

**MINUTES OF A REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF BRADBURY  
HELD ON TUESDAY, SEPTEMBER 20, 2022  
AT THE BRADBURY CIVIC CENTER  
600 WINSTON AVENUE, BRADBURY, CA 91008**

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**CALIFORNIA GOVERNMENT  
CODE SECTION 54953(e)(1):**

*Pursuant to California Government Code Section 54953(e)(1), the City is allowing Councilmembers, Staff and the public to participate in this meeting by means of a Zoom video or telephone call. Participants will be able to hear the entire proceedings 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 Lathrop at 7:00 p.m. followed by the Pledge of Allegiance.

**ROLL CALL:**

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

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 Lewis 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.

Mayor Lathrop inquired if he should abstain from voting on agenda item #3 (Discussion of Use of Cal Recycle Funds) if the location of the water refill station would be within 500 feet of his residence.

City Attorney Reisman stated that the water refill station would serve the entire community and that the decision to abstain would be at the discretion of Mayor Lathrop.

**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 August 16, 2022
- B. Resolution No. 22-23: Demands & Warrants for September 2022
- C. Monthly Investment Report for the month of August 2022
- D. LA County Sanitation District: Tax Sharing Resolutions – Annexation No. 22-439 (one existing single-family home)
- E. Appointment of Planning Commissioners for Districts 2 and 4
- F. Annual Financial Audit Report for Fiscal Year 2020-2021

**MOTION TO APPROVE  
CONSENT CALENDAR:**

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

**APPROVED:**

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

Motion passed 5:0

**COMMENT BY COUNCILMEMBER LEWIS  
REGARDING APPOINTMENT OF  
PLANNING COMMISSIONER  
FOR DISTRICT TWO:**

Councilmember Lewis stated that he talked to Bill Novodor regarding his re-appointment to the Planning Commission. Commissioner Novodor's house is currently on the market for sale, so the appointment will either be until Mr. Novodor's house is sold or until the term expires in September 2024.

**PROPOSED MOU TO EXPAND  
BRADBURY'S COMMUNITY SERVICES  
OFFICER (CSO) PROGRAM AND  
ADOPTION OF RESOLUTION NO. 22-24  
ALLOCATING COPS FUNDS:**

City Manager Kearney stated that the City of Monrovia has provided a new contract to the City of Bradbury for the shared CSO program between the two cities. The new MOU outlines two (2) CSOs instead of one, stipulates that Bradbury will reimburse Monrovia for the proportionate share of the staff, equipment, and training costs, and details a sizeable increase in labor/wages costs.

**FINANCIAL ANALYSIS:**

The proposed MOU stipulates two (2) CSOs for a total cost of \$299,056. The split yearly cost to Bradbury for the program is \$149,528. The current MOU stipulates \$53,000 for one shared CSO. The current agreement calls for \$74,764 per CSO. Monrovia's reasoning for the cost increase is that they never fully billed for the true cost, which includes the vehicle, equipment, uniforms, etc.

**COPS FUNDING:**

The City receives \$100,000 annually in COPS funding from the State of California. For the current Fiscal Year 2022/23, the City has a surplus of \$342,400 in COPS funding, which can be applied to this and future contracts. The current MOU expense of \$149,428 exceeds the yearly COPS allocation by \$49,528. This difference can be covered by the surplus. The MOU does exceed the yearly allocation in COPS funding; however, the COPS surplus is ample to cover the life of the MOU until 2025.

**RECOMMENDATION:**

It is recommended that the City Council adopt Resolution No. 22-24, which alters the current COPS Program to dedicate \$149,528 toward the CSO Program. It is also recommended that the City Council direct the City Manager to enter into an agreement with the City of Monrovia for the CSO Program.

**DISCUSSION:**

Mayor Lathrop inquired if the new CSO will be working evenings and weekends. City Manager Kearney stated that he is still negotiating with Monrovia about weekend coverage.

Councilmember Lewis stated that he wants to see a schedule of coverage and he wants it in writing to avoid double coverage. City Attorney Reisman stated that "no double coverage" is an understanding between the two cities. Councilmember Lewis stated that an informal memo from Monrovia stating that there is no overlap would be sufficient.

**MOTION TO APPROVE MOU TO EXPAND THE CSO PROGRAM:**

Councilmember Hale made a motion to adopt Resolution No. 22-24, which alters the current COPS Program to dedicate \$149,528 toward the CSO Program, and to direct the City Manager to enter into an agreement with the City of Monrovia for the CSO Program. Mayor Pro-Tem Barakat seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

NOES: None

ABSENT: None

Motion passed 5:0

**DISCUSSION ON THE USE OF CAL RECYCLE FUNDS:**

Management Analyst Musa stated that every year the City receives \$5,000 from the CalRecycle Beverage Container Recycling/County Payment Program. At the April meeting, City Council directed Staff to contact the City of Duarte about partnering and installing a water refill station on the Duarte portion of Royal Oaks Trail. City Staff presented a potential water refill station to be replaced but the proposal was complicated due to an existing partnership between Duarte and a third-party organization. The City of Duarte then designated two more potential locations for a water refill station to be installed. At the August City Council meeting, Staff was directed to present potential locations to install a water refill station in Bradbury.

**RECOMMENDATION:**

It is recommended that the City Council review all potential locations and approve one of the proposed areas for the installation of a water refill station in either the City of Duarte or the City of Bradbury. A fountain in Duarte would have a not-to-exceed amount of \$8,700 and a fountain in Bradbury would have a not-to-exceed amount of \$17,700.

**DISCUSSION:**

Mayor Pro-Tem Barakat pointed out that the water refill station went up in price from \$6,500 to \$8,700 and to check other vendors online.

City Manager Kearney stated that a Cal-Am Water meter might be have to be installed if the City Council chooses a location of Mount Olive Drive.

**MOTION:**

Mayor Lathrop made a motion to select Option #1 (West Side of Royal Oaks Trail, between Bradbury Monument and Buena Vista Street). Mayor Pro-Tem Barakat seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

NOES: None

ABSENT: None

Motion passed 5:0

**DISCUSSION ON ELECTRIC CHARGING STATIONS AT THE BRADBURY CIVIC CENTER:**

Management Analyst Musa stated that Staff has been exploring the construction of electric charging stations at the Bradbury Civic Center at the request of Mayor Lathrop with the idea that on or more stations could be installed on the property. At the March 2022 meeting, the City Council directed Staff to obtain information on costs for installing an electric charging station at the Civic Center. A private wall-mounted or pedestal charging station in the back parking lot of the Civic Center is estimated to cost around \$25,000 to \$30,000. There are additional yearly costs to consider for the station's software and maintenance. Should the City Council desire to move forward with an electric charging station, Staff will work with the City Engineer to draft a Request for Proposal.

**RECOMMENDATION:**

It is recommended that the City Council direct Staff on how to proceed with an electric charging station at the Civic Center.

**DISCUSSION:**

City Manager Kearney stated that the area for the charging station must be ADA compliant and the parking lot in the back is uneven. There was also discussion on whether the charging station would be accessible on weekends.

Mayor Pro-Tem Barakat inquired if it is mandatory for the City to install a charging station. City Manager Kearney replied no.

**DIRECTION TO STAFF:**

Councilmember Lewis proposed to wait until solar-powered electric charging stations become available and to table this discussion indefinitely.

**DISCUSSION ON CITY STAFF SALARIES, HOLIDAYS AND FIRST FRIDAY CLOSURES:**

At the request of Mayor Lathrop, the City Council is going to discuss current City Staff salaries, paid holidays and First Friday Closures.

**PAID HOLIDAYS:**

The City of Bradbury Employee Manual (dated Oct 2009) designates the following 11 days as legal (paid) holidays:

*New Year's Day, Martin Luther King Jr. Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Day after Thanksgiving, Christmas Eve, Christmas Day, and New Year's Eve.*

**UNPAID HOLIDAYS:**

The unpaid First Friday Closures are adopted by the City Council as part of the budget every year. The unpaid days during FY-2022-2023 are as follows:

- Friday, July 1, 2022*
- Friday, August 5, 2022*
- Friday, September 2, 2022*
- Friday, October 7, 2022*
- Friday, November 11, 2022 (Veterans Day)*
- Tuesday, December 27, 2022*
- Wednesday, December 28, 2022*
- Thursday, December 29, 2022*
- Friday, March 3, 2023*
- Friday, April 7, 2023*
- Friday, May 5, 2023*
- Friday, June 2, 2023*

**HISTORY OF FIRST FRIDAY CLOSURES:**

The history behind the First Friday Closures stems from an agreement made between the City Council and Staff. During the economic downturn in 2008, the City Council placed Staff on furlough which amounted to a 5% reduction in salary. In exchange, the City Council agreed to provide Staff with 12 unpaid holidays. At first, these days were called furlough days. Once the economy started to improve, the City Council made the 5% reduction in salaries permanent and made the 12 unpaid days permanent as well. At this time furlough days were referred to as First Friday Closures.

**DISCUSSION:**

Mayor Lathrop stated that he asked for this item to be placed on the agenda because City Hall was closed this year on Juneteenth without prior discussion with City Council. Mayor Lathrop feels that all legal (paid) holidays need to be codified by Ordinance.

The City Council discussed getting rid of the First Friday Closures and reinstate the 5% salary to make salaries more competitive. City Manager Kearney stated that Staff views the First Friday Closures as a perk. Councilmember Lewis proposed to let staff work out whether they would like to continue with First Friday Closures or receive a 5% salary increase.

**MOTION TO CODIFY PAID HOLIDAYS:**

Mayor Lathrop made a motion for Staff to draft an Ordinance to codify paid holidays. Councilmember Lewis seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

Motion passed 5:0

**MATTERS FROM THE CITY MANAGER:**

City Manager Kearney reported that the EIR documents for the Bradbury Road Widening Project are ready and the tree replacement issue is moving forward with the Bradbury Estates CSD and the City of Duarte.

At the last meeting, the Council directed Staff to withdraw the City's application to annex a portion of Royal Oaks Drive North. It now appears that the full Council of the City of Duarte is not on board with annexing the "Manor" as previously thought. City Manager Kearney requested Council's authorization to keep moving forward with the application to annex a portion of Royal Oaks Drive North. City Attorney Reisman recommended to put the Application for Annexation on the October 18, 2022 City Council Agenda for re-consideration.

City Manager Kearney stated that Management Analyst Sophia Musa is going on maternity leave. Her last day in the office will be Friday, September 23, 2022. The City Manager is in contact with a Temporary Staffing Agency and the plan is to bring in an accounting technician, who might eventually replace the City Clerk when she retires next spring.

**MATTERS FROM THE CITY ATTORNEY:**

Nothing to report

**MATTERS FROM THE CITY COUNCIL:**

**MAYOR LATHROP:**

Nothing to report

**COUNCILMEMBER BARAKAT:**

Nothing to report

**COUNCILMEMBER HALE:**

Councilmember Hale inquired about the Housing Element (HE) Update. City Manager Kearney stated that the City received a letter from the Department of Housing and Community Development (HCD) and there are all kinds of issues. HCD won't talk to the City until after October 15, 2022, which is the deadline to submit the HE. The City has to address all points of low income housing.

**COUNCILMEMBER LEWIS:**

Nothing to report

**COUNCILMEMBER BRUNY:**

Councilmember Bruny reported that the Duarte Unified School District is changing how to elect their Board. Boardmembers will now be elected by District, which will also include Bradbury. A district map is not yet available.

**ITEMS FOR FUTURE AGENDAS:**

Codification of paid Holidays and Clarification of Annexing a portion of Royal Oaks Drive North

**CLOSED SESSION**

**PUBLIC COMMENT REGARDING  
CLOSED SESSION ONLY:  
RECESS TO CLOSED SESSION:**

None

The City Council adjourned to a Closed Session to discuss:

**A. Pending Litigation**

Pending Litigation pursuant to Government Code Section 54956.9(d)(4) (Based on existing facts and circumstances, the City Council has decided, or is deciding, whether to initiate litigation).  
(One potential case)

**B. Public Employee Performance Evaluation**

Government Code Section 54957(b)(4)  
Title: City Planner

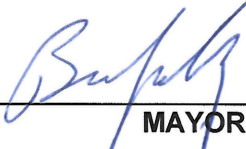
**REPORT FROM CLOSED SESSION:**

City Attorney Reisman reported that the City Council met in Closed Session to discuss pending litigation and voted unanimously to authorize the City Attorney to initiate litigation.

The City Council also discussed the Public Performance Evaluation for the City Planner. No formal votes were taken. The City Manager was instructed on how to proceed.

**ADJOURNMENT:**

At 8:00 p.m. Mayor Lathrop adjourned the meeting to a regular meeting to be held on Tuesday, October 18, 2022 at 7:00 p.m.

  
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**MAYOR – CITY OF BRADBURY**

**ATTEST:**

  
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**CITY CLERK – CITY OF BRADBURY**