

**MINUTES OF A REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF BRADBURY  
HELD ON TUESDAY, JUNE 15, 2021**

- 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 Planner Kasama, City Clerk Saldana and Management Analyst Musa
- CITY COUNCIL REORGANIZATION:** According to Bradbury Municipal Code Section 2.01.060 every year in June the City Council shall reorganize and select one of its members as Mayor, and one as Mayor Pro-Tem. Candidates for Mayor Pro-Tem shall self-nominate by writing a statement of intent. City Manager Kearney stated that Councilmember Lathrop has submitted a statement of intent.
- APPOINTMENT OF MAYOR:** Councilmember Hale made a motion to appoint Mayor Pro-Tem Bruny to the position of Mayor. Councilmember Barakat seconded the motion which carried unanimously.
- APPOINTMENT OF MAYOR PRO-TEM:** Councilmember Lewis made a motion to appoint Councilmember Lathrop to the position of Mayor Pro-Tem. Mayor Bruny seconded the motion which carried unanimously.
- NEW ROLL CALL:** Mayor Bruny, Mayor Pro-Tem Lathrop, Councilmembers Barakat, Hale and Lewis
- APPROVAL OF AGENDA:** Councilmember Lewis made a motion to approve the agenda to proceed with City business. Councilmember Barakat seconded the motion which carried unanimously.
- DISCLOSURE OF ITEMS REQUIRED BY GOV. CODE SECTION 1090 & 81000 ET SEQ.:** In compliance with the California Political Reform Act, each City Councilmember has the responsibility to disclose direct or indirect potential for a personal financial impact as a result of participation in the decision-making process concerning agenda items.  
  
City Attorney Reisman stated 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 May 18, 2021
- B. Resolution No. 21-08: Demands & Warrants for June 2021
- C. Financial Statement for the month of May 2021
- D. Resolution No. 21-09: Approval of Gann Appropriations Limit for Fiscal Year 2021-2022
- E. Resolution No. 21-10: Authorizing the Signatures for Accounts in the Name of "City of Bradbury"
- F. Appointment of Public Safety Committee Members for a two-year term, ending June 2023

**MOTION TO APPROVE  
CONSENT CALENDAR:**

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

**APPROVED:**

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

Motion passed 5:0

**ADOPTION OF PROPOSED BUDGET FOR  
FISCAL YEAR 2021-2022 (RESOLUTION  
NO. 21-11) AND ALLOCATING THE CITY  
OF BRADBURY'S CITIZENS OPTION FOR  
PUBLIC SAFETY (COPS) FUNDS  
(RESOLUTION NO. 21-12):**

City Manager Kearney stated that at the May 28 meeting, the City Council reviewed the Budget Forecast for Fiscal Year 2021-2022 and directed staff to incorporate Council's input.

City Manager Kearney reported that the City Council approved Cost of Living Adjustments for the City Manager (5.6%), Management Analyst (1.1%) and the Finance Director (2.2%), and a salary adjustment for the City Clerk to \$67,000/annual. The City Council allocated \$15,000 for Redistricting and \$6,000 for street signs.

City Manager Kearney stated that Finance Director Lisa Bailey was on call in case the City Council had any further questions.

**RECOMMENDATION:**

It is recommended that the City Council adopt Resolution No. 21-11 approving the City of Bradbury's Annual Budget for Fiscal Year 2021-2022 and Resolution No. 21-12 approving the expenditure plan for grant funds pursuant to Citizens' Option for Public Safety (COPS/Supplemental Law Enforcement Services Fund).

**DISCUSSION:**

The City Council discussed the pros and cons of hiring a consultant for the Redistricting. City Manager Kearney stated that he needs to learn more about the Redistricting process and will report back to the City Council at a later time.

Councilmember Hale wanted to know if the City Council is committed to spending \$50,000 on additional Bradbury Patrol. City Manager Kearney replied no.

**MOTION:**

Councilmember Hale made a motion to adopt Resolution No. 21-11 approving the City of Bradbury's Annual Budget for Fiscal Year 2021-2022 and Resolution No. 21-12 approving the expenditure plan for grant funds pursuant to Citizens' Option for Public Safety (COPS) Fund). Councilmember Lewis seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

NOES: None

ABSENT: None

Motion passed 5:0

**DISCUSSION OF DEVELOPMENT STANDARDS FOR RECREATIONAL AND OVERSIZED VEHICLE PARKING AND STORAGE:**

City Planner Kasama stated that the City Council directed staff to examine where and how recreational vehicles (RVs) should be allowed to be parked or stored, and to have the Planning Commission discuss the matter for potential new regulations. Staff began its research by having the Community Services Officer canvass the City and take photos of RVs and oversized vehicles parked or stored at properties in the City.

The Planning Commission began a discussion at its February 24, 2021 meeting and asked staff to research the regulations of other cities. Staff found regulations of six cities that address the parking or storing of RVs and oversized vehicles on private property: Azusa, Claremont, Duarte, Glendora, La Verne and San Dimas. The Commission reviewed these regulations and decided that the City's current regulations should be amended and continued the discussion to the March 24, 2021 meeting.

At the March 24<sup>th</sup> meeting, the Planning Commission stated that RVs should not be stored in front of a house, and if stored in a side yard it needs to be screened from view and that RVs should not completely occupy a side yard resulting in access to the backyard being blocked. In cases of large RVs and oversized vehicles, where it would be impractical to completely screen them from view, those vehicles should be stored farther from the street or beyond the back of the house.

The Commission found that the regulations of the cities of Claremont, Glendora and San Dimas have provisions that address the above issues, and found the lot diagrams in the City of San Dimas regulations to be helpful. The Commission stated that the process of adopting new regulations would need to have input from the City Council before a draft ordinance should be considered, and that because any new regulations would significantly affect those residents who have RVs, the adoption process should be publicized. The Commission directed staff to draft potential regulations for the City of Bradbury and continued the discussion to the April 28, 2021 regular meeting.

**PLANNING COMMISSION  
DIRECTION TO STAFF:**

At the conclusion of the Planning Commission discussion on April 28, the Commission determined that the potential draft regulations are ready to be presented to the City Council for their consideration and comment and directed staff to have the draft regulations placed on the City Council Agenda.

**RECOMMENDATION:**

It is recommended that the City Council review the potential draft regulations and provide comments and suggestions, which staff will utilize to draft an Ordinance for the Planning Commission to consider at a public hearing.

**DISCUSSION:**

Councilmember Hale inquired if the RVs would be screened only from the street or from the neighbors too. City Planner Kasama stated RVs will be screened from view from the front and side yard.

Councilmember Barakat stated that the City ruled out canopies about 20 years ago.

Mayor Pro-Tem Lathrop stated that the size of the vehicle matters. City Planer Kasama stated that the Ordinance includes dimensions.

Mayor Pro-Tem Lathrop inquired if this is going back to the Planning Commission. City Planner Kasama replied yes, the Ordinance will require a public hearing before the Planning Commission.

Councilmember Barakat commended City Planner Kasama for having done an excellent job putting this information together.

**DIRECTION TO STAFF:**

The City Council directed staff to draft an Ordinance for the Planning Commission to consider at a public hearing.

**DISCUSSION ON THE PROCESS FOR  
PLANNING COMMISSION APPEALS  
TO THE CITY COUNCIL:**

City Manager Kearney stated that at the request of (former) Mayor Lewis, the City Council will review the process of Planning Commission appeals to the City Council. It is recommended that the City Council direct staff on how to proceed.

**BRADBURY MUNICIPAL CODE/  
DEVELOPMENT CODE:**

The Bradbury Municipal Code details appeals in Chapter 16 of the Development Code. The Code currently states that decisions of the Planning Commission may be appealed to the City Council within ten (10) days from the final decision of the Planning Commission. Essentially, any person, corporation, public entity, other legal entity, Councilmembers, or the applicant is able to appeal. Absent of a timely appeal, the decision shall become final.

When Planning Commission items are appealed to the City Council, the Code is silent on having Planning Commission representation during a City Council appeal hearing. When considering crafting a policy/regulation on such representation, it is important to consider a number of questions to ensure that conflicts do not arise, such as:

- Who is to represent the Commission during an appeal?
- Is the Chair the representative?
- What if the vote is split and the Chair is in the Minority?
- Is a representative from the Minority vote also present?
- If so, how is that individual selected?
- If the Chair is sent solo, is the Chair expected to convey the Majority vote even though he/she dissented?

**PLANNING COMMISSION  
RESOLUTIONS:**

City Manager Kearney stated that it should be noted that appeals stem from a final Planning Commission decision. The Planning Commission decision is approved and adopted by Resolution which incorporates the conditions of approval.

**DISCUSSION:**

Mayor Bruny asked Councilmember Lewis what prompted this discussion. Councilmember Lewis replied that it was the appeal regarding the project at 734 Braewood Drive. Councilmember Lewis stated that the City Council did not understand the reasons as to why the Planning Commission denied the application, and therefore having a Planning Commission viewpoint would be helpful. Councilmember Barakat added that he brought up the issue to former Mayor Lewis, because he felt that a lot of information about this project was not given to the City Council.

Councilmember Hale disagreed, stating that the Planning Commission decision was split 3:2, and that the City Council was provided with the City Planner's Reports, Planning Commission Resolution and Minutes.

Mayor Pro-Tem Lathrop stated that the lower body (Planning Commission) does not get to give its opinion to the higher body (City Council) at a De Novo Hearing. Mayor Pro-Tem Lathrop also stated that the applicant has a higher stake in the appeal process.

Councilmember Hale inquired if a Notice was mailed out to the neighbors. City Planner Kasama replied yes, stating that public hearings requires that every property owner within a 500-foot radius be sent a public hearing notice.

City Attorney Reisman added that Planning Commissioners are not prohibited from speaking during the appeal hearing.

Councilmember Lathrop stated that the most recent Planning Commission Minutes had not been approved before the appeal hearing and that is a problem. Could the Planning Commission hold a Special Meeting before an appeal to approve the minutes? City Planner Kasama stated that minutes should be approved at the regular meeting. One option would be to make the appellant wait another month.

**CITY COUNCIL ACTION:**

There was no motion and the City Council took no further action at this time.

**PROFESSIONAL SERVICE AGREEMENT  
FOR ANIMAL SHELTER AND ANIMAL  
CONTROL SERVICES WITH THE  
PASADENA HUMANE SOCIETY:**

City Manager Kearney stated that at the August 2019 meeting, the City Council adopted a contract for animal control services with the Pasadena Humane Society & SPCA. The yearly cost for Bradbury was set at \$15,873.60 per year. PHS later performed a rate and operations study and discovered that the operational services provided to cities were being supported by other areas in the organization. As a result, PHS was seeking to increase their rates for all cities' services to cover the operational costs to provide animal care and control services. The City of Bradbury was one of the first cities to undergo the rate change.

**NEGOTIATIONS WITH PHS AND  
OTHER ANIMAL CONTROL SERVICE  
OPTIONS:**

Since the City's adoption of the contract, PHS has had discussions with the remaining cities on the contract increases. Similar to Bradbury, there was significant pushback on the rate spikes, and negotiations ensued between the cities' staff and PHS. What ultimately transpired were temporary rate freezes and/or rate decreases while the cities explored all animal control service options. The options included a long-term contract with PHS, a change in service provider from PHA to the County, or the formation of a Joint Powers Authority (PJA) with local cities seeking animal control services. During these negotiations, the cities negotiated rates with PHS, which led to an Amendment No. 1 with the City of Bradbury for a yearly service rate of \$12,971 for fiscal years 2019-2020 and 2020-2021. This resulted in savings of \$5,805.20 over the course of the two fiscal years.

**PROPOSED AMENDMENT WITH PHS:**

The proposed contract, which includes the Scope of Services, is being proposed jointly by PHS and each of the contract cities. The new contract provides standard terms and language to make administration easier for PHS while also creating uniform terms of service for each city under contract. If approved, the City of Bradbury would enter into a 5-year agreement with PHS for animal shelter and control services. The annual amount of the contract would be \$11,450, with proposed 3% increases for each of the additional four proceeding years. This amount is lower than the original contract amount of \$15,873.60 per year.

**RECOMMENDATION:**

It is recommended that the City Council adopt the 5-year Professional Services Agreement for Animal Shelter and Control Services with the Pasadena Humane Society in the amount of \$11,450 for Fiscal Year 2021-2022, with 3% increases for the proceeding four years of the Agreement.

**MOTION:**

Councilmember Barakat made a motion to adopt the 5-year Professional Services Agreement for Animal Shelter and Control Services with the Pasadena Humane Society in the amount of \$11,450 for Fiscal Year 2021-2022, with 3% increases for the proceeding four years of the Agreement. Councilmember Lewis seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

NOES: None

ABSENT: None

Motion passed 5:0

**CITY COUNCIL LIAISONS FOR  
FISCAL YEAR 2021-2022 AND  
RESOLUTION NO. 21-13 PERTAINING  
TO THE APPOINTMENTS TO THE  
SAN GABRIEL VALLEY  
COUNCIL OF GOVERNMENTS:**

City Manager Kearney stated that when the City Council reorganizes, part of the annual reorganization is to review the organization and association assignments. The appointment to the San Gabriel Valley Council of Governments (COG) requires authorization by Resolution. It is recommended that the City Council designate City Councilmembers to organizations and associations and adopt Resolution No. 21-13.

**California Contract Cities Association (CCCA)**

Representative: vacant

Alternate: vacant

**League of California Cities**

Representative: Mayor Pro-Tem Lathrop

Alternate: vacant

**LA County City Selection Committee** (should be Mayor)

Representative: Mayor Bruny

Alternate: vacant

**LA County Sanitation Districts** (must be Mayor)

Representative: Mayor Bruny

Alternate: Councilmember Barakat

**Southern California Joint Powers Insurance Authority**

Representative: Councilmember Lewis

Alternate: City Manager Kearney

**Southern California Association of Governments**

Representative: vacant

Alternate: vacant

**Foothill Transit**

Representative: Mayor Bruny

Alternate: Councilmember Barakat

**SGV Mosquito & Vector Control District**

Representative: Councilmember Barakat (term expires 12/21/21)

Alternate: vacant

**Duarte Community Education Council**

Representative: Mayor Bruny

Alternate: Mayor Pro-Tem Lathrop

**Duarte Education Foundation**

Representative: Mayor Pro-Tem Lathrop

Alternate: Mayor Bruny

**Area D Emergency Services and Director of the Bradbury Disaster Committee**

Representative: Councilmember Lewis

Alternate: Councilmember Lathrop

**LASD Temple Station Booster Club**

Representative: vacant

Alternate: vacant

**San Gabriel Valley Council of Governments**

Representative: Councilmember Barakat

Alternate: Councilmember Lewis

**MOTION TO ADOPT  
RESOLUTION NO. 21-13:**

Councilmember Lewis made a motion to adopt Resolution No. 21-13: Appointing the Governing Board Member and Alternate Governing Board Member to the San Gabriel Valley Council of Governments. Mayor Pro-Tem Lathrop seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

NOES: None

ABSENT: None

Motion passed 5:0

**DISCUSSION ON FUTURE IN-PERSON  
CITY MEETINGS:**

City Manager Kearney stated that with the easing of COVID-19 restrictions, the City Council should discuss virtual vs in-person meetings. The majority of the City Council favors in-person meetings, but a hybrid version will be available, starting with the July 20 City Council meeting.

**MATTERS FROM THE CITY MANAGER:**

City Manager Kearney stated that the June 23, 2021 Planning Commission Meeting has been cancelled due to a lack of agenda items.

**MATTERS FROM THE CITY ATTORNEY:**

City Attorney Reisman stated his report will be during Closed Session.

**MATTERS FROM THE CITY COUNCIL:**

**MAYOR :**

Nothing to report

**MAYOR PRO-TEM LATHROP:**

Nothing to report

**COUNCILMEMBER BARAKAT:**

Nothing to report

**COUNCILMEMBER HALE:**

Nothing to report

**COUNCILMEMBER LEWIS:**

Nothing to report

**ITEMS FOR FUTURE AGENDAS:**

None



**CLOSED SESSION**

**PUBLIC COMMENT REGARDING  
CLOSED SESSION ONLY:**

None

**RECESS TO CLOSED SESSION:**

At 8:15, the City Council adjourned to a Closed Session to discuss the following:

**A. 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. 19GDPC00356

**B. Conference with Labor Negotiator**

Agency Negotiator: Cary S. Reisman, City Attorney  
Unrepresented Employees: City Manager, City Clerk, and  
Management Analyst  
Authority: Government Code Section 54957


**REPORT FROM CLOSED SESSION:**

- A. City Attorney Reisman reported to the City Council regarding the latest developments in the referenced Case Number. No formal votes were requested or taken.
- B. Agency Negotiator Reisman reported to the City Council regarding the final status of negotiations. The City Council discussed granting one-time payments to the City Manager and City Clerk, who did not receive a cost-of-living adjustment in fiscal year 2020-2021 due to uncertainty surrounding Covid-19 revenues.

Following the Closed Session, a motion was made by Councilmember Hale, seconded by Mayor Bruny, to provide 3.4% one-time payments to City Manager Kevin Kearney and City Clerk Claudia Saldana from the FY 2020-2021 budget funds. Motion passed 3-1-1 with Councilmember Barakat voting no and Councilmember Lewis abstaining.

**ADJOURNMENT:**

Mayor Bruny adjourned the meeting to a Regular Meeting on Tuesday, July 20, 2021 at 7:00 p.m.

  
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MAYOR – CITY OF BRADBURY

**ATTEST:**

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