

**MINUTES OF A REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF BRADBURY  
HELD ON TUESDAY, APRIL 17, 2012**

- CALL TO ORDER:** The meeting was called to order by Mayor Lewis at 7:00 p.m. Mayor Lewis stated that he was pleased to see so many present in the audience and wished they had been here a year ago.
- ROLL CALL:** PRESENT: Mayor Lewis, Mayor Pro-Tem Lathrop, Councilmembers Pycz, Barakat and Hale
- STAFF: City Manager Keith, City Attorney Reisman, City Planner Meyer, City Clerk Saldana and Management Analyst Kearney
- APPROVAL OF AGENDA:** Councilmember Hale made a motion to approve the agenda to proceed with City Business. Councilmember Barakat 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 reported that he was not aware of any.
- APPROVAL OF THE AGENDA:** Councilmember Hale made a motion to approve the agenda to proceed with City Business. Councilmember Barakat seconded the motion which carried unanimously.
- OATH OF OFFICE AND CITY COUNCIL REORGANIZATION:** City Clerk Saldana administered the Oath of Office to Councilmembers Hale (District One), Lewis (District Two) and Lathrop (District Four), who were re-elected at the General Municipal Election on Tuesday, April 10, 2012.
- APPOINTMENT OF MAYOR:** Councilmember Barakat made a motion to nominate Mayor Pro-Tem Lathrop as Mayor of the City of Bradbury. Councilmember Pycz seconded the motion, which carried unanimously. There were no further nominations.
- Motion passed 5:0
- APPOINTMENT OF MAYOR PRO-TEM:** Councilmember Barakat made a motion to nominate Councilmember Pycz as Mayor Pro-Tem. Councilmember Hale seconded the motion, which carried unanimously. There were no further nominations.
- Motion passed 5:0
- COMMENTS BY NEW MAYOR:** Mayor Lathrop thanked outgoing Mayor Lewis for his services as Mayor and stated that there are a couple of challenges ahead: 1) Following the defeat of the UUT Measure the City Council has to come up with a Plan B to remain an independent City; and 2) the update of the General Plan.
- NEW ROLL CALL:** Mayor Lathrop, Mayor Pro-Tem Pycz, Councilmembers Barakat, Hale and Lewis

**PRESENTATIONS:**

- A. City Manager Keith introduced Lisa Bailey, our new part-time Finance Director. Ms. Bailey will work at City Hall one day a week.
- B. The City Council approved a Proclamation declaring April 15-21, 2012 Safety Seat Checkup Week. There was no one present to receive the Proclamation.

**PUBLIC COMMENT:**

Ann Absey, 44 Woodlyn Lane, stated that the Woodlyn Lane Improvement Association prepares quarter financial reports and ask if the City does that. Mayor Lathrop replied that the City has monthly financial reports. Ms. Absey asked if they could be made available on the City's website. Mayor Lathrop stated that the financial reports are not posted on the website, but are a public document that anyone can view regular during office hours. Mayor Lathrop also stated that budget sessions are open to the public.

Councilmember Hale stated that there is a discussion item on the agenda every month regarding long-term revenue solutions to reduce taxes in Bradbury for sustainable viability and/or cost savings.

Councilmember Barakat stated that the City Council does not get paid or reimbursed for expensed for service.

Councilmember Hale also stated that currently the City employees have to take 12 furlough days a year and that there are no more donations to charities or support to the community organizations.

Ann Absey stated that she thought that the City Council had unanimously supported the UUT measure, but then received a postcard that stated that Councilmember Barakat did not sign the Argument in Favor of Measure A, which implied that he did not support the measure. Councilmember Barakat stated that he did not have time to stop by City Hall to sign the paper document and to be legally complicit; that is why the postcard was sent. Ms. Absey said that she knows of two people who changed their vote. This "snafu" had a big impact.

Jim Adams, 106 Bradbury Hills Lane, stated that some Bradbury folks met last night to discuss Memos written by Michelle Keith (Fiscal Challenges). Mr. Adams stated that the memos are obsolete and recommended to resurrect the Finance Committee, which would consist of advocates for Bradbury residents. He stated that there are already two volunteers. Mr. Adams also had a long list of questions, which he submitted to the City Council.

**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 20, 2012
- B. Resolution No. 12-07: Demands & Warrants for April 2012
- C. Financial Statement for the month of March 2012
- D. Architectural Review AR 10-113: Release of Performance Bond
- E. Renewal of Transit Agreement between the City of Bradbury and the City of Monrovia
- F. Transfer by Bill of Sale the Winston Hydrant/Main Project to California-American Water
- G. Resolution No. 12-09: Allocating the City of Bradbury's Citizens' Option for Safety (COPS) Funds

H. Resolution No. 12-10: Certifying the Election Results of the General Municipal Election held on April 10, 2012

**ITEMS A & F PULLED:**

City Manager Keith stated that items A (March Minutes) and F (Transfer by Bill of Sale) needed to be pulled for further clarification.

**MOTION TO APPROVE CONSENT CALENDAR:**

Councilmember Lewis moved to approve the Consent Calendar, excluding items A & F, as presented. 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

**DISCUSSION - APPOINTMENTS TO THE GENERAL PLAN 2012 OVERSIGHT COMMITTEE**

The City Council will make appointments to the City's General Plan Steering Committee. The Committee has been established to assist with updating the City's General Plan, discuss issues associated with the General Plan update and to review draft elements, as they are prepared. The Committee will meet as needed until the update process is complete, which could take up to a year. The City Council will review applications submitted by the Community.

City Manager Keith stated that the City Council has received one additional application from resident James Hunt. Councilmember Lewis inquired what District James Hunt lives in. City Manager Keith replied that Mr. Hunt is from District Five.

**MOTION TO APPOINT RESIDENT JAMES HUNT TO GENERAL PLAN STEERING COMMITTEE:**

Councilmember Hale made a motion to appoint James Hunt (District Five) to the General Plan 2012 Oversight Committee. 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 COUNCIL LIAISONS FOR FISCAL YEAR 2012/2013 AND ADOPTION OF RESOLUTIONS NO. 12-10 AND 12-11:**

The City Council discussed the 2012/2013 organization and association assignments (attached hereto as Exhibit "A").

Councilmember Hale moved to approve Resolution No. 12-10, affirming the designation of a member and an alternate member to the Los Angeles County Sanitation Districts, and Resolution No. 12-11, appointing a voting delegate and alternate to the Southern California Joint Powers Insurance Authority (CJPIA) and the attached list. 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

**PUBLIC HEARING FOR  
RESOLUTION NO. 12-12  
SETTING A FEE FOR BUSINESS  
ADVERTISING:**

City Manager Keith stated that it is important for the City to review all possible revenue sources and the City has determined that selling advertising space on the City's website for the sole purpose of raising revenues is a civic purpose. It is recommended that the City Council open a public hearing, receive public testimony and adopt Resolution No. 12-12.

**PUBLIC HEARING OPENED:**

Mayor Lathrop opened the public hearing and invited those wishing to speak in favor or opposition to come forward and be heard.

**PUBLIC HEARING CLOSED:**

There being no public testimony, Mayor Lathrop declared the public hearing closed.

**DISCUSSION:**

The City Council replaced the word "necessary" with "desirable" in the second WHEREAS Section, removed "pursuant to GC Section 66016" in the third WHEREAS Section, and removed the entire fourth WHEREAS Section. A Section was added stating that the fee is \$25 per month per link.

Councilmember Lewis clarified that this is not an advertising website. It is only for holders of Bradbury Business Licenses.

Karen Dunst, 1527 Lemon Avenue, inquired if maintaining this website is going to cost the City money. City Manager Keith stated that staff can do it as proposed at this time.

**MOTION TO ADOPT  
RESOLUTION NO. 12-12:**

Councilmember Lewis moved to approve Resolution No. 12-12, amending Resolution No. 09-25 to adopt a website business license hyperlink fee to the City Fee Schedule, with the changes made by the City Council. 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 OF BRADBURY  
FISCAL SUSTAINABILITY -  
POST ELECTION:**

City Manager Keith stated that following almost 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 20, 21012 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 must now look at alternative ways to resolve the fiscal difficulty. It is recommended that the City Council review and discuss the items contained in this report and provide staff with policy direction.

**PUBLIC TESTIMONY:**

Mayor Lathrop opened up the discussion for public testimony.

Jon Barker, 90 Woodlyn Lane, inquired if the City Council investigated, not just discussed, the pros and cons of becoming an unincorporated part of the County. Councilmember Lewis replied "no" because the City would have no control over zoning issues and other issues that make Bradbury Bradbury.

Ms. Barker asked if the Council has put together a list of pros and cons. Councilmember Lewis replied "no." Councilmember Hale stated that the City Council couldn't think of any pros. Mr. Hale also stated that he is dealing with unincorporated areas of Duarte and Monrovia and issues have to be brought before the Board of Supervisors.

Councilmember Lewis stated that the sense the Council got from the public was to keep local control. Mr. Lewis also asked Ms. Barker and other where they were a year ago when the City Council discussed all this.

Ms. Barker challenged that the Property Tax Breakdown is not current (dated 2009/2010). City Manager Keith explained that this chart is a breakdown of the average \$1 spent in property tax for Bradbury and would not likely change if updated.

Ms. Barker proceeded to ask the City Attorney if it is true that CalPERS is threatening to sue cities that file for bankruptcy. City Manager Keith stated that cities participating in CalPERS have obligations, just like residents would still be responsible for paying for the Duarte School bonds (Measure E), for example. Additionally City Manager Keith explained that Bradbury would not be filing bankruptcy but dissolution. Bankruptcy implies the City can restructure debt and contracts – Bradbury is not in that position, but rather cannot pay its bills and obligations.

Mike Misik, 645 Mount Olive Drive, asked if the City could renegotiate the 0.06% property tax. Councilmember Barakat stated that we can't change the tax rate because of Prop 13 and that we can't fight it because we are too insignificant because of our size.

Mayor Lathrop stated that he does not want to spend the city money on lobbying.

City Attorney Reisman stated that there are lawsuits with the County about tax shares and how that tax dollar is distributed but many of the decisions to get the 0.6 cents were made long ago.

Tina Nemeth, 306 Old Ranch Road, wanted to know why the percentage is so low.

Councilmember Barakat stated that the City has no police, fire department, or library, so contract cities get less of a share.

The Council also stated that the City cannot change School Districts.

Mayor Lathrop stated that the City of Monrovia has school bonds too.

Tina Nemeth asked if the City could contract with Monrovia for police services. Councilmember Hale stated that a number of years ago the City got a quote from Monrovia for services and it was much higher than what the City was paying with the County.

Ms. Nemeth then inquired if the City gets money for traffic tickets. City Manager Keith stated that the City gets a small portion which amounts to about \$8,000 a year.

Councilmember Hale stated that the City needs to have reserves for emergencies and City Manager Keith stated that the City of Sierra Madre had to pay about \$650,000 for the recent wind storms.

City Attorney Reisman stated that a Citizens Initiative requires 25% of the voters or 100 people, whichever is less.

**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.

**DISCUSSION:**

City Manager Keith stated that Los Angeles County Assessor John Noguez is scheduled to come to our June City Council meeting.

Karen Dunst asked what Districts (Senate, Congress and Assembly) the City of Bradbury is in. City Manager Keith replied that we don't currently know because of Redistricting. Ms. Keith also stated that our Congressman David Dreier is retiring.

**MATTERS FROM THE  
CITY MANAGER:**

City Manager Keith stated that Friday, May 4<sup>th</sup>, is a furlough day and City Hall will be closed.

The General Plan Steering Committee will have its first meeting on Wednesday, April 28, at 6 p.m. at City Hall.

The City Manager asked the City Council to pick a date for the Annual Retreat with the Planning Commission sometime between now and June. Mayor Pro-Tem Pycz stated that he has a problem with Saturday mornings. It was decided several dates would be selected for the City Council to review.

**MATTERS FROM THE CITY  
COUNCIL:**

**COUNCILMEMBER LEWIS:**

Councilmember Lewis stated that the LA County City Selection Committee meeting was cancelled again due to a lack of quorum.

**MAYOR LATHROP:**

Mayor Lathrop stated that he was appointed to the Ad Hoc Committee that reviews how the San Gabriel Valley COG is managed.

**COUNCILMEMBER BARAKAT:**

Councilmember Barakat stated that the San Gabriel Valley Mosquito & Vector Control District is getting their Unemployment Insurance (UI) through the State.

**MAYOR PRO-TEM PYCZ:**

Mayor Pro-Tem Pycz stated that he had nothing to report but wanted to thank Councilmember Lewis again for his service as Mayor.

**COUNCILMEMBER HALE:**

Councilmember Hale reported that the School District just found out that Maxwell School is on a septic tank and they didn't know, but will be fixing whtis with the bond funds.

**ITEMS FOR FUTURE AGENDAS:**

- ✓ Fiscal Crises Finance Committee; or
- ✓ Citizens Oversight Committee

Ms. Keith wanted to know if the Council wished to meet with Supervisor Antonovich at a restaurant or here at City Hall on May 16. The City Council preferred to meet here at City Hall. Councilmember Lewis stated that he won't be able to attend. Councilmember Barakat stated that he may not be here and asked to put the Water Quality Initiative on the agenda for May 16.

**CLOSED SESSION:**

At 9:05 p.m. the Council went into Closed Session to discuss Personnel:

- A. Pursuant to California Government Code Section 54957 – Evaluation of Performance. Title: Building and Safety Services

**RECONVENE OPEN SESSION AND ANNOUNCE ACTION TAKEN:**

The Open Session was reconvened and City Attorney Reisman stated that no reportable action was taken.

**ADJOURNMENT:**

At 9:35 p.m. Mayor Lathrop adjourned to the meeting to Tuesday, May 15, 2012 at 7:00 p.m. at the Bradbury Civic Center.



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MAYOR – CITY OF BRADBURY

**ATTEST:**

  
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CITY CLERK – CITY OF BRADBURY