

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY
HELD ON TUESDAY, APRIL 15, 2014**

- MEETING CALLED TO ORDER:** The Regular Meeting of the City Council of the City of Bradbury was called to order by Mayor Pycz at 7:00 p.m.
- ROLL CALL:** PRESENT: Mayor Pycz, Mayor Pro-Tem Barakat, Councilmembers Hale, Lewis and Lathrop
- ABSENT: None
- STAFF: City Manager Keith, Finance Director Bailey, City Clerk Saldana and Management Analyst Kearney
- APPROVAL OF AGENDA:** Mayor Pro-Tem Barakat made a motion to approve the agenda as presented and proceed with City business. Councilmember Lewis 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.
- City Manager Keith stated that staff is not aware of any conflicts and none were reported.
- REORGANIZATION:** According to Section 2105 of the Bradbury Municipal Code, the City Council shall reorganize and select one of its members as Mayor, and one as Mayor Pro-Tem every year during the month of April.
- APPOINTMENT OF MAYOR:** Mayor Pycz called for nominations for the position of Mayor. Councilmember Lewis nominated Mayor Pro-Tem Barakat for the position of Mayor. There were no further nominations. The nomination carried 5:0.
- APPOINTMENT OF MAYOR PRO-TEM:** Mayor Barakat called for nominations for Mayor Pro-Tem. Councilmember Lathrop nominated Councilmember Hale for the position of Mayor Pro-Tem. There were no further nominations. The nomination carried 5:0.
- COMMENTS BY NEW MAYOR:** Mayor Barakat thanked outgoing Mayor Pycz for a good year of leadership of the City of Bradbury.
- NEW ROLL CALL:** Mayor Barakat, Mayor Pro-Tem Hale, Councilmembers Lewis, Lathrop and Pycz.
- PUBLIC COMMENT:** Lt. Chris Marks, Temple Station, introduced Sheriff's Deputy Richard Dee and told the Council that Deputy Dee saved an infant from choking to death that afternoon. Councilmember Lewis said this was hard to beat. Lt. Marks stated that he intends to introduce a different Deputy at every City Council meeting.
- 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 18, 2014
- B. Resolution No. 14-07: Demands & Warrants for April 2014
- C. Financial Statement for the month of March 2014
- D. Second Reading – Zone Code Amendment No. ZCA 14-22
Ordinance No. 335 amending Section 9.05.060.040e.g of the
Bradbury Municipal Code relating to Height of Open Gables in
the A-5 Zone
- E. Resolution No. 14-08: Allocating the City of Bradbury's COPS
Funds
- F. Resolution No. 14-09: Approving Budget Amendment for TDA
Funds

**MOTION TO APPROVE
CONSENT CALENDAR:**

Councilmember Lewis moved to approve the Consent Calendar, as presented. Mayor Pro-Tem Hale seconded the motion, which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

Motion passed 5:0

**DISCUSSION – CITY COUNCIL
LIAISONS FOR FY 2014-2015:**

City Manager Keith stated that the City Council will review the 2014-2015 Membership Roster and designate City Councilmembers to organizations and associations and adopt Resolutions No. 14-10 (Los Angeles County Sanitation Districts) and No. 14-11 (Southern California Joint Powers Insurance Authority).

California Contact Cities Association (CCCA):

Rep: Councilmember Lewis

Alt: Mayor Pro-Tem Hale

League of California Cities:

Rep: Councilmember Lathrop

Alt: Councilmember Lewis

LA County City Selection Committee:

Rep: Mayor Barakat (must be Mayor)

Alt: Mayor Pro-Tem Hale

RESOLUTION NO. 14-10:

LA County Sanitation Districts:

Rep: Mayor Barakat (must be Mayor)

Alt: Mayor Pro-Tem Hale

San Gabriel Valley Council of Governments (SGVCOG):

Rep: Mayor Barakat

Alt: Councilmember Lewis

Southern California Association of Governments (SCAG):

Rep: Councilmember Lewis

Alt: Councilmember Lathrop

RESOLUTION NO. 14-11:

Southern California Joint Powers Insurance Authority (JPIA):

Rep: Councilmember Pycz

Alt: City Manager Keith

Foothill Transit:
Rep: Mayor Barakat
Alt: Mayor Pro-Tem Hale

San Gabriel Valley Mosquito & Vector Control District:
Rep: Mayor Barakat (term expires December 2015)

Duarte Community Education Council (CEC) and
Duarte Education Foundation:
Rep: Councilmember Lathrop
Alt: Mayor Pro-Tem Hale

Duarte Education Foundation:
Rep: Councilmember Lathrop
Alt: Mayor Pro-Tem Hale

Duarte Unified School District Oversight Committee:
Rep./Mayor Pro-Tem Hale stated that he is termed out.

Area D Emergency Services and
Director of the Bradbury Disaster Committee:
Rep: Councilmember Lewis
Alt: Councilmember Lathrop

Temple Station Booster Club:
Rep: Mayor Barakat

Civic Center Committee:
Rep: Mayor Pro-Tem Hale
Alt: Councilmember Pycz

MOTION:

Mayor Pro-Tem Hale made a motion to approve the City Council Liaisons for Fiscal Year 2014-2015 and to adopt Resolutions No. 14-10 and 14-11. Councilmember Lewis seconded the motion, which was carried by the following roll call vote:

APPROVED:

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

Motion passed 5:0

**DISCUSSION – UUT COMMITTEE
REPORT:**

City Manager Keith stated that per Section 6722 of the voter approved ordinance on the UUT an Oversight Committee was appointed by the City Council to review and make recommendations concerning the audit and collection of the funds collected and/or remitted for the UUT. This report is being presented to the City Council by the members of this committee concerning the current year and with consideration of the upcoming 2014-2015 budget.

RECOMMENDATION:

It is recommended that the City Council receive and review this report and provide further direction to staff.

**UUT COMMITTEE PRESENTATION
BY JAMES ADAMS:**

Chairperson Frank Hernandez introduced himself and the other UUT Committee members present: Vice-Chairperson Anne Absey, and Members Susan Esparza and Daniel Hyde.

Mr. Hernandez stated that in carrying out its responsibilities for the review of the audit and collection of UUT funds, the committee reviewed summaries of the City's receipt of UUT revenues from various service providers subject to the ordinance. These summaries were furnished by the City Manager at the request of the committee.

Members of the committee also reviewed Regional Water Quality Control Board – Los Angeles Region Order No. R4-2012-0175 (NPDES Permit No. CAS004001). This order established waste discharge requirements for municipal separate storm sewer system (MS4) discharges (MS4 Permit). Table 2 of the MS4 Permit identifies the City of Bradbury as a permittee required to comply with the Regional Board's waste discharge requirements.

The committee also requested information concerning the City's expenditures associated with its compliance with the MS4 Permit. In response to this request, the City Manager furnished copies of the City Council actions and supporting reports approving and authorizing certain expenditures in connection with the City's stormwater system facilities and operations.

UUT REVENUES:

Total revenues to date are \$110,216. There was a significant delay between the effective date of the UUT ordinance and receipt of revenues from all of the service providers. This delay reflects the time required for the City to notify the service providers of the tax, for the service providers to include the tax on their bills, and for the service providers to receive payment of the tax from their customers. Because of this delay, and because utility use varies over the course of a year, it is not possible to determine precisely what a full year of UUT revenues would be at this point in time.

UUT EXPENSES:

The summary shows potential expenses that the city staff estimates will be incurred responding to the unfunded mandates of the MS4 Permit. The unfunded mandates were identified as an important justification for the UUT. The MS4 Permit expenses are estimated to increase from \$100,701.09 in fiscal year 2013-14 to \$324,871.50 in fiscal year 2017-18, the final year of the UUT ordinance. The summary shows that the first two fiscal year totals of UUT revenues should be sufficient to offset the first two fiscal years of MS4 expenses.

Based on the information provided, the committee does not recommend any increase in the UUT for the forthcoming fiscal year.

DISCUSSION:

City Manager Keith stated that the City will take third party electric providers, who are not complying with the UUT ordinance, to court.

The UUT committee estimates a rollover surplus of \$90,500 for FY 13-14. Based on that information Councilmember Lathrop suggested to lower the UUT percentage for FY 14-15.

Frank Hernandez reminded the Council that we don't have a full cycle year yet and stated that the UUT committee recommended no change in the UUT percentage for the next fiscal year.

Councilmember Pycz wants the City to be careful not to use the UUT fund for borderline General Fund items. City Manager Keith stated that all UUT expenditures are directly related to the MS4 permit.

**DISCUSSION
(CONTINUED):**

Councilmember Lathrop stated that the City should only use UUT funds if we need to, and there is no danger of disincorporation at this time.

Mayor Pro-Tem Hale agreed with the UUT Committee's recommendation to wait another year.

Councilmember Lathrop stated that Government should not be in the business of saving money. Councilmember Lewis disagreed, saying Government should absolutely save for a rainy day.

Mayor Barakat agreed to let it go for one year and for the City to do some improvements and maintenance that was deferred.

Councilmember Lathrop suggested to knock the UUT percentage down 1 point.

City Manager Keith stated that the UUT committee had that discussion and that the UUT can only be raised 1 point per year.

Councilmember Lathrop said that the UUT committee did not look at the General Fund.

Councilmember Pycz stated that the City is not supplementing the General Fund with UUT funds and we don't know what the State is going to do, maybe there will be more unfunded mandates.

Councilmember Lathrop stated that 1 point equals \$35,000, and the City has \$1.6 million in the General Fund.

Mayor Pro-Tem Hale stated that \$1.6 million is nothing if an emergency were to occur.

City Manager Keith stated that staff needs direction for the budget.

MOTION:

Councilmember Lathrop made a motion to lower the UUT rate by 1/2% and water by ¼%. The motion died due to a lack of a second.

SUBSTITUTE MOTION:

Councilmember Hale made a substitute motion to leave the UUT rate the same for FY 2014-15. Councilmember Lewis seconded the motion, which was carried by the following roll call vote:

APPROVED:

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

NOES: Councilmember Lathrop

ABSENT: None

Motion passed 4:1

**DISCUSSION – PROPOSED
FORECAST FOR THE
FISCAL YEAR 2014-2015:**

City Manager Keith stated the budget determines the City's resource priorities and sets the course for years to come. The City Council does this by linking the most important, highest priority items for the City to accomplish over the next year with the resources necessary to do so. This forecast represents the opportunity for the City Council to review the financial picture before a study session in May to receive public input on the proposed FY 2014-15 budget. Following this discussion, staff will complete any necessary changes and bring the budget back before the City Council for approval.

OBJECTIVES AND KEY GOALS:

Linking objectives with necessary resources involves a process that identifies key goals prior to budget preparation, and these goals become priorities for the budget process. Programs and priorities from prior years that are not yet complete also remain in the budget for final completion during the next budget cycle. The following five key goals (in no particular order) have been developed by the City Council:

- Fiscal Responsibility
- Disaster Preparedness
- Capital Improvements
- Infrastructure Improvement
- City Beautification

RECOMMENDATION:

It is recommended that the City Council review the proposed draft budget forecast and provide staff with input and direction to prepare the draft budget.

DISCUSSION:

The City Council reviewed the 2014-15 Estimated Fund Balances, 2014-15 Revenue Projections and 2014-15 Expenditure Projections. Councilmember Lathrop found a mistake/typo on page 3 of 6 (Expenditures). The estimated 2014-15 expenditures for Building and Safety Services (Account Number 101-20-7220) should be \$113,000, not \$13,000.

City Manager Keith stated that the proposed codification of the Municipal Code is not yet included in the forecast, but it will be included in the budget for next year.

Mayor Pro-Tem Hale wants to spend money on the trail. Mayor Barakat stated that we need to subtract plants, not add them. Councilmember Lathrop pointed out that the City is already spending \$6,000 on the trail for decomposed granite. The Council discussed increasing expenditures for proper maintenance.

The City Council had a discussion and provided staff with direction to provide some funding for salaries and trail maintenance in the proposed budget.

Finance Director Lisa Bailey will make the appropriate changes and corrections to the budget forecast, which will be included in the Weekly Memo for Friday, April 18.

DISCUSSION – APPROVAL OF THE CITY’S LEGISLATIVE PLATFORM FOR THE PROPOSED LEGISLATIVE SCORE CARD:

City Manager Keith stated that the City of Bradbury regularly monitors and discusses positions on legislative proposals generated at the county, state and federal levels or on issues that affect the community as a whole. From time to time the City meets with its local representatives to discuss these matters, and it was suggested by Councilmember Lathrop that the City develop a legislative score card to follow up on the City’s representatives and their actions or inactions on matter of interest.

RECOMMENDATION:

It is recommended that the City Council discuss this item and provide further direction to staff.

DISCUSSION:

Mayor Barakat felt that the Legislators never do anything the City ask them do so. City Manager Keith encouraged the Council to focus on a few issues to track. The main issue Council was concerned about is HR 29. Councilmember Lewis stated that we can forget about a trauma center in the East San Gabriel Valley, that issue got shelved.

MATTERS FROM THE CITY MANAGER:

City Manager Keith reminded the Council of the breakfast meeting with Supervisor Antonovich tomorrow morning at 8:00 am.

The Emergency Response Committee (ERC) will meet on Thursday, April 17, at 7 pm.

The Planning Commission will meet on Wednesday, April 23, at 7 pm.

City Hall will be closed on Friday, May 2 (First Friday Closure).

The Mayday Emergency Expo will be held on Saturday, May 17, from 10 am to 2 pm at Royal Oaks Elementary School.

MATTERS FROM THE CITY COUNCIL:

MAYOR BARAKAT:

Mayor Barakat stated that resident Brian Hamill is interested in replacing Ann Armstrong, who recently resigned, as the District Three representative on the UUT Committee. Mr. Hamill is going to get in contact with the City Manager.

MAYOR PRO-TEM HALE:

Nothing to report.

COUNCILMEMBER LEWIS:

Nothing to report.

COUNCILMEMBER LATHROP:

Councilmember Lathrop stated that he attended the last Duarte Community Education Council (CED) meeting.

COUNCILMEMBER PYCZ:

Councilmember Pycz stated that he attended Earth Day on Saturday, April 12. California-American Water Company donated 35 plants to the Civic Center that were planted by teens from the Duarte Teen Center. Councilmember Pycz also stated that at the same event he spoke with the Duarte City Manager regarding HR 29.

ITEMS FO FUTURE AGENDAS:

Appointment of UUT Committee Member for District Three.

ADJOURNMENT:

At 8:30 p.m. Mayor Barakat adjourned the meeting to Wednesday, April 16, at 8:00 am (Breakfast with Supervisor Antonovich). The next regular meeting will be held on Tuesday, May 20 , 2014 at 7:00 p.m.


MAYOR – CITY OF BRADBURY

ATTEST:


CITY CLERK – CITY OF BRADBURY