

DRAFT

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF BRADBURY HELD ON TUESDAY, NOVEMBER 16, 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 Bruny at 7:00 p.m. followed by the Pledge of Allegiance.

ROLL CALL:

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

ABSENT: None

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

APPROVAL OF AGENDA:

Councilmember Hale 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:

Ann Armstrong, 1775 Royal Oaks Drive North, wanted to thank the City Council and Staff for their service to the City.

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 October 19, 2021
- B. Resolution No. 21-21: Demands & Warrants for November 2021
- C. Financial Statement for the month of October 2021
- D. Second Reading and Adoption of Ordinance No. 378:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
BRADBURY AMENDING THE BRADBURY MUNICIPAL CODE
RELATING TO FILMING PERMITS

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**ITEM D - ORDINANCE NO. 378 -
PULLED FOR DISCUSSION:**

Mayor Pro-Tem Lathrop wished to pull Item D from the Consent Calendar for discussion. Mayor Pro-Tem Lathrop stated that during the review of the Ordinance at the October meeting, the City Council agreed to capitalize all Definitions from Section 13.02.610. Section 13.02.620(a) needs to be corrected (Charitable Films).

**MOTION TO ADOPT
ORDINANCE NO. 378:**

With this amendment Councilmember Barakat made a motion to approve adoption of Ordinance No 378. Councilmember Hale 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

**MOTION TO APPROVE CONSENT
CALENDAR ITEMS A, B AND C:**

Councilmember Lathrop made a motion to approve Consent Calendar Items A, B and C. Councilmember Hale 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

**PUBLIC HEARING TO START
AT 7:10 PM:**

City Manager Kearney stated that the Public Hearing for Ordinance No. 379: City Council District Boundaries Final Map was advertised to start at 7:10 pm.

**ORDINANCE NO. 379: CITY COUNCIL
DISTRICT BOUDARIES FINAL MAP:**

City Manager Kearney stated the City of Bradbury has held two public hearings prior to the publication of Draft Map Option #1 and Draft Map Option #2 on the City's website on October 12, 2021. The first public hearing was held by the City Council on September 21, 2021, and a public workshop was held by the Consultants and City Staff on October 4, 2021, prior to the publication of the Draft Map options.

After the publication of the Draft Map options, the City Council held a second public hearing on October 19, 2021 to review the Draft Map options and give further directions to staff and the consultants on changes to include in a final draft map.

RECOMMENDTION:

It is recommended that the City Council field a presentation by Bear Demographics & Research on the Final Map Options, open the public hearing and solicit public input on the Final Map Options, and introduce for first reading, by title only, Ordinance No. 379: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY AMENDING SECTION 2.01.040(a)(1) RELATIVE TO COUNCILMANIC DISTRICT BOUNDARIES.

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**PRESENTATION BY DAVID IVY, BEAR
DEMOGRAPHICS & RESEARCH:**

As previously discussed, due to the small population of the City of Bradbury, utilizing Census Blocks in the formation of Council Districts was not practical due to the size of Census Blocks being much larger than the ideal Bradbury City Council District population of 185 residents. Due to the same issue, it is also not practical to provide Council District information by ethnic population, voting age population, or citizen voting age population.

Bear Demographics developed a GIS map based on the parcel map of the City provided by the County of Los Angeles, and used a statistical methodology to allocate the population across the City's parcels.

Mr. Ivy stated that the Final Map keeps the core of the current Council Districts intact, while respecting the boundaries of the Bradbury Estates HOA and the Woodlyn Lane HOA, as practicable. The overall deviation of the Final Map is 9.2%, which is within the legally required 10%.

Two parcels from the Bradbury Estates HOA are moved from District 1 to District 5, while maintaining the split of the HOA between the two districts, consistent with the public comment. The Woodlyn Lane HOA remains whole in District 2 as well, as reflected in the public comment. The final map also addresses the public comments with respect to Mount Olive Drive and Mount Olive Lane, keeping both sides of Mount Olive Lane whole as it transitions from District 2 to District 4. Mount Olive Lane is also kept whole in District 4.

PUBLIC HEARING:

Mayor Bruny opened the public hearing and invited the public to comment on the Final Redistricting Boundary Map.

PUBLIC HEARING CLOSED:

There being no public input, Mayor Bruny declared the public hearing closed.

MOTION:

Councilmember Barakat made a motion to introduce for first reading, by title only, Ordinance No. 379: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY AMENDING SECTION 2.01.040(a)(1) RELATIVE TO COUNCILMANIC DISTRICT BOUNDARIES. Councilmember Hale 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

**SPECIAL MEETING ON
DECEMBER 7, 2021:**

City Manager Kearney stated that the City Council will hold a Special Meeting on Tuesday, December 7, 2021 for Second Reading and Adoption of Ordinance No. 379 to meet the deadline for submission of the Final Map to the Los Angeles County Registrar-Recorder.

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**RESOLUTION NO. 21-22:
CEQA DOCUMENTATION AND
EXPENDITURES FOR ANNEXATION
OF ROYAL OAKS DRIVE NORTH:**

At the October 19, 2021 meeting, the City Council directed staff to move forward with the annexation of the portion of Royal Oaks Drive North in front of "Royal Oaks Manor" that belongs to the County of Los Angeles to make the two parts of District 3 contiguous.

City Manager Kearney stated that in order to move forward with the annexation of the County portion of Royal Oaks Drive North, the Local Agency Formation Commission (LAFCO) requires the lead agency (City of Bradbury) to file an application. Part of the application requires a Resolution of Application and a CEQA determination. There is also a processing fee of \$2,500.

LAFCO is an independent public agency with countywide jurisdiction over the boundaries of cities and certain special districts. LAFCO'S jurisdiction involves proposed boundary changes to local government boundaries involving the formation, dissolution, and expansion of cities and special districts.

The City of Bradbury's proposed annexation would be reviewed and approved by LAFCO. To initiate the LAFCO process, the City must complete an application, which includes CEQA compliance documents, maps, a governing body's approved Resolution, and fees, among other items. For this project, a Notice of Exemption is the most applicable CEQA document since there is no possibility that the annexation would have a significant effect on the environment.

RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. 21-22 and authorize the City Manager to sign the project's CEQA Notice of Exemption. It is also recommended that the City Council authorize the \$2,500 filing fee expenditure.

MOTION:

Councilmember Hale made a motion to approve Resolution No. 21-22: A RESOLUTION OF APPLICATION BY THE CITY OF BRADBURY REQUESTING THE LOCAL AGENCY FORMATION COMMISSION FOR THE COUNTY OF LOS ANGELES (LAFCO) TO INITIATIVE PROCEEDINGS FOR CHANGE OF ORGANIZATION OF TERRITORY, authorize the City Manager to sign the project's CEQA Notice of Exemption and authorize the \$2,500 filing fee expenditure. 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

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REVIEW OF ADMINISTRATIVE FILM POLICY NO. 12-01:

Management Analyst Musa stated that the City's film policy was discussed at the September City Council meeting and Staff was made aware that the language in the Municipal Code conflicts with the City's film policy. At the October City Council meeting, Ordinance No. 378 was introduced for first reading. The intention of Ordinance No. 378 is to replace the current language in the City's Municipal Code relating to filming hours and refer to the City's film policy instead. Staff recommends that the City Council review the current film policy and discuss the desired changes.

PROPOSED NEW LANGUAGE FOR HOURS OF OPERATION:

7:00 am to 10:00 pm "working hours"

- 75% approval is required from all property owners and/or tenants over the age of 18 for each parcel within 500 feet and 90% approval from all property owners and/or tenants within 100 feet of the perimeter of the property on which filming is to take place.

10:00 pm to 7:00 am Monday-Friday/Saturday and Sunday all day "extended hours"

- 90% approval is required from all property owners and/or tenants over the age of 18 for each parcel within 500 feet and 100% approval from all property owners and/or tenants within 100 feet of the perimeter of the property on which filming is to take place.

MORE CHANGES:

Mayor Pro-Tem Lathrop wants to add "HOA when applicable" to "Any negotiations or arrangements for filming activity on private property shall be the concern of the Production Company and the private property owners. The City, or *HOA when applicable*, disclaims any involvement in or responsibility for those negotiations or arrangements.

Mayor Bruny suggested to hear public input before discussing the City's film policy:

PUBLIC COMMENT:

Maria Mak, 215 Barranca Road, inquired why the Ordinance and/or amended film policy do not include the film model ordinance's language about the use of animals, gunfire, drones, etc.

City Attorney Reisman stated that this information could be part of the application. Not everything needs to be in the Ordinance. Some cities don't even have a film ordinance, only a policy.

Mrs. Mak also felt that 100% approval should be required of residents who live on adjacent properties to filming activities during "working hours." The City Council disagreed, not wanting to have one resident to have the power to stop any regular filming activity.

Mrs. Mak stated that a 5-day notice before filming is not enough. City Manager Kearney replied that film companies work very fast and 5 days have always been enough time in the past to process the application.

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Ann Armstrong, 1775 Royal Oaks Drive North, inquired if the film policy includes staging properties as well. The answer was yes.

PUBLIC COMMENT CLOSED:

There being no further comments, Mayor Bruny closed the discussion for public input.

DISCUSSION:

Councilmember Barakat stated that the City Council needs to discuss the constraints of filming duration. Councilmember Hale stated that the HOA already has language in place. Councilmember Barakat also stated that the insurance liability of at least \$2 million needs to be on the application form to conform to the policy.

City Manager Kearney stated that he needs clarification on the time limits.

Mayor Pro-Tem Lathrop suggested 30 days per calendar year. Councilmember Hale felt that 30 days was not enough with set-up and strike time and suggested 60 days.

City Manager Kearney suggested to discuss time limits at the December meeting.

Mayor Bruny inquired about language that states that the City Manager can reject an application. City Attorney Reisman stated that it is in Ordinance No. 378 and that an applicant always has the option to appeal to the City Council.

Mayor Pro-Tem Lathrop stated that he would like to see the amendments to the City's film policy done by next month.

**DISCUSSION TO BE CONTINUED
AT DECEMBER MEETING:**

City Manager Kearney stated that Film Ordinance No. 378 was adopted by the City Council tonight and will be in effect 30 days from today. The discussion of the City's film policy will continue at the December 21, 2021 City Council meeting.

MATTERS FROM THE CITY MANAGER:

City Manager Kearney reminded that City Council that there is a Special Meeting on Tuesday, December 7, 2021 to adopt the Redistricting Ordinance No. 379. The City Council stated that they would prefer an online meeting.

City Manager Kearney reported that a large portion of the white rail fencing on Mount Olive Drive was broken. A resident of Mount Olive took responsibility for the damage caused by a driver in this family. The fence will be repaired at the driver's expense.

City Manager Kearney stated that the Superintendent of the Duarte Unified School District would like to give a presentation at the January 2022 City Council meeting.

MATTERS FROM THE CITY ATTORNEY:

Nothing to report

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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: Mayor Pro-Tem Lathrop suggested that the City Council adopt an Urgency Ordinance in response to SB 9 (and impose maximum restrictions) at the December meeting and not wait until January 2022.

ADJOURNMENT: At 8:11 p.m. Mayor Bruny adjourned the meeting to an Adjourned Special Meeting on Tuesday, December 7, 2021 at 7:00 p.m.

MAYOR – CITY OF BRADBURY

ATTEST:

CITY CLERK – CITY OF BRADBURY