

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY
HELD ON TUESDAY, JUNE 25, 2013**

- 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. Mayor Pycz led the pledge of allegiance.
- ROLL CALL:** PRESENT: Mayor Pycz, Mayor Pro-Tem Barakat, Councilmembers Hale, Lewis and Lathrop
- ABSENT: None
- STAFF: City Manager Keith, City Attorney Reisman, City Clerk Saldana, Management Analyst Kearney and Finance Director Bailey
- APPROVAL OF AGENDA:** Councilmember Lewis made a motion to approve the agenda to 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.
- City Attorney Reisman stated that he was not aware of any conflicts of interest.
- PUBLIC COMMENT:** Mayor Pro-Tem Richard Barakat spoke about an example of government being ridiculous stating that the AQMD (Air Quality Management District) wants to outlaw fires on the beach. Mr. Barakat stated that fires on the beach, especially around the 4th of July holiday, are an American tradition. AQMD claims to have studies that the smoke is polluting the air.
- Mayor Pro-Tem Barakat also asked if in honor of his 20 year of service the City would buy a brick for retired City Planner Dave Meyer. The Council agreed and directed staff to proceed.
- 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 May 21, 2013
 - B. Resolution No. 13-14: Demands & Warrants for June 2013
 - C. Financial Statement for the month of May 2013
 - D. Resolution No. 13-15: Approval of the Gann Appropriation Limit
 - E. Appointment of Members to vacant and alternate Emergency Response Committee seats
 - F. Denial of Claim Filed against the City of Bradbury
 - G. Resolution No. 13-17: Maintaining the Animal Care and Contract with Los Angeles County and Establishing Fees for Animal Control Services
- DISCUSSION:** Councilmember Lathrop asked if the Minutes, motions on pages 3 and 4, have been fixed. The motions were made by Councilmember Lewis, not Lathrop. City Manager Keith replied that the mistake has been corrected.

**MOTION TO APPROVE MINUTES
OF MAY 21, 2013:**

Councilmember Lathrop moved to approve the Minutes of the regular City Council meeting held on May 21, 2013, as amended. Councilmember Lewis seconded the motion, which carried.

GANN LIMIT:

City Manager Keith stated that Resolution No. 13-15 approving the Gann Appropriation Limit is ok as is, but we might exceed the limit with the UUT tax.

**MOTION TO APPROVE
CONSENT CALENDAR:**

Councilmember Hale moved to approve the remainder of the Consent Calendar as presented. Councilmember Lewis 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 – BURRTEC WASTE
SERVICES CONTRACT
AMENDMENT NO. 5 TO SOLID
WASTE COLLECTION SERVICES
AGREEMENT AND ANNUAL RATE
ADJUSTMENT FOR SOLID WASTE
COLLECTION AND RECYCLING:**

City Manager Keith stated that the City of Bradbury contracts with Burrtec Waste Services for solid waste collection and recycling. Pursuant to Section 10.10 of the Franchise Agreement "each subsequent July 1 (after July 1, 1999) the rate for each category of service shall be subject to upward or downward adjustment. Customer rates are comprised of the following categories: contractor service cost, disposal cost, recycling processing, green waste processing cost and manure waste processing cost."

It is recommended that the City Council adopt Resolution No. 13-18 approving additional language that will allow Burrtec Waste Services to take ownership of the City's waste and recyclables in order to negotiate the best deal for the City upon the closure of the Puente Hills Landfill.

It is further recommended that the City Council adopted Resolution No. 13-18, approving Amendment No. 5 to the Agreement between the City of Bradbury and Burrtec Waste Services for solid waste collection and approve the refuse collection and recycling rates set forth in the provided charts to become effective July 1, 2013.

**RICHARD NINO, BURRTEC
DIRECTOR OF MUNICIPAL
SERVICES:**

Richard Nino, Director of Municipal Services with Burrtec Waste Services, stated that the rate review is impacted by the following cost factors: service cost adjustment, refuse disposal, green waste and manure processing/disposal, and recyclables processing and materials rebates. Burrtec is continuing to divert horse manure from the landfill which has been a major source of the City's waste diversion efforts.

On July 2012 CPI was 1.9% as reported for the All Urban Consumer Price Index for Los Angeles, Riverside, and Orange, California.

MOTION AND DISCUSSION:

Councilmember Hale made a motion to approve the rate increase. The motion died for lack of a second.

Councilmember Lewis stated that he would like to defer the rate increase until November 2013 and deal with one rate adjustment instead of two. Mr. Nino stated that an approval of the rate increase in November would be retroactive from July 1, 2013.

City Manager Keith stated the City Council should still adopt Contract Amendment No. 5 without the rate adjustment.

Councilmember Lewis made a motion to adopt Burrtec Waste Services Contract Amendment No. 5 to the Agreement between the City of Bradbury and Burrtec Waste Services for Solid Waste Collection. Mayor Pro-Tem Barakat 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

ADOPTION OF RESOLUTION NO. 13-19 APPROVING THE BUDGET FOR FISCAL YEAR 2013-2014 AND ADOPTION OF RESOLUTION NO. 13-20 APPROVING THE MASTER FEE SCHEDULE FOR FISCAL YEAR 2013-2014:

City Manager Keith stated that City staff is pleased to present the budget for Fiscal Year 2013-14. The amount of projected General Fund revenues is \$937,000 and the amount of projected General Fund expenditures is \$853,388. The projected undesignated General Fund Reserve at June 30, 2014 will be \$904,061. This amount is higher than anticipated due to a variety of factors including not incurring as many costs in Fiscal Year 2012-13 related to stormwater compliance, encouraging signs that development activity is picking up, additional home sales, sale of Proposition A funds for General Fund monies, increased enforcement of business licenses, and the property tax lawsuit settlement with LA County.

It is recommended that the City Council adopt Resolution No. 13-19, approving the Budget for Fiscal Year 2013-2014, and review the Master Fee Schedule (Resolution No. 13-20) for Fiscal Year 2013-2014, to be properly noticed and to be brought back before the City Council at the July meeting.

CJPIA PAYMENT SCHEDULE:

Councilmember Lathrop made a motion to pay the CJPIA insurance bill in total all at once. Councilmember Lewis stated he felt it was worth paying the relatively small fee of \$640 to spread the payment over two years, but agreed with Councilmember Lathrop and 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

MOTION TO APPROVE BUDGET FOR FY 2013-2014:

Councilmember Lewis made a motion to adopt Resolution No. 13-19, approving the Budget for Fiscal Year 2013-1014. Councilmember Lathrop 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 – UTILITY USERS
TAX OVERSIGHT COMMITTEE:**

City Manager Keith stated that in May of 2013 the voters of Bradbury approved Measure BB. The voter approved Ordinance No. 327 requires the formation of an Oversight Committee. The City Council will discuss making appointments to the City's Oversight Committee.

DISCUSSION:

Councilmember Lewis inquired about who will serve on the Oversight Committee. Councilmember Lathrop asked City Attorney Reisman what the ordinance says. City Attorney Reisman stated that the ordinance provides for a six (6) member citizen oversight committee, to be comprised of the City Treasurer plus five (5) members of the public, with each Councilmember making one appointment. The Finance Director and the City Manager will serve the Committee but do not have a vote.

MOTION:

Councilmember Lathrop made a motion to adopt the process of forming the Oversight Committee and move forward. Mayor Pro-Tem Barakat 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

**PUBLIC HEARING –
CONFORMANCE WITH
CONGESTION MANAGEMENT
PROGRAM (CMP) AND ADOPTION
OF THE CMP LOCAL
DEVELOPMENT REPORT (LDR):**

Management Analyst Kearney stated that the Congestion Management Program (CMP) is based on California's Proposition 111, which enacted Assembly Bill 471. The Los Angeles County Congestion Management Program (CMP) was created to meet the State of California requirements for a Congestion Management System (CMS), pursuant to the provisions of the Intermodal Surface Transportation Efficiency Act (ISTEA). This is a federally funded program (based on State gas tax) that evaluates local transportation, land use and air quality decisions and their potential impact on regional transportation congestion.

It is recommended that the City Council adopt Resolution No. 13-16, approving the City of Bradbury's Congestion Management Program (CMP) and adopt the CMP Local Development Report.

PUBLIC HEARING OPENED:

Mayor Pycz opened the Public Hearing and asked those speaking in favor or opposition to come forward and be heard.

PUBLIC HEARING CLOSED:

There being no public testimony, Mayor Pycz declared the Public Hearing closed.

MOTION:

Councilmember Lathrop made a motion to approve Resolution No. 13-16, finding the City of Bradbury to be in conformance with the Congestion Management Program (CMP) and adopting the CMP Local Development Report, in accordance with California Government Code Section 65089. Councilmember Lewis 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

MATTERS FROM THE CITY MANAGER:

City Manager Keith stated that the Planning Commission will meet tomorrow evening, June 26.

Dave Meyer's retirement party is on Thursday, June 27, at the Congregational Ale House in Azusa from 6-9 p.m.

City Hall is closed on Thursday, July 4, for Independence Day, and Friday, July 5, for First Friday Closure.

MATTERS FROM THE CITY COUNCIL:

MAYOR PYCZ:

Mayor Pycz stated that he was very impressed with the recent fire drill held on June 10, 11 & 12. Mayor Pycz also stated that he met the new Captain of Fire Station 44.

Mayor Pycz stated that he will not be here for the July 16 City Council meeting.

MAYOR PRO-TEM BARAKAT:

Mayor Pro-Tem Barakat stated that there is a lot of discussion at the Los Angeles County Sanitation Districts about the formation and boundaries of the districts and that some cities are not properly represented due to their incorporation dates when the Sanitation Districts were adopted. This matter is being looked into.

COUNCILMEMBER HALE:

Nothing to report

COUNCILMEMBER LEWIS:

Nothing to report

COUNCILMEMBER LATHROP:

Councilmember Lathrop stated that it was officially agreed to separate ACE from COG.

The Duarte Education Foundation is selling fire works at the Mount Olive Drive location of Fresh & Easy.

ITEMS FOR FUTURE AGENDAS:

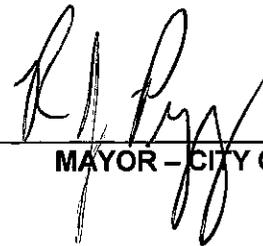
1) Metro – Measure R Funding Expenditure Plan

2) Mayor Pycz would like to review the setback requirements for Lemon, Winston and Royal Oaks because a lot of development applications are coming up in that area.

3) Councilmember Lathrop requested an item on the agenda to stagger the terms of the Emergency Response Committee (ERC) members. Currently their terms all expire at the same time.

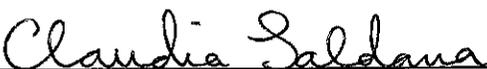
ADJOURNMENT:

At 8:10 p.m. Mayor Pycz adjourned to the meeting to Tuesday, July 16, 2013 at 7:00 p.m. at the Bradbury Civic Center.



MAYOR – CITY OF BRADBURY

ATTEST:


CITY CLERK – CITY OF BRADBURY