

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY
HELD ON TUESDAY, APRIL 16, 2013**

**CALL TO ORDER AND
PLEDGE OF ALLEGIANCE:**

The regular meeting of the City Council of the City of Bradbury was called to order by Mayor Lathrop at 7:03 p.m. Mayor Lathrop led the pledge of allegiance.

ROLL CALL:

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

ABSENT: None

STAFF: City Manager Keith, City Attorney Reisman, City Clerk Saldana and Anne McIntosh, AICP

APPROVAL OF AGENDA:

Councilmember Lewis made a motion to approve the agenda to proceed with City business. Councilmember Hale 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 that he was not aware of any conflicts of interest.

REORGANIZATION:

Every year in April, the City Council reorganizes to appoint a Mayor and Mayor Pro-Tem for the term of one year.

APPOINTMENT OF MAYOR:

Mayor Lathrop called for nominations for the position of Mayor. Councilmember Barakat nominated Mayor Pro-Tem Pycz as Mayor. Councilmember Hale seconded the motion. There were no further nominations. The nomination carried unanimously.

Motion passed 5:0

**APPOINTMENT OF
MAYOR PRO-TEM:**

Mayor Pycz called for nominations for the position of Mayor Pro-Tem. Councilmember Hale nominated Councilmember Barakat as Mayor Pro-Tem. Mayor Pycz seconded the motion. There were no further nominations. The nomination carried unanimously.

Motion passed 5:0

COMMENTS BY NEW MAYOR:

Mayor Pycz stated that it has been an honor to work with his fellow City Councilmembers and hopes to continue the good work during his term as Mayor.

NEW ROLL CALL:

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

PRESENTATIONS:

Mayor Pycz presented Bradbury Resident Phil Wood with a proclamation naming him Bradbury's **2013 Older American of the Year**. Mr. Wood has been a resident of Bradbury since 1964 and he has been the District Four Representative on the City's Emergency Response Committee (ERC) since December 2008. Mr. Wood accepted the proclamation and thanked the Council for the honor.

**PRESENTATIONS
(CONTINUED):**

Mr. Ahmad Solomon, Region Manager/Local Public Affairs, Southern California Edison, presented the **SCE Emergency Communications Plan for Local Governments**. This plan was put into place after the lessons learned from the November 2011 windstorm and will help keep local government contacts better informed about extended outages during emergencies. Mr. Ahmad talked about the key plan elements, such as Incident Command System (ICS), 800 # Flash Communications, SCE Mobile App, Web and Social Media, Restoration Priorities and Reverse 9-1-1 Communications. Mr. Ahmad also mentioned the Edison-American Red Cross "Prepare SoCal" Partnership, a public awareness campaign to help prevent, prepare for and respond to life-threatening disasters.

Mayor Pycz presented a proclamation declaring April **DMV/Donate Life California Month**. Jolene Vargas introduced herself as a kidney transplant patient and spoke about how important this program is for individuals in need of organ transplants. Ms. Vargas thanked the Council and accepted the proclamation.

PUBLIC COMMENT:

Anne Absey, 44 Woodlyn Lane, gave an update on UUT Measure BB and encouraged residents to vote "yes" on the ballot, which is due by May 7th. Ms. Absey stated that Councilmember Lathrop has spearheaded neighborhood meetings, and that some people are going door-to-door to campaign for the Measure. Ms. Absey stated that there has been funding for mailers and maybe lawn signs.

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 March 19, 2013
- B. Resolution No. 13-06: Demands & Warrants for April 2013
- C. Financial Statement for the month of March 2013
- D. Quarterly Review of Financial Statements as of March 31, 2013
- E. Fiscal Year 2011-2012 Annual Financial Audit Report
- F. Audit Report – Proposition A, Proposition C, Measure R and TDA Article 3 Funds for Fiscal Years ending June 20, 2011 and 2012
- G. Reappointment of Planning Commissioners for Districts 1, 3 & 5
- H. General Plan 2013-2030 Environmental Studies
- I. Authorization to Develop Bid Documents and to Receive Informal Bids – Full Capture Device Retrofit Catch Basins subject to the Los Angeles River Watershed TMDL

**ITEMS E, F & H PULLED FROM
CONSENT CALENDAR:**

Councilmember Lathrop requested to pull items E, F and H from the Consent Calendar for discussion.

City Attorney Reisman stated that it would be appropriate for the Council to approve items A, B, C, D, G and I of the consent calendar before discussing items E, F and G.

**MOTION TO APPROVE
ITEMS A, B, C, D, G AND I
OF THE CONSENT CALENDAR:**

Councilmember Lathrop moved to approve items A, B, D, D, G and I of the Consent Calendar as presented. Councilmember Hale seconded the motion, which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

Motion passed 5:0

**DISCUSSION RE CONSENT
CALENDAR ITEM E – ANNUAL
FINANCIAL AUDIT REPORT:**

Councilmember Lathrop had questions regarding a couple of negative findings (asset list & no fund accounting) in the audit report. City Manager Keith replied that the City had to compile a new asset list because of a problem with the last auditor, who would not turn over the asset list or respond to requests from staff or the new auditors. Staff has already been working to correct this item with our new GASB asset report. Staff has taken corrective action and is in the process of acquiring new fund accounting software by the end of the fiscal year.

MOTION TO RECEIVE AND FILE:

Councilmember Lathrop made a motion to receive and file the Annual Financial Report for the year ended June 30, 2012. Mayor Pycz seconded the motion, which carried unanimously.

Motion passed 5:0

**DISCUSSION RE CONSENT
CALENDAR ITEM F - AUDIT
REPORT FOR PROP A & C,
MEASURE R AND TDA 3 FUNDS:**

Councilmember Lathrop inquired about the finding that the City might have to return money to the MTA. City Manager Keith replied that the MTA has not asked the City to return any monies at this time. MTA's previous position has been for the City to spend the funds as programs intended.

MOTION TO RECEIVE AND FILE:

Councilmember Lathrop made a motion to receive and file the Annual Financial Reports of Proposition A, Proposition C, Measure R Local Return Funds and Transportation Development Act (TDA) Article 3 Funds for the Years ended June 20, 2011 and 2012. Mayor Pycz seconded the motion, which carried unanimously.

Motion passed 5:0

**DISCUSSION RE CONSENT
CALENDAR ITEM H –
GENERAL PLAN 2013-2030
ENVIRONMENTAL STUDIES:**

City Manager Keith stated that it is necessary for the City Council to appropriate an additional \$13,380 for environmental studies and documents required to update the City's General Plan. In October 2011, the City Council awarded the contract to LDM and Associates to prepare the General Plan Update for \$50,000. The proposal to prepare the General Plan 2012-2030 included environmental review in the form of a negative declaration. Recent amendments to the State Planning Law now require the preparation of a Climate Action Plan, extensive traffic, air quality and noise analysis to be included in the updated General Plan. It is respectfully requested that the contract with LDM Associates for the preparation of the updated General Plan be increased by \$13,380 to cover the costs of unanticipated data collection and environmental review.

Councilmember Lewis stated that he was disappointed having to pay the extra fees and this amounted to a 26% increase over the original contract amount of \$50,000. Councilmember Barakat stated that this was a substantial increase. City Manager Keith reiterated that the additional costs were not anticipated and were not within the scope of what originally approved.

MOTION:

Councilmember Hale made a motion to appropriate an additional \$13,820 for the environmental studies and documents necessary to update the City's General Plan. Mayor Pro-Tem Barakat seconded the motion, which was carried by the following roll call vote:

APPROVED:

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

NOES: None

ABSENT: None

Motion passed 5:0

DISCUSSION – CITY COUNCIL LIAISONS FOR FY 2013-2014:

City Manager Keith stated that the City Council will review the 2013-2014 Membership Roster and designate City Councilmembers to organizations and associations and adopt Resolutions No. 13-07 (Los Angeles County Sanitation Districts) and No. 13-08 (Southern California Joint Powers Insurance Authority).

California Contract Cities Association (CCCA):

Rep: Councilmember Lewis

Alt: Councilmember Hale

League of California Cities:

Rep: Councilmember Lathrop

Alt: Councilmember Lewis

LA County City Selection Committee:

Rep: Mayor Pycz (must be Mayor)

Alt: Councilmember Lathrop

RESOLUTION NO. 13-07:

LA County Sanitation Districts:

Rep: Mayor Pycz (must be Mayor)

Alt: Mayor Pro-Tem Barakat

San Gabriel Valley Council of Governments (SGVCOG):

Rep: Councilmember Lathrop

Alt: Councilmember Lewis

Southern California Association of Governments (SCAG):

Rep: Councilmember Lewis

Alt: Councilmember Lathrop

RESOLUTION NO. 13-08:

Southern California Joint Powers Insurance Authority (JPIA):

Rep: Mayor Pycz

Alt: City Manager Keith

Foothill Transit:

Rep: Mayor Pro-Tem Barakat

Alt: Councilmember Hale

San Gabriel Valley Mosquito & Vector Control District:

Rep: Mayor Pro-Tem Barakat (term expires December 2015)

Duarte Community Education Council (CEC) and Duarte Education Foundation:

Rep: Councilmember Lathrop

Alt: Councilmember Hale

DUSD Bond Oversight Committee:

Rep: Councilmember Hale

Area D Emergency Services & Director of Bradbury Disaster Committee:

Rep: Councilmember Lewis

Alt: Councilmember Lathrop

YMCA Community Advisor:

Rep: Mayor Pycz

Civic Center Construction Oversight Committee:

Rep: Councilmember Hale

Alt: Mayor Pycz

Temple Station Booster Club:

Rep: Mayor Pro-Tem Barakat

MOTION:

Councilmember Lewis made a motion to approve the City Council Liaisons for Fiscal Year 2013-2014 and to adopt Resolutions No. 13-07 and 13-08. Councilmember Barakat seconded the motion, which was carried by the following roll call vote:

APPROVED:

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

NOES: None

ABSENT: None

Motion passed 5:0

**PUBLIC HEARING –
ORDINANCE NO. 325
HISTORIC PRESERVATION:**

City Manager Keith introduced Anne McIntosh, AICP, who will replace City Planner Meyer after he retires this year. Ms. McIntosh has been working on the proposed Ordinance regarding Historic Preservation.

In November 2012 the City Council discussed the viability of implementing the Mills Act program in the City of Bradbury. This is a state enacted program that allows local governments to enter into an agreement with owners of properties that have historic value, which results in a reduction of property taxes. At that time, the City Council directed the Planning Commission to consider the issues associated with the local implementation of the provisions of the State Mills Act Property Tax Abatement Program for Historic Preservation. The Planning Commission discussed this matter at its February and March meetings and adopted Resolution No. 12-223.PC recommending approval of Ordinance No. 235 – Historic Preservation.

MILLS ACT CONTRACTS:

Anne McIntosh stated that a Mills Act Contract may be entered into at the sole discretion of the City Council. Tax revenue that is allocated to different government agencies such as the City, School District and County are reduced. If a Mills Act contract is executed on a particular property the County Tax Assessor would evaluate the property based on its ability to generate income. This method is known as Income Approach to value. The property's potential income is then divided by a pre-determined capitalization rate to determine the new assessed property value. The money saved on taxes by the property owner is then available to be used to maintain and restore the historic property. The initial contract agreement term is for ten (10) years and can be renewed annually, thus extending the agreement term unless a notice of cancellation is filed by the owner or the City. If the City does wish to extend the agreement, the City must serve written notice to the property

owner at least 60 days prior to the annual renewal date. Effectively, the actual term of the contract may be indefinite.

The property value and property taxes are recalculated by the County Tax Assessor and this does not involve the City.

Applicants for Mills Act Contracts are required to prepare rehabilitation/maintenance plans for improvements that will be undertaken over a 10-year period. Such improvements range from retrofitting, upgrading the structural system, roof repairs, trimming mature trees, repainting exteriors, removing dry rot or termite mitigation.

RECOMMENDATION: Staff recommends that the City Council conduct a public hearing and introduce for first reading (by title only) Ordinance No. 325.

PUBLIC HEARING OPENED: Mayor Pycz opened the public hearing and asked those speaking in favor or opposition to come forward and be heard.

PUBLIC TESTIMONY: Mr. Brad Tubin (Wescott Center) stated that his understanding is that the City receives 0.06 cents of every dollar of property taxes paid and asked how a reduction in property taxes would affect the City's property tax revenue. Anne McIntosh stated that the formula is done by the Los Angeles County Tax Assessor on a case by case basis, so we don't know.

PUBLIC HEARING CLOSED: There being no further public testimony, Mayor Pycz declared the public hearing closed.

MOTION: Mayor Pro-Tem Barakat made a motion to introduce for first reading Ordinance No. 325: An Ordinance of the City Council of the City of Bradbury adding Chapter 9.04.100 to Article IX of the Municipal Code. Councilmember Hale seconded the motion, which was carried by the following roll call vote:

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

Motion passed 5:0

LONG-TERM SOLUTIONS TO REDUCE TAXES IN BRADBURY FOR SUSTAINABLE VIABILITY AND/OR COST SAVINGS: This item is on the agenda every month for the City Council to consider ideas and comments from residents regarding long-term solutions to the City's fiscal challenges, specifically potential strategies for enhancing and creating new revenue and/or cost savings.

Councilmember Hale inquired about how many street lights are in the City of Bradbury and if we can turn the lights off/down to save money. City Manager Keith stated that there are 65 street lights, but that the City does not own or operate the street lights, Southern California Edison does. Mayor Pro-Tem Barakat wanted to know who decides to turn the street lights on or off. City Manager Keith replied that turning off street lights is a discussion with our liability insurance with the JPIA and traffic engineer.

Councilmember Hale inquired about how much the Edison bills for City Hall are and proposed to go to a flat rate. City Manager Keith stated that a flat rate would bring minimal savings. Councilmember Hale requested copies of the last 12 months of Edison bills for City Hall.

MATTERS FROM THE CITY MANAGER:

City Manager Keith reminded the Council of the breakfast meeting with Assemblyman Roger Hernandez on Friday morning, April 19, at 8:30 am at the Civic Center. Councilmember Lewis will not be able to attend.

On Thursday, April 18, the Emergency Response Committee (ERC) will conduct a tabletop exercise.

Saturday, April 20, is Earth Day and Mayor Pycz will speak at the event.

The Planning Commission will meet on Wednesday, April 24, at 7 p.m.

Friday, May 3, is a furlough day.

City Manager Keith suggested holding a Budget Study Session on May 21 before the City Council meeting at 5 or 6 p.m. The City Council preferred 5 p.m.

MATTERS FROM THE CITY COUNCIL:

MAYOR PYCZ:

Mayor Pycz repeated his earlier statement that it is a pleasure with work with his fellow Councilmembers and a very good staff.

MAYOR PRO-TEM BARAKAT:

Mayor Pro-Tem Barakat stated that trash rates will go up 22% after the Puente Hills Landfill closes.

COUNCILMEMBER HALE:

Councilmember Hale proposed to install a wood sign similar to the sign at the entry to the Civic Center in the Council Chambers. The Council liked the idea of the sign. Comments were made to include the incorporation date and for the sign to read "City Hall" instead of "Civic Center." Councilmember Lathrop suggested adding "City of Rural Tranquility."

COUNCILMEMBER LEWIS:

Nothing to report

COUNCILMEMBER LATHROP:

Councilmember Lathrop asked "how did we get here?" in regards to the Clean Water Act. Councilmember Lathrop stated that the San Gabriel COG is meeting tomorrow night. The Duarte Education foundation is planning a concert to help raise \$100,000 for the Music Matters campaign for a school music program.

ITEMS FOR FUTURE AGENDAS:

The City Council will hold a Budget Study Session on Tuesday, May 21, at 5 p.m. before the regular Council meeting.

CLOSED SESSION

CALL TO ORDER/ROLL CALL:

Mayor Pycz called the Closed Session to order at 8:32 p.m.

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

ABSENT: None

STAFF: City Manager Keith and City Attorney Reisman

PUBLIC COMMENT REGARDING CLOSED SESSION ONLY:

None

CLOSED SESSION:

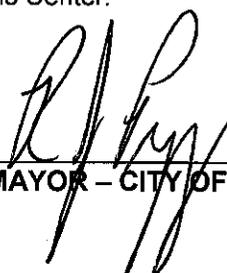
Pursuant to California Government Code Section 54957 the City Council met in Closed Session to discuss Personnel:
City Manager – Evaluation of Performance

**REPORT FROM CLOSED
SESSION:**

City Attorney Reisman reported that the City Council took no reportable action.

ADJOURNMENT:

At 9:15 p.m. Mayor Pycz adjourned to the meeting to Friday, April 19, 2013 at 8:30 a.m. at the Bradbury Civic Center.



MAYOR – CITY OF BRADBURY

ATTEST:



CITY CLERK – CITY OF BRADBURY