

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY
HELD ON TUESDAY, NOVEMBER 20, 2012**

CALL TO ORDER: The meeting 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 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: Lt. Paula Tokar, the City's liaison with Los Angeles County Sheriff's Department, Temple Station, gave a power point presentation regarding Bradbury's Crime Statistics. Presentation topics included:

- Bradbury Crimes Comparison 2006-2010
- Bradbury Crimes Year-to-Date Comparison January-November
- Duarte Crimes Year-to-Date Comparison January-September
- Crime in Bordering Cities
- Crime Rate in Bordering Cities
- Parolee Releases
- Active PSP/Parolees
- Gangs (Demonstration Site)
- Gangs (Injunction)
- Duarte Gang Related Crimes
- Support Resources

The Bradbury Crime Statistics power point presentation will be posted on the City's website.

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 October 16, 2012
- B. Resolution No. 12-29: Demands & Warrants for November 2012
- C. Financial Statement for the month of October 2012
- D. Second Reading of Ordinance No. 326 Amending the Bradbury Municipal Code by Updating Chapter 3, Section 2301, Regarding the City Treasurer
- E. Assignment Agreement between the City of Bradbury and the City of Torrance for the Exchange of Proposition A Local Return Funds
- F. Resolution No. 12-31: Granting Permission to Close a Street Temporarily to Host the Hayden Child Care Center 5K

Mayor Lathrop had a comment regarding the City's Financial Statement. Mr. Lathrop stated that the budget for Infrastructure Reserves should be \$200,000, not \$20,000. City Manager Keith replied that it was a typo and that it has already been corrected.

Councilmember Hale moved to approve the Consent Calendar as presented. Councilmember Lewis 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 OF NEXTDOOR - PRIVATE SOCIAL NETWORK FOR NEIGHBORHOODS - OVERVIEW OF TOOL TO INCREASE COMMUNITY BUILDING AND COMMUNICATIONS FOR THE CITY OF BRADBURY:

City Manager Keith stated that the *Nextdoor* representative was unable to attend tonight due to illness. Instead City Manager Keith gave a presentation on *Nextdoor*, which is a free, private/secure social networking website for neighborhoods. This website encourages neighbor communications and assists cities with interacting with their residents. *Nextdoor* is free for both residents and the City to utilize, and it builds stronger, more connected, and safer neighborhoods. A 1-minute short video on *Nextdoor* was shown.

City Manager Keith stated that only Bradbury people will be able to access the *Nextdoor* website after signing up. *Nextdoor* will monitor the website, not City staff.

City Manager Keith stated that it is recommended that the City Council authorize staff to move forward in partnering with *Nextdoor* and establish the social-networking site in the City of Bradbury as a tool to increase community building and communications.

The Council was concerned about liability. City Attorney Reismans stated that the City is covered by the CJPIA.

MOTION:

Councilmember Lewis made a motion to proceed with *Nextdoor*. Mayor Pro-Tem Pycz 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 the City will launch *Nextdoor* through Connect CTY.

**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 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.

The City Councilmembers briefly discussed the Argument in Favor and asked for it to be brought back at the next meeting.

The City Council reviewed the redlined draft Ordinance. City Manager Keith stated that the resolutions don't have to be adopted at this meeting. Councilmember Lewis stated that he already prepared a draft of the argument in favor. As it cannot exceed 300 words, Councilmember Lewis will have to make some strike-outs and revisions.

PUBLIC COMMENT:

Jim Adams, 106 Bradbury Hills Lane, asked that the draft Ordinance be emailed to the former Finance Committees Members for review.

Alan DeVault, 244 Barranca Road, inquired how the new Ordinance was different from the last one. Councilmember Hale replied that water is included, but the percentages are lower. The 5-year sunset clause remains.

**ITEM CONTINUED TO
DECEMBER MEETING:**

City Manager Keith stated that this item will be brought back to the City Council in December. No motion was necessary.

**CONSIDERATION TO SUPPORT
THE EXTENSION OF
PUENTE HILLS LANDFILL
OPERATING PERMIT:**

City Manager Keith stated that on September 25, 2012, the Los Angeles County Board of Supervisors, led by Supervisor Don Knabe, voted to close the Puente Hills Landfill on October 31, 2013. Due to the economic consequences of the closure, such as loss of jobs, it is recommended that the City Council consider authorizing the Mayor to sign a letter urging the Los Angeles County Board of Supervisors to amend the Conditional Use Permit to keep the landfill open until October 31, 2018.

MOTION:

Councilmember Barakat made a motion to authorize Mayor Lathrop to sign a letter urging the Los Angeles County Board of Supervisors to amend the Conditional Use Permit to keep the landfill open until October 31, 2018. Councilmember Hale 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

**CONSIDERATION OF A MILLS
ACT PROPERTY TAX
ABATEMENT PROGRAM FOR
HISTORIC PRESERVATION:**

City Manager Keith stated that the Mills Act is a State of California law enacted in 1972 that allows owners of historic designated properties to enter into a contract with municipalities where the historic property is located to preserve maintain and possibly rehabilitate the structure, while receiving a reduction in property taxes to care for the historic structure.

It is recommended that the City Council review the information regarding the Mills Act and provide further direction to staff regarding creating a Mills Act program for the City.

MOTION:

Councilmember Lewis made a motion to move forward to create a Mills Act for the City of Bradbury and request the Planning Commission to prepare a draft Ordinance with program elements for the City Council to consider. Councilmember Hale 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

**INTRODUCTION MEETINGS WITH
NEWLY ELECTED LOCAL
OFFICIALS REPRESENTING THE
CITY OF BRADBURY:**

City Manager Keith stated following the November 6, 2012 election and the redistricting of California, the City of Bradbury has new representation at the State and Federal levels of Government.

It is recommended that the City Council discuss how the City would like to proceed to work with the representatives.

Mayor Lathrop suggested meeting our new representative by hosting a breakfast meeting, like the one with Supervisor Antonovich.

The Council suggested the following discussion topics/talking points:

- Local Control
- Watershed Issues
- Puente Hills Landfill
- Goldline Extension to Ontario

City Manager Keith stated that she will work something out and will contact the Councilmembers with possible dates.

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 Wednesday, November 21, is a furlough day and City Hall will be closed on Thursday and Friday, November 22 and 23, for Thanksgiving.

Ms. Keith stated that the Stormwater Permit passed on November 8 and will be in effect December 28, 2012 in 50 days. The City will have to maintain catch basins even if the County owns them. Catch basins need to be cleaned three times a year.

City Manager Keith shared some good news: On November 11th the California Supreme Court issued a unanimous decision in the City of Alhambra et al v. County of Los Angeles, handing California cities an important victory regarding the payment of taxes and disbursement by the County. The court agreed with 47 plaintiff cities (including Bradbury) in Los Angeles County, rejecting a calculation method used by many County auditors across the state that has resulted in tens of millions of dollars in excessive Property Tax Administration Fees (PTAF) charged annually to cities. The Supreme Court affirmed in "City of Alhambra" that the calculation approach used by Los Angeles County is unlawful and that county fees are limited to the actual annual cost of administering the Triple Flip and VLF Swap.

MATTERS FROM THE CITY COUNCIL:

MAYOR LATHROP:

Mayor Lathrop stated that the COG did a summary regarding the separation from ACE (Alameda Corridor - East Construction Authority).

Mayor Lathrop stated that he would like to send a letter to residents regarding the API growth at Royal Oaks Elementary School.

Mayor Lathrop reported that the Duarte Education Foundation dinner raised lots of money.

MAYOR PRO-TEM PYCZ:

Nothing to report.

COUNCILMEMBER BARAKAT:

Nothing to report.

COUNCILMEMBER HALE:

Nothing to report.

COUNCILMEMBER LEWIS:

Nothing to report.

ITEMS FOR FUTURE AGENDAS:

None

ADJOURNMENT:

At 8:25 p.m. Mayor Lathrop adjourned to the meeting to Tuesday, December 18, 2012 at 7:00 p.m. at the Bradbury Civic Center.



MAYOR - CITY OF BRADBURY

ATTEST:



CITY CLERK - CITY OF BRADBURY