

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY
HELD ON TUESDAY, AUGUST 16, 2016**

**MEETING CALLED TO ORDER AND
PLEDGE OF ALLEGIANCE:**

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

ROLL CALL:

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

STAFF: City Manager Keith, City Attorney Reisman, City Clerk Saldana and Management Analyst Donayre

APPROVAL OF AGENDA:

Councilmember Barakat made a motion to approve the agenda and proceed with City business. Councilmember Hale seconded the motion, which carried.

**DISCLOSURE OF ITEMS REQUIRED BY
GOV. CODE SECTION 1090 & 81000 ET
SEQ.:**

In compliance with the California Political Reform Act, each City Councilmember has the responsibility to disclose direct or indirect potential for a personal financial impact as a result of participation in the decision making process concerning agenda items.

Mayor Pro-Tem Lathrop stated that he has to abstain from approving demands & warrants for Axxon Tech, LLC.

PUBLIC COMMENT:

Captain Coronne Jacobs, Commander of Temple Station, invited the City Councilmembers to take a tour of the station or go on a ride-along. Captain Jacobs stated that she will introduce new Sgt. Dave Kearney at next month's meeting.

CONSENT CALDENDAR:

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 be "to waive further reading and adopt."

- A. Minutes – Regular City Council Meeting of July 19, 2016
- B. Resolution No. 16-22: Demands & Warrants for August 2016
- C. Monthly Investment Report for the month of July 2016
- D. Authorization to begin Development of a Joint Powers Authority for Management of the City's Enhanced Watershed Management Program Responsibilities
- E. Reappointment of the UUT Committee Members
- F. Second Reading of Ordinance No. 344 – Pre-Zone Action required for the Annexation of four parcels (8527-003-001, 8527-003-002, 8727-026-023, 8527-026-025)
- G. Approval of Reimbursement Agreement for a proposed Subdivision and Development Project known as "Oak View Estates" in the Bradbury Estates

DISCUSSION:

Commissioner Pycz made a motion to approve the Consent Calendar, seconded by Mayor Pro-Tem Lathrop, for purpose of discussion only. Mayor Pro-Tem Lathrop pulled items D & G for discussion and to get more information from the City Manager.

JPA FOR MANAGEMENT OF ENHANCED WATERSHED MANAGEMENT PROGRAM:

City Manager Keith stated that the authorization to begin development of a Joint Powers Authority is a non-binding effort to create of Joint Powers Authority (JPA) for the management of Enhanced Watershed Management Program (EWMP) responsibilities in the Rio Hondo/San Gabriel River Watershed Group. Agencies in the Group include Arcadia, Azusa, Bradbury, Duarte, Monrovia, Sierra Madre, LA County and LA County Flood Control District. Together, the Group developed an EWMP to comply with the mandated MS4 Permit requirements. Included within the EWMP are identified stormwater capture and retention projects that have been assessed as being integral to achieving stormwater pollution TMDL compliance. The projects involve capturing stormwater through construction of stormwater retention projects and the development of green streets to collect polluted stormwater before it gets into the stormdrain system. Based on the EWMP, the total estimated compliance cost for the Group is 1.4 billion. Of that amount, the City of Bradbury's share has been estimated at \$62 million. Throughout all of Los Angeles County, MS4 Permit compliance costs are estimated at \$20 billion.

Tonight the City Council is asked to authorize the City Manager to sign a non-binding letter of Commitment.

REIMBURSEMENT AGREEMENT FOR DEVELOPMENT PROJECT KNOWN AS "OAK VIEW ESTATES:"

Mayor Pro-Tem Lathrop had some comments/questions regarding the language in the agreement prepared by the City Attorney. City Attorney Reisman stated that this is a standard agreement and that there is no good reason to amend it as it sufficient as written.

MOTION TO APPROVE CONSENT CALENDAR:

Following discussion, Councilmember Hale moved to approve Consent Calendar as presented. Mayor Pro-Tem Lathrop abstained from approving demands & warrants payable to Axxon Tech, LCC. Councilmember Barakat seconded the motion, which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

Motion passed 5:0

DISCUSSION – ANNEXATION – PROPERTY TAX REVENUES:

City Manager Keith stated that there are four (4) existing parcels within the confines of the Bradbury Estates that are outside of the Bradbury city limits and are within the jurisdiction of the City of Monrovia. Two of the parcels are owned by the Bradbury Estates Homeowners Association (HOA) and serve as the entry point into the Estates, and the other two parcels haven been privately developed with single-family residences. In order for the City of Bradbury to make a formal application to the Local Agency Formation Commission (LAFCO) to initiate the proceedings for the annexation, the City must obtain a letter of support from the City of Monrovia.

At their August 2, 2016 meeting, the Monrovia City Council considered the action of the letter of support and authorized Monrovia city staff to issue the letter of support if the City of Bradbury agrees to reimburse the City of Monrovia for any lost tax revenues from the annexation proceedings.

The City of Monrovia currently receives \$2,920.50 per year on property taxes from the four parcels identified for annexation. The City of Monrovia is requesting that Bradbury reimburse Monrovia for the lost property tax revenue. In addition, the reimbursement amount would increase 2% annually, pursuant to the Proposition 13 annual property tax increase limit.

As part of the proceedings, the City of Bradbury will annex the northerly half of Wildrose Avenue between the entrance to the Bradbury Estates and Bradbury Road. At that time, Bradbury would take over maintenance responsibilities for the roadway surface. It should also be noted that although the four parcels have been within the jurisdiction of the City of Monrovia, the City of Bradbury has been providing services to these parcels since incorporation in 1957.

**PARCELS AND AMOUNT PER YEAR
IN PROPERTY TAXES:**

APN 8527-003-002 (0.73 acre residentially zoned parcel)
\$1,239.35 per year in property taxes

APN 8527-003-001 (0.07 acre parcel owned by the Bradbury Estates Association that houses the guard house entrance to the Bradbury Estates)
\$0.00 per year in property taxes

APN 8527-026-23 (0.10 acre vacant sliver parcel owned by the Bradbury Estates Association)
\$8.51 per year in property taxes

APN 8527-026-025 (1.75 acres parcel that houses a developed residential estate)
\$1,672 per year in property taxes

FINANCIAL REVIEW:

The reimbursement to the City of Monrovia would be in the amount of \$2,920.50 annually plus a 2% increase per year. The City could also elect to make a one-time payment for 30 years plus the 2% in the amount of \$109,541.18.

RECOMMENDATION:

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

DISCUSSION:

Mayor Pro-Tem Lathrop stated that the City of Bradbury cooperates a lot with the City of Monrovia and called this request for reimbursement extortion. This is not good Government.

Councilmember Hale stated that he would do the same as the City of Monrovia.

Mayor Pro-Tem Lathrop stated that the City of Bradbury gives Monrovia COPS money.

Councilmember Barakat stated that Bradbury gets half of what Monrovia gets in property tax revenue.

City Manager Keith stated the City of Bradbury would only reimburse Monrovia for the property tax portion, nothing else. The City Manager suggested a one-time payment for 30 years but stated that the City Council could offer a payment for 20 years.

The City Manager stated that the City of Bradbury would own half of Wildrose Avenue, just as it now owns half of Lemon Avenue and half of Bradbury Road. Ms. Keith suggested to show the City of Monrovia our Bradbury Road street widening project.

Councilmember Barakat suggested to offer half of what we're getting and what Monrovia is getting in property tax revenue.

Councilmember Hale suggested a one-time lump sum payment for 20 years and show Monrovia our Bradbury Road street widening project.

Mayor Lewis stated at 20 x \$2,920.50 plus a 2% increase every year totals \$70,690.47. Councilmember Hale proposed to make an offer without the 2% escalation each year.

MOTION:

Councilmember Hale made a motion to make the following offer to the City of Monrovia: Bradbury will make a one-time lump sum payment in the amount of \$59,000 (\$2,950 x 20) for 20 years of property tax revenue loss without a 2% increase each year and show Monrovia the Bradbury Road street widening project. Councilmember Pycz seconded the motion, which was carried by the following roll call vote:

APPROVED:

AYES: Mayor Lewis, Councilmembers Hale and Pycz
NOES: Mayor Pro-Tem Lathrop
ABSENT: None
ABSTAIN: None

Motion passed 4:1

**RESOLUTION NO. 16-23
ALLOCATING COPS FUNDS AND
DISCUSSION OF THE COMMUNITY
SERVICE OFFICER PROGRAM:**

City Manager Keith stated that each fiscal year the City receives \$100,000 in COPS/SLESF funding from the State for additional local law enforcement purposes. The City currently has a \$63,000 surplus from the previous year.

RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. 16-23 approving the expenditure plan for grant funds pursuant to the Citizens' Option for Public Safety (COPS)/Supplemental Law Enforcement Services Fund (SLESF) guidelines. Further, the City Council has several options to consider regarding the Community Service Officer Program. The City Council is being asked to discuss these options and provide staff with further direction.

PROPOSITION 47:

City Manager Keith stated that over the past several years Bradbury has seen an uptick in property crime and residents have begun to voice concerns. There is no specific reason for

this, however, some target the passage of Proposition 47 in 2014. The proposition is aimed to downgrade drug possession and some theft crimes to misdemeanors, while reducing prison and jail populations by thousands of inmates.

EXTRA PATROL:

As such in the Spring of 2015 Bradbury and Duarte staff met to work on a plan to bring an additional LASD patrol onto local streets during the daytime shift. The initial cost to add the unit is \$169,172 annually, increasing to approximately \$280,000 after 18 months. Bradbury has committed to contribute \$25,000 toward the cost for FY 15-16 and is proposed to contribute \$75,000 towards the cost for FY 16-17 (of which the City has already allotted \$25,000 for the first quarter and \$18,750 tonight for an additional quarter for a total of \$43,705).

As indicated above, in the past the City has authorized expenditures of the COPS fund for increase patrol within the City. This has included traffic and special patrols. As a result of the ongoing discussion regarding policing services over the past several months the City committed to making this a priority moving forward. The funds the City usually has on reserve at LASD have run low and an additional \$10,000 is recommended at this time to fund the ongoing efforts of this program.

COMMUNITY SERVICES OFFICER PROGRAM:

Staff has recommended that the City Council consider a new Community Service Officer (CSO) program. A CSO position in Bradbury could be extremely helpful in the focusing of crime prevention as well as taking some of the non-law enforcement duties to assist the community. Many communities have CSO programs, including Duarte, Monrovia, Rosemead and Sierra Madre.

City Manager Keith is recommending that the position would a part-time, at-will position limited to 960 hours per year. The position would be grant-funded through COPS for the duration of the grant. The position may be eliminated or extended at any time at the direction of the City Council if the grant is not funded.

BUDGET FOR CSO PROGRAM:

A CSO would not be a sworn peace officer. Recruitment for candidates will begin immediately after approval of the CSO program. The goal is to find one quality candidate who would work 20-25 hours per week at a starting wage of \$15-\$20/hour. The budget for the CSO program would be about \$22,000 a year including employment taxes.

Additionally, for a CSO program to work, the City would need to investigate government leasing programs for a vehicle for the CSO officer to use, which could range from \$5,000 to \$8,000 annually.

DISCUSSIONS WITH DUARTE AND MONROVIA:

City Manager Keith stated that staff has had preliminary conversations with the cities of Duarte and Monrovia regarding a partnership for the CSO program. Duarte offered to partner with the City to train an additional Duarte Community Service Officer in fingerprint collection as part of Duarte's program that would be available to the City of Bradbury if needed. The approximate cost of this is \$10,000. The City of Monrovia is

amenable to contracting with the City of Bradbury for a part-time CSO for \$37,000 (car and fingerprinting included).

CITY COUNCIL DISCUSSION:

The City Council discussed the role of the Community Services Officer (CSO).

Councilmember Barakat stated that the CSO should not perform any administrative tasks at City Hall and that the focus should be on the streets. City Manager Keith replied that there will be some necessary paperwork for code enforcement.

Councilmember Hale stated that he does not want the City to hire an employee or lease a car.

There was discussion with Captain Jacobs about whether or not LASD can accept fingerprints collected by a Monrovia CSO.

MOTION:

Councilmember Hale made a motion to contract with Monrovia for the CSO Program subject to fingerprint collection being accepted by LASD. Councilmember Barakat stated that the City should take care of the property tax issue with the City of Monrovia first and wait on the CSO. Mayor Lewis stated that if the fingerprinting issue with LASD gets resolved it would be ok to move forward and draw up an agreement. Councilmember Barakat seconded the motion, which was carried by the following roll call vote:

APPROVED:

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

NOES: None

ABSENT: None

Motion passed 5:0

**MOTION TO APPROVE
RESOLUTION NO. 16-23:**

Mayor Pro-Tem Lathrop made a motion to adopt Resolution No. 16-23 allocating funds from the Citizens' Option for Public Safety (COPS) Program, and documenting the determinations required by the Supplemental Law Enforcement Oversight Committee. Councilmember Barakat seconded the motion, which was carried by the following roll call vote:

APPROVED:

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

NOES: None

ABSENT: None

Motion passed 5:0

**MATTERS FROM THE
CITY MANAGER:**

The Planning Commission will meet on Wednesday, August 24, to consider development applications for 2438 Mount Olive Lane, 100 Palm Hill Lane and 393 Old Ranch Road.

City Manager Keith reminded the City Council of the upcoming public meeting regarding the City's Hazard Mitigation Plan, to be held on Thursday, August 25, from 6 to 8 pm at City Hall.

City Manager Keith reported that there was a gas leak at 1533 Royal Oaks Drive North.

MATTERS FROM THE CITY COUNCIL:

MAYOR LEWIS:

Mayor Lewis asked the City Manager about the Cal-Am Water rate increase. City Manager Keith replied that this item won't be on the City Council agenda and the only recourse is to write to the Public Utilities Commission (PUC).

MAYOR PRO-TEM LATHROP:

Mayor Pro-Tem Lathrop stated that the Duarte Unified School District would like to be placed on the agenda to address the Council regarding the Competitive Advantage Program (CAP).

COUNCILMEMBER BARAKAT:

Councilmember Barakat stated LA County is extending a permit for a landfill that has reached maximum capacity, but closed a landfill (Puente Hills) that still had five years of capacity left. Mr. Barakat asked for the Council's permission to write a letter opposing this decision. The City Council concurred.

COUNCILMEMBER HALE:

Councilmember Hale reported that the Civic Center Generator project has been completed.

COUNCILMEMBER PYCZ:

Nothing to report

ITEMS FOR FUTURE AGENDAS:

None

CLOSED SESSION:

At 7:50 p.m. the City Council adjourned to a Closed Session.

ROLL CALL:

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

STAFF: City Manager Keith and City Attorney Reisman

PUBLIC COMMENT REGARDING CLOSED SESSION ONLY:

None

CONFERENCE WITH LEGAL COUNSEL:

The City Council met in Closed Session to discuss:

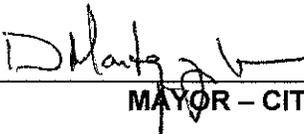
- A. **Pending Litigation.** Pending Litigation pursuant to Government Code Section 54956.9 (d)(1) City of Gardena v. Regional Water Quality Board, et al., Case No. 30-2016-00833722-CU-WM-CJC

RECONVENE OPEN SESSION AND ANNOUNCE ANY ACTION TAKEN:

No reportable action was taken.

ADJOURNMENT:

At 8:00 p.m. Mayor Lewis adjourned the meeting to Tuesday, September 20, 2016 at 7:00 p.m.



MAYOR – CITY OF BRADBURY

ATTEST:



CITY CLERK – CITY OF BRADBURY