

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY
HELD ON TUESDAY, JULY 19, 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, Cody Howing (RKA), City Clerk Saldana and Management Analyst Donayre

APPROVAL OF AGENDA:

Councilmember Barakat made a motion to approve the agenda and proceed with City business. Mayor Pro-Tem Lathrop 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 and Consent Item #G (Removal from SCAG).

Councilmember Barakat has to recuse himself from item #2 – Public Hearing for Tentative Parcel Map No. 73673. Councilmember Barakat resides within 500 feet of 1533 Royal Oaks Drive North.

PUBLIC COMMENT:

Mr. and Mrs. Adams, 106 Bradbury Hills Lane, addressed the Council regarding the vacant property at 8 Bradbury Hills Road. Mr. Adams stated that the property's vegetation (dead trees, tumbleweeds) has not been cleared for two years and that it is a fire hazard. Since the property is not developed there is also a concern about erosion of mud and debris. Mrs. Adams added that the retaining wall on the property shows signs of stress and cracking. Mr. and Mrs. Adams are asking the City's help to get the property owner to clean up the property.

City Manager Keith informed the Council that 8 Bradbury Hills Road is on the City's list of code violations.

Mr. Bill Gomez, 635 Mount Olive Drive, stated that the City's communications to residents during the recent fire were very helpful. Mr. Gomez stated that people walked up on Mount Olive Drive to see the fire and take pictures and stated that next time there is an emergency the street needs to be closed off completely to non-residents.

PRESENTATION:

Due to technical difficulties the presentation by the San Gabriel Valley Economic Partnership was moved after agenda item #2.

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 be "to waive further reading and adopt."

- A. Minutes – Regular City Council Meeting of June 28, 2016
- B. Resolution No. 16-17: Demands & Warrants for July 2016
- C. Preliminary Financial Statement for the month of June 2016
- D. Resolution No. 16-18: Approval of Revised GANN Appropriations Limit for FY 2015-2016
- E. Resolution No. 16-19: Approval of GANN Appropriations Limit for FY 2016-2017
- F. Fiscal Year 2014-2015 Annual Financial Audit Report and Management Letter
- G. Removal of Mayor Pro-Tem Lathrop as SCAG Representative
- H. Award of Bid for Woodlyn Lane Street Rehabilitation Project

DISCUSSION:

Mayor Pro-Tem Lathrop had a correction to page 5 of the minutes of the June 28 meeting, which should state that the City Council "acknowledges" the new collection and recycling rates to become effective July 1, 2016. City Manager Keith stated that staff already made the correction.

Councilmember Hale inquired if the award of bid for Woodlyn Lane was for the storm drain. City Manager Keith replied yes.

**MOTION TO APPROVE
CONSENT CALENDAR:**

Councilmember Hale moved to approve Consent Calendar as presented. Mayor Pro-Tem Lathrop abstained from approving demands & warrants payable to Axon Tech, LLC and his removal as SCAG representative. Councilmember Pycz seconded the motion, which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

Motion passed 5:0

**COUNCILMEMBER BARAKAT
RECUSED:**

Councilmember Barakat, who lives within 500 feet of 1533 Royal Oaks Drive North, recused himself from the decision making process regarding Tentative Parcel Map No. 73673 and left the room.

**PUBLIC HEARING –
RESOLUTION NO. 16-20 TENTATIVE
PARCEL MAP TPM 73673
1533 ROYAL OAKS DRIVE NORTH:**

City Manager Keith stated that this is request for a Minor Land Division to subdivide a single 3-acre parcel into three 1-acre minimum parcels. No improvements are proposed as part of this request. The Planning Commission conducted a public hearing on June 29, 2016 and adopted Resolution No. 16-255 recommending approval of the map to the City Council. City Manager Keith stated that the property owner's (San Francisco Bayshore Wealth) representative was here this evening.

RECOMMENDATION:

It is recommended that the City Council open a public hearing, take public testimony, and adopt Resolution No. 16-20 supporting the Planning Commission's recommendation to approve Tentative Parcel Map 73673.

DISCUSSION:

Councilmember Hale inquired if there was any talk of tying the two lots (1527 & 1533 Royal Oaks) together. City Manager Keith replied no.

City Manager Keith stated that Mayor Pro-Tem Lathrop brought up that the dedication of an additional 4 feet of street right-of-way along the north side of Royal Oaks Drive North and 10 feet of street right-of-way along the west side of Winston Avenue should be made to the City (Conditions 25 & 26 in the resolution). Mayor Pro-Tem Lathrop also wanted to add that the City reserves the right to request DG (decomposed granite) for the sidewalks.

PUBLIC HEARING OPENED:

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

PUBLIC TESTIMONY:

Bob Kladifko, 708 Braewood Drive, stated that he was concerned about the oak trees on the property. City Manager Keith stated informed Mr. Kladifko that the City has a tree impact report for 1533 Royal Oaks and that the trees that were removed were diseased. Mr. Kladifko also wanted to know if anyone has done any research on the history of this property. The City Manager stated that the property was owned by the Mead family and that there is a picture book at City Hall (for public viewing) documenting the historical building before it gets demolished.

Brian Hamill, 728 Winston Avenue, stated that he was thrilled that the project is finally moving forward. The site is an eyesore and Mr. Hamill called the Sheriff's Department at least 15 times regarding trespassers and transients on the property.

Steven Collins, 612 Winston Avenue, was concerned that the remaining oak trees are getting watered. City Manager Keith stated that is it a condition of approval that the oak trees are being cared for now and during construction.

Anne Absey, 44 Woodlyn Lane, inquired if the City considered only allowing two lots instead of three. City Manager Keith stated that the lot is 3.80 acres in size and is located in the A-1 Zone (minimum 1-acre), so the property owner is entitled to subdivide the property into three parcels.

PUBLIC HEARING CLOSED:

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

CITY ATTORNEY:

City Attorney Reisman asked the representative if the property owner has accepted of all the conditions. The answer was yes.

MOTION: Councilmember Hale made a motion to adopt Resolution No. 16-20: A Resolution of the City Council of the City of Bradbury, California, setting forth its findings of fact and recommendations for Tentative Parcel Map No. TPM 73673. Councilmember Pycz seconded the motion, which was carried by the following roll call vote:

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

Motion passed 4:0

COUNCILMEMBER BARAKAT RETURNS: Councilmember Barakat rejoined the meeting.

PRESENTATION BY SAN GABRIEL VALLEY ECONOMIC PARTNERSHIP: Jeff Allred, President and CEO with the San Gabriel Valley Economic Partnership, gave a presentation about the Partnership to the City Council to encourage the City of Bradbury to join. Mr. Allred stated that the mission of the Partnership is to enrich the quality of life and economic vitality of the San Gabriel Valley. The San Gabriel Valley Economic Partnership is a regional, non-profit corporation supported and directed by its members and committed to the continued successful economic development of the San Gabriel Valley. A collaboration of business, local government, institutions of higher education and non-profit organization, the Partnership pursues this commitment by engaging in public policy, marketing the San Gabriel Valley, fostering the success of business, and connecting people, companies, and organizations in the San Gabriel Valley.

Regina Wang, Director of Marketing and Communications, showed the Council some examples of what kind of information is available on the Partnership's website. If the City of Bradbury were to join, there would be a link on the City's website to the Economic Partnership.

The City Council thanked Mr. Allred and Ms. Wang for attending tonight's meeting and will take membership in the San Gabriel Valley Economic Partnership under consideration.

CONTINUED DISCUSSIONS ON POLICING SERVICES FOR FISCAL YEAR 2016-17 AND APPROVAL OF RESOLUTION NO. 16-21 ALLOCATION OF COPIS FUNDS:

City Manager Keith stated that at the April meeting the City Council requested to review several options to consider regarding the policing services for the City of Bradbury. At the May 11th Special Study Session representatives from the City of Monrovia as well as the Los Angeles County Sheriff's Department were present to discuss these options with the City Council. The City Council discussed this item again at the regular May 19 and June 29 meetings.

RECOMMENDATION: It is recommended that the City Council provide further direction to staff, such action may include switching from the Los Angeles County Sheriff's Department to the Monrovia Police Department.

Further, it is recommended that the City Council approve Resolution No. 16-21 allocating \$25,000 in COPS funds to the City of Duarte for additional deputy service during daytime.

COMMUNITY SERVICES OFFICER PROGRAM:

The City Council has also discussed a new Community Services 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. The City Manager is recommending that the position would be a part-time, at-will position limited to 960 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 if the grant is not funded at the direction of the City Council.

PETITION TO THE BRADBURY CITY COUNCIL:

City Manager Keith stated that staff has received signed petitions tonight supporting the continuance of the contract with the Los Angeles County Sheriff's Department (LASD) to provide comprehensive and critical public safety services.

The petition (signed by 62 residents) states that the proposal submitted by the Monrovia Police Department does not compare to the breadth, scope and quality of the services provided by LASD.

PUBLIC INPUT:

Mayor Lewis opened up the discussion to public comment.

A resident asked if the Community Services Officer would be armed. Councilmember Hale replied no. The CSO is not a sworn officer.

Mike Gomez, 635 Mount Olive Drive, asked if the CSO would handle abatement notices. City Manager Keith replied yes.

Bob Kladifko, 708 Braewood Drive, stated that he was in favor of the City Council rejecting the proposal from Monrovia PD.

Steven Collins, 612 Winston Avenue, stated that he just heard about this issue and hoped that the City Council would not make a decision tonight. Mr. Collins also stated that there is a lot of activity at City Hall on the weekends (i.e. people having sex in the back parking lot). Since City Hall has no gate Mr. Collins suggested installing a chain across the driveway. Mr. Collins was in favor of keeping the Sheriff's Department.

Mayor Lewis informed Mr. Collins that tonight is the fourth time the Council is discussing this issue. Mayor Pro-Tem Lathrop added that email blasts were sent out a number of times alerting residents of this important issue.

Susan Esparza, 2327 Freeborn Street, wanted to thank the Los Angeles County Fire and Sheriff's Department for their assistance during the recent fire (San Gabriel Complex Fire). Ms. Esparza stated that Monrovia PD is on a separate radio systems than LASD and the Fire Department. Ms. Esparza felt that Monrovia PD can handle routine calls, but maybe not bigger emergencies like the fire.

PUBLIC INPUT:

Bill Novodor, 220 Mount Olive Drive, stated that the Duarte Mesa, which is right above Mount Olive Drive, is served by LASD. Mr. Novodor stated that LASD is efficient and concerned about our residents and recommended that the City stay with the Sheriff's Dept.

Gary Lorenzini, 365 Oak Mountain Road, voiced his support for the Los Angeles County Sheriff's Department.

Brian Hamill, 728 Winston Avenue, stated that he had no opinion one way or another and that comparing the proposals is hard but the Monrovia PD's proposal for services seems lower.

Paul Wondries, 380 Oak Mountain Road, stated that these days law enforcement officers have a bullseye on their back. Bradbury needs the expertise of the Los Angeles County Sheriff's Department.

CITY COUNCIL DISCUSSION:

Mayor Lewis stated that he likes Monrovia PD's community policing model and said that he would like to forge a better relationship with LASD. Mayor Lewis stated that LASD will have a higher turnover of officers than Monrovia, but emergencies, such as the recent fire, are a big issue.

Councilmember Barakat stated that what he likes about LASD is that they have the resources to keep investigating crimes. Arrests have been made in the assault that happened in the Duarte Mesa in March of this year. And the investigation into the murder of Mickey Thompson took years. Mr. Barakat doubted that Monrovia PD would have the resources.

Mayor Pro-Tem Lathrop stated that the petition is very effective and that the grass might not be greener with Monrovia PD. Cost can't be the only factor and the City can spend money for extra hours with LASD, but Monrovia PD hours are limited due to its smaller size.

Councilmember Pycz stated that we know what we're getting with LASD.

Mayor Pro-Tem Lathrop stated that Monrovia's community based policing is a very enticing idea and we want a local police force.

Councilmember Hale stated that he has dealt with Monrovia PD because his business is in Monrovia. Councilmember Hale pointed out that Temple Station had 4 or 5 different captains in recent years and that the City would receive mutual aid from LASD in an emergency anyway.

Mayor Lewis proposed to table the Monrovia PD proposal for 90 days, direct the City Manager to sign the contract with LASD for the next six month, and further study the CSO concept.

Mayor Pro-Tem Lathrop stated that he would like to move ahead with the CSO program with a base budget of \$75,000. Councilmember Hale stated that he does not want to spend \$75,000, only \$25,000 for now.

MOTION:

Councilmember Barakat made a motion based on Mayor Lewis's recommendation to extend the contract with LASD for the next six month and to adopt Resolution No 16-21, allocating \$25,000 of COPS funds to the City of Duarte. Councilmember Hale 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

Representatives from the Sheriff's Department wanted clarification if the City was intending to terminate its contract with LASD after the six month period. City Manager Keith replied that the City is not giving notice tonight to terminate the contract.

Mr. Kladifko, 708 Braewood Drive, asked if the Council was going to discuss this topic every month for the next six month. Councilmember Barakat replied that the City's contract with the Sheriff's Department is always on a year-to-year basis.

FISCAL YEAR 2016-17 ANNUAL RATE ADJUSTMENT FOR SOLID WASTE COLLECTION AND RECYCLING AND CONTRACT AMENDMENT NO. 6:

City Manager Keith stated that the City of Bradbury contracts with Burrtec Waste Services for solid waste collection and recycling. During the June 28, 2016 rate adjustment review Burrtec also requested an extension of their contract term for seven (7) years. This would extend the contract until 2025. The City Council requested staff to bring back the contract amendment with additional information about rates in surrounding cities.

RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. 16-13 (Contract Amendment No. 6) approving additional language that will allow Burrtec Waste Services an extension of their contract term of seven (7) years to 2025.

RATE SURVEY:

The City Council reviewed the rate survey staff collected since the last meeting. As the survey results show, the City still has one of the lowest rates. Additionally, Burrtec provided the rate history for the City of Bradbury. As that chart shows, the City has seen very little or no increases in residential rates over time. It should also be noted that Burrtec has maintained its commitment to the City during times of emergencies like the 2011 windstorms when they stepped up and provided roll-offs for the community at no charge to the residents or the City. Many other cities in the foothill communities were charged by their hauler for disposal of the debris materials in the thousands of dollars.

Bradbury residents appear to be quite satisfied with Burrtec and since the initial transition City Hall has received very few complaints about trash service.

DISCUSSION:

City Manager Keith stated that Richard Nino, Director of Municipal Services, was present to answer any questions the City Council may have.

Mayor Pro-Tem Lathrop stated that the Burrtec contract has a value of \$1.7 million and spending \$25,000 on a consultant is roughly 1% of the contract value. Mr. Lathrop felt that the City Council owes its constituents procurement of the best value and proposed to go out to bid. Mayor Pro-Tem Lathrop pointed out that 77% of the contract are "commercial" bins in the Bradbury Estates.

Councilmember Barakat stated by looking at the chart it is pretty clear that the City of Bradbury has the lowest rates.

Mayor Lewis asked Mayor Pro-Tem Lathrop how Burrtec's contract is different from the Sheriff's contract. We know what we have and we like it. It's not a commodity, it's a service.

Councilmember Barakat stated that he would not support in any shape or form wasting money to hire a consultant and go out to bid. Not even one city has lower rates than Bradbury.

PUBLIC COMMENT:

There were no public comments regarding this agenda item.

**MOTION TO APPROVE
CONTRACT EXTENSION:**

Councilmember Hale made a motion to adopt Resolution No. 16-13 (Contract Amendment No. 6) approving additional language that will allow Burrtec Waste Services an extension of their contract term of seven (7) years to 2025. Councilmember Barakat seconded the motion, which was carried by the following roll call vote:

APPROVED:

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

Motion passed 4:1

**MATTERS FROM THE
CITY MANAGER:**

City Manager Keith wanted to clarify that the City Council did not adopt Ordinance No. 344 at its June meeting. We can't have the second reading until LAFCO approves our application.

City Manager Keith stated that the Planning Commission will meet on Wednesday, July 27, and that she will be out on vacation next week from July 25 through July 29 for her son's Junior Olympics water polo games.

MATTERS FROM THE CITY COUNCIL:

MAYOR LEWIS:

Mayor Lewis stated that he sees no value in Bradbury joining the San Gabriel Valley Economic Partnership. City Manager Keith replied that due to technical difficulties with the presentation the SGV Economic partnership could not really show the Council all it has to offer to our City.

MAYOR PRO-TEM LATHROP:

Nothing to report

COUNCILMEMBER BARAKAT:

Nothing to report

COUNCILMEMBER HALE: Councilmember Hale stated that he is waiting for the start-up on the Civic Center Generator.

COUNCILMEMBER PYCZ: Nothing to report

ITEMS FOR FUTURE AGENDAS: None

CLOSED SESSION: At 9 p.m. the City Council adjourned to a Closed Session.

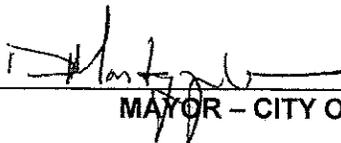
ROLL CALL: PRESENT: Mayor Lewis, Mayor Pro-Tem Lathrop, Councilmembers Barakat, Hale and Pycz
STAFF: City Manager Keith, City Attorney Reisman, Cody Howing (RKA)

PUBLIC COMMENT REGARDINGCLOSED 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
B. Initiation of 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, 1 potential case.

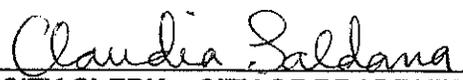
RECONVENE OPEN SESSION AND ANNOUNCE ANY ACTION TAKEN: No reportable action was taken.

ADJOURNMENT: At 9:15 p.m. Mayor Lewis adjourned the meeting to Tuesday, August 16, 2016 at 7:00 p.m.



MAYOR – CITY OF BRADBURY

ATTEST:



CITY CLERK – CITY OF BRADBURY