

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY
HELD ON TUESDAY, DECEMBER 18, 2012**

CLOSED SESSION 6:30 PM

CALL TO ORDER: The Closed Session was called to order by Mayor Lathrop at 6:30 p.m.

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

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 54956(a) the City Council met in Closed Session to discuss Existing Litigation in the matter of the Petition of the City of Bradbury for Review of Action by the California Regional Water Quality Control Board, Los Angeles Region, in Adopting Order No. R4-2012-0175, NPDES Permit No. Cas004001.

**REPORT FROM CLOSED
SESSION:** City Attorney Reisman stated that no reportable action was taken.

OPEN SESSION 7:00 PM

CALL TO ORDER: The Open Session was called to order by Mayor Lathrop at 7:00 p.m.

PLEDGE OF ALLEGIANCE: Mayor Lathrop led the Pledge of Allegiance.

MOMENT OF SILENCE: Mayor Lathrop called for a moment of silence for the children and staff of Newtown.

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

ABSENT: None

STAFF: City Manager Keith, City Attorney Reisman, City Planner Meyer,
City Clerk Saldana and Management Analyst Kearney

APPROVAL OF AGENDA: Councilmember Barakat 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 is not aware of any conflicts of interest.

PUBLIC COMMENT:

None

PRESENTATION:

Mr. Todd Palm, Director of the San Gabriel Valley Consortium of Homelessness, gave a presentation on the Regional Homelessness Accomplishments.

The San Gabriel Valley Homeless Intake & Referral Centers are in Pasadena, El Monte, Pomona and West Covina and the San Gabriel Valley Food Banks are located in Monrovia, Irwindale, Hacienda Heights and Pomona. For more information, please visit www.sgvconsortium.org or call (626) 214-5986.

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 November 20, 2012
- B. Resolution No. 12-33: Demands & Warrants for December 2012
- C. Financial Statement for the month of November 2012

CORRECTION TO MINUTES:

Mayor Lathrop requested the word "former" be added on page 3 of the minutes to read: Jim Adams asked that the draft Ordinance be emailed to the *former* Finance Committee Member for review.

Councilmember Lewis moved to approve the Consent Calendar as amended. Councilmember Barakat seconded the motion, which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

Motion passed 5:0

PRESENTATION BY PMC ON DRAFT ENERGY ACTION PLAN:

City Manager Keith stated that with the onset of Assembly Bill 32, staff has been working with Southern California Edison (SCE), San Gabriel Valley Council of Governments (COG) and PMC to create an Energy Action Plan to assist the City of Bradbury. A draft of the Energy Action Plan has been completed by PMC and staff recommends that the City Council review the item and refer it to the General Plan Steering Committee for incorporation in the General Plan.

BACKGROUND:

In 2006, the California State Legislature passed, and Governor Schwarzenegger signed Assembly Bill 32, the Global Warming Solutions Act of 2006. AB 32 requires greenhouse gas emissions to be reduced to 1990 levels by 2020.

In October 2007, the California Public Utilities Commission (CPUC) created a framework to make energy efficiency a way of life in California by refocusing ratepayer-funded energy efficiency programs on achieving long-term savings through structural changes in the way Californians use energy. To help achieve the savings, the CPUC, in partnership with their regulated utilities, such as Southern California Edison (SCE) and more than 500 individuals and organization, developed the California's long-term Energy Efficiency Strategic Plan (CEESP) as the State's roadmap for achieving energy efficiency through 2020.

To assist in achieving the CEESP goals specific to local government, SCE developed a grant opportunity through local energy partnerships. Through the San Gabriel Valley Energy-wise Partnership, the San Gabriel Valley COG, in partnership with 27 member cities were awarded approximately \$4.6 million dollars from SCE for projects in support of the CEESP in 2010. The draft Energy Action Plan was prepared as part of a coordinated effort among the COG, SCE, the City of Bradbury and PMC, the project team hired by the COG to prepare the plans and provide technical assistance to each individual city.

THE DRAFT ENERGY ACTION PLAN:

The draft Energy Action Plan (herein referred to as “the Plan”) identifies methods the City of Bradbury may take to achieve energy efficiency throughout the community and in municipal operations. Due to parameters of the grant funding under which this Plan was developed, the Plan’s analysis was limited to energy and gas consumption and then estimates the greenhouse gas emissions generated by municipal and community activities. The Plan contains a comprehensive GHG emissions inventory and forecast, provided recommendations for community-wide strategies and municipal programs to achieve savings through energy reductions and more efficient maintenance and operational practices, while achieving State-recommended GHG reduction targets.

The Plan’s function is to primarily serve as a technical report, which allows the City flexibility for updates if new regulations, advanced technologies, funding and/or regional partnership become available. While the Plan primarily focuses on electricity efficiency, the Plan was written in a way that it could be expanded to include additional sections (transportation, water, solid waste, etc.) to transform it into a comprehensive Climate Action Plan (CAP) at some future date.

POWER POINT PRESENTATION:

Leeanne Singleton with PMC and Marisa Creter with the San Gabriel Valley COG gave a power point presentation regarding AB 32 legislature, the draft Energy Action Plan, and recommendations for future reduction of greenhouse gasses within the City.

QUESTIONS AND PUBLIC INPUT:

Mayor Lathrop asked what teeth do we as a City have? Marissa Creter replied that the Plan is more of an educational nature, baseline information and identifying possible action items moving forward.

James Hunt, Chairman of the General Plan Steering Committee, stated that if that is the case then there are no consequences if we don’t get there by 2020. PMC responded “not at this time.”

CITY COUNCIL ACTION:

The City Council received and filed the draft Energy Action Plan and directed the General Plan Steering Committee to incorporate the draft into the General Plan.

CONSIDERATION OF ADOPTION OF ELECTIONS RESOLUTIONS CALLING THE MAY 7, 2013 ALL MAIL-IN SPECIAL MUNICIPAL ELECTION AND SUBMITTING TO THE VOTERS A MEASURE CREATING A UTILITY USERS TAX AND CONSIDERATION OF ARGUMENTS REGARDING THE MEASURE BY THE CITY COUNCIL:

City Manager Keith stated that following over a year of discussion on how to close the City’s fiscal gap and achieve long term financial sustainability, on October 18, 2011 the City Council unanimously approved the placement of Measure A – Bradbury Utility Users Tax (UUT) on the April 10, 2012 ballot. As a UUT dedicated to general government services and stated in the text of the measure, Measure A required a 50%+1 majority to pass. If approved, Measure A would have provided approximately \$359,000 in protected revenue to maintain basic City services. Measure A did not garner the necessary votes needed to pass. As a result, the City of Bradbury continued to look at alternative ways to resolve the fiscal difficulty. The City Council appointed a Finance Committee who reviewed

incorporation v. disincorporation; city budget and at the October 16, 2012 meeting reported its findings that the best solution was for the City to take a revised UUT ordinance back to the Bradbury voters. The elections resolutions calling the election and place the measure on the ballot were prepared by the City Clerk (and reviewed by the City Attorney) and presented for the Council's consideration.

PROPOSED MEASURE BB:

The proposed measure for a Special all-mail in ballot election in May 2013 will ask the voters of the City of Bradbury to decide whether to establish a Utility Users Tax (UUT) of up to 7.5% (the first year being 5.5%) on gas, electric, cable, trash and telecommunications services and 3.75% on water (2.75% the first year), establishing exemptions for low and very low income households headed by a senior citizen or a disabled person on Social Security Disability or SSI, and automatically terminating in five (5) years unless readopted by another vote of the people. This measure has been designated Measure BB.

A Utility Users Tax or UUT is a tax levied on each user of a utility (e.g. telephone, electricity, gas, solid waste disposal, cable or video service) within the City's boundaries.

DISCUSSION:

It has recently come to staff's attention that Bradbury Estates CSD will hold their all-mail ballot election on May 7, 2013, which could create confusion among voters. The CSD is a landowner election, not a registered voter election like the City's proposed UUT measure, so a combined ballot is not possible. There is concern that a voter/homeowner might return both ballots in one envelope and return it to either agency (CSD or City) to save a stamp. In this case one of the ballots could not be counted. Another difference is that the City envelope needs a signature that has to be verified before it is opened. The CSD is not required to verify signatures.

In light of this new information, Councilmember Lewis felt that the City should move its Special Election to June 4, 2013.

Mayor Lathrop stated that he made tweaks to the draft Argument in Favor and handed out a revised copy to the other Councilmembers for review. This item was continued to the next meeting and Mayor Lathrop and Councilmember Lewis will work together on the Measure BB statement.

MOTION TO MOVE SPECIAL ELECTION TO JUNE 4, 2013:

Councilmember Lewis made a motion to move the Special Election from May 7, 2013 to June 4, 2013. Councilmember Barakat seconded the motion, which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

Motion passed 5:0

City Manager Keith stated that this item will be on the January 15, 2013 City Council agenda for further discussion. The last possible date to adopt the Election Resolutions is March 8, 2013.

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.

City Manager Keith stated that there were no new items to discuss.

MATTERS FROM THE CITY MANAGER:

City Manager Keith stated that City Hall will be closed for the holidays and furlough days from Monday, December 24, 2012 through Tuesday, January 1, 2013. City Hall will reopen on Wednesday, January 2, 2013.

City Manager Keith reminded those in attendance to sign up for NextDoor.

Ms. Keith stated that we have lots of bricks left to sell and that the buying a brick is tax deductible.

SAVE THE DATE

City Manager Keith reminded everyone that on Thursday, January 10, 2013 the City Attorney will conduct Mandatory AB 1234 Training for the City Council, Planning Commission and Staff. The training will take place at the Civic Center from 6-8 p.m.

MATTERS FROM THE CITY COUNCIL:

MAYOR LATHROP:

Mayor Lathrop stated that he did not attend the LA County City Selection Committee meeting.

Mayor Lathrop said that he received a letter from Supervisor Gloria Molina regarding the planned closure of the Puente Hills Landfill, which is scheduled to occur on October 31, 2013. Mr. Lathrop stated that he asked Monrovia Councilmember Joe Garcia to talk to Councilmember Barakat regarding this issue.

Mayor Lathrop requested that the 710 freeway extension be placed on the January City Council Agenda for discussion.

MAYOR PRO-TEM PYCZ:

Nothing to report.

COUNCILMEMBER BARAKAT:

Councilmember Barakat stated that cities are looking to him in the process of fighting the closure of the Puente Hills Landfill.

Councilmember Barakat stated that City Hall needs a new flag. City Manager Keith replied that a resident had offered to donate a new flag to City Hall.

Councilmember Barakat also stated that the new sign at the entrance to the Lemon Trail is not consistent with the other city signs which seems odd.

COUNCILMEMBER HALE:

Nothing to report.

COUNCILMEMBER LEWIS:

Nothing to report.

ITEMS FOR FUTURE AGENDAS:

Discussion Item: Extension of 710 Freeway

ADJOURNMENT:

At 8:03 p.m. Mayor Lathrop adjourned to the meeting to Tuesday, January 15, 2013 at 7:00 p.m. at the Bradbury Civic Center.



MAYOR – CITY OF BRADBURY

ATTEST:

Claudia Saldana
CITY CLERK – CITY OF BRADBURY