieve a 50% reduction in the level of statewide disposal of organic waste by 2021, and a 75% reduction by 2025. The law provides CalRecycle the regulatory powers to achieve the organic waste disposal. Such changes will affect all cities in the State – including Bradbury. Burrtec will be presenting on some of the changes imposed by SB 1383 and the expected implementation of the City’s organic waste recycling program.
  4. **Administrative Policy No. 21-01: Discussion on a Proposed Nepotism Policy**  
Administrative Policy No. 21-01 establishes guidelines concerning the employment of relatives in the workplace and to specify and define terms for uniform use and interpretation. It is recommended that the City Council adopt Administrative Policy No. 21-01 which establishes a policy and procedure dealing with employment of relatives.
  5. **Appointment of Applicants to the Public Safety Committee for Districts 3 & 4**  
Ms. Stella Tsai and Ms. Natalie Gilmore have recently expressed interest in joining the Public Safety Committee. Currently, there are no members from District 4 and the Alternate seat for District 3 is open. The recommendation is to appoint Ms. Tsai to fill the Alternate member seat for District 3 and Ms. Gilmore to fill the Primary member seat for District 4.
  6. **Discussion on Community Support Funds**  
The City Council budgeted \$4,000 this fiscal year to donate to support community homelessness. It is recommended that the City Council direct Staff on how to expend the budgeted amount, which has been set aside for a charitable donation.
  7. **Matters from the City Manager**
  8. **Matters from the City Attorney**

**9. Matters from the City Council**

Brief reports of individual Councilmembers activities relating to City business occurring since the last meeting.

**Mayor Lewis**

*California JPIA*

*Director of Bradbury Disaster Committee*

*Area "D" Office of Disaster Management*

**Mayor Pro-Tem Bruny**

*Duarte Community Education Council (CEC)*

**Councilmember Lathrop**

*League of California Cities*

*Duarte Education Foundation*

**Councilmember Barakat**

*LA County Sanitation Districts*

*San Gabriel Valley Council of Governments (SGVCOG)*

*San Gabriel Valley Mosquito & Vector Control District*

*Foothill Transit*

**Councilmember Hale**

**10. Items for Future Agendas**

**CLOSED SESSION**

**CALL TO ORDER/ROLL CALL**

**PUBLIC COMMENT – REGARDING CLOSED SESSIONS ONLY**

**RECESS TO CLOSED SESSIONS REGARDING:**

- A. Pending Litigation** Pending Litigation pursuant to Government Code Section 54956.9 (d)(4) (Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation. (2 potential cases).
- B. Pending Litigation** Pending Litigation pursuant to Government Code Section 54956.9 (d) (1): *City of Bradbury v. Zhongying USA Capitals Inc.*, Los Angeles Superior Court Case No. 19GDCP00356.

**ADJOURNMENT**

The City Council will adjourn to a Regular Meeting at the Bradbury Civic Center, 600 Winston Ave., Bradbury, CA 91008 on Tuesday, April 20, 2021 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, Claudia Saldana, City Clerk, hereby certify that I caused this agenda to be posted at the Bradbury City Hall entrance gate on Friday, March 12, 2021 at 5:00 p.m."*



**CITY CLERK - CITY OF BRADBURY**

**MINUTES OF A REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF BRADBURY  
HELD ON TUESDAY, FEBRUARY 16, 2021**

DRAFT

**EXECUTIVE ORDER NO. 25-20:**

*Pursuant to Governor Newsom's Executive Order N-25-20, the City is allowing Council Members, Staff and the public to participate in this City Council meeting by means of a Zoom video or telephone call. Participants will be able to hear the entire proceedings (other than the Closed Session) 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 Lewis at 7:00 p.m. followed by the Pledge of Allegiance.

**ROLL CALL:**

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

ABSENT: None

STAFF: City Manager Kearney, City Attorney Reisman, City Engineer Gilbertson (RKA), City Planner Kasama, City Clerk Saldana and Management Analyst Musa

**APPROVAL OF AGENDA:**

Councilmember Barakat made a motion to approve the agenda to proceed with City business. Mayor Pro-Tem Bruny 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 he 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 January 19, 2021
- B. Minutes: Adjourned Meeting of February 1, 2021
- C. Resolution No. 21-04: Demands & Warrants for February 2021
- D. Monthly Investment Report for the month of January 2021



**CORRECTIONS TO JANUARY 19, 2021  
MINUTES:**

Councilmember Lathrop stated that on page 4 of the minutes the motion to approve the appeal for 734 Braewood Drive needs to state that no additional landscaping is required. City Manager Kearney added that on page 6 of the minutes the motion to approve the MOA needs to be corrected to state that it passed by a 4:1 vote (not 4:0).

**MOTION TO APPROVE  
CONSENT CALENDAR:**

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

**APPROVED:**

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

NOES: None

ABSENT: None

Motion passed 5:0

**WINSTON/LEMON TRAIL:**

At its November 17, 2020 meeting, the City Council directed the City Engineer to analyze Winston Avenue and Lemon Avenue for the installation of a walking trail.

**CITY ENGINEER'S ANALYSIS:**

City Engineer Gilbertson stated that staff has developed five (5) options for the Winston Avenue walking trail.

**OPTION 1:**  
*(west side improvements)*

The limits of the Option 1 walking trail are from the northerly terminus of Tentative Parcel Map No 73673 (expired) to Lemon Avenue. Option 1 is proposed to be a 6' wide decomposed granite (DG) trail on the west side of the street with trail fencing on the street side of the trail. There is insufficient parkway width available in order to construct the walking trail, therefore, a 3' street dedication is required. This option would also require the removal and reconstruction of the existing private decorative front yard walls and mailboxes on the west side of Winston Avenue. The existing private driveways would also require reconstruction in order to provide an ADA compliant path of travel.

The estimate cost for the Option 1 walking trail is \$375,000 (\$166,000 for construction and \$207,950 for right-of-way acquisition).

**OPTION 2:**  
*(west side improvements)*

The limits of the Option 2 walking trail are from the northerly terminus of Tentative Parcel Map No 73673 to Lemon Avenue. Option 2 is proposed to be a 4' wide DG trail on the west side of the street without trail fencing. The walking trail for this option would not be ADA compliant due to insufficient width, existing driveways, and the restrictions at the existing power poles. This option would also require the removal and reconstruction of the existing private mailboxes but the existing front yard walls and driveways would remain.

The estimated cost for the Option 2 walking trail is \$65,000.

**OPTION 3:**  
*(west side improvements)*

The limits of the Option 3 walking trail are from the northerly terminus of Tentative Parcel Map No. 73673 to Lemon Avenue. Option 3 is proposed to be a 6' wide DG trail on the west side of the street with trail fencing. This option would shift the existing westerly curb 2.5 feet closer to the street centerline in order to avoid the costly right-of-way acquisition. In addition, the existing easterly curb north of City Hall would also shift 2.5 feet away from the street centerline in order to maintain sufficient lane widths. This option would require the removal and reconstruction of the existing private mailboxes on the west side of the street but the existing front yard walls would remain. The existing private driveways would also require reconstruction in order to provide an ADA compliant path of travel. This option also requires the removal of seven (7) significant oak trees on the east side of Winston Avenue due to the shifting of the easterly curb.

The estimated cost of the Option 3 walking trail is \$250,000.

**OPTION 4:**  
*(east side improvements)*

The limits of the Option 4 walking trail are from Royal Oaks Drive North to Lemon Avenue. Option 4 is proposed to be a 6' wide DG trail on the east side of the street with trail fencing. This option would require the relocation of two (2) existing fire hydrants and the City's monument sign. The existing private driveways would also require reconstruction in order to provide an ADA compliant path of travel. This option also requires the removal seven (7) oak trees on the east side of Winston Avenue in order to construct the walking trail within the existing right-of-way.

The estimated cost of the Option 4 walking trail is \$220,000.

**OPTION 5:**  
*(east side improvements)*

The limits of the Option 5 walking trail are from Royal Oaks Drive North to Lemon Avenue. Option 5 is proposed to be a 6' wide DG trail on the east side of the street with trail fencing. South of City Hall, the walking trail would be adjacent to the existing curb. North of City Hall, the walking trail would meander in order to avoid the existing oak trees. This option would require the relocation of two (2) existing fire hydrants and the City's monument sign. The existing private driveways would also require reconstruction in order to provide an ADA compliant path of travel. This option would require the acquisition of a pedestrian easement for the meandering portion of the walking trail north of City Hall.

The estimated cost for the Option 4 walking trail is \$250,000 (\$202,500 for construction and \$47,500 for right-of-way acquisition).

**LEMON AVENUE WALKING TRAIL:**

City Engineer Gilbertson stated that staff has developed one option for the Lemon Avenue walking trail. The limits of the Lemon Avenue walking trail are from the westerly city limits to Winston Avenue. The walking trail is proposed to be a 6' wide DG trail on the south side of the street with trail fencing on the street side of the trail. There is sufficient parkway width available in order to construct the walking trail.

The existing private driveways would require reconstruction in order to provide an ADA compliant path of travel.

The estimated cost for the Lemon Avenue walking trail is \$145,000.

**RECOMMENDATION:**

It is recommended that the City Council provide direction to staff.

**PUBLIC COMMENT:**

Mayor Lewis opened the discussion for public comment. There being no public comment, Mayor Lewis closed the discussion for public comment.

**DISCUSSION:**

City Engineer Gilbertson stated that of the five Options for Winston Avenue, none of them are easy. It's a complicated issue.

Councilmember Barakat asked if we could just level part of the west side with DG and not make it an official trail. City Engineer Gilbertson replied that it would not be ADA compliant and the City would not be able to get any funding.

Mayor Lewis stated that residents are not going to be happy to give up 6 feet of their property. It's too much money and everybody is going to be unhappy. Councilmember Barakat agreed.

Councilmember Barakat suggested to start on the corner of Winston and Royal Oaks Drive North and work your way up as properties will sell and/or getting developed.

Councilmember Hale stated that we need to recognize the danger of people walking on Winston Avenue.

Councilmember Barakat stated that this project is in his district.

**DIRECTION TO STAFF:**

The City is not going forward with any of the options discussed. No further direction to staff was needed.

**DISCUSSION OF DEVELOPMENT  
STANDARDS AND DESIGN GUIDELINES  
FOR FRONT AND STREET SIDE YARDS:**

City Planner Kasama stated that the Planning Commission started a discussion at the October 28, 2020 meeting on issues related to front yards. This was in response to a project that had been referred to the Planning Commission for guidance due to the lack of regulations for driveways, circular driveways, the maximum amount of hardscape or impervious surfaces, and the types of materials to be allowed (artificial turf, gravel, and other decorative materials). The Commission directed staff to check the regulations of 12 cities: Arcadia, Azusa, Duarte, Glendora, Hidden Hills, La Verne, Malibu, Monrovia, Rolling Hills Estates, San Dimas, San Marino and Sierra Madre. The applicable regulations were discussed at the December 2, 2020 meeting along with draft regulations for the City of Bradbury. The Commission held a public hearing and determined that the proposed regulations are acceptable and adopted Resolution No. PC 21-295 to recommend to the City Council the preparation and approval of an Ordinance to amend the Development Code to add the proposed regulations.

**CITY COUNCIL ACTION:**

The discussion is not expected to be concluded at this meeting and should be continued with direction to staff to provide additional material, such as diagrams, plot plans, and qualitative standards we well as how the proposed regulations could be refined for further consideration by the City Council. When the Council determines the proposed regulations are acceptable, an ordinance will be drafted for the Council's consideration at a public hearing.

**DISCUSSION:**

Councilmember Lathrop stated that we have to be careful that the regulations won't be in conflict with Ordinance No. 369 which amended the BMC adding ground covering requirements to Property Maintenance Standards.

There was no further discussion.

**INTRODUCTION OF  
ORDINANCE NO. 373:**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA, AMENDING THE ZONING PROVISIONS OF THE BRADBURY MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS (ADUs) AND JUNIOR ACCESSORY DWELLING UNITS (JADUs) IN ACCORDANCE WITH STATE LAW AND PROVISIONS RELATED TO ACCESSORY LIVING QUARTERS (ALQs)

**SUMMARY:**

City Planner Kasama stated that during 2019, the State adopted legislation mandating that cities allow Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) with minimized setbacks and significant cost-saving provisions, such as not being required to be equipped with fire sprinklers. The State-mandated provisions were to take effect January 1, 2020; however, the City Council adopted Urgency Ordinance No. 368U on December 17, 2019 putting local regulations in place. A draft replacement ordinance was considered by the City Council on June 16, 2020. However, the City Council scheduled a study session to discuss safety concerns, and the draft replacement ordinance has been significantly revised. The revised draft replacement ordinance was re-evaluated by the Planning Commission on January 27, 2021 and the Planning Commission adopted Resolution No. PC 21-294 to recommend approval of the revised draft replacement ordinance – Ordinance No. 373.

**DUDEK:**

The City contracted with Dudek consulting firm to address the City Council concerns. Two issues that were raised were how minimal setbacks (four-foot side and rear yards) for ADUs could facilitate the spreading of wildfire and how very narrow streets (less than 20 feet of roadway) in certain areas of the City would impinge on evacuations and access by the Fire Department, Dudek's report was presented to the City Council on December 9, 2020 along with the draft revised replacement ordinance.

**RECOMMENDATION:**

It is recommended that the City Council conduct a public hearing for Ordinance No 373, introduce the ordinance, and schedule the second hearing and adoption for the next regular meeting on March 16, 2021.

**PUBLIC HEARING OPENED:**

Mayor Lewis opened the public hearing and ask those wishing to speak in favor or opposition to come forward and be heard.

**PUBLIC HEARING CLOSED:**

There being no pubic testimony, Mayor Lewis declared the public hearing closed.

**DISCUSSION:**

Councilmember Lathrop asked if Neighborhood Compatibility Review for Accessory Living Quarters (on page 17) is new. City Planner Kasama replied no.

**MOTION TO INTRODUCE  
ORDINANCE NO. 373:**

Councilmember Barakat made a motion to introduce and read, by Title only, Ordinance No. 373 and schedule the second hearing and adoption for the next regular meeting on March 16, 2021. Councilmember Lathrop seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

NOES: None

ABSENT: None

Motion passed 5:0

**AGREEMENT FOR CONTINUED  
GOVERNMENT RELATIONS  
ADVOCACY SERVICES WITH  
BEST BEST & KRIEGER:**

City Manager Kearney stated that during the December 2019 meeting, the City Council approved an agreement with Best Best & Krieger, LLP (BB&K) for Professional Lobbying and Consulting Services for water and stormwater related projects for the year 2020. This was done in conjunction with the other member agencies of the Rio Hondo/San Gabriel River Water Quality Group. Bradbury's share of the yearly amount approved was \$11,323.08.

**RECOMMENDATION:**

Given the recent success by BB&K, it is recommended that the City Council authorize the City Manager to enter into an Agreement with Best Best & Krieger for lobbying services for the 2021 calendar year and appropriate \$11,323.08 to account number 102-42-7630 to cover such costs.

**DISCUSSION:**

Councilmember Barakat inquired about how this agreement with BB&K benefits the City. City Manager Kearney replied that it saves the City hundreds of thousands of dollars.

**MOTION:**

Councilmember Barakat made a motion to authorize the City Manager to enter into an Agreement with Best Best & Krieger for lobbying services for the 2021 calendar year and appropriate \$11,323.08 to account number 102-42-7630. Councilmember Hale seconded the motion, which was carried by the following roll vote:

**APPROVED:**

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

NOES: None

ABSENT: None

Motion passed 5:0



**APPOINTMENT OF APPLICANT TO  
PUBLIC SAFETY COMMITTEE  
PRIMARY SEAT FOR DISTRICT 3  
AND REMOVAL OF INACTIVE PUBLIC  
SAFETY COMMITTEE MEMBERS:**

Management Analyst Musa stated that the purpose of this item is to review current Public Safety Committee membership and to remove inactive members. Mrs. Janet Barakat (District 3) expressed interest in joining the Public Safety Committee. Currently, the primary seat for District 3 is vacant. Additionally, Public Safety Committee members Priscilla Hervey (District 2), Karen Flaherty (District 4) and Aaron Dunst (District 5) have been absent from committee meetings for more than six (6) months.

**RECOMMENDATION:**

It is recommended that the City Council confirm the appointment of Janet Barakat as the primary member for District 3 for the term ending in June 2023. The District 3 Councilmember has approved the appointment of the applicant. It is also recommended that the City Council approve the removal of the following inactive Public Safety Committee members: Priscilla Hervey, Karen Flaherty and Aaron Dunst.

**DISCUSSION:**

Councilmember Bruce Lathrop stated that he would like to add Natalie Gilmore (District 4) to be appointed to the PSC tonight. City Attorney Reisman stated that this appointment has to wait until the March meeting because there is no mention of Ms. Gilmore in the Agenda Memo. Councilmember Lathrop agreed that it can wait until next month.

**MOTION:**

Mayor Pro-Tem Bruny made a motion to confirm the appointment of Janet Barakat as the primary Public Safety Committee member for District Three and to approve the removal of the inactive Public Safety Committee members Priscilla Hervey, Karen Flaherty and Aaron Dunst. Councilmember Hale seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

NOES: None

ABSENT: None

Motion passed 5:0

**MATTERS FROM THE CITY MANAGER:**

City Manager Kearney stated that the saga for the completion of the City's Housing Element Update continues. The City Council held a Special Meeting on February 1<sup>st</sup> to approve the proposal from JHD Planning, LLC in the amount of \$63,000. The consultant recently informed staff that he no longer wishes to work with the City of Bradbury. City Manager Kearney stated that he secured another proposal and that the Council needs to pick a date for a Special Meeting during the first week of March to approve the contract with a consultant for the City's Housing Element Update. The Special Meeting was scheduled for Monday, March 1, 2021 at 6:00 p.m.

**MATTERS FROM THE CITY ATTORNEY:**

Nothing to report until the Closed Session

**MATTERS FROM THE CITY COUNCIL:**

**MAYOR LEWIS:** Nothing to report

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

**COUNCILMEMBER LATHROP:** Nothing to report

**COUNCILMEMBER BARAKAT:** Councilmember Barakat stated that the LA County Sanitation Districts are trying to reverse a 2 ½ billion unfunded liability for retirement. It would take 400 million to pay it down. Currently the interest is \$50,000 per day. Three members of the Board of Supervisors are against paying down the unfunded liability.

**COUNCILMEMBER HALE:** Nothing to report

**ITEMS FOR FUTURE AGENDAS:** None

**CLOSED SESSION**

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

**RECESS TO CLOSED SESSION  
AT 7:54 PM:**

**A. Pending Litigation**

Pending Litigation pursuant to Government Code Section 45956.9(d)(4) (Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation. Three (3) potential cases).

**REPORT FROM CLOSED SESSION:**

The City Council instructed the City Attorney and City Manager as to how to proceed. No formal votes were requested or taken.

**ADJOURNMENT:**

Mayor Lewis adjourned the meeting to an Adjourned Meeting on Monday, March 1, 2021 at 6:00 p.m.

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**MAYOR – CITY OF BRADBURY**

ATTEST:

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**CITY CLERK – CITY OF BRADBURY**

**MINUTES OF AN ADJOURNED MEETING OF THE  
CITY COUNCIL OF THE CITY OF BRADBURY  
HELD ON MONDAY, MARCH 1, 2021**

**DRAFT**

**EXECUTIVE ORDER NO. 25-20:**

*Pursuant to Governor Newsom's Executive Order N-25-20, the City is allowing Council Members, Staff and the public to participate in this City Council meeting by means of a Zoom video or telephone call. Participants will be able to hear the entire proceedings (other than the Closed Session) 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 Adjourned Meeting of the City Council of the City of Bradbury was called to order by Mayor Lewis at 6:00 p.m.

**ROLL CALL:**

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

ABSENT: None

STAFF: City Manager Kearney and City Attorney Reisman

**PUBLIC COMMENT:**

None

**APPROVAL OF SERVICES WITH  
VERONICA TAM AND ASSOCIATES  
FOR COMPLETION OF BRADBURY'S  
6<sup>TH</sup> CYCLE HOUSING ELEMENT:**

City Manager Kearney stated the City underwent two (2) Requests for Proposal (RFP) in 2020 for the City's Housing Element Update. The first RFP resulted in zero bids. Staff released a second RFP that resulted in a bid from Kimley-Horn in the amount of \$194,150. At the December meeting, the City Council deemed Kimley-Horn's bid too high for the scope of work and rejected the bid. The City Council then directed staff to seek any competent professional to perform the necessary services to timely adopt the Housing Element Update. Staff secured a bid from JHD Planning, LLC, but the consultant decided after the meeting not to pursue work with the City due to disagreements about the City's contract. Staff has secured an additional bid from Veronica Tam and Associates, Inc. in the amount of \$71,460.

Staff feels that Veronica Tam and Associates, Inc. is qualified to perform such services, as they prepared 60 Housing Element updates during the 5<sup>th</sup> cycle for jurisdictions throughout the State of California.

**RECOMMENDATION:**

It is recommended that the City Council approve the proposal from Veronica Tam and Associates, Inc. in the amount of \$71,460 and approve the Professional Services Agreement between the City of Bradbury and Veronica Tam and Associates, Inc. for the City's 6<sup>th</sup> Cycle Housing Element Update. It is also recommended that the City Council amend the FY 2020-2021 budget to include an additional appropriation of \$71,460 to account 101-20-7245.

**MOTION:**

Councilmember Barakat made a motion to approve the proposal from Veronica Tam and Associates Inc. in the amount of \$71,460, approve the Professional Services Agreement with Veronica Tam and Associates Inc. to update the City's 6<sup>th</sup> Cycle Housing Element, and an amendment to the FY 2020-2021 budget to include an additional appropriation of \$71,460 to account 101-20-7245. Mayor Pro-Tem Bruny seconded the motion, which was carried by the following roll vote:

**APPROVED:**

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

NOES: None

ABSENT: None

Motion passed 5:0

**CLOSED SESSION**

**PUBLIC COMMENT REGARDING  
CLOSED SESSION ONLY:**

None

**RECESS TO CLOSED SESSION  
AT 7:54 PM:**

**A. Pending Litigation**

Pending Litigation pursuant to Government Code Section 45956.9(d)(4) (Based on existing facts and circumstances, the legislative body of the local agency has decided to initiate or is deciding whether to initiate litigation. Two (2) potential cases).

**REPORT FROM CLOSED SESSION:**

City Attorney Reisman stated that the closed session discussion was informative. No formal vote was taken with respect to one potential matter. The City Council voted unanimously to authorize initiation of litigation with regard to the other. The details of the authorized litigation must remain confidential for the time being in order to not jeopardize service of process.

Motion by Councilmember Barakat to authorize the initiation of litigation regarding the second matter. The motion was seconded by Mayor Pro-Tem Bruny.

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

NOES: None

ABSENT: None

Motion passed 5:0

**ADJOURNMENT:**

At 6:20 pm Mayor Lewis adjourned the meeting to a Regular Meeting on Tuesday, March 16, 2021 at 7:00 p.m.

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**MAYOR – CITY OF BRADBURY**

**ATTEST:**

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**CITY CLERK – CITY OF BRADBURY**

**RESOLUTION NO. 21-05**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA,  
APPROVING DEMANDS AND WARRANTS NO. 16341 THROUGH NO. 16353  
(PRE-RELEASED CHECKS)  
AND DEMANDS AND WARRANTS NO. 16354 THROUGH NO. 16376  
(REGULAR CHECKS)**

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 \$3,435.21 (pre-released Checks) and \$118,579.86 at March 16, 2021 from the General Checking Account.

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

<u>Check</u>	<u>Name and (Due Date)</u>	<u>Description</u>	<u>Amount</u>
16341	Spectrum (2/9/21)	Business Internet <i>Acct. 101-16-6230</i>	\$149.98
16342	Molly Maid (2/17/21)	03-Feb-2021 Cleaning 10-Feb-2021 Cleaning 17-Feb-2021 Cleaning <i>Acct. 101-16-6460</i>	\$105.00 \$105.00 <u>\$105.00</u> \$315.00
16343	California American Water (3/4/21)	<u>Service Address:</u> 1775 Woodlyn Ln (RO Trail) 301 Mt Olive Drive Irrigation 2410 Mt Olive Lane Irrigation 2256 Gardi Street <i>Acct. 200-48-6400</i>	\$275.92 \$75.93 \$24.99 <u>\$16.29</u> \$393.13
16344	Molly Maid (3/3/21)	24-Feb-2021 Cleaning 03-Mar-2021 Cleaning <i>Acct. 101-16-6460</i>	\$105.00 <u>\$105.00</u> \$210.00
16345	Delta Dental (3/1/21)	<u>Dental Insurance:</u> City Manager (family) <i>Acct. 101-12-5100</i> City Clerk <i>Acct. 101-13-5100</i> Management Analyst <i>Acct. 101-16-5100</i> MA Retroactive (Jan & Feb) <i>Acct. 101-16-5100</i>	\$131.43  \$42.88  \$42.88  <u>\$85.76</u> \$302.95



<u>Check</u>	<u>Name and (Due Date)</u>	<u>Description</u>	<u>Amount</u>
16346	Vision Service Plan (3/1/21)	<u>Vision Insurance:</u> City Manager (family) <i>Acct. 101-12-5100</i> City Clerk <i>Acct. 101-13-5100</i> Management Analyst <i>Acct. 101-13-5100</i>	\$61.07  \$23.66  <u>\$23.66</u> \$108.39
16347	The Standard (3/1/21)	<u>Basic Life and AD&amp;D:</u> City Manager <i>Acct. 101-12-5100</i> City Clerk <i>Acct.#101-13-5100</i> Management Analyst <i>Acct. 101-13-5100</i>	\$9.25  \$9.25  <u>\$9.25</u> \$27.75
16348	Spectrum (3/12/21)	Business Internet <i>Acct. 101-16-6230</i>	\$149.98
16349	HPC Computers USA INC (2/16/21)	Service Call (2/16) to install Copier Transfer Kit <i>Acct. 113-20-8120</i>	\$125.00
16350	Staples Credit Plan (3/15/21)	Office Supplies <i>Acct. 101-16-6200</i> Toner Cartridges for Copier <i>Acct. 113-20-8120</i>	\$130.94  <u>\$1,254.61</u> \$1,385.55
16351	Southern California Edison (3/16/21)	Street Lights for Mt. Olive/Gardi <i>Acct. 200-48-6400</i>	\$34.70
16352	Southern California Edison (3/16/21)	City Hall Utilities <i>Acct. 101-16-6400</i>	\$178.46
16353	The Gas Company (3/17/21)	City Hall Utilities <i>Acct. 101-16-6400</i>	\$54.32

**Total Pre-Released Checks** **\$3,435.21**

**REGULAR CHECKS:**

16354	City of Arcadia (2/28/20)	Rio Hondo/San Gabriel River Water Quality Group Implementation and Administration of Watershed Management Program <i>Acct. 102-42-7630 (UUT)</i>	\$42,229.70
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<u>Check</u>	<u>Name and (Due Date)</u>	<u>Description</u>	<u>Amount</u>
16355	Best Best &Krieger (2/22/21)	Rio Hondo-San Gabriel Watershed Advocacy January 2021 Professional Services <i>Acct. 102-42-7630 (UUT)</i>	\$943.59
16356	DUDEK (2/10/21)	AB 68 ADU Study <i>Acct. 101-20-7075</i>	\$1,935.00
16357	DUDEK (2/10/21)	Community Wildfire Protection Plan <i>Acct. 219-21-7761</i>	\$10,685.00
16358	Jones & Mayer (2/28/21)	<u>City Attorney:</u> February Retainer <i>Acct. 101-15-7020</i> 243 Barranca Receivership <i>Acct. 101-23-7450</i> Chadwick Ranch <i>Acct. 103-00-2039</i> Code Enforcement (1550 Lemon) <i>Acct. 101-23-7450</i>	\$2,650.00 \$260.00 \$4,420.00 <u>\$525.00</u>
16359	Kevin Kearney (Mar 2021)	Monthly Cell Phone Allowance <i>Acct. 101-12-6440</i>	\$75.00
16360	League of California Cities (2/26/21)	Membership Dues for Calendar Year 2021 <i>Acct. 101-30-6030</i>	\$820.00
16361	Pasadena Humane Society (2/28/21)	Animal Control Services for Feb 2021 <i>Acct. 101-25-7000</i>	\$390.95
16362	Post Alarm Systems (3/4/21)	City Hall Monitoring for April 2021 Fire & Intrusion Systems <i>Acct. 101-23-7420</i>	\$122.34
16363	Priority Landscape Services, LLC (2/15/21)	<u>Invoice No. 9351:</u> Planted 6 Flats of Gazania at Mount Olive Tail and Medians <i>Acct. 101-21-7035</i>	\$192.00
16364	Priority Landscape Services, LLC (2/15/21)	<u>Invoice No. 9352:</u> Planted 14 one-gallon Mahonia, 6 one-gallon Santa Barbara Daisy, and 7 one-gallon Lions Tail at City Hall <i>Acct. 101-21-7020</i>	\$324.00

<u>Check</u>	<u>Name and (Due Date)</u>	<u>Description</u>	<u>Amount</u>
16365	Priority Landscape Services, LLC (3/1/21)	<u>Mar 2021 Landscape Services:</u> Bradbury Civic Center <i>Acct. 101-21-7020</i> Royal Oaks Drive North <i>Acct. 101-21-7015</i> Lemon Trail <i>Acct. 101-21-7045</i> Mt. Olive Drive Entryway & Trail <i>Acct. 101-21-7035</i>	\$204.12  \$402.41  \$134.14  <u>\$542.38</u> \$1,283.05
16366	ProPet Distributors, Inc. (2/24/21)	DOGIPOT Litter Pick-Up Bags <i>Acct. 102-42-7630</i>	\$222.25
16367	RKA Consulting Group (2/11/21)  (2/16/21)	City Engineering Services <i>Acct. 101-19-7230</i> Development Projects <i>Acct. 101-19-7230</i> NPDES Coordination <i>Acct. 102-42-7630</i> Winston/Lemon Trail <i>Acct. 101-19-7230</i> Chadwick Ranch <i>Acct. 103-00-2039</i>	\$220.50  \$4,567.50  \$595.00  \$619.50  <u>\$1,840.00</u> \$7,842.50
16368	Southern Calif Edison (3/2/21)	Street Lights <i>Acct. 200-48-6410</i>	\$938.13
16369	LA County Sheriff's Dept. (2/10/21)	Jan 2021 Law Enforcement Services <i>Acct. 101-23-7410</i>	\$10,426.74
16370	TeamLogic IT (1/1/21)	Computer Services <i>Acct. 113-20-8120</i>	\$595.00
16371	UltraSystems (3/8/21)	Chadwick Ranch Estates Change Order No. 4 <i>Acct. 103-00-2039</i>	\$5,500.00
16372	U.S. Bank Corporate Payment Systems (2/22/21)	<u>Kevin Kearney Visa Card:</u> USPS (code enforcement) <i>Acct. 101-23-7450</i>	<u>\$4.10</u> <u>\$4.10</u>

16372	U.S. Bank Corporate Payment Systems (2/22/21)	<u>Claudia Saldana Visa Card:</u>		
		USPS (code enforcement)	\$19.39	
		Acct. 101-23-7450		
		All-in-One-Poster Company	\$33.54	
		Acct. 101-16-6200		
		Locksmith Services	\$283.40	
		Acct. 101-16-6470		
16372	U.S. Bank Corporate Payment Systems (2/22/21)	Dollar Tree Store	<u>\$14.23</u>	
		Acct. 101-16-6200 (\$10.95)	<b>\$350.56</b>	
		Acct. 101-16-6450 (\$3.28)		
		<u>Sophia Musa Visa Card:</u>		
		99-Cent-Store	\$7.71	
		Acct. 101-16-6200		
		Big Lots Store	\$10.91	
16372	U.S. Bank Corporate Payment Systems (2/22/21)	Acct. #101-16-6450		
		USPS (1-Day Express Mail)	\$26.35	
		Acct. 101-16-6120		
		The Home Depot	\$23.49	
		Acct. 101-16-6200		
		Broadvoice	<u>\$169.70</u>	
		Acct.#101-16-6440	<b>\$238.16</b>	\$592.82
16373	VCA Code Group (2/16/21)	<u>Dec 2020 &amp; Jan 2021 Professional Services:</u>		
		City Planner (Retainer)	\$3,900.00	
		Acct. #101-20-7210		
		City Planner (Hourly Services)	\$3,300.00	
		Acct. #101-20-7240		
		City Planner (Chadwick Ranch)	\$825.00	
		Acct. #103-00-2029		
16373	(2/16/21) (2/18/21)	Plan Check Services (December)	\$8,747.97	
		Plan Check Services (January)		
		Acct. 101-20-7720	<u>\$2,952.00</u>	\$19,724.97
16374	City of Monrovia (3/4/21)	Transportation Services for March 2021 Acct. #204-40-7325 (Prop C)		\$704.07
16375	U.S. Bank (2/28/21)	Custody Charges for Feb 2021 Safekeeping Fees Acct. #101-14-7010		\$29.75
16376	UltraSystems (3/11/21)	Chadwick Ranch Estates Services Provided from 9/23/20 to 3/11/21 Acct. 103-00-2039		\$5,148.00

**Total Regular Checks** **\$118,579.86**

**MARCH 2021 PAYROLL:**

ACH	Kevin Kearney (Mar 2021)	Salary: City Manager Acct. #101-12-5010	\$10,000.00	
		Withholdings Acct. #101-00-2011	<u>(2,235.61)</u>	\$7,764.39
ACH	Claudia Saldana (Mar 2021)	Salary: City Clerk Acct. #101-13-5010	\$5,118.67	
		Withholdings Acct. #101-00-2011	<u>(1,284.45)</u>	\$3,834.22
ACH	Sophia Freyre (Mar 2021)	Salary: Management Analyst Acct. #101-16-5010	\$4,583.33	
		Withholdings Acct. #101-00-2011	(879.41)	
		PERS Employee Share Acct. #101-16-5100	<u>(309.37)</u>	\$3,394.55
ACH	Lisa Bailey (Mar 2021)	Finance Director (Feb 2021) 8.33 x \$82.94/hour Acct. #101-14-5010	\$691.17	
		Withholdings Acct. #101-00-2011	<u>(64.64)</u>	\$626.53
<b>Total March Payroll</b>				<b>\$15,619.69</b>

**ELECTRONIC FUND TRANSFER (EFT) PAYMENTS FOR MARCH 2021:**

EFT	Aetna (Mar 2021)	<u>Health Insurance for Mar 2021:</u>		
		City Manager Acct. 101-12-5100	\$1,565.52	
		City Clerk Acct. 101-13-5100	\$961.98	
		Management Analyst Acct. 101-16-5100	\$396.32	
		MA Retroactive (Jan & Feb) Acct. 101-16-5100	<u>\$792.64</u>	\$3,716.46
EFT	EDD (Mar 2021)	<u>Unemployment Insurance (UI) and Employment Training Tax (ETT)</u>		
		City Manager Acct. 101-12-5100	\$147.00	
		City Clerk Acct. 101-13-5100	\$147.00	
		Management Analyst Acct. 101-16-5100	<u>\$147.00</u>	\$441.00



EFT	EDD (Mar 2021)	State Tax Withholdings SDI <i>Acct. 101-00-2011</i>	\$776.66 <u>\$244.71</u>	\$1,021.37
EFT	Dept. of Treasury Internal Revenue Service (Mar 2021)	Federal Tax Withholdings Social Security Medicare (Employee's portion of Social Security and Medicare is matched by the City) <i>Acct. 101-00-2011</i>	\$1,882.66 \$2,528.76 <u>\$591.40</u>	\$5,002.82
EFT	California PERS (Mar 2021)	City Manager <i>Acct. 101-12-5100</i> City Clerk <i>Acct. 101-13-5100</i> Management Analyst <i>Acct. 101-16-5100</i>	\$1,570.07  \$799.11  <u>\$663.75</u>	\$3,032.93
EFT	California PERS (Mar 2021)	Unfunded Accrued Liability UAL Payment (Classic) UAL Payment (PEPRA) <i>Acct. 101-16-6240</i>	\$508.72 <u>\$15.55</u>	\$524.27

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**MAYOR – CITY OF BRADBURY**

ATTEST:

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**CITY CLERK – CITY OF BRADBURY**

"I, Claudia Saldana, City Clerk, hereby certify that the foregoing Resolution, being Resolution No. 21-05, was duly adopted by the City Council of the City of Bradbury, California, at a regular meeting held on the 16th day of March 2021 by the following roll call vote:"

AYES:

NOES:

ABSENT:

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**CITY CLERK – CITY OF BRADBURY**



Hemit payment and make checks payable to:  
STAPLES CREDIT PLAN  
DEPT. 11 - 0005337241  
PO BOX 9001036  
LOUISVILLE, KY 40290-1036

# INVOICE DETAIL

BILL TO:  
Acct: 6011 1000 5337 241  
CITY OF BRADBURY

SHIP TO:  
CLAUDIA SALDANA  
CITY OF BRADBURY  
600 WINSTON ST  
BRADBURY CA 91008

Amount Due:	Trans Date:	DUE DATE:	Invoice #:
\$49.03	01/21/21	03/15/21	2756764961
PO:		Store: 100088887, WESTBORO, MA	

PRODUCT	SKU #	QUANTITY	UNIT PRICE	TOTAL PRICE
STAPLES COPY PAPER 11 X 1	512211	1.0000 EA	\$12.79	\$12.79
HAMMERMILL COPY PLUS PAPE	122374	1.0000 EA	\$63.99	\$63.99
COUPONDISCOUNT	558100	1.0000 ST	-\$32.00	-\$32.00

Purchased by: CLAUDIA SALDANA  
Order #: 9827241436

SUBTOTAL	\$44.78
TAX	\$4.25
TOTAL	\$49.03

BILL TO:  
Acct: 6011 1000 5337 241  
CITY OF BRADBURY

SHIP TO:  
CLAUDIA SALDANA  
CITY OF BRADBURY  
600 WINSTON ST  
BRADBURY CA 91008

Amount Due:	Trans Date:	DUE DATE:	Invoice #:
\$1,254.61	01/23/21	03/15/21	2759081761
PO:		Store: 100088887, WESTBORO, MA	

PRODUCT	SKU #	QUANTITY	UNIT PRICE	TOTAL PRICE
HP 651A BLACK TONER CARTR	990208	1.0000 EA	\$189.99	\$189.99
HP 651A MAGENTA TONER CAR	990211	1.0000 EA	\$477.89	\$477.89
HP 651A YELLOW TONER CART	990210	1.0000 EA	\$477.89	\$477.89
COUPONDISCOUNT	558100	1.0000 ST	-\$0.01	-\$0.01

Purchased by: CLAUDIA SALDANA  
Order #: 9827418343

SUBTOTAL	\$1,145.76
TAX	\$108.85
TOTAL	\$1,254.61

BILL TO:  
Acct: 6011 1000 5337 241  
CITY OF BRADBURY

SHIP TO:  
CLAUDIA SALDANA  
CITY OF BRADBURY  
600 WINSTON ST  
BRADBURY CA 91008

Amount Due:	Trans Date:	DUE DATE:	Invoice #:
\$33.19	02/11/21	03/15/21	2775242111
PO:		Store: 100088887, WESTBORO, MA	

PRODUCT	SKU #	QUANTITY	UNIT PRICE	TOTAL PRICE
AVERY READY INDEX TABLE O	276188	8.0000 EA	\$3.79	\$30.32
COUPONDISCOUNT	558100	1.0000 ST	-\$0.01	-\$0.01

Purchased by: CLAUDIA SALDANA  
Order #: 9828491020

SUBTOTAL	\$30.31
TAX	\$2.88
TOTAL	\$33.19

BILL TO:  
Acct: 6011 1000 5337 241  
CITY OF BRADBURY

Amount Due:	Trans Date:	DUE DATE:	Invoice #:
\$81.56	01/19/21	03/15/21	70195
PO: 11921		Store: 100006160, PASEADENA, CA	

PRODUCT	SKU #	QUANTITY	UNIT PRICE	TOTAL PRICE
W2 FORMS & HELPER KIT 24P	24448850	1.0000 EA	\$38.99	\$38.99
STPLS 1099-NEC TAX KIT 24	24448860	1.0000 EA	\$34.99	\$34.99

SUBTOTAL	\$73.98
TAX	\$7.58
TOTAL	\$81.56

see CK# 16350





U.S. BANCORP SERVICE CENTER  
P. O. Box 6343  
Fargo, ND 58125-6343

CITY OF BRADBURY

ACCOUNT NUMBER 4246-0446-0277-2711

STATEMENT DATE 02-22-21

TOTAL ACTIVITY \$ 4.10



000007608 01 SP 0.560 106481307829055 P

KEVIN KEARNEY  
CITY OF BRADBURY  
600  
WINSTON AVENUE  
BRADBURY CA 91008-1123

"MEMO STATEMENT ONLY"  
DO NOT REMIT PAYMENT

1000 1000

NEW ACCOUNT ACTIVITY

POST DATE	TRAN DATE	TRANSACTION DESCRIPTION	REFERENCE NUMBER	MCC	AMOUNT
01-25	01-22	USPS PO 0522740820 DUARTE CA PUR ID: None TAX: 0.00	24137461023001160861663	9402	4.10

see Chk# 16372

Default Accounting Code:

CUSTOMER SERVICE CALL  800-344-5696	ACCOUNT NUMBER 4246-0446-0277-2711		ACCOUNT SUMMARY	
	STATEMENT DATE	DISPUTED AMOUNT		
SEND BILLING INQUIRIES TO:  C/O U.S. BANCORP SERVICE CENTER, INC U.S. BANK NATIONAL ASSOCIATION P.O. BOX 6335 FARGO, ND 58125-6335	02-22-21	\$ .00	PREVIOUS BALANCE	\$ .00
			PURCHASES & OTHER CHARGES	\$4.10
			CASH ADVANCES	\$ .00
			CASH ADVANCE FEE	\$ .00
			CREDITS	\$ .00
			TOTAL ACTIVITY	\$4.10



U.S. BANCORP SERVICE CENTER  
P. O. Box 6343  
Fargo, ND 58125-6343

CITY OF BRADBURY

ACCOUNT NUMBER 4246-0470-0126-4883

STATEMENT DATE 02-22-21

TOTAL ACTIVITY \$ 350.56

000007610 01 SP 0.560 106481307829057 P

CLAUDIA A SALDANA  
CITY OF BRADBURY  
600 WINSTON AVENUE  
BRADBURY CA 91008-1123

"MEMO STATEMENT ONLY"  
DO NOT REMIT PAYMENT

NEW ACCOUNT ACTIVITY

POST DATE	TRAN DATE	TRANSACTION DESCRIPTION	REFERENCE NUMBER	MCC	AMOUNT
02-04	02-03	USPS PO 0522740820 DUARTE CA PUR ID: None TAX: 0.00	24137461035001057409978	9402	19.39
02-05	02-04	ALL IN ONE POSTER COMPAN 714-521-7720 CA PUR ID: 47809820 TAX: 0.00	24493981035700478098204	5111	33.54
02-09	02-08	1XF4K LOCKSMITH VIEWINVOICE CA PUR ID: 84607792 TAX: 0.00	24492151039637846077923	1799	283.40
02-15	02-12	DOLLAR TREE DUARTE CA PUR ID: TAX: 1.23	24445001044000726657140	5331	14.23

see CR# 16372

Default Accounting Code:

CUSTOMER SERVICE CALL  800-344-5696	ACCOUNT NUMBER 4246-0470-0126-4883		ACCOUNT SUMMARY	
	STATEMENT DATE	DISPUTED AMOUNT		
SEND BILLING INQUIRIES TO:  C/O U.S. BANCORP SERVICE CENTER, INC U.S. BANK NATIONAL ASSOCIATION P.O. BOX 6335 FARGO, ND 58125-6335	02-22-21	\$ .00	PREVIOUS BALANCE	\$ .00
			PURCHASES & OTHER CHARGES	\$350.56
			CASH ADVANCES	\$ .00
			CASH ADVANCE FEE	\$ .00
			CREDITS	\$ .00
			TOTAL ACTIVITY	\$350.56



U.S. BANCORP SERVICE CENTER  
P. O. Box 6343  
Fargo, ND 58125-6343

CITY OF BRADBURY

ACCOUNT NUMBER 4246-0446-5320-2600

STATEMENT DATE 02-22-21

TOTAL ACTIVITY \$ 238.16

000007609 01 SP 0.560 106481307829056 P

SOPHIA MUSA  
CITY OF BRADBURY  
600 WINSTON AVENUE  
BRADBURY CA 91008-1123

"MEMO STATEMENT ONLY"  
DO NOT REMIT PAYMENT

NEW ACCOUNT ACTIVITY

POST DATE	TRAN DATE	TRANSACTION DESCRIPTION	REFERENCE NUMBER	MCC	AMOUNT
-25	01-22	99-CENTS-ONLY #0336 DUARTE CA PUR ID: 680101 TAX: 0.66	24445001023000663628497	5411	7.71
-28	01-27	BIG LOTS STORES - #4170 DUARTE CA PUR ID: TAX: 1.01	24137461027300495033832	5310	10.91
-29	01-28	USPS PO 0522740820 DUARTE CA PUR ID: None TAX: 0.00	24137461029001024884756	9402	26.35
-08	02-05	THE HOME DEPOT #6629 MONROVIA CA PUR ID: CITY OF BRADBURY TAX: 2.18	24943011037010181295042	5200	23.49
-15	02-14	BROADVOICE 888-325-5875 CA PUR ID: 2853579903 TAX: 0.00	24453511045017175997104	4814	169.70

see Ck # 16372

Default Accounting Code:

CUSTOMER SERVICE CALL  800-344-5696	ACCOUNT NUMBER 4246-0446-5320-2600		ACCOUNT SUMMARY	
	STATEMENT DATE	DISPUTED AMOUNT		
SEND BILLING INQUIRIES TO:  C/O U.S. BANCORP SERVICE CENTER, INC U.S. BANK NATIONAL ASSOCIATION P.O. BOX 6335 FARGO, ND 58125-6335	02-22-21	\$ .00	PREVIOUS BALANCE	\$ .00
			PURCHASES & OTHER CHARGES	\$238.16
			CASH ADVANCES	\$ .00
			CASH ADVANCE FEE	\$ .00
			CREDITS	\$ .00
		AMOUNT DUE \$ 0.00 DO NOT REMIT	TOTAL ACTIVITY	\$238.16



# **City of Bradbury** **Monthly Investment Report for the month of February 2021**

**CASH ON DEPOSIT BY ACCOUNT**

**Bank Accounts:**

Wells Fargo Bank - General Checking

<u>Amount</u>	<u>Maturity</u>	<u>Interest Rate</u>
\$ 649,054.95	n/a	0%

**Investments:**

Local Agency Investment Fund (LAIF)

\$ 3,352,374.39	n/a	0.41%
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Citibank NA CD

\$ 246,000.00	6/7/2021	3.00%
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Discover Bank CD

\$ 246,000.00	9/7/2021	3.00%
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Ally Bank CD

\$ 247,000.00	9/26/2022	1.95%
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**Total**

\$ 4,740,429.34
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**CASH & INVESTMENTS ON DEPOSIT BY FUND**

**Funds**

General Fund (101)

\$2,826,249.04
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Utility Users Tax Fund (102)

\$597,786.38
--------------

Deposits Fund (103)

\$28,164.21
-------------

Long Term Planning Fee Fund (112)

\$584.24
----------

Technology Fee Fund (113)

\$38,812.79
-------------

Gas Tax Fund (200)

\$15,080.27
-------------

SB 1 Gas Tax Fund (201)

\$32,270.25
-------------

Prop A Fund (203)

\$53,016.75
-------------

Prop C Fund (204)

\$14,738.39
-------------

TDA Fund (205)

\$419.36
----------

Sewer Fund (206)

\$624,099.24
--------------

STPL Fund (208)

\$1,040.86
------------

Recycling Grant Fund (209)

\$6,233.83
------------

Measure R Fund (210)

\$60,011.44
-------------

Measure M Fund (212)

\$35,067.28
-------------

Measure W Fund (213)

\$50,505.77
-------------

COPS Fund (215)

\$342,490.43
--------------

County Park Grant Fund (217)

\$8,347.58
------------

CWPP Grant Fund (219)

\$5,511.23
------------

Cares Act Fund (220)

\$0.00
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**Total**

\$ 4,740,429.34
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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

# Revenues

Acct. Number	Account Description	2019-20 Budget	2019-20 YTD @ 06/30/20		2020-21 Budget	2020-21 YTD @ 2/28/21	
<b>General Fund:</b>							
101-00-4000	Operating Transfers In				-	44,815	
101-00-4010	Property Tax-Current Secured	495,000	466,415	94%	430,000	254,285	59%
101-00-4030	Property Tax-Current Unsecured	18,500	17,859	97%	14,000	15,709	112%
101-00-4050	Property Tax Prior Year		(62)	#DIV/0!	-	-	#DIV/0!
101-00-4060	Public Safety Augmentation F	12,000	10,674	89%	10,000	6,382	64%
101-00-4070	Delinquent Taxes	7,500	6,945	93%	6,000	8,291	138%
101-00-4100	Sales & Use Tax	1,500	1,075	72%	1,200	5,738	478%
101-00-4110	Franchise Fee-Cable TV	23,000	25,750	112%	26,000	18,014	69%
101-00-4120	Franchise Fee-SC Edison	19,000	18,321	96%	20,000		0%
101-00-4130	Franchise Fee-SC Refuse	37,000	38,058	103%	38,000	19,657	52%
101-00-4140	Franchise Fee-SC Gas Co.	2,600	3,213	124%	3,000		0%
101-00-4150	Franchise Fee-Cal Am Water	38,000	40,285	106%	40,000		0%
101-00-4160	AB939 Refuse Admin. Fee	18,000	19,267	107%	18,000	-	0%
101-00-4190	Real Property Transfer Tax	14,000	19,714	141%	20,000	11,804	59%
101-00-4200	Motor Vehicle In-Lieu	140,000	141,339	101%	140,000	71,695	51%
101-00-4210	Dist & Bail Forfeiture	1,500	2,257	150%	2,000	523	26%
101-00-4220	Fines-City	2,000	1,866	93%	1,000	3,612	361%
101-00-4350	Business License	40,700	35,412	87%	40,000	19,841	50%
101-00-4360	Movie & TV Permits	-	30,900	#DIV/0!	-	2,060	#DIV/0!
101-00-4370	Bedroom License Fee	15,000		0%	10,000	6,180	62%
101-00-4410	Variances & CUPs	1,600	1,635	102%	1,500		0%
101-00-4420	Lot Line Adjustment/Zone Changes	-		#DIV/0!	-		#DIV/0!
101-00-4440	Subdivisions/Lot Splits	5,000		0%	-		#DIV/0!
101-00-4460	Planning Dept. Review	25,000	73,112	292%	70,000	17,447	25%
101-00-4470	Building Construction Permit	250,000	88,887	36%	85,000	78,918	93%
101-00-4480	Building Plan Check Fees	250,000	91,735	37%	90,000	32,886	37%
101-00-4485	Landscape Plan Check Permit	5,500	2,793	51%	3,500	4,876	139%
101-00-4490	Green Code Compliance	27,000	9,084	34%	6,500	6,203	95%
101-00-4500	Civic Center Rental Fee	1,050	900	86%	900		0%
101-00-4530	Environmental & Other Fees	1,000	1,112	111%	1,300	742	57%
101-00-4540	City Engineering Plan Check	135,000	53,417	40%	50,000	68,851	138%
101-00-4600	Interest Income	77,712	68,873	89%	50,000	14,571	29%
101-00-4700	Sales of Maps & Publications	400	125	31%	200	15	8%
101-00-4800	Other Revenue	200		0%	-		#DIV/0!
101-00-4850	Cal-Am Loan Repayment	4,820	4,820	100%	4,820		0%
101-00-4900	Reimbursements	3,000	1,231	41%	500	15,856	3171%
101-00-4920	Sale of Prop. A Funds	-		#DIV/0!	-		#DIV/0!
101-23-4950	Vacant Property Registry Fee	100	100	100%	100		0%
101-24-4610	Donations	-	500	#DIV/0!	-		#DIV/0!
<b>Total General Fund Revenues</b>		<b>1,672,682</b>	<b>1,277,612</b>	<b>76%</b>	<b>1,183,520</b>	<b>728,971</b>	<b>62%</b>
<b>Utility Users Tax Fund:</b>							
102-00-4600	Interest	18,810	14,859	79%	10,000	3,830	38%
102-00-4830	Electric					2	
		<b>18,810</b>	<b>14,859</b>	<b>79%</b>	<b>10,000</b>	<b>3,832</b>	<b>38%</b>
<b>Deposits Fund:</b>							
103-00-2039	Chadwick Ranch Development		252,530		244,209	78,209	
		-	252,530		244,209	78,209	
<b>Long Term Planning Fee Fund:</b>							
112-00-4490	Long-Term Planning Fee	8,000	3,490	44%	3,000	1,775	59%
112-00-4600	LTP Fee Interest Income	400	367	92%	300	62	21%
		<b>8,400</b>	<b>3,857</b>	<b>46%</b>	<b>3,300</b>	<b>1,837</b>	<b>56%</b>

# Revenues

Acct. Number	Account Description	2019-20 Budget	2019-20 YTD @ 06/30/20		2020-21 Budget	2020-21 YTD @ 2/28/21	
<b>Technology Fee Fund:</b>							
113-00-4520	Technology Fee	18,500	7,094	38%	7,000	7,525	108%
113-00-4600	Technology Fee Interest Income	1,000	913	91%	800	215	27%
		19,500	8,007	41%	7,800	7,740	99%
<b>Gas Tax Fund:</b>							
200-00-4200	TCRA Funds	-	1,211	#DIV/0!	1,200		0%
200-00-4600	Gas Tax Interest	-	191	#DIV/0!	-	74	#DIV/0!
200-48-4260	Gas Tax	25,000	28,773	115%	22,500	17,921	80%
		25,000	30,175	121%	23,700	17,995	76%
<b>SB1 Gas Tax Fund:</b>							
201-00-4000	Transfers In	-		#DIV/0!			#DIV/0!
201-48-4260	Gas Tax	15,000	18,653	124%	13,500	8,335	62%
201-00-4600	Gas Tax Interest	-	213	#DIV/0!	-	134	#DIV/0!
		15,000	18,866	126%	13,500	8,469	63%
<b>Prop. A Fund:</b>							
203-40-4260	Prop. A Transit Funds	23,000	20,741	90%	25,094	14,192	57%
203-40-4600	Prop. A Transit Interest	308	480	156%	300	216	72%
		23,308	21,221	91%	25,394	14,408	57%
<b>Prop. C Fund:</b>							
204-48-4260	Prop. C Funds	19,000	17,204	91%	20,813	10,283	49%
204-48-4600	Prop. C Interest	-	210	#DIV/0!	-	101	#DIV/0!
		19,000	17,414	92%	20,813	10,384	50%
<b>Transportation Development Act Fund:</b>							
205-48-4260	TDA Funds	5,000	5,000	100%	5,000	-	0%
205-48-4600	TDA Interest		13	#DIV/0!	-	3	#DIV/0!
		5,000	5,013	100%	5,000	3	0%
<b>Sewer Fund:</b>							
206-00-4000	Transfers In	600,000	600,000	100%	240,000	240,000	100%
206-50-4600	Sewer Fund Interest	885	10,551	1192%	11,000	3,652	33%
206-50-4730	Mount Olive Drive Assessment			#DIV/0!			#DIV/0!
		600,885	610,551	102%	251,000	243,652	97%
<b>STPL Fund:</b>							
208-00-4260	STPL Funds				-		#DIV/0!
208-00-4600	STPL Interest	-	20	#DIV/0!	-	6	#DIV/0!
		-	20	#DIV/0!	-	6	#DIV/0!
<b>Recycling Grant Fund:</b>							
209-00-4260	Recycling Grant Funds	5,000	3,182	64%	5,000		0%
209-00-4600	Recycling Grant Interest		187	#DIV/0!	50	73	146%
		5,000	3,369	67%	5,050	73	1%
<b>Measure R Fund:</b>							
210-48-4260	Measure R Funds	15,000	12,885	86%	15,572	7,732	50%
210-48-4600	Measure R Interest	-	1,019	#DIV/0!	800	306	38%
		15,000	13,904	93%	16,372	8,038	49%
<b>Measure M Fund</b>							
212-48-4260	Measure M Funds	16,500	14,483	88%	16,005	8,779	55%
212-48-4600	Measure M Interest	-	462	#DIV/0!	300	180	60%
		16,500	14,945	91%	16,305	8,959	55%

## Revenues

Acct. Number	Account Description	2019-20 Budget	2019-20 YTD @ 06/30/20		2020-21 Budget	2020-21 YTD @ 2/28/21	
<b>Measure W Fund</b>							
213-48-4260	Measure W Funds	60,000	-		60,000	50,506	84%
213-48-4600	Measure W Interest			#DIV/0!	-		#DIV/0!
		60,000	-	0%	60,000	50,506	84%
<b>Citizen's Option for Public Safety (COPS) Fund:</b>							
215-23-4260	COPs Funds	100,000	152,399	152%	100,000	156,727	157%
215-23-4600	COPs Interest	982	4,573	466%	3,000	1,377	46%
		100,982	156,972	155%	103,000	158,104	153%
<b>County Park Grant:</b>							
217-00-4210	County Park Grant						
217-00-4600	Grant Fund Interest Income	180	165	92%	100	46	46%
		180	165	92%	100	46	46%
<b>Fire Safe Grant:</b>							
219-00-4260	Community Wildfire Protection Plan	45,000	-		45,000	3,068	7%
219-00-4600	Fire Safe Grant Interest Income	215	208	97%	150	35	23%
		45,215	208	0%	45,150	3,103	7%
<b>Covid-19 Fund:</b>							
220-00-4215	COVID 19 Revenues					50,000	#DIV/0!
220-00-4600	Interest Income					38	
						50,038	
<b>Total Revenues</b>		2,650,462	2,449,688	92%	2,034,213	1,394,373	69%

## Expenditures

Account Description		2019-20 Budget	2019-20 YTD @ 06/30/20		2020-21 Budget	2020-21 YTD @ 2/28/21	
<b>General Fund:</b>							
101-00-5000	Transfers Out	600,000	600,000	100%	240,000	240,000	100%
<b>City Council Division:</b>							
101-11-6500	Community Support (homelessness)	4,000	3,000	75%	4,000		0%
101-11-6100	Events and awards	6,000	6,451	108%	-		#DIV/0!
101-11-6110	City Newsletter	-	475	#DIV/0!	300		0%
		10,000	9,926	99%	4,300	-	0%
<b>City Manager Division:</b>							
101-12-5010	Salaries	109,268	120,000	110%	120,000	80,000	67%
101-12-5100	Benefits	46,174	48,193	104%	49,455	32,060	65%
101-12-6020	Meetings & Conferences	3,500	4,853	139%	3,500	295	8%
101-12-6025	Expense Account	1,500	1,233	82%	1,250	507	41%
101-12-6050	Mileage	1,200	910	76%	1,000	377	38%
101-12-6440	Cell Phone	1,000	900	90%	1,000	525	53%
		162,642	176,089	108%	176,205	113,764	65%
<b>City Clerk Division:</b>							
101-13-5010	Salaries	61,424	56,305	92%	61,424	40,949	67%
101-13-5100	Benefits	24,702	29,978	121%	26,126	17,204	66%
101-13-6020	Meetings & Conferences	-	12	#DIV/0!	-		#DIV/0!
101-13-6050	Mileage	50	122	244%	115	28	24%
101-13-6210	Special Department Supplies	275	157	57%	275		0%
101-13-6220	Election Supplies	500	314	63%	500		0%
101-13-6225	Codification	7,000	3,063	44%	5,000	468	9%
101-13-7000	Contract Election Services	12,000		0%	-		#DIV/0!
		105,951	89,951	85%	93,440	58,649	63%
<b>Finance Division:</b>							
101-14-5010	Salaries	15,449	13,160	85%	14,000	9,746	70%
101-14-5100	Benefits	1,371	1,172	85%	1,357	1,012	75%
101-14-6210	Special Department Supplies	600	37	6%	50	349	698%
101-14-6230	Contracted Computer Services	500	1,231	246%	1,000	400	40%
101-14-7010	Contracted Banking Services	4,000	4,317	108%	4,500	3,547	79%
101-14-7020	Contracted Audit Services	18,000	15,300	85%	18,500		0%
101-14-7040	GASB Reports	725	700	97%	725	700	97%
		40,645	35,917	88%	40,132	15,754	39%
<b>City Attorney Division:</b>							
101-15-7020	City Attorney Retainer	31,800	31,800	100%	31,800	18,550	58%
101-15-7070	City Attorney Special Service	5,000	4,190	84%	2,500	14,810	592%
101-15-7075	NPDES Stormwater Compliance					1,675	
101-15-7080	Seminars & Training	1,100		0%	1,100	500	45%
		37,900	35,990	95%	35,400	35,535	100%
<b>General Government Division:</b>							
101-16-5010	Salaries	48,308	45,810	95%	48,308	31,001	64%
101-16-5100	Benefits	13,107	15,436	118%	15,488	2,852	18%
101-16-6010	Seminars & Training	1,000		0%	1,000		0%
101-16-6020	Meetings & Conferences	200	150	75%	200	149	75%
101-16-6040	Transportation & Lodging	1,000		0%	500		0%
101-16-6050	Mileage	300	151	50%	300		0%
101-16-6120	Postage	300	690	230%	700	175	25%
101-16-6200	Office Supplies	2,500	814	33%	1,000	2,424	242%
101-16-6210	Special Departmental Supplies	500		0%	-		#DIV/0!
101-16-6230	Computer & Website Services	15,000	9,383	63%	10,000	3,792	38%
101-16-6240	PERS UAL Payment	3,717	4,219	114%	4,500	4,194	93%
101-16-6241	PERS Replacement Benefit Contributor	3,000	2,557	85%	2,500	2,488	100%

## Expenditures

Account Description		2019-20 Budget	2019-20 YTD @ 06/30/20		2020-21 Budget	2020-21 YTD @ 2/28/21	
101-16-6242	PERS SSA 218 Annual Fee		200		200	200	100%
101-16-6250	Copier & Duplications	5,000	903	18%	1,200		0%
101-16-6300	Insurance	56,000	19,811	35%	35,000	36,352	104%
101-16-6400	Utilities	4,500	3,606	80%	3,200	4,155	130%
101-16-6440	Telephone	6,000	2,087	35%	2,300	1,291	56%
101-16-6450	Building Operations	4,000	3,601	90%	1,200	715	60%
101-16-6460	Building & Cleaning Service	3,000	3,695	123%	3,200	2,845	89%
101-16-6470	Maintenance & Supplies	400	13	3%	500	3,804	761%
101-16-7600	Operating Contingency	-	#DIV/0!			#DIV/0!	
		167,832	113,126	67%	131,296	96,437	73%
<b>Engineering Division:</b>							
101-19-7230	Contracted Engineering Services	130,000	80,950	62%	75,000	44,261	59%
		130,000	80,950	62%	75,000	44,261	59%
<b>Planning, Zoning &amp; Development Division:</b>							
101-20-6020	Meetings & Conferences		#DIV/0!			#DIV/0!	
101-20-6120	Postage	1,000	427	43%	500	213	43%
101-20-6210	Special Department Supplies	500		0%	500		0%
101-20-6240	Environmental Filing Fees	500		0%	500		0%
101-20-7210	City Planner Retainer	46,800	46,800	100%	46,800	23,400	50%
101-20-7220	Contracted Building & Safety	250,000	114,219	46%	90,000	18,405	20%
101-20-7240	City Planner Special Service	15,000	13,530	90%	15,000	9,116	61%
101-20-7245	General Plan update	-	4,150	#DIV/0!	63,000	5,534	9%
101-20-7075	Development Code Update	26,000	-	0%	-	#DIV/0!	
		339,800	179,126	53%	216,300	56,668	26%
<b>Parks &amp; Landscape Maintenance Division:</b>							
101-21-7015	Royal Oaks Trail Maintenance	10,000	7,515	75%	10,000	3,513	35%
101-21-7020	City Hall Grounds Maintenance	7,000	3,723	53%	7,000	3,062	44%
101-21-7025	Trail Maintenance	10,000	4,356	44%	10,000	4,195	42%
101-21-7035	Mt.Olive Entrance & Trail	12,000	6,681	56%	12,000	4,527	38%
101-21-7045	Lemon/RO Horse Trail	43,000	1,417	3%	7,000	1,544	22%
101-21-7060	Street Tree Trimming	-	-	#DIV/0!	-	560	#DIV/0!
		82,000	23,692	29%	46,000	17,401	38%
<b>Public Safety Division:</b>							
101-23-6210	Special Departmental Services	-	74	#DIV/0!	-	6	#DIV/0!
101-23-7410	Contract Services Sheriff	118,522	118,521	100%	125,121	62,560	50%
101-23-7420	City Hall Security	3,500	2,887	82%	3,000	2,124	71%
101-23-7450	Code Enforcement	6,000	17,308	288%	12,000	1,528	13%
101-23-7757	AED Purchase	-	#DIV/0!			#DIV/0!	
		128,022	138,790	108%	140,121	66,218	47%
<b>Emergency Preparedness Division:</b>							
101-24-6010	Seminars & Training				100	110	110%
101-24-6020	Meetings & Conferences	100	67	67%	100	495	495%
101-24-6030	Memberships & Dues	375	360	96%	375	360	96%
101-24-6100	Events & Awards	500		0%	200		0%
101-24-6470	Maintenance & Supplies	5,500	4,856	88%	5,500	835	15%
101-24-6480	Civic Center Generator	-	857	#DIV/0!	1,000		0%
101-55-7030	Hazard Mitigation Plan	-	8	#DIV/0!	-	#DIV/0!	
101-24-7245	Hazard Mitigation Plan	5,000		0%	-	#DIV/0!	
		11,475	6,148	54%	7,275	1,800	25%
<b>Animal &amp; Pest Control Division:</b>							
101-25-7000	Animal Control Services	18,085	17,653	98%	12,971	2,708	21%
101-25-7010	Pest Control Services	300		0%	300		0%
		18,385	17,653	96%	13,271	2,708	20%

## Expenditures

Account Description	2019-20 Budget	2019-20 YTD @ 06/30/20		2020-21 Budget	2020-21 YTD @ 2/28/21	
<b>Intergovernmental Relations Division:</b>						
101-30-6030 Memberships & Dues	9,200	10,459	114%	10,500	9,643	92%
<b>General Fund Totals</b>	<b>1,843,852</b>	<b>1,517,817</b>	<b>82%</b>	<b>1,229,240</b>	<b>758,838</b>	<b>62%</b>
<b>Utility Users Tax Fund:</b>						
102-15-7075 NPDES Stormwater Compliance	26,000	91,920	354%	-	-	#DIV/0!
102-42-7630 NPDES Stormwater Compliance				19,878	42,408	213%
	26,000	91,920	354%	19,878	42,408	213%
<b>Deposits Fund:</b>						
103-00-2039 Chadwick Ranch Development		252,530		166,000	50,063	
		252,530		166,000	50,063	
<b>Long Term Planning Fee Fund:</b>						
112-20-7245 General Plan Expense		2,800	#DIV/0!	20,000	19,270	96%
<b>Technology Fee Fund:</b>						
113-20-4500 Permit Digitizing	10,000	14,748	147%	-	865	#DIV/0!
113-20-7730 Website	20,000	576	3%	2,000	4,300	215%
113-20-8120 Capital Equipment-Server & Copier		1,257	#DIV/0!	10,000	3,961	1%
Misc. Technology Expenses				2,000		0%
	30,000	16,581	55%	14,000	9,126	65%
<b>Gas Tax Fund:</b>						
200-48-5000 Transfers Out	-					
200-48-6400 Utilities-Select System	9,000	9,370	104%	9,000	7,839	87%
200-48-6410 Street Lights	8,000	9,691	121%	8,000	5,811	73%
200-48-7000 PW Contract Services	3,000	588	20%	1,000		0%
200-48-7290 Street Sweeping	4,000	4,384	110%	4,000	1,566	39%
200-48-7750 Wild Rose Project			#DIV/0!	5,000	2,250	45%
200-48-7755 City Wide Slurry Seal		1,610	#DIV/0!	-		#DIV/0!
	24,000	25,643	107%	27,000	17,466	65%
<b>SB1 Gas Tax Fund:</b>						
201-48-7745 Royal Oaks North Curb Extension	19,000		0%	-		#DIV/0!
201-48-7755 City Wide Slurry Seal	-	-	#DIV/0!	-		#DIV/0!
	19,000	-	0%	-	-	#DIV/0!
<b>Prop. A Fund:</b>						
203-00-7600 Sale of Prop. A Funds				-		
203-40-7625 Transit Services	9,000	-	0%	-	-	#DIV/0!
	9,000	-	0%	-	-	#DIV/0!
<b>Prop. C Fund:</b>						
204-20-6030 Memberships & Dues	900		0%	900	378	42%
204-40-7325 Transit Services	-	8,449	#DIV/0!	9,000	5,632	63%
204-48-7745 Royal Oaks North Curb Extension	19,000		0%	-		#DIV/0!
204-48-7755 City Wide Slurry Seal			#DIV/0!			#DIV/0!
	19,900	8,449	42%	9,900	6,010	61%
<b>Transportation Development Act Fund:</b>						
205-48-7720 Lemon/RO Horse Trail Project			#DIV/0!	-		#DIV/0!
205-48-7735 Royal Oaks & Mt. Olive Trail Rehab.	5,000	4,768	95%	5,000		0%
205-00-7760 Return of Funds			#DIV/0!	-		#DIV/0!
	5,000	4,768	95%	5,000	-	0%

## Expenditures

Account Description		2019-20 Budget	2019-20 YTD @ 06/30/20		2020-21 Budget	2020-21 YTD @ 2/28/21	
<b>Sewer Fund:</b>							
206-50-7600	Mt. Olive Drive Sewer Project	2,619	2,619	100%			#DIV/0!
206-50-7601	Mt. Olive Lane Sewer Project	705,087	404,275	57%	673,396	260,767	39%
206-50-7602	DUSD Message Board				40,000		0%
206-50-7605	Lemon Ave. Project	580,000	-	0%			#DIV/0!
206-50-7606	Winston Ave Project	5,125	5,152	101%	40,000	51,750	129%
		1,292,831	412,046	32%	753,396	312,517	41%
<b>Recycling Grant Fund:</b>							
209-35-7300	Recycling Education	5,000	3,182	64%	5,000	7,200	144%
<b>Measure R Fund:</b>							
210-48-7755	City Wide Slurry Seal	-	-	#DIV/0!			#DIV/0!
210-48-7745	Royal Oaks North Curb Extension	14,000		0%			#DIV/0!
210-00-7760	Return of Funds			#DIV/0!			#DIV/0!
		14,000	-	0%	-	-	#DIV/0!
<b>Measure M Fund</b>							
212-48-7755	Citywide Slurry Seal	-	-	#DIV/0!			#DIV/0!
212-48-7745	Royal Oaks North Curb Extension	27,000		0%			#DIV/0!
212-48-7756	Bridge Repair			#DIV/0!			#DIV/0!
		27,000	-	0%	-	-	#DIV/0!
<b>Measure W Fund</b>							
213-42-7630	NPDES Stormwater Compliance	60,000			60,000	50,506	
<b>Citizen's Option for Public Safety (COPS) Fund:</b>							
215-23-7410	Contract Services Sheriff	100,000	100,000	100%	50,000		0%
215-23-7411	Contract CSO Services & Supplies	55,000	52,399	95%	53,500	17,228	32%
		155,000	152,399	98%	103,500	17,228	17%
<b>County Park Grant:</b>							
217-21-7650	Civic Center Park	1,000	1,000	-	1,000		0%
<b>Fire Safe Grant 14-USFS-SFA-0053:</b>							
219-21-7761	Community Wildfire Protection Plan	72,000	4,546		50,000	4,116	8%
<b>Covid-19 Fund:</b>							
220-00-5000	Operating Transfers Out					44,815	
220-00-6215	COVID 19 Expenses					5,223	
					-	50,038	
<b>Total Expenditures</b>		<b>3,603,583</b>	<b>2,493,681</b>	<b>69%</b>	<b>2,463,914</b>	<b>1,344,786</b>	<b>55%</b>





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

## **City of Bradbury City Council Agenda Report**

**TO:** Honorable Mayor and Council Members

**FROM:** Kevin Kearney, City Manager  
**By:** Jim Kasama, City Planner  
Lisa Kranitz, Assistant City Attorney

**DATE:** March 16, 2021

**SUBJECT:** ADOPTION OF ORDINANCE NO. 373

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA, AMENDING THE ZONING PROVISIONS OF THE BRADBURY MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS (ADUs) AND JUNIOR ACCESSORY DWELLING UNITS (JADUs) IN ACCORDANCE WITH STATE LAW AND PROVISIONS RELATED TO ACCESSORY LIVING QUARTERS (ALQs)**

### **AGENDA ITEM NO. 1E**

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#### **SUMMARY**

During 2019, the State adopted legislation mandating that cities allow Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs). The State-mandated provisions were to take effect January 1, 2020; however, the City Council adopted Urgency Ordinance No. 368 on December 17, 2019 putting local regulations in place. A draft replacement ordinance was considered by the City Council on June 16, 2020. However, the City Council scheduled a study session to discuss safety concerns, and the draft replacement ordinance was significantly revised. The Planning Commission adopted Resolution No. PC 21-294 at the January 27, 2021 meeting to recommend approval of the revised draft replacement ordinance – Ordinance No. 373 (Attachment A). The City Council held a public hearing for Ordinance No. 373 and unanimously approved and introduced the Ordinance at the February 16, 2021 meeting. Attachment B is the February 16, 2021 agenda report. It is recommended that the City Council adopt Ordinance No. 373.

#### **ENVIRONMENTAL DOCUMENT**

The City Council approved and introduced Ordinance No. 373 with an exemption under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section

15282(h) which provides a statutory exemption for the adoption of an ordinance regarding accessory dwelling units per the provisions of Sections 65852.1 and 65852.2 of the Government Code. As the standards of Government Code Section 65852.22 relating to junior accessory dwelling units are incorporated in Government Code Section 65852.2, this exemption covers junior accessory dwelling units as well. Regardless of whether the City adopts the ordinance, accessory dwelling units and junior accessory dwelling units must be allowed in the City in accordance with the standards set forth in State Statute. Therefore, the ordinance is categorically exempt under the commonsense exemption of CEQA Guidelines Section 15061(b)(3) which provides that CEQA does not apply where it can be seen with certainty that the project will not cause any impacts. Additionally, the Sections that were added in Article IV of Chapter 85 of the Ordinance are the same provisions that were previously in the Code but were repealed by the Urgency Ordinance.

### **RECOMMENDATION**

It is recommended that the City Council adopt Ordinance No. 373 with an exemption under CEQA, waive the reading in full and read the Ordinance only by title:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA, AMENDING THE ZONING PROVISIONS OF THE BRADBURY MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS (ADUs) AND JUNIOR ACCESSORY DWELLING UNITS (JADUs) IN ACCORDANCE WITH STATE LAW AND PROVISIONS RELATED TO ACCESSORY LIVING QUARTERS (ALQs)

### **ATTACHMENTS**

A – Ordinance No. 373

B – February 16, 2021 Agenda Report

ATTACHMENT A

ORDINANCE NO. 373

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
BRADBURY, CALIFORNIA AMENDING THE DEVELOPMENT  
PROVISIONS OF THE BRADBURY MUNICIPAL CODE  
RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR  
ACCESSORY DWELLING UNITS IN ACCORDANCE WITH  
STATE LAW AND PROVISIONS RELATED TO ACCESSORY  
LIVING QUARTERS

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## **ORDINANCE NO. 373**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA AMENDING THE DEVELOPMENT PROVISIONS OF THE BRADBURY MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS IN ACCORDANCE WITH STATE LAW AND PROVISIONS RELATED TO ACCESSORY LIVING QUARTERS**

**WHEREAS**, the State Legislature believes there is a shortage of affordable housing in California which has led to homelessness and causes people to drive longer distances to work or to double-up on housing space which impacts the quality of life and creates negative environmental impacts; and

**WHEREAS**, the California State Legislature adopted more than eighteen housing bills in 2019 to deal with the housing problem and there were additional housing bills in 2020; and

**WHEREAS**, the State Legislature believes that the construction of Accessory Dwelling Units and Junior Accessory Dwelling Units (ADUs and JADUs, also known as second units, in-law units, garage conversions, and granny flats) will combat the housing shortage; and

**WHEREAS**, in order to encourage the construction of ADUs and JADUs, the State Legislature has amended Government Code Section 65852.2 and Section 65852.22; and

**WHEREAS**, the new State laws relating to ADUs and JADUs took effect on January 1, 2020 and the City was required to be in compliance with the new provisions by that time or the State provisions relating to these units would prevail and the City would lose local control; and

**WHEREAS**, in order to be in timely compliance with the January 1, 2020 effective date, the City Council adopted Urgency Ordinance No. 368 on December 17, 2019 without the opportunity to go through the normal public hearing procedure before the Planning Commission and City Council; and

**WHEREAS**, Urgency Ordinance No. 368 prohibited ADUs in the very high fire hazard severity zone areas as shown in the City's General Plan and those subject to Hillside Development Standards pursuant to Chapter 97 of the Bradbury Municipal Code; and

**WHEREAS**, based on the Department of Housing and Community Development ("HCD") guidance provided to other cities and HCD's Guidelines, it appears that certain provisions in Bradbury's Urgency Ordinance relating to ADUs and JADUs should be amended; and

**WHEREAS**, on May 27, 2020, the Planning Commission of the City of Bradbury, California held a duly noticed public hearing on a previous draft of this Ordinance, and after the close of the public hearing the Planning Commission adopted Resolution No. PC 20-289 to recommend that the City Council adopt this Ordinance; and

**WHEREAS**, on July 13, 2020, August 10, 2020 and September 10, 2020 the City Council held study sessions regarding accessory dwelling units; and

**WHEREAS**, as a result of the City Council study sessions the City retained the Dudek Fire Protection Planning Team to perform research and prepare a Memorandum on issues relating to ADUs and JADUs; and

**WHEREAS**, while Dudek was preparing its Memorandum, the Governor's Office of Planning and Research ("OPR") released a draft Fire Hazard Planning Technical Advisory; and

**WHEREAS**, a draft Ordinance along with the Dudek Memorandum and OPR Technical Advisory were presented to the City Council for discussion at an additional study session on December 9, 2020; and

**WHEREAS**, on January 27, 2021, the Planning Commission held a further public hearing on the revised Ordinance resulting from the City Council study sessions and adopted Resolution No. PC 21-294 to recommend that the City Council adopt this Ordinance; and

**WHEREAS**, on February 16, 2021 the City Council of the City of Bradbury, California held a duly noticed public hearing to consider adoption of this Ordinance, at which time it considered all evidence presented, both written and oral;

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

**SECTION 1. Findings.** The City Council hereby makes the following findings regarding the prohibition of accessory dwelling units in certain locations within the City of Bradbury:

A. The majority of the City of Bradbury is located in a very high fire hazard severity zone (VHFHSZ);

B. Since 1953 there have been four separate wildfires that have burned through Bradbury and the neighboring communities;

C. The 2019 mid-term Housing Element recognized that opportunities for second unit in-fill development could be impacted by natural hazards such as wildfires that constrain density;

D. According to the Los Angeles County Fire Code which has been adopted by reference by the City of Bradbury, and as pointed out in the Dudek Memorandum, the

minimum road width needed for fire access is 20-feet unobstructed paved width based on the standard width of fire engines and their ability to pass one another;

E. The Dudek Memorandum also concludes among other things that the four-foot setback requirements and the inability to require fire sprinklers would likely have negative fire related impacts in Bradbury and recommends that fire sprinklers should be required whenever possible;

F. There are numerous roads within the City that are less than 20 feet in width which impedes access of fire apparatus;

G. Residents living on narrow roads within the City of Bradbury have been informed by the Los Angeles County Fire Department that if there is a fire, the Department may not be able to provide service;

H. Government Code § 51182 provides that when property is within a very high fire hazard severity zone, there should be 100 feet of defensible space maintained for each side and from the front and rear of the structure, but not beyond the property line;

I. The majority of the City of Bradbury is zoned R-20,000, A-1, A-2, or A-5 with rear and side yard setbacks of 15 feet in the R-20,000 zone and 25 feet in the three Agricultural ("A") zones, meaning that accessory living quarters and other structures cannot be located closer than 30 feet to each other in these areas;

J. According to the Southern California Association of Governments' (SCAG) community profile, only 4.5% of the housing stock in Bradbury was built after 2010, when residential sprinkler systems became a requirement;

K. Since the time that the Governor signed the new ADU/JADU legislation into law in 2019, there have been dozens of wildfires in California which have burned tens of thousands of acres, damaged or destroyed hundreds of homes and other structures, caused the death of many people, and resulted in injuries to many more;

L. On August 18, 2020, the International City/County Management Association released a document titled "21<sup>st</sup> Century – Fire and Emergency Services" which contained the recommendation to "Embrace the use of fire sprinkler technology in all buildings through the rapid adoption of codes and ordinances at the federal, state, and local government levels to dramatically reduce the incidence of deadly and costly fires";

M. On August 18, 2020, ABC News reported that there were at least 28 wildfires burning in California alone;

N. By August 19, 2020, the Governor declared a State of Emergency as more than 350 wildfires burned throughout California, many due to lightning strikes, and a request was made for 375 fire engines from out-of-state;

O. State of Emergencies have become a yearly occurrence due to wildfires;

P. Because the accessory dwelling unit law does not allow the City to require sprinklers in units where the main house was not required to install sprinklers, the City cannot require sprinklers to be installed in most of the accessory dwelling units that could be built in the City;

Q. The location of the City in a very high fire hazard severity zone, the inability to require sufficient separation between buildings, the inability to require sprinklers in a majority of accessory dwelling units that could be built, and the narrow streets which impede fire access justify the prohibition of accessory dwelling units to be built as of right in those areas of the City in the very high fire hazard severity zone;

R. The City Council recognizes the need for additional housing opportunities in the City, even in the very high fire hazard severity zone, and for that reason is providing for the opportunity for certain secondary living quarters of up to 1,000 square feet as defined herein to be built in this area with reduced procedural requirements, while still imposing setbacks for adequate building separation and requiring fire sprinklers;

S. The City Council also recognizes that Bradbury has traditionally allowed the development of a variety of accessory living quarters and wishes to continue to allow such development, subject to discretionary review by the City's Planning Department, and the City's Planning Commission;

T. Government Code § 65852.2(a)(1)(A) provides local agencies with the authority to designate areas within the jurisdiction where ADUs may be prohibited based on public safety. The provisions set forth in this Ordinance are necessary for the public safety.

**SECTION 2.** Section 9.25.020 of the Bradbury Development Code relating to Definitions is hereby amended by adding and modifying the following definitions to read as follows:

*Accessory dwelling unit ("ADU")* means a dwelling unit of up to 1,000 square feet that is attached, detached, or located within an existing or proposed residential dwelling which provides complete independent living facilities for one or more persons and includes permanent provisions for living, sleeping, eating, cooking and sanitation on the same parcel of land as the primary unit.

*Accessory living quarters* means living quarters in addition to the primary unit on the same parcel of land as the primary unit, and includes the following:

- (1) Bunk houses;
- (2) Guest houses;
- (3) Single-room-occupancy units (SROs); and
- (4) SRO developments.



*Bunk house* means living accommodations detached from the primary unit and designed to house two or more individuals who are personnel involved with the care and maintenance of the primary unit, or the associated on-site agricultural, equestrian, farming, or other residential activities. Bunk houses shall include permanent provisions for living, sleeping, and sanitation facilities, and may include facilities for cooking, bathing, and eating. A bunk house is sometimes commonly referred to as grooms quarters.

*Enhanced accessory dwelling unit ("EADU")* means an ADU over 1,000 square feet and up to 1,200 square feet.

*Fire Zone ADU ("FZADU")* means an ADU in the Very High Fire Hazard Severity Zone which complies with City zoning setback requirements and is equipped with fire sprinklers, the requirement of which would otherwise be prohibited by State legislation.

*Guest house* means living accommodations detached from the primary unit that may include some or all facilities for complete independent living such as permanent provisions for living, sleeping, eating, cooking, bathing and sanitation for guests and visitors of the occupants of the primary dwelling unit. A guest house is sometimes commonly referred to as a pool house.

*Junior accessory dwelling unit ("JADU")* means an accessory dwelling unit that is no more than 500 square feet in size and contained entirely within an existing or proposed single-family residence. The single-family residence does not include an attached accessory structure.

*Primary unit* shall mean the existing or proposed largest single-family dwelling on the lot if there are multiple dwellings.

*Secondary living quarters* means accessory living quarters and accessory dwelling units, including junior accessory dwelling units, fire zone accessory dwelling units, and enhanced accessory dwelling units.

*Single-room-occupancy ("SRO") development* means a detached accessory structure used primarily for multi-tenant, single-room-occupancy units, containing two or more single-room-occupancy units with a shared kitchen, dining room, and laundry facilities.

*Single-room-occupancy units ("SROs")* means a room of between 150 and 250 square feet of floor area with permanent provisions for living and sleeping that is attached to the primary unit or is part of a single-room-occupancy development. An SRO shall not include cooking and eating facilities, but may include sanitation facilities in an adjacent room of up to 50 square feet.

**SECTION 3.** Chapter 85 of the Bradbury Municipal Code is hereby repealed and a new Chapter 85 is added to Title IX of the Bradbury Municipal Code to read as follows:

## **CHAPTER 85 SECONDARY LIVING QUARTERS**

## **ARTICLE I – GENERAL**

### **9.85.010 Purpose.**

(1) The purpose of this Chapter is to implement the requirements for the establishment of secondary living quarters.

(2) In cases of conflict between this Chapter and any other provision of this Title, the provisions of this Chapter shall prevail. To the extent that any provision of this Chapter is in conflict with State law, the mandatory requirement of State law shall control, but only to the extent legally required.

**9.85.020 Permitted locations/numbers.** Secondary living quarters shall be allowed as follows:

(1) R-7,500 zone: one ADU; and one JADU subject to the limitations of Section 9.85.150.

(2) R-20,000 zone: one SRO unit attached to the main dwelling; one ADU or EADU; and one JADU subject to the limitations of Section 9.85.150.

(3) A-1, A-2, A-5 zones: one SRO unit attached to the main dwelling; one ADU; one JADU subject to the limitations of Section 9.85.150; and one single-room occupancy development, guest house or bunk house.

(4) Notwithstanding the above or any other provision in this Chapter to the contrary:

(a) No ADU shall be allowed on any lot in the Very High Fire Hazard Severity Zone as shown on the Los Angeles County Fire Department Fire Hazard Severity Zone map. A FZADU may be permitted if the lot is located in the Very High Fire Hazard Severity Zone in accordance with the provisions of this Chapter;

(b) No ADU, FZADU, EADU, or Accessory Living Quarter shall be allowed on any property that has access only from the following streets:

- (i) Furlong Lane – between Deodar Lane and Long Canyon Road;
- (ii) Oak Knoll Lane – east of Bliss Canyon Road;
- (iii) Woodlyn Lane between Bradbury Hills Road and El Cielo Lane; and
- (iv) Bradbury Hills Road.

### **9.85.030 Size**

Secondary living quarters allowed pursuant to section 9.85.020 shall be limited to the following square foot maximums:

Zone	Single-room occupancy (SRO) unit	Single-room occupancy (SRO) Development	Accessory Dwelling Unit (ADU) or Fire Zone ADU (FZADU) or Enhanced Accessory Dwelling Unit (EADU) (per Zone Development Standards)	Junior Accessory Dwelling Unit (JADU)	Guest House or Bunk House
R-7,500	Not permitted	Not permitted	ADU or FZADU - 1,000 sf EADU not permitted	500 sf	Not permitted
R-20,000	250 sf	Not permitted	ADU or FZADU - 1,000 sf EADU - 1,200 sf	500 sf	Not permitted
A-1	250 sf.	1 development with up to a maximum of 1,500 sf with up to 3 SRO units per lot	ADU or FZADU - 1,000 sf EADU not permitted	500 sf	1,500 sf
A-2	250 sf	1 development with up to a maximum of 2,000 sf with up to 5 SRO units per lot	ADU or FZADU - 1,000 sf EADU not permitted	500 sf	2,000 sf
A-5	250 sf	1 development with up to a maximum of 2,500 sf with up to 10 SRO units per lot	ADU or FZADU - 1,000 sf EADU not permitted	500 sf.	2,500 sf

## ARTICLE II – ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

### 9.85.100 Purpose.

The purpose of this Article is to implement the requirements for the establishment of Accessory Dwelling Units and Junior Accessory Dwelling Units as required by California Government Code Sections 65852.2 and 65852.22.

#### **9.85.110 Applications.**

(1) Applications for Accessory Dwelling Units (ADUs), Fire Zone Accessory Dwelling Units ( FZADUs) and Junior Accessory Dwelling Units (JADUs) shall be ministerially processed within 60 days of receipt of a complete application and approved if they meet the requirements of this Chapter.

a. If the application is submitted in conjunction with an application for a new primary single-family unit, the application for the ADU, FZADU or JADU shall not be acted upon until the application for the new primary single-family unit is approved, but thereafter shall be ministerially approved if it meets all requirements within 60 days.

b. The City shall grant a delay if requested by the applicant.

(2) All applications for ADUs, FZADUs and/or JADUs shall be accompanied by the applicable application fee.

(3) ADUs, FZADUs and JADUs shall be subject to applicable inspections and permit fees.

(4) Applications for FZADUs and EADUs shall be processed in accordance with Article III of this Chapter and subject to the rules and regulations set forth therein.

#### **9.85.120 Allowed Zones / Density.**

(1) An ADU or EADU may be constructed in any zone on a lot which contains a legally-existing or proposed primary single-family dwelling unit, provided that no ADUs shall be allowed in the Very High Fire Hazard Severity Zone. However, a FZADU and EADU may be built in the Very High Fire Hazard Severity Zone in compliance with Article III of this Chapter.

(2) ADUs of any type shall not count in determining density or lot coverage and are considered a residential use consistent with the existing general plan and zoning designation for the lot.

#### **9.85.130 Accessory Dwelling Units (ADUs) — Development Standards / Requirements.**

For purposes of this section, the term “ADU” shall include a “FZADU.”

(1) Type of building. An attached or detached ADU shall be a permanent structure on a permanent foundation with permanent provisions for living, sleeping, food preparation, sanitation, and bathing. A manufactured home as defined in California Health and Safety Code Section 18007 shall qualify.

(2) Height. The height of an attached or detached ADU shall not be any higher than 16 feet. Notwithstanding the previous sentence, the height may exceed 16 feet if the ADU is built in a previously existing permitted space which already exists above a permitted ground floor area or garage.

(3) Size.

a. Maximum size – the square footage of an ADU shall not exceed that set forth in Section 9.85.030.

b. Minimum size – the square footage of an ADU shall not be less than 150 square feet.

(4) Application of Underlying Development Standards.

a. The development standards of the underlying zone shall apply, except as may be specified herein.

b. If application of any development standard of the underlying zone or this Chapter prevents the construction of an ADU that is no more than 16 feet in height, such development standard shall be waived to the extent needed to allow an 800 square foot ADU. The waiver of standards does not apply to the requirement for minimum four-foot side and rear yard setbacks.

(5) Setbacks.

a. Attached and detached ADUs shall be located behind the front yard setback line of the primary unit.

b. The maximum side and rear yard setback requirements for an ADU, including an ADU added in an already existing and permitted space above a garage or other floor area shall be four feet. This does not prevent the applicant from providing a larger setback. For hillside lots with an average slope of at least 10 percent, the four-foot setbacks shall be measured from the edge of the building pad and the edge of any top or toe of a slope.

c. The setback requirements in subsections (5) a. and b. above shall not apply if the ADU is being converted from a legally existing accessory structure, including a garage, or is being constructed in the same location and to the same dimensions as a legally existing accessory structure, including a garage.

d. ADUs shall be required to comply with the requirements of the Building Code as set forth in Title XVII of the Bradbury Municipal Code.

(6) Parking.

a. Parking shall be required at the rate of one space for each ADU.

b. Parking spaces for an ADU may be provided through tandem parking on a legally-existing driveway; provided, that such parking does not encroach into the public right-of-way or a private street.

c. Parking spaces for ADUs may be provided in the paved portions of setback areas; provided, that the amount of paving does not exceed the total amount of paving and hardscaped areas that are otherwise allowed by this Title at the time the ADU is approved.

d. When a garage, carport, or covered parking structure is converted into an ADU, or is demolished to accommodate the construction of an ADU, such parking spaces need not be replaced.

e. Tandem parking and parking in setback areas shall not be allowed if the City Manager makes specific findings that such parking is not feasible based upon specific site or regional topographical, or fire and life safety conditions.

f. Notwithstanding any other provision of this subsection (7), no additional parking shall be required for the ADU if any of the following conditions apply:

1. The ADU is located within one-half mile walking distance of a public transit stop;

2. The ADU is located within an architecturally and historically significant historic district;

3. The ADU is part of a legally-existing primary unit or a legally-existing accessory structure;

4. When on-street parking permits are required, but not offered to the occupant of the ADU; or

5. When there is a car share vehicle located within one block of the ADU.

(7) Design.

a. The ADU shall be of the same architectural style, including roof design, and color as the primary unit.

b. Windows, doors, trim, and other architectural embellishments of the ADU shall be of a quality that meets or exceeds that of the primary unit.

c. To the extent feasible, ADU window placements shall be sensitive to maintaining privacy between other dwelling units on the same lot or adjacent lots.

d. The ADU shall have a separate entrance from the primary unit.

e. The ADU shall not alter the appearance of the primary unit.

(8) Fire sprinklers shall be required in the ADU if they were/are required in the primary unit at the time of construction.

(9) Utilities – connections, fees and capacity charges.

a. For an ADU contained within a legally existing primary unit, or a legally existing accessory structure meeting the requirements of Section 9.85.140(1)(a) below, the City shall not require the installation of a new or separate utility connection between the ADU and the utility or impose a connection fee or capacity charge. Such requirement and charges may be imposed when the ADU is being constructed in conjunction with a proposed new primary unit.

b. For all ADUs other than those described in subsection (9)(a) above, the City shall require a new or separate utility connection between the ADU and the utility and shall charge a connection fee or capacity charge that is proportionate to the burden of the proposed ADU based on the size or number of drainage fixture unit (DFU) values upon the water or sewer system.

(10) Impact Fees.

a. No impact fee shall be imposed on any ADU of up to 1,000 square feet in size.

b. Notwithstanding any fee resolution to the contrary, for ADUs larger than 1,000 square feet, impact fees shall be charged proportionately in relation to the square footage of the primary unit.

c. All applicable public service and recreation impact fees shall be paid prior to occupancy in accordance with Government Code Sections 66000 et seq. and 66012 et seq.

d. For purposes of this Section, “impact fee” shall have the meaning set forth in Government Code section 65852.2(f).

#### **9.85.140 Mandatory Approvals.**

(1) Notwithstanding any other provision of this Chapter, the City shall ministerially approve an application for any one of the following categories of ADUs and/or JADUs within a residential zone, unless such ADU is in the Very High Fire Hazard Severity Zone.

a. An ADU or JADU within the existing or proposed space of the primary unit or accessory structure, subject to the following requirements:

1. An ADU or JADU shall have exterior access separate from the legally existing or proposed primary unit.

2. An expansion of up to 150 square feet shall be allowed for a legally existing accessory structure that is to be converted to an ADU, solely for the purpose of accommodating separate ingress and egress.

3. The side and rear yard setbacks shall be sufficient for fire and safety.

4. A JADU shall comply with the requirements of Sections 9.85.150 and 9.85.160 below.

b. One detached ADU that will have at least four-foot side and rear yard setbacks on a legally existing lot with a legally existing or proposed primary unit, provided that the ADU shall not be more than 800 square feet and shall not exceed 16 feet in height. The ADU may be combined with a JADU so long as it complies with all the requirements of Sections 9.85.150 and 9.85.160 below.

c. On a lot with a legally existing multifamily dwelling structure, up to 25 percent of the total multifamily dwelling units, but no less than one ADU or JADU, shall be allowed within the portions of the legally existing structure that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, provided that each dwelling unit complies with State building standards for dwellings.

d. On a lot with a legally existing multifamily dwelling structure, there may be up to two detached ADUs, provided that neither unit is greater than 16 feet in height and that both ADUs have at least four-foot side and rear yard setbacks.

(2) For those ADUs and JADUs that require mandatory approval, the City shall not require the correction of legal, nonconforming zoning conditions.

(3) Any ADU created under this Section 9.85.140 shall not be rented for a period of less than 30 days.

#### **9.85.150 Junior Accessory Dwelling Units – Development Standards / Requirements.**

(1) One JADU shall be allowed on single-family residentially zoned lots in conjunction with a legally existing or proposed primary single-family unit. A JADU may be allowed on the same lot as a detached ADU where the detached ADU is no larger than 800 square feet and no taller than 16 feet.

(2) The JADU shall be required to contain at least an efficiency kitchen which includes cooking appliances and a food preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU.

(3) The JADU shall be required to have a separate entrance from the primary unit.



(4) The JADU may, but is not required to, include separate sanitation facilities. If separate sanitation facilities are not provided, the JADU shall share sanitation facilities with the primary single-family unit and shall have direct access to the primary unit from the interior of the JADU.

(5) Parking.

a. No additional parking shall be required for a JADU.

b. If a garage is converted to develop a JADU, replacement parking shall be required.

(6) A JADU shall be required to comply with applicable Building Code standards.

(7) The owner of the property on which a JADU is constructed shall record with the County Recorder of Los Angeles County, a deed restriction which shall run with the land and a copy of the recorded deed restriction shall be filed with the City after recordation. The deed restriction shall provide for the following:

a. A prohibition on the sale of the JADU separate from the sale of the primary unit;

b. A prohibition on the JADU being larger than 500 square feet;

c. A prohibition on renting either the primary unit or the junior accessory dwelling unit for less than 30 consecutive, calendar days;

d. A restriction that the owner resides in either the primary unit or the JADU, notwithstanding the following:

1. The owner may rent both the primary unit and the JADU to one party with a restriction in the lease that such party may not further sublease any unit or portion thereof; and

2. This restriction shall not apply if the owner of the primary single-family unit is a governmental agency, land trust, or housing organization; and

3. A statement that the deed restrictions may be enforced against future purchasers.

(8) For the purposes of applying any fire or life protection ordinance or regulation, or providing service water, sewer, or power, including a connection fee, a JADU shall not be considered a separate or new dwelling unit.

(9) The City shall not require the correction of legal, nonconforming zoning conditions for approval of a JADU.

**9.85.160 Regulations – Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs).**

All provisions set forth herein relating to ADUs shall also apply to FZADUs and EADUs.

- (1) Sales. ADUs and JADUs cannot be sold separately from the primary unit.
- (2) Rental.
  - a. Short-term rentals of the ADU and JADU are prohibited.
  - b. The ADU or JADU may be rented separate from the primary unit.
- (3) Owner/Occupancy.
  - a. No ADU approved between January 1, 2020 and January 1, 2025 shall have an owner-occupancy requirement. After January 1, 2025 owner-occupancy shall be required for all new ADUs, such that the owner of the property shall occupy either the ADU or the primary unit.
  - b. All properties on which a JADU is developed shall have an owner-occupancy requirement in accordance with section 9.85.150(d).
- (4) This Chapter shall in no way validate any existing illegal ADU nor shall it change a legal nonconforming unit to a conforming unit.
- (5) An application to convert an illegal and/or nonconforming ADU and/or JADU to a legal conforming ADU or JADU shall be subject to the same standards and requirements as for a newly proposed unit.
- (6) Guest houses that were previously approved and which have a valid building permit on file shall not be affected by this Chapter. However, an application to convert a guest house to an ADU shall be subject to this Chapter.
- (7) Revocation. The City Manager shall have the authority to revoke an ADU and/or JADU permit if one or more of the requirements of this Chapter is/are no longer met.
- (8) Enforcement. Until January 1, 2030, the City shall issue a statement along with a notice to correct a violation of any provision of any Building Code standard relating to an ADU or JADU that provides substantially as follows:

You have been issued an order to correct violations or abate nuisances relating to your Accessory Dwelling Unit or Junior Accessory Dwelling Unit. If you believe that this correction or abatement is not necessary to protect the public health and safety you may file an application with the City Manager. If the City determines that enforcement is not required to protect the health and

safety, enforcement shall be delayed for a period of five years from the date of the original notice.

This provision shall only apply to ADUs and JADUs built before January 1, 2020.

### **ARTICLE III – ALTERNATE TYPES OF ACCESSORY DWELLING UNITS**

#### **9.85.200 Fire Zone Accessory Dwelling Units.**

FZADUs shall be processed in accordance with and subject to the provisions of Sections 9.85.110 – 9.85.130, and 9.85.160 above with the following exceptions:

(1) FZADUs shall be required to have minimum side and rear yard setbacks of fifteen feet that shall be maintained in compliance with the Fire Department's fuel modification requirements. For hillside lots with an average slope of at least 10 percent, the fifteen-foot setbacks shall be measured from the edge of the building pad and the edge of any top or toe of a slope; and

(2) FZADUs shall be required to be equipped with fire sprinklers.

#### **9.85.210 Enhanced Accessory Dwelling Units.**

(1) EADUs may exceed the maximum permitted size allowed under Article II above, subject to the maximum square footages set forth in Section 9.85.030.

(2) Development Standards.

a. EADUs shall be required to comply with all the requirements of the underlying zoning and all building requirements, including fire sprinklers.

b. EADUs shall be required to provide one additional parking space per unit.

c. EADUs shall be required to comply with the procedures set forth in Chapter 34 of the Development Code for Architectural Review, Significant.

### **ARTICLE IV – ACCESSORY LIVING QUARTERS**

#### **9.85.300 Development standards for accessory living quarters.**

Accessory living quarters shall be developed in accordance with the following standards:

(1) Accessory living quarters shall be allowed in accordance with Sections 9.85.020 and 9.85.030 above.

(2) Accessory living quarters are permitted only on residential lots which are developed with a primary single-family unit.

(3) Accessory living quarters must comply with the Bradbury Development Code, applicable at the time the plans for Planning Department approval for the accessory living quarters are submitted.

(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.

(5) The maximum allowed height for a detached accessory living quarter unit or building shall not exceed 28 feet, even when allowed as a second story above an existing primary unit, garage, or accessory structure.

(6) No accessory living quarter shall exceed one-floor in height; however, that floor may be a second story.

(7) The owner of the property must occupy either the primary unit or an accessory living quarter unit.

(8) A minimum of one on-site parking space shall be provided for each accessory living quarter, in addition to the parking requirement for the primary single-family unit. The parking spaces for the accessory living quarters need not be covered, except for multi-family dwellings for which the parking spaces shall be in carports. All parking spaces shall be paved and accessible from a single, common driveway for the primary and accessory living quarter units. Tandem parking is not permitted to meet this off-street parking requirement.

(9) The tenants of a bunk house, SRO, or SRO development shall be limited to the following individuals:

- a. Personnel involved with the care and maintenance of the primary unit;
- b. Personnel involved with the care and maintenance of the general premises;
- c. Personnel involved with the care of a resident of the primary unit;
- d. Personnel involved with the associated on-site agricultural, equestrian, farming, or other residential activities.
- e. In an SRO or SRO development, a family member may also reside in the unit.

(10) Single room occupancy ("SRO") residential units and developments are subject to the following additional requirements:

- a. Each SRO unit shall have a minimum floor area of 150 square feet and a maximum floor area of 250 square feet.

b. Each SRO unit shall have a private toilet in an enclosed, adjacent compartment of up to 50 square feet with at a minimum, a door, a sink, and a shower.

c. Each SRO unit shall have a separate closet.

d. Kitchens shall not be provided in the individual SRO unit. In the case of a SRO development, common kitchen facilities, dining rooms, and laundry facilities shall be provided.

e. Each SRO development shall have a cleaning supply room or utility closet with a wash tub with hot and cold running water.

f. No more than two persons shall be allowed to reside in any SRO unit.

g. SRO units shall be offered for rent or occupancy in conjunction with employment on a monthly basis or longer.

#### **9.85.310 – Accessory living quarters – Neighborhood compatibility review – Standards.**

All development of accessory living quarters shall be subject to the procedures for neighborhood compatibility review and approval pursuant to [Chapter 34](#) of this title. In addition to the standards and determinations required by [Chapter 34](#) of this title, the following findings shall be required for approval of accessory living quarters:

(1) The accessory living quarter(s) will be appropriate to the size and character of the lot on which it will be located, and to the character of the neighborhood.

(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.

(3) The accessory living quarter(s) will not be materially detrimental to the public health, safety, and general welfare, or to the use, enjoyment, or valuation of property of other persons located in the vicinity.

#### **9.85.310 – Nonconforming uses.**

(1) No nonconforming accessory living quarter(s) may be expanded or remodeled by the addition of any space or addition of plumbing fixtures or cooking facilities unless it is brought into compliance with the provisions set forth in this Code prior to occupancy.

(2) Any accessory living quarter legally permitted prior to January 1, 2020 shall be allowed to remain as legal, non-conforming uses.

**SECTION 4.** Section 9.103.030 of the Bradbury Development Code is hereby amended to read as follows:

**Sec. 9.103.030 – Number of parking spaces required.**

(1) The number of off-street parking spaces required for each primary single-family dwelling unit containing not more than four bedrooms shall be two parking spaces located in a garage. Primary units containing more than four bedrooms, not including a Junior Accessory Dwelling Unit, shall provide one additional off-street parking space in a garage for each increment of two additional bedrooms or rooms used for sleeping purposes.

(2) Development projects subject to the hillside development standards shall require an additional two uncovered off-street parking spaces.

(3) Parking for secondary dwelling units shall be as specified in Chapter 85 of this Title. Except as specifically allowed in Chapter 85, tandem parking shall be prohibited.

**SECTION 5.** CEQA. This Ordinance is exempt from CEQA pursuant to CEQA Guidelines Section 15282(h) which provides a statutory exemption for the adoption of an ordinance regarding accessory dwelling units to implement the provisions of Sections 65852.1 and 65852.2 of the Government Code. As the standards of Government Code Section 65852.22 relating to junior accessory dwelling units are incorporated into Government Code 65852.2, this exemption covers junior accessory dwelling units as well. Regardless of whether the City adopts this Ordinance, accessory dwelling units and junior accessory dwelling units must be allowed in the City in accordance with the standards set forth in State Statute. Therefore, this Ordinance is categorically exempt under the commonsense exemption of CEQA Guidelines section 15061(b)(3) which provides that CEQA does not apply where it can be seen with certainty that the project will not cause any impacts. Additionally, the sections that were added in Article IV of Chapter 85 are the same sections that were previously in the Code which were removed by the Urgency Ordinance.

**SECTION 6.** Effective Date. This Ordinance shall take effect on the thirty-first date after passage. Upon its effective date, this Ordinance supersedes Urgency Ordinance No. 368 which will be of no further force or effect.

**SECTION 7.** Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or any part thereof is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portion of this ordinance or any part thereof. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsection, subdivision, paragraph, sentence, clause, or phrase be declared invalid.

**SECTION 8.** Certification. The City Clerk shall certify the passage of this ordinance and shall cause the same to be entered in the book of original ordinances of said City; shall

make a minute passage and adoption thereof in the records of the meeting at which time the same is passed and adopted.

**SECTION 9.** Transmission to HCD. The City Clerk shall send a copy of this Ordinance to the Department of Housing and Community Development as required by State law.

**PASSED, APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2021.**

\_\_\_\_\_  
**Mayor**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

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

I, Claudia Saldana, City Clerk of the City of Bradbury, do hereby certify that the foregoing ordinance, being Ordinance No. 373 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 \_\_\_\_ day of \_\_\_\_\_, 2021, that it was duly posted, and that the same was passed and adopted by the following vote, to wit:

AYES:

NAYS:

ABSENT:

ABSTAIN:

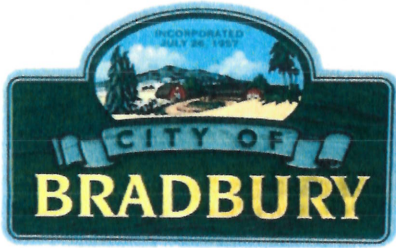
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Claudia Saldana  
City Clerk  
City of Bradbury



*ATTACHMENT B*

*FEBRUARY 16, 2021 CITY COUNCIL AGENDA REPORT  
(without attachments)*



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

## **City of Bradbury City Council Agenda Report**

**TO:** Honorable Mayor and Council Members

**FROM:** Kevin Kearney, City Manager  
By: Jim Kasama, City Planner  
Lisa Kranitz, Assistant City Attorney

**DATE:** February 16, 2021

**SUBJECT:** INTRODUCTION OF ORDINANCE NO. 373

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA, AMENDING THE ZONING PROVISIONS OF THE BRADBURY MUNICIPAL CODE RELATING TO ACCESSORY DWELLING UNITS (ADUs) AND JUNIOR ACCESSORY DWELLING UNITS (JADUs) IN ACCORDANCE WITH STATE LAW AND PROVISIONS RELATED TO ACCESSORY LIVING QUARTERS (ALQs)**

**AGENDA ITEM NO. 4**

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### **SUMMARY**

During 2019, the State adopted legislation mandating that cities allow Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) with minimized setbacks and significant cost-saving provisions, such as not being required to be equipped with fire sprinklers. The State-mandated provisions were to take effect January 1, 2020; however, the City Council adopted Urgency Ordinance No. 368 on December 17, 2019 putting local regulations in place. A draft replacement ordinance was considered by the City Council on June 16, 2020. However, the City Council scheduled a study session to discuss safety concerns, and the draft replacement ordinance has been significantly revised. The revised draft replacement ordinance was re-evaluated by the Planning Commission on January 27, 2021, and the Planning Commission adopted Resolution No. PC 21-294 (Attachment B) to recommend approval of the revised draft replacement ordinance – Ordinance No. 373 (Attachment A). It is recommended that the City Council conduct a public hearing for Ordinance No. 373, introduce the Ordinance, and schedule the second reading and adoption for the next regular meeting on March 16, 2021.

**AGENDA ITEM NO. 4**

## **BACKGROUND**

In response to the State legislation that mandates the allowing of Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) with minimized setback requirements and reduced fire-safety measures, the City Council adopted Urgency Ordinance No. 368 at the December 17, 2019 regular meeting, which immediately put in place local regulations that prohibit ADUs in the Very High Fire Hazard Severity Zone and Hillside areas of the City. State guidance has made it apparent that certain provisions of Ordinance No. 368 will need to be amended. A replacement ordinance was drafted and reviewed by the Planning Commission at the regular meeting on May 27, 2020, and the Planning Commission adopted Resolution No. PC 20-289 to recommend approval of the proposed replacement ordinance.

The replacement ordinance was considered by the City Council at the regular meeting on June 16, 2020. Rather than introduce the ordinance, however, the City Council scheduled a study session to discuss safety concerns. The City Council met in study session on July 13, 2020, August 10, 2020, October 7, 2020, and December 9, 2020, and discussed the draft replacement ordinance and safety issues related to wildfires and evacuations. The City Council reviewed the Los Angeles County Fire Department's Fire Hazard Severity Zone Map for the City of Bradbury (Attachment E) and several reports regarding wildfires, land-use planning, and emergency response. The City Council then directed staff to have a fire expert prepare a report on fire safety issues related to ADUs to see if there should be adjustments of the State-mandated ADU provisions.

The City contracted with the Dudek consulting firm to address the City Council's concerns. Two issues that were raised were how minimal setbacks (i.e., four-foot side and rear yards) for ADUs could facilitate the spreading of a wildfire and how very narrow streets (i.e., less than 20 feet of roadway) in certain areas of the City would impinge on evacuations and access by the Fire Department. Dudek's report (Attachment D) was presented to the City Council on December 9, 2020, along with the draft revised replacement ordinance. The City Council concluded the study session and directed staff to proceed with the processing of the revised replacement ordinance – Ordinance No. 373.

## **DISCUSSION**

In addition to Dudek's report, staff reviewed the several reports considered by the City Council, including the State Office of Planning and Research's ("OPR") draft Fire Hazard Planning Technical Advisory, ICMA's "21<sup>st</sup> Century – Fire and Emergency Services" document, and the State Department of Housing and Community Development's Accessory Dwelling Unit Handbook (<https://www.hcd.ca.gov/policy-research/docs/adu-ta-handbook-final.pdf>). Based on the various documents, City staff feels that there is justification to limit the creation of ADUs in the Very High Fire Hazard Severity Zone (VHFHSZ) areas of the City – see Attachment E, and to prohibit all secondary living quarters on certain streets with very narrow widths – see Attachment C. These provisions are included in Ordinance No. 373. However, in order to try and meet the intent of State legislation, Ordinance No. 373 provides that ADUs be ministerially allowed in the VHFHSZ subject to such units having fire sprinklers and setbacks of at least 15 feet, which is the required side and rear yard setbacks in the R-20,000 zone. These types of ADUs are



referred to in Ordinance No. 373 as Fire Zone ADUs (FZADU). The size of both ADUs and FZADUs are limited to a maximum of 1,000 square feet.

Ordinance No. 373 also establishes a second category of ADUs, entitled Enhanced ADUs (EADUs). EADUs will be allowed in the R-7,500 and R-20,000 zones and may go up to 1,200 square feet. To have an EADU, the applicant would have to comply with all development standards of the underlying zone, including Significant Architectural Review approval by the Planning Commission. EADUs are not allowed in the Agricultural zones as those zones may have a Guest House, Bunk House, or SRO Development of larger sizes.

Ordinance No. 373 combines Accessory Dwelling Units (ADUs), Enhanced Accessory Dwelling Units (EADUs), Fire Zone Accessory Dwelling Units (FZADUs), Junior Accessory Dwelling Units (JADUs), and Accessory Living Quarters (ALQs) into one chapter, titled Secondary Living Quarters. Relevant definitions are as follows:

*Accessory dwelling unit ("ADU")* means a dwelling unit of up to 1,000 square feet that is attached, detached, or located within an existing or proposed residential dwelling which provides complete independent living facilities for one or more persons and includes permanent provisions for living, sleeping, eating, cooking and sanitation on the same parcel of land as the primary unit.

*Accessory living quarters ("ALQ")* means living quarters in addition to the primary unit on the same parcel of land as the primary unit, and includes the following:

- (1) Bunk houses;
- (2) Guest houses;
- (3) Single-room-occupancy units (SROs); and
- (4) SRO developments.

*Enhanced accessory dwelling unit ("EADU")* means an ADU over 1,000 square feet and up to 1,200 square feet.

*Fire Zone accessory dwelling unit ("FZADU")* means an ADU in the Very High Fire Hazard Severity Zone which complies with City zoning setback requirements and is equipped with fire sprinklers, the requirement of which would otherwise be prohibited by State legislation.

*Junior accessory dwelling unit ("JADU")* means an accessory dwelling unit that is no more than 500 square feet in size and contained entirely within an existing or proposed single-family residence. The single-family residence does not include an attached accessory structure.

*Secondary living quarters ("SLQ")* means accessory living quarters and accessory dwelling units, including junior accessory dwelling units, fire zone accessory dwelling units, and enhanced accessory dwelling units.

Secondary Living Quarters are allowed as follows:

- R-7,500 zone: one ADU of up to 1,000 sq. ft. or an EADU of up to 1,200 sq. ft.; and one JADU of 150 to 500 sq. ft., but if with a JADU, the ADU must be detached and is limited to a maximum of 800 sq. ft.
- R-20,000 zone: one SRO unit of 150 to 250 sq. ft. attached to the main dwelling; one ADU of up to 1,000 sq. ft. or an EADU of up to 1,200 sq. ft.; and one JADU of 150 to 500 sq. ft., but if with a JADU, the ADU must be detached and is limited to a maximum of 800 sq. ft.
- A-1 zone: one SRO unit of 150 to 250 sq. ft. attached to the main dwelling; one ADU of up to 1,000 sq. ft.; one JADU of 150 to 500 sq. ft., but if with a JADU, the ADU must be detached and is limited to a maximum of 800 sq. ft.; and up to 1,500 sq. ft. for one SRO development of up to 3 units or a guest house or a bunk house.
- A-2 zone: one SRO unit of 150 to 250 sq. ft. attached to the main dwelling; one ADU of up to 1,000 sq. ft.; one JADU of 150 to 500 sq. ft., but if with a JADU, the ADU must be detached and is limited to a maximum of 800 sq. ft.; and up to 2,000 sq. ft. for one SRO development of up to 5 units or a guest house or a bunk house.
- A-5 zone: one SRO unit of 150 to 250 sq. ft. attached to the main dwelling; one ADU of up to 1,000 sq. ft.; one JADU of 150 to 500 sq. ft., but if with a JADU, the ADU must be detached and is limited to a maximum of 800 sq. ft.; and up 2,500 sq. ft. for one SRO development of up to 10 units or a guest house or a bunk house.

In locations with very narrow street widths – see Attachment C, which do not provide the needed access for fire engines, and could potentially hinder evacuations, no type of Secondary Living Quarter, except a JADU, will be allowed. These locations are the 44 properties that require access from the following streets:

- (1) Furlong Lane – between Deodar Lane and Long Canyon Road;
- (2) Oak Knoll Lane – east of Bliss Canyon Road;
- (3) Woodlyn Lane – between Bradbury Hills Road and El Cielo Lane; and
- (4) Bradbury Hills Road.

## **FINDINGS**

Balancing the need for additional housing with the need to provide safety and emergency response measures, the State-mandated provisions for ADUs need to be adjusted for properties in the Very High Fire Hazard Severity Zone – see Attachment E, Secondary Living Quarters should be prohibited at properties that can only be accessed from very narrow streets – see Attachment C. The findings in support of these decisions are stated in Section 1 of Ordinance No. 373.

## **ENVIRONMENTAL DOCUMENT**

It is recommended that Ordinance No. 373 is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15282(h) which provides a

statutory exemption for the adoption of an ordinance regarding accessory dwelling units per the provisions of Sections 65852.1 and 65852.2 of the Government Code. As the standards of Government Code Section 65852.22 relating to junior accessory dwelling units are incorporated in Government Code Section 65852.2, this exemption covers junior accessory dwelling units as well. Regardless of whether the City adopts the ordinance, accessory dwelling units and junior accessory dwelling units must be allowed in the City in accordance with the standards set forth in State Statute. Therefore, the ordinance is categorically exempt under the commonsense exemption of CEQA Guidelines Section 15061(b)(3) which provides that CEQA does not apply where it can be seen with certainty that the project will not cause any impacts. Additionally, the Sections that were added in Article IV of Chapter 85 of the ordinance are the same provisions that were previously in the Code but were repealed by the Urgency Ordinance.

### **CITY COUNCIL ALTERNATIVES**

The City Council is to hold a public hearing and solicit testimony on Ordinance No. 373. Following the testimony, the City Council will have the following choice of actions:

**Option 1.** Conduct and conclude the public hearing and determine that Ordinance No. 373 is to be approved as drafted with an exemption under CEQA, and approve a motion to introduce the ordinance and schedule the second reading and adoption for the next regular meeting on March 16, 2021.

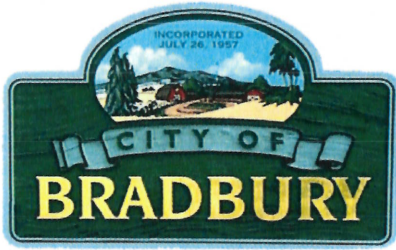
**Option 2.** After conducting the public hearing, if the City Council determines that Ordinance No. 373 should not be introduced as drafted, the Council should state the specific changes that need to be made, and approve a motion to close the public hearing and refer the ordinance back to staff to incorporate the changes. In accordance with the Bradbury Municipal Code, if the changes to the ordinance are significant, the ordinance will be referred back to the Planning Commission for their review and recommendation.

### **RECOMMENDATION**

Option 1 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. 373, and schedule the second reading and adoption for the next regular meeting on March 16, 2021.

### **ATTACHMENTS**

- A – Ordinance No. 373
- B – Resolution No. PC 21-294
- C – Maps of Very Narrow Streets
- D – Dudek Memorandum
- E – Fire Hazard Severity Zone Map



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

## **City of Bradbury City Council Agenda Report**

**TO: Honorable Mayor and Council Members**

**FROM: Kevin Kearney, City Manager  
By: Jim Kasama, City Planner**

**DATE: March 16, 2021**

**SUBJECT: INTRODUCTION OF ORDINANCE NO. 374**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
BRADBURY, CALIFORNIA, AMENDING THE BRADBURY  
MUNICIPAL CODE TO ADD DEVELOPMENT STANDARDS FOR  
YARD AREAS ADJACENT TO STREETS AND FOR PARKWAY  
AREAS**

### **AGENDA ITEM NO. 2**

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#### **SUMMARY**

In continuing to work on updates of the Development Code, the Planning Commission examined potential regulations for landscaping and hardscapes in front and street-side yard areas. The Commission, at its January 27, 2021 meeting adopted Resolution No. PC 21-295 to recommend that the City Council adopt an ordinance to address the improvements of yard areas adjacent to streets. The Council reviewed the draft regulations at its February 16, 2021 meeting and found the proposed regulations acceptable. Staff drafted the attached Ordinance No. 374 for the Council's consideration and introduction.

#### **BACKGROUND**

The Planning Commission began a discussion at the October 28, 2020 meeting on issues related to front yards. This was in response to a project that had been referred to the Commission for guidance due to the lack of regulations for driveways, circular driveways, the maximum amount of hardscape or impervious surfaces, and the types of materials to be allowed; e.g., artificial turf, gravel, and other decorative materials. The Commission directed staff to check the regulations of 12 cities: Arcadia, Azusa, Duarte, Glendora, Hidden Hills, La Verne, Malibu, Monrovia, Rolling Hills Estates, San Dimas, San Marino, and Sierra Madre. The applicable regulations were discussed at the December 2, 2020 meeting along with draft regulations for the City of Bradbury. The Commission held a public

hearing and determined that the proposed regulations are acceptable and adopted the attached Resolution No. PC 21-295 to recommend to the City Council the preparation and approval of an ordinance to amend the Development Code to add the proposed regulations.

The City Council reviewed the regulations of the twelve cities and the draft regulations for the City of Bradbury at the February 16, 2021 regular meeting. The Council found the draft regulations acceptable provided they are consistent with the City's property maintenance standards. Staff reviewed those standards and incorporate the necessary adjustments into the proposed Ordinance No. 374.

## **DISCUSSION**

The issues and the proposed regulations, and how they are addressed by Ordinance No. 374 are as follows. New wording is shown in *Italics* and deletions with ~~double-strikethroughs~~.

- **Landscaping vs. Hardscape & Use of Artificial Turf – How much of a yard area abutting a right-of-way should be landscaping and how much should be hardscape (i.e., driveway, walkways, and areas not planted with vegetation such as stones, boulders, and gravel)? Should artificial turf be allowed in front yards, and if so, how much?**

R-7,500 – Maximum 40% hardscape which includes artificial turf

R-20,000 – Maximum 35% hardscape which includes artificial turf

A-1 – Maximum 30% hardscape which includes artificial turf

A-2 – Maximum of 25% hardscape which includes artificial turf

A-5 – Maximum of 15% hardscape which includes artificial turf

All zones – Artificial turf is not to be allowed in parkways along public streets

Ordinance No. 374 adds a definition for “hardscape” to Chapter 25 (Definitions) and adds the hardscape and artificial turf limits by adding new subsections (8) and (9) to the Development Standards for each zone as follows:

*Hardscape means paving, gravel, rocks, boulders, decomposed granite and other compacted soils, artificial turf, and other materials made from non-living matter.*

### **R-7,500**

*(8) Improvement of yards abutting rights-of-way.*

*(a) Hardscape shall not exceed 40 percent of the yard areas abutting rights-of-way.*

*(b) Artificial turf is not allowed in the yard areas abutting rights-of-way.*

*(9) Parkway improvements. The parkway or the area between a roadway and the curb or swale and a lot line shall be paved with materials and in a manner approved by the City Engineer, or landscaped with materials and in a manner approved by the City Manager or designee and in compliance with the City of Bradbury Water Efficient Landscape Ordinance. Artificial turf is not allowed in parkways or the areas between roadways and the curb along public streets.*



## R-20,000

### *(8) Improvement of yards abutting rights-of-way.*

*(a) Hardscape shall not exceed 35 percent of the yard areas abutting rights-of-way.*

*(b) Artificial turf is not allowed within 20 feet of an abutting right-of-way.*

*(9) Parkway improvements. The parkway or the area between a roadway and the curb or swale and a lot line shall be paved with materials and in a manner approved by the City Engineer, or landscaped with materials and in a manner approved by the City Manager or designee and in compliance with the City of Bradbury Water Efficient Landscape Ordinance. Artificial turf is not allowed in parkways or the areas between roadways and the curb along public streets.*

## A-1

### *(8) Improvement of yards abutting rights-of-way.*

*(a) Hardscape shall not exceed 30 percent of the yard areas abutting rights-of-way.*

*(b) Artificial turf is not allowed within 20 feet of an abutting right-of-way.”*

*(9) Parkway improvements. The parkway or the area between a roadway and the curb or swale and a lot line shall be paved with materials and in a manner approved by the City Engineer, or landscaped with materials and in a manner approved by the City Manager or designee and in compliance with the City of Bradbury Water Efficient Landscape Ordinance. Artificial turf is not allowed in parkways or the areas between roadways and the curb along public streets.*

## A-2

### *(8) Improvement of yards abutting rights-of-way.*

*(a) Hardscape shall not exceed 25 percent of the yard areas abutting rights-of-way.*

*(b) Artificial turf is not allowed within 20 feet of an abutting right-of-way.”*

*(9) Parkway improvements. The parkway or the area between a roadway and the curb or swale and a lot line shall be paved with materials and in a manner approved by the City Engineer, or landscaped with materials and in a manner approved by the City Manager or designee and in compliance with the City of Bradbury Water Efficient Landscape Ordinance. Artificial turf is not allowed in parkways or the areas between roadways and the curb along public streets.*

## A-5

*(8) Improvement of yards abutting rights-of-way. Hardscape shall not exceed 15 percent of the yard areas abutting rights-of-way.”*

*(9) Parkway improvements. The parkway or the area between a roadway and the curb or swale and a lot line shall be paved with materials and in a manner approved by the City Engineer, or landscaped with materials and in a manner approved by the City Manager or designee and in compliance with the City of Bradbury Water Efficient Landscape Ordinance. Artificial turf is not allowed in parkways or the areas between roadways and the curb along public streets.*

- **Should there be maximum widths for driveways at the street and on site? Should there be only one driveway access per property? And, what are the circumstances for which an additional and/or circular driveway is to be allowed?**

R-7,500 – Maximum driveway width of 20 feet for both on-site and within the right-of-way. Additional and circular driveways are not to be allowed.

R-20,000 – Maximum driveway widths of 30 feet on-site and 20 feet within the right-of-way. Additional and circular driveways may be allowed with a minimum lot width/length of 100 feet at a right-of-way and subject to design review approval by the Planning Commission.

A-1 – Maximum driveway widths of 30 feet on-site and 25 feet within the right-of-way. Additional and circular driveways may be allowed with a minimum lot width/length of 100 feet at a right-of-way and subject to design review approval by the Planning Commission.

A-2 – Maximum driveway widths of 30 feet on-site and 25 feet within the right-of-way. Additional and circular driveways may be allowed with a minimum lot width/length of 100 feet at a right-of-way and subject to design review approval by the Planning Commission.

A-5 – Maximum driveway widths of 30 feet on-site and 25 feet within the right-of-way. Circular driveways are not to be allowed in a required yard.

Ordinance No. 374 adds maximum widths for driveways by amending the Access provisions of Chapter 103 (Off-Street Parking Standards) to be applicable for all dwelling units, and adding provisions for maximum widths and numbers of driveways:

- (2) Access. ~~The minimum width of access driveways for each single-family lot with only one dwelling which leads to required off-street parking facilities shall be 15 feet. The minimum width of driveways that provide access to two or more single-family dwelling units shall be 20 feet. The maximum slope of a private driveway shall not exceed 15 percent. Additional conditions may be imposed by the Planning Commission so as to ensure adequate access to the site for emergency vehicles.~~

*(a) Maximum widths.*

- (i) In the R-7,500 zone, the maximum width of access driveways on-site shall be 20 feet, and the maximum width of the flat portion of access driveways within a right-of-way shall be 20 feet.*
- (ii) In the R-20,000 zone, the maximum width of access driveways on site shall be 30 feet, and the maximum width of the flat portion of access driveways within a right-of-way shall be 20 feet.*
- (iii) In the A-1, A-2, and A-5 zones, the maximum width of access driveways on site shall be 30 feet, and the maximum width of the flat portion of access driveways within a right-of-way shall be 25 feet.*

*(b) Number of driveways and circular driveways.*

- (i) In the R-7,500 zone, there shall be only one driveway and circular driveways are prohibited.*

- (ii) *In the R-20,000, A-1, and A-2 zones, there shall only be one driveway and circular driveways are prohibited, unless the lot has a right-of-way frontage of at least 100 feet; then along this frontage, there may be two driveways that may be connected by a circular driveway. The locations of a two-driveway design and the design of a circular driveway are subject to design review approval by the Planning Commission.*
- (iii) *In the A-5 zone, there shall not be more than two driveways along a right-of-way frontage, and a circular driveway connection shall not be within a required yard.*
- (c) *Greater widths and additional requirements may be imposed by the Planning Commission to ensure adequate access to the site for emergency vehicles and evacuations.*
- **Should contemporary materials and methods such as stamping, scoring, pavers, colored concrete, decomposed granite, and grass-crete be allowed as decorative features for driveways, and as materials for walkways?**

Contemporary decorative materials and methods are to be allowed for walkways and driveway accenting because these materials are more natural in appearance, but the materials and methods are to be consistent with the architectural style of the house. This issue is to be addressed by adding the applicable materials to the City's Design Guidelines, which are to be amended by City Council Resolution and referenced in the design review provisions of the Development Code. A draft resolution and ordinance to amend the Design Guidelines and design review provisions will be presented for review to the Planning Commission and City Council.

- **During the review of the proposed regulations at the February 16, 2021 meeting, it was mentioned that the new regulations will be consistent with the City's property maintenance standards.**

In order for the ground covering requirements of the property maintenance standards to be consistent with the new yard improvement regulations, Ordinance No. 374 amends subsections 9.109.030.(21) and 9.109.035 of Chapter 109 (Property Maintenance Standards) as follows:

Sec. 9.109.030. – Property maintenance standards; public nuisance declared.

It is hereby declared a public nuisance for any person owning, leasing, occupying or having charge or possession of any premises in the City to maintain such premises in such manner that any of the following conditions are found to exist thereon:

- (21) Lack of ground covering. Maintenance of designated areas lacking one or more of the following ground coverings: properly maintained vegetative growth, ~~decorative rock, artificial turf~~ hardscape, or fire-resistant bark or wood mulch;

~~Sec. 9.109.035. – Groundcover definitions.~~

- (a) Designated areas as used in this chapter shall mean and refer to areas visible from a public or private street that are:

- ~~(1) Within ten feet of a building or residence; or~~

- (2i) ~~Are~~ Larger than ~~225~~36 square feet; ~~and~~or
    - (3ii) With ~~no~~a linear dimension ~~less~~greater than six feet.
  - (b) The ground covering requirement in Section 9.109.030.(21) does not apply to the following areas:
    - (1) Driveways, walkways, ADA access paths of travel, and architectural accessories;
    - (2) Areas shaded by native oak or pine trees or naturally covered by mulch from such trees;
    - (3) Equestrian training and stabling areas regularly used for that purpose;
    - (4) Terrain with hillside slopes in excess of 25 percent;
    - (5) Orchards;
    - (6) Gardens in between regular plantings.
  - (c) The City shall develop and maintain a list of ground coverage suggestions and a collection of model ground coverage plans to assist residents and landowners in meeting the requirement of this chapter.

## **FINDINGS**

The amendments to be made by Ordinance No. 374 are consistent with the City's General Plan and further the goals, policies, and programs of the Land Use Element of the General Plan.

## **ENVIRONMENTAL DOCUMENT**

It is recommended that the proposed Ordinance No. 374 is exempt under the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) which provides the commonsense rule that CEQA does not apply where it can be seen with certainty that the project will not cause any impacts. The proposed regulations reduce the need for landscape irrigation and promote permeation of stormwaters, and will not cause environmental impacts.

## **CITY COUNCIL ALTERNATIVES**

The City Council is to hold a public hearing and solicit testimony on Ordinance No. 374. Following the testimony, the City Council will have the following choice of actions:

**Option 1.** Conclude the public hearing and determine that Ordinance No. 374 is to be approved with an exemption under CEQA, and approve a motion to introduce the ordinance and schedule the second reading and adoption for the next regular meeting on April 20, 2021.

**Option 2.** If the City Council determines that Ordinance No. 374 needs minor changes and should not be introduced as drafted, the Council should state the specific changes that need to be made and approve a motion to continue the public hearing to the next regular meeting on April 20, 2021.

**Option 3.** If the City Council determines that Ordinance No. 374 needs significant changes, the Council should conclude the public hearing and refer the Ordinance back to staff to incorporate the changes. In accordance with the Bradbury Municipal Code, the changes to the ordinance are to be referred back to the Planning Commission for their review and recommendation.

### **RECOMMENDATION**

Option 1 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. 374, and schedule the second reading and adoption for the next regular meeting on April 20, 2021.

### **ATTACHMENT**

Ordinance No. 374

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ATTACHMENT

**ORDINANCE NO. 374**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
OF BRADBURY, CALIFORNIA, AMENDING THE  
BRADBURY MUNICIPAL CODE TO ADD  
DEVELOPMENT STANDARDS FOR YARD AREAS  
ADJACENT TO STREETS AND FOR PARKWAY AREAS**

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## ORDINANCE NO. 374

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA, AMENDING THE BRADBURY MUNICIPAL CODE TO ADD DEVELOPMENT STANDARDS FOR YARD AREAS ADJACENT TO STREETS AND FOR PARKWAY AREAS

**WHEREAS**, the changes adopted herein are consistent with the City's General Plan and further the goals, policies, and programs of the Land Use Element of the General Plan.

**WHEREAS**, the Planning Commission conducted a duly noticed public hearing to consider the changes adopted herein, and at its regular meeting of January 27, 2021, adopted Resolution No. PC 21-295 to recommend to the City Council approval of this ordinance with an exemption under the California Environmental Quality Act (CEQA).

**THEREFORE, THE CITY COUNCIL OF THE CITY OF BRADBURY DOES ORDAIN AS FOLLOWS:**

**Section 1.** Section 9.25.020 of the Bradbury Development Code relating to Definitions is hereby amended by adding the following definition to read as follows:

*"Hardscape means paving, gravel, rocks, boulders, decomposed granite and other compacted soils, artificial turf, and other materials made from non-living matter."*

**Section 2.** Section 9.61.040 of Chapter 61 of Part V of Title IX of the Bradbury Municipal Code is hereby amended to add the following:

*"(8) Improvement of yards abutting rights-of-way.*

*(a) Hardscape shall not exceed 40 percent of the yard areas abutting rights-of-way.*

*(b) Artificial turf is not allowed in the yard areas abutting rights-of-way.*

*(9) Parkway improvements. The parkway or the area between a roadway and the curb or swale and a lot line shall be paved with materials and in a manner approved by the City Engineer, or landscaped with materials and in manner approved by the City Manager or designee and in compliance with the City of Bradbury Water Efficient Landscape Ordinance. Artificial turf is not allowed in parkways or the areas between roadways and the curb along public streets."*

**Section 3.** Section 9.64.040 of Chapter 64 of Part V of Title IX of the Bradbury Municipal Code is hereby amended to add the following:

*"(8) Improvement of yards abutting rights-of-way.*

*(a) Hardscape shall not exceed 35 percent of the yard areas abutting rights-of-way.*

*(b) Artificial turf is not allowed within 20 feet of an abutting right-of-way.*

(9) *Parkway improvements.* The parkway or the area between a roadway and the curb or swale and a lot line shall be paved with materials and in a manner approved by the City Engineer, or landscaped with materials and in manner approved by the City Manager or designee and in compliance with the City of Bradbury Water Efficient Landscape Ordinance. Artificial turf is not allowed in parkways or the areas between roadways and the curb along public streets.”

**Section 4.** Section 9.67.040 of Chapter 67 of Part V of Title IX of the Bradbury Municipal Code is hereby amended to add the following:

“(8) *Improvement of yards abutting rights-of-way.*

(a) Hardscape shall not exceed 30 percent of the yard areas abutting rights-of-way.

(b) Artificial turf is not allowed within 20 feet of an abutting right-of-way.

(9) *Parkway improvements.* The parkway or the area between a roadway and the curb or swale and a lot line shall be paved with materials and in a manner approved by the City Engineer, or landscaped with materials and in manner approved by the City Manager or designee and in compliance with the City of Bradbury Water Efficient Landscape Ordinance. Artificial turf is not allowed in parkways or the areas between roadways and the curb along public streets.”

**Section 5.** Section 9.70.040 of Chapter 70 of Part V of Title IX of the Bradbury Municipal Code is hereby amended to add the following:

“(8) *Improvement of yards abutting rights-of-way.*

(a) Hardscape shall not exceed 25 percent of the yard areas abutting rights-of-way.

(b) Artificial turf is not allowed within 20 feet of an abutting right-of-way.

(9) *Parkway improvements.* The parkway or the area between a roadway and the curb or swale and a lot line shall be paved with materials and in a manner approved by the City Engineer, or landscaped with materials and in manner approved by the City Manager or designee and in compliance with the City of Bradbury Water Efficient Landscape Ordinance. Artificial turf is not allowed in parkways or the areas between roadways and the curb along public streets.”

**Section 6.** Section 9.73.040 of Chapter 73 of Part V of Title IX of the Bradbury Municipal Code is hereby amended to add the following:

“(8) *Improvement of yards abutting rights-of-way.* Hardscape shall not exceed 15 percent of the yard areas abutting rights-of-way.

(9) *Parkway improvements.* The parkway or the area between a roadway and the curb or swale and a lot line shall be paved with materials and in a manner approved by the City Engineer, or landscaped with materials and in manner approved by the City

Manager or designee and in compliance with the City of Bradbury Water Efficient Landscape Ordinance. Artificial turf is not allowed in parkways or the areas between roadways and the curb along public streets.”

**Section 7.** Section 9.103.060.(2) of Chapter 103 of Part VI of Title IX of the Bradbury Municipal Code is hereby amended to read as follows:

“(2) *Access.* The minimum width of access driveways for a lot with only one dwelling shall be 15 feet. The minimum width of driveways that provide access to two or more dwelling units shall be 20 feet. The maximum slope of a private driveway shall not exceed 15 percent.

(a) Maximum widths.

(i) In the R-7,500 zone, the maximum width of access driveways on-site shall be 20 feet, and the maximum width of the flat portion of access driveways within a right-of-way shall be 20 feet.

(ii) In the R-20,000 zone, the maximum width of access driveways on site shall be 30 feet, and the maximum width of the flat portion of access driveways within a right-of-way shall be 20 feet.

(iii) In the A-1, A-2, and A-5 zones, the maximum width of access driveways on site shall be 30 feet, and the maximum width of the flat portion of access driveways within a right-of-way shall be 25 feet.

(b) Number of driveways and circular driveways.

(i) In the R-7,500 zone, there shall be only one driveway and circular driveways are prohibited.

(ii) In the R-20,000, A-1, and A-2 zones, there shall only be one driveway and circular driveways are prohibited, unless the lot has a right-of-way frontage of at least 100 feet; then along this frontage, there may be two driveways that may be connected by a circular driveway. The locations of a two-driveway design and the design of a circular driveway are subject to design review approval by the Planning Commission.

(iii) In the A-5 zone, there shall not be more than two driveways along a right-of-way frontage, and a circular driveway connection shall not be within a required yard.

(c) Greater widths and additional requirements may be imposed by the Planning Commission to ensure adequate access to the site for emergency vehicles and evacuations.”

**Section 8.** Section 9.109.030.(21) of Chapter 109 of Part VI of Title IX of the Bradbury Municipal Code is hereby amended to read as follows:

“(21) *Lack of ground covering.* Maintenance of designated areas lacking one or more of the following ground coverings: properly maintained vegetative growth, hardscape, or fire-resistant bark or wood mulch.

(a) Designated areas as used in this Chapter shall mean and refer to areas visible from a public or private street that are:

- (i) Larger than 36 square feet; or
- (ii) With a linear dimension greater than six feet.

(b) The ground covering requirement in Section 9.109.030.(21) does not apply to the following areas:

- (i) Driveways, walkways, ADA access paths of travel, and architectural accessories;
- (ii) Areas shaded by native oak or pine trees or naturally covered by mulch from such trees;
- (iii) Equestrian training and stabling areas regularly used for that purpose;
- (iv) Terrain with hillside slopes greater than 25 percent;
- (v) Orchards; and
- (vi) Gardens in between regular plantings.

(c) The City shall develop and maintain a list of ground coverage suggestions and a collection of model ground coverage plans to assist residents and landowners in meeting the requirements of this Chapter.”

**Section 9.** CEQA. The City Council hereby determines that this Ordinance is exempt from review under the California Environmental Quality Act (“CEQA”) (California Public Resources Code Section 21000 et seq.), pursuant to Section 15061(b)(3) of the CEQA Guidelines under the commonsense rule that CEQA does not apply to activities which can be seen with certainty to have no effect on the environment.

**Section 10.** Severability; Continuation of Provisions. If any section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases of this Ordinance. The City Council of the City of Bradbury hereby declares that it would have adopted each section, subsection, subdivision, paragraph, sentence, clause, or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses, or phrases hereof be declared invalid or unenforceable. To the extent the provisions of the Bradbury Municipal Code as amended by this Ordinance are substantially the same as the provisions of that Code as they read immediately prior to the adoption of this

Ordinance, then those provisions shall be construed as continuations of the earlier provisions and not as new enactments.

**Section 11.** The City Clerk shall certify to the adoption of this Ordinance.

PASSED, APPROVED and ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Claudia Saldana  
City Clerk

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

I, Claudia Saldana, City Clerk of the City of Bradbury, do hereby certify that the foregoing ordinance, being Ordinance No. 374 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 \_\_\_\_ day of \_\_\_\_\_, 2021, that it was duly posted, and that the same was passed and adopted by the following vote, to wit:

AYES:

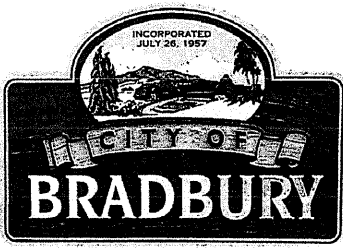
NAYS:

ABSENT:

ABSTAIN:

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Claudia Saldana  
City Clerk  
City of Bradbury



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

DATE: March 16, 2021

SUBJECT: **PRESENTATION BY BURRTEC ON SB 1383: ORGANIC WASTE RECYCLING**

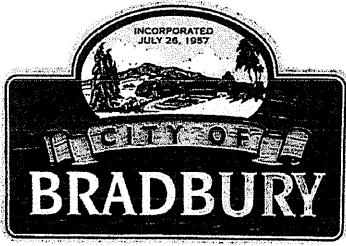
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### **SUMMARY**

In September 2016, Governor Brown signed into law SB 1383, establishing methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants in various sectors of California's economy. The new law codifies the California Air Resources Board's Short-Lived Climate Pollutant Strategies, established pursuant to SB 605, to achieve reductions in the statewide emissions of short-lived climate pollutants.

As it pertains to waste management, SB 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020, and a 75 percent reduction by 2025. The law provides CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets, and establishes an additional target that not less than 20 percent of edible food that is currently disposed of is recovered for human consumption by 2025.

Changes sparked by SB 1383 will affect all cities in the State of California – including Bradbury. Burrtec will be making a presentation on some of the changes imposed by SB 1383 and the expected implementation of the City's organic waste recycling program. Such program is expected to take effect on January 1, 2022.



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

DATE: March 16, 2021

SUBJECT: **ADMINISTRATIVE POLICY NO. 21-01: DISCUSSION ON A PROPOSED NEPOTISM POLICY**

ATTACHMENTS: 1. Administrative Policy No. 21-01  
2. Institute for Local Government: Hiring – When a Relative Wants a Job

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### **SUMMARY**

Administrative Policy No. 21-01 establishes guidelines concerning the employment of relatives in the workplace and to specify and define terms for uniform use and interpretation.

It is recommended that the City Council adopt Administrative Policy No. 21-01 which establishes a policy and procedure dealing with employment of relatives.

### **ANALYSIS**

State law does not specifically address the issue of nepotism in local agency hiring decisions. The California Department of Fair Employment and Housing Act does, however, prohibit discrimination in employment decisions based on marital status. An anti-nepotism policy that forbids the hiring of spouses could arguably constitute discrimination based on marital status.

For this reason, Administrative Policy No. 21-01 refers to “supervision, safety, security, and morale” concerns as motivation. Including findings indicating that the policy is motivated by business necessity concerns related to supervision, safety, security, morale and the public’s trust in the agency’s merit-based employment system could be useful as “business necessity” is one of the factors courts look at in reviewing claims of



discrimination under civil rights laws in general. More information on nepotism and the law can be found in Attachment #2 – the Institute for Local Government's document on a nepotism policy.

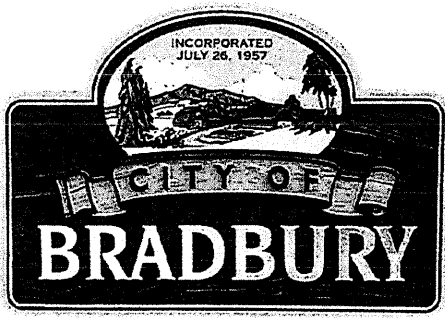
### **FINANCIAL REVIEW**

There is no significant financial cost associated with Administrative Policy No. 21-01.

### **STAFF RECOMMENDATION**

It is recommended that the City Council adopt Administrative Policy No. 21-01 which establishes a policy and procedure dealing with employment of relatives.

# **ATTACHMENT #1**



Administrative Policy Manual

Policy No: 21-01

Date: March 16, 2021

Approved: \_\_\_\_\_

**SUBJECT: EMPLOYMENT OF RELATIVES (NEPOTISM)**

**PURPOSE:** To prevent potential for adversely impacting the safety, security, morale or efficiency of supervision of other employees, or in which there may be a potential conflict of interest

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**GENERAL POLICY:**

The purpose of this policy is to provide guidelines concerning the employment of relatives in the workplace and to specify and define terms for uniform use and interpretation.

**DEFINITIONS:**

1. *Relatives:*

For the purpose of this policy, a "relative" shall be defined by blood or marriage or registered domestic partnership to include the following:

- a. Spouse
- b. Registered Domestic Partner
- c. Children/Step-Children
- d. Daughter/Son-in-Law
- e. Parents/Step-Parents
- f. Sister/Brother
- g. Sister/Brother-in-law
- h. Father/Mother-in-law
- i. Grandchildren
- j. Grandparents

2. *Marital Status:*

Defined as an individual's state of marriage, non-marriage, divorce or dissolution, separation widowhood, annulment, or other marital state for the purpose of this policy.

3. *Spouse:*

Defined as a partner-in-marriage as defined in California Family Code §300.

4. *Registered Domestic Partner:*

Two individuals who are registered as domestic partners with a local domestic partner registry as defined in California Family Code §297.

5. *Direct Supervision:*

Defined as when one official or employee is responsible for the day-to-day supervision and direction of another official or employee. The direct supervisor is the person who assigns, prioritizes, and evaluates the official/employee's work.

6. *Indirect Supervision:*

Defined as when a relative is hired, promoted, or transferred into a chain of command of another relative, and one of the individuals has management or supervisory responsibilities in which both would work even if the relative would not directly supervisor or interact with the other official/employee.

## **PROVISIONS:**

- A. It is the policy of the City of Bradbury that relatives of City employees and officials shall not be hired, promoted, or transferred into positions in which one relative may supervise, directly or indirectly, any other relative, or work in a capacity which would allow an employee to evaluate or control the individual terms, conditions, or performance circumstances of employment of a relative. This prohibition shall apply to all full and part-time regular employees, appointed officials, elected officials, all temporary employees, and all individuals working for the City through a temporary services agency.
- B. Relatives of the City Manager, members of the City Council, any appointed or elected City official and members of any City Commission and Committee shall not be employed in any position in which the employment of such relative has the potential for adversely impacting the safety, security, morale, efficiency or function of other employees, or in which there may be created an actual or potential conflict of interest, or the appearance of a conflict of interest.
- C. The City recognizes that prior to adoption of this Policy, there may be situations where relatives have already started employment with the City. In such cases, the City Manager shall be responsible for ensuring that work assignments are made to avoid conflicts of interest or violation of this policy. If no conflict of interest exists because the employees have no direct supervisory relationship or evaluative control over one another, no action may be necessary.
- D. No employee, prospective employee, or applicant shall be improperly denied employment or benefits of employment based on marital status or relationship to another City official or employee.

## **OPERATIONAL PROCEDURE:**

- A. Every employee is responsible for immediately notifying the City Manager of an impending or existing relationship covered under this policy with another employee, or official of the City. Failure to promptly notify the City Manager of an impending or existing relationship as defined under this policy may be grounds for disciplinary action or disqualification from employment or promotion.
- B. The City Manager shall determine whether, based upon relationship/marital status existing prior to the adoption of the policy or which is created after adoption of this

policy, that relationship/marital status involves potential conflicts of interests or otherwise violates the provisions of this Policy. Should the City Manager determine that the relationship does not have the potential for creating conflicts of interest or violations, the employee may continue his/her employment status quo.

- C. If the relationship is determined to fall within one or more of the prohibited conditions described in this policy, the City Manager, in consultation with the affected employees, and the City Attorney as necessary, will attempt to resolve the issue to correct the conflict or issue identified.
- D. If the conflict or issue cannot be accommodated through transfer or re-assignment, or if the affected employee refuses the assigned resolution, the employee may be dismissed or may resign for that/those reason(s), and should be notified in writing of the same by the City Manager.

# **ATTACHMENT #2**



## *Everyday Ethics for Local Officials*

### **Hiring: When a Relative Wants a Job**

*April 2003*

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#### **QUESTION**

*I am recently elected. We have a vacancy in our Parks and Recreation Department that my nephew would be a perfect match for. He has a degree in Recreation and Leisure Studies from our local Cal State University and has worked for the agency during his summer breaks. Moreover, I ran on a platform of improving our afterschool programs for at-risk youth and I know my nephew would be of great assistance to me in making good on my campaign promises to the community.*

*The staff is concerned about hiring my nephew because of charges of nepotism. I think that it would unfairly discriminate against my nephew to disqualify him from competing for the position simply because his uncle is on the governing body. What are your views?*

#### **ANSWER**

As with many ethical dilemmas, this is a situation in which there are competing values. One set of values involves attracting competent, enthusiastic and loyal employees to help the agency serve the community – locating and hiring competent staff is a key responsibility for public agencies. Of course, most people also feel a special loyalty that also causes them to want to help family members.

The other set of values involves avoiding the appearance of preferential treatment, improper influence, bias and favoritism – all of which relate to the public's sense of the fairness of the agency's recruitment and selection process.

#### **The Pluses and Minuses of Nepotism**

According to the Wharton School of Business at the University of Pennsylvania, the positive aspects of hiring relatives in the private sector can include: lower recruiting costs, less employee turnover, higher levels of loyalty, trust and satisfaction, and finally, a heightened sense of commitment to or "ownership" of the job. The negative aspects can include employee morale issues associated with the perception (or reality) of favoritism, difficulties associated with discipline by immediate supervisors, and an increased potential for collusive behavior.

In the public sector, nepotism is generally disfavored. Part of this is history, which is quite interesting. Back in the early 19th century, it was customary for job seekers with the federal government to make a campaign contribution to someone running for office. If the person won, the job was considered a reward for political support. The practice of giving jobs in return for political support was known as the “spoils system,” from a speech by a senator in which he defended political patronage systems and declared “to the victor belong the spoils.”

This system diminished the public’s confidence in government, because positions were not being filled on the basis of who was the most qualified to perform the public’s work. The system bred corruption and inefficiency, which led to a number of scandals that further eroded public support for government. The public’s desire for a merit-based system was then increased in the 1880’s, when then-President Garfield was assassinated by a disappointed government-job seeker. Reforms (which included anti-nepotism provisions in addition to instituting a merit-based system) occurred at the federal level, as well as state and local levels.

The underlying principle of these laws is that public employment decisions should be based solely on merit – the education, experience and skills an individual can bring to the position in question. Such decisions are all about finding the very best-qualified individual to serve the public.

Hiring relatives is considered analogous to hiring individuals based on personal or political relationships, since the predominant factor appears to be the personal tie. Moreover, it can be inherently difficult (or perceived to be so) to evaluate objectively the competing qualifications of a stranger against those of a relative.

More challenges can ensue once a relative is hired. There can be a perception (or possibly a reality) that a family member of an elected official is not subject to the same standards, possibly out of concerns that the elected official will take a dim view of any criticism of his or her family member. This can create morale problems for other employees. These dynamics can diminish the overall effectiveness of the organization.

## **What to Do?**

### **First, Consult the Agency’s Policies**

The first thing you may want to do is to check to see if your agency has an antinepotism policy. The policy against nepotism is sufficiently strong in some agencies, for example, the City of Riverside, that it is expressed in its city charter. Other agencies have such policies expressed in their municipal codes, resolutions or memoranda of understanding with bargaining groups.



If your nephew's employment by the agency is barred by some form of agency policy, your inquiry is over. Your obligation as an elected official is to uphold the laws. As Cecil B. DeMille said "It is impossible for us to break the law. We can only break ourselves upon the law." The agency cannot hire your nephew unless you choose to resign your seat on the governing body.

(You may feel the policy is unfair and should be changed, but the worst thing you could do in terms of the public's perception of your ethics and credibility is attempt to modify the agency's standards in a way that would benefit your family members. Make that pitch, if you feel so inclined, when you do not have a personal stake in the outcome.)

If there is no anti-nepotism policy that governs the situation, you will still want to consult with your agency attorney about whether any of the various conflict of interest or self-dealing laws would create issues for you or the agency in the event your nephew (or other family member) became an employee.

## **Nepotism and the Law**

State law does not specifically address the issue of nepotism in local agency hiring decisions. The California Department of Fair Employment and Housing Act does, however, prohibit discrimination in employment decisions based on marital status.<sup>1</sup> An anti-nepotism policy that forbids the hiring of spouses could arguably constitute discrimination based on marital status.

Recognizing this (and, implicitly, the benefits of anti-nepotism policies), the act allows employers to reasonably regulate, for reasons of "supervision, safety, security, or morale" spouses working in the same department, division or facility.<sup>2</sup> Such regulations must be consistent with rules adopted by the Fair Employment and Housing Commission.

For this reason, many local anti-nepotism policies refer to "supervision, safety, security, and morale" concerns as motivations. It can also be useful to include findings indicating that such policies are motivated by business necessity concerns relating to supervision, safety, security, morale and the public's trust in the agency's merit-based employment system. "Business necessity" is one of the factors courts look at in reviewing claims of discrimination under civil rights laws in general.

Under the Commission's regulations, local policies may prevent one spouse from directly supervising one another. Policies preventing spouses from working in the same department are permissible if the work involves potential conflicts of interest or other hazards that are greater for married couples than for other persons. Moreover, if co-employees marry, the employer is required to make reasonable efforts to assign job duties so as to minimize problems of supervision, safety, security, or morale.<sup>3</sup>

Note that the state anti-discrimination laws only refer to discrimination based on marital status – not family status in general (except for the housing antidiscrimination laws).

### **Then, Consult Ethical Principles**

If there is no agency policy relating to nepotism or other legal bar, your inquiry is not over. Just because something is legal, does not mean it is ethical. Some soul-searching is in order. Here are some questions to ask yourself:

- Given the size of your agency and the supervisory relationships, is it possible for the individual responsible for evaluating the competing candidates for the position in the Parks and Recreation Department to make a selection solely based on the merits of each candidate's qualifications, irrespective of the family relationship?
- Will the hiring supervisor feel your views of him or her will be affected by the decision to hire (or not) your nephew? (Perhaps a better way of asking this question is how would you feel if you were in the hiring supervisor's position? Would you fear your own continued employment or advancement could be affected by the decision to hire one of your elected official's relatives?)
- Will the hiring supervisor feel comfortable candidly evaluating your nephew's performance?
- Will the fact that your nephew has a special relationship with you affect how he performs his duties (will he, for example, be more inclined to spend time on duties that he knows are important to you)? This is where the fact you feel your nephew may be able to help you in making good on your campaign promises is a minus – his job as an agency employee is to implement the agency's policies as a whole – not the policy goals of one elected official.
- Will your nephew's colleagues feel that he got the position because of you and how will that affect his relationships with them and his overall career advancement potential in the field?
- Could you be objective in your analysis of the budget proposals for the Parks and Recreation Department, knowing that your nephew's compensation, advancement opportunities or even continued employment, might be affected by those decisions?
- How would you feel if the fact that the agency hired your nephew were reported in a critical fashion in the local newspaper? How would your nephew and other agency staff members feel about such coverage? Would it put everyone in a bad light?
- Most importantly, what will the community think about the agency's hiring practices and your personal ethics if it becomes known that the agency hired your nephew?

## Are You Heeding Your Advisor's Advice?

Reading between the lines, it appears as if your agency's management is counseling against the hiring of your nephew, to avoid even the appearance of favoritism. It may well be that the manager has run through the above series of questions and has determined that the risks to the agency in terms of morale and adverse public reaction outweigh the benefits of having your nephew – with all of his talents and qualifications – work for your agency.

Moreover, management staff is likely to know that a person with your nephew's qualifications is likely to be able to find equally meaningful employment with another agency – without the taint of having the basis for his hiring under question. Because it is easier for staff to be objective in analyzing the questions suggested above, you would likely be wise to heed his or her counsel in this situation.

### **The Relationship Between Elected Officials and Staff**

The elected official sits as one of the agency's governing board that sets policy for the agency and gives direction to the agency manager. This includes policies and programs contemplated in the agency's budget. The manager's job is then to implement the board's policies and priorities by giving direction to staff.

To begin the process of making good on campaign promises relating to after-school programs for at-risk youth, an elected official should speak to the agency's top administrative official about the agency's existing programs and the options the agency might explore. At some point, the administration may schedule the topic for board discussion, so the board as a group can evaluate the agency's efforts in this area and their colleague's proposals that the agency expand or redirect its efforts.

Generally speaking, it is improper for an individual elected official to give direction to staff, particularly staff subordinate to the agency manager. There is an ethical dimension to this issue, because staff is in an inherently difficult position.

Their jobs require that they follow the administrative official's direction based on the collective decisions made by the board, yet they may also feel pressured to do what an elected official directs them to do out of fears that there will be adverse consequences to them if they do not. Taking advantage of this power disparity under such circumstances is unethical. It can also be unlawful in those cities that have adopted a council-manager form of government.<sup>4</sup>

Even if the policy goals of an individual elected official are worthwhile (for example, after school programs for at-risk youth), the ends do not justify the means. In democratic government, the means are the ends. This is because the legitimacy of the ends depends on working through the proper processes to make sure a program reflects the collective input of the board and the community. Once that process has occurred and the policy has been approved by a majority or more of the board, it can be properly implemented by staff.

## Ethics is Not Easy

Does this mean that the agency loses out on a great employee? Probably. This is a classic “personal cost” ethical dilemma – an example of when doing the right thing comes at a personal cost to you and your nephew.

Moreover, there is a short-term versus long-term aspect to this dilemma. While the agency and the community may forego the benefit of your nephew’s service in the short-term, in the long-term the community will know that you and the agency are both so committed to the principle of merit-based hiring that the agency will go to lengths to avoid even the appearance of favoritism. This will enhance the public’s trust and confidence in all decisions the agency makes – and you as a leader.

Is this unfair to you and your nephew? Probably. However, this is what the concept of integrity is all about – doing the right thing even when there is a personal cost. Moreover, this situation gives you the opportunity to talk candidly with your nephew about the importance of ethics and avoiding even the appearance of impropriety in public service. As he progresses in his career and becomes the hiring supervisor who is concerned about the potential effects of nepotism in his unit, he will come respect your wisdom, values and integrity all the more. He will also appreciate that his professional accomplishments are his own and no one can question that he achieved his positions as the result of family influence.

### Aspirational Goals

Relevant ethics code provisions relevant to this topic include:

- **Trustworthiness**  
I do not accept gifts or other special considerations because of my public position.
- **Fairness**  
I support merit-based processes for the award of public employment and public contracts.
- **Responsibility**  
I promote the efficient use of agency resources.

Other sample ethics code provisions are available under the “ethics codes” tab of the Institute’s website at [www.ca-ilg.org/trust](http://www.ca-ilg.org/trust).

Finally, a number of local officials noted in response to this question that the reality is that public service involves sacrifices. There are some things that individuals cannot do by virtue of their status as public officials – some opportunities that they (and their families) cannot take advantage of.

One official even knows of a senior level public official who went so far as to retire from city service so his son could be considered for an agency position. In short, it is a matter of choices. In this instance, the senior level official determined that his son's opportunities were more important than his own. The son could also have chosen to apply for employment in agencies other than the one in which his father served.

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This piece originally ran in *Western City Magazine* and is a service of the Institute for Local Government (ILG) Ethics Project, which offers resources on public service ethics for local officials. For more information, visit [www.ca-ilg.org/trust](http://www.ca-ilg.org/trust).

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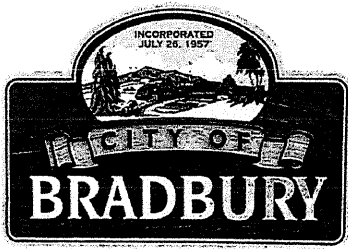
## Endnotes:

<sup>1</sup> See generally Cal. Gov't Code § 12940.

<sup>2</sup> See Cal. Gov't Code § 12940(3)(A).

<sup>3</sup> See generally 2 Cal. Code Regs. § 7292.5.

<sup>4</sup> See *Levy v. City of Santa Monica*, 114 Cal. App. 4th 1252, 8 Cal. Rptr. 3d 507 (2d Dist. 2004).



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

## City of Bradbury Agenda Memo

TO: Honorable Mayor and Members of the City Council

FROM: Sophia Musa, Management Analyst

DATE: March 16, 2021

SUBJECT: **Appointment of Applicants to the Public Safety Committee  
for Districts 3 & 4**

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### **SUMMARY**

The purpose of this item is to appoint two new members to the Public Safety Committee for District 3 and 4. Staff recommends that the City Council confirm the appointment of Ms. Stella Tsai as the Alternate member for District 3 and Ms. Natalie Gilmore as the Primary member for District 4 for the terms ending in June 2023.

### **ANALYSIS**

Ordinance No. 361 specifies that the Public Safety Committee (PSC) shall consist of five (5) primary and five (5) alternate members: two (2) members from each district, appointed by the member of the City Council representing the district. Currently, there are no members from District 4 and the Alternate seat for District 3 is open.

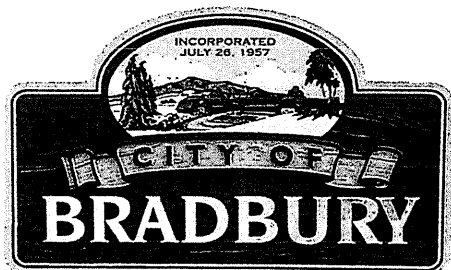
Ms. Gilmore and Ms. Tsai have expressed interest in the Public Safety Committee. The recommendation is to appoint Ms. Tsai to fill the Alternate member seat for District 3 and Ms. Gilmore to fill the Primary member seat for District 4. These appointments have been endorsed by their respective District 3 and District 4 Councilmember.

### **FINANCIAL REVIEW**

The appointment of PSC members in this report have no significant financial impact on the City.

**STAFF RECOMMENDATION**

Staff recommends that the City Council confirm the appointment of Ms. Stella Tsai as the Alternate member for District 3 and Ms. Natalie Gilmore as the Primary member for District 4 for the terms ending in June 2023.



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

## City of Bradbury Agenda Memo

TO: Honorable Mayor and Members of the City Council

FROM: Sophia Musa, Management Analyst

DATE: March 16, 2021

SUBJECT: **DISCUSSION ON COMMUNITY SUPPORT FUNDS**

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### **SUMMARY**

As a result of the Los Angeles Civil Grand Jury findings for the City of Bradbury, the City donated \$3,000 in Fiscal Year 16/17 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 (Formally Ecumenical Council of Pasadena Area Churches).

The City Council budgeted \$4,000 this fiscal year to donate to support community homelessness. It is recommended that the City Council direct staff on how to expend the budgeted \$4,000, which has been set aside for a charitable donation.

### **DISCUSSION**

Approximately four years ago, the Los Angeles Civil Grand Jury investigated cities on their response to homelessness issues during the 2016 El Nino time period. As a result of their findings, the City indicated that it would support organizations that assisted with providing housing and shelter to those in need. This resulted in the City committing to donate \$3,000 during the 2016-2017 fiscal cycle. The City ultimately donated \$1,500 to Foothill Unity Center and \$1,500 to Union Station Homeless Services to fulfil the City's obligations to the LA Civil Grand Jury.

During the Fiscal Years of 17/18 through 19/20 budgeting cycles, the City Council decided to still allocate \$3,000 for future donations, even though the Civil Grand Jury's requirements had been fulfilled. Ultimately, the City Council decided to split the donations



equally three ways to Union Station Homeless Services, Foothill Unity Center, and Friends in Deed. All three nonprofit organizations provide homeless services as part of their program of services. For the Fiscal Years 19/20 and 20/21 budgeting cycles, the City Council increased community support funds from \$3,000 to \$4,000.

#### *Standards for Donations*

The Institute for Local Government provides local governments with advice when public institutions are considering donating public funds to charitable organizations. They recommend following their best practice circumstances which may determine appropriateness for a contribution:

1. A charity provides a service that complements or enhances a service that the public agency also provides;
2. When there is an identifiable secondary benefit to the public agency; or
3. When the charity provides a service the public agency could provide but chooses not to.

Additionally, it is recommended that these finds are included in the minutes about the benefits to the agency associated with providing resources to a charity.

Making donations to charitable causes that are far away from the City (for example, to help the victims of a hurricane in a distant state) also present special challenges. Because of the distance, it can be more difficult to justify the contribution as creating benefits to the jurisdictions residents.

#### **FINANCIAL ANALYSIS**

Funds in the amount of \$4,000 have been budgeted this fiscal year but have not yet been spent. Expending the full budgeted amount will not have a significant fiscal impact.

#### **STAFF RECOMMENDATION**

It is recommended that the City Council direct staff on how to expend the budgeted \$4,000, which has been set aside for a charitable donation.