

**MINUTES OF A REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF BRADBURY  
HELD ON TUESDAY, AUGUST 16, 2011**

- CALL TO ORDER** The meeting was called to order by Mayor Lewis at 7:05 PM.
- 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 Petsas
- APPROVAL OF THE AGENDA** Councilmember Hale made a motion to approve the agenda, Councilmember Lathrop seconded the motion which was carried by the following roll call vote:
- AYES: Mayor Lewis, Mayor Pro-Tem Lathrop, Councilmembers Pycz, Barakat and Hale  
NOES: None  
ABSENT: None
- DISCLOSURE OF ITEMS REQUIRED BY GOV. CODE SECTION 1090 & 81000 ET SEQ.** In compliance with the California Political Reform Act, each City Council Member 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.
- Councilmember Barakat stated that he would be recusing himself from Item #3 due to the proximity of his home to the project area.
- City Attorney Reisman reported that he was not aware of any other conflicts of interest with any of the items on the agenda.
- PUBLIC COMMENT** None
- 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 Council Member 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 – Special Joint Meeting of the City Council and Planning Commission of June 9, 2011
  - B. Minutes - Regular City Council Meeting of July 19, 2011
  - C. Minutes-Special City Council Meeting of July 26, 2011
  - D. Resolution No. 11-30: Demands & Warrants for August 2011
  - E. Financial Statement for the month of June 2011
  - F. Financial Statement for the month of July 2011
- DISCUSSION** On page 1 of the June 9<sup>th</sup> meeting minutes the phrase 'even at your own expense' has been stricken. Mayor Pro-Tem Lathrop stated that on page 6 of the minutes the phrase attributed to Mayor Lewis should be attributed Mayor Pro-Tem Lathrop. On the last page of the minutes of July 19, 2011 Mayor Pro-Tem Lathrop stated that the minutes should read 'Caltrans' issues instead of 'Gold Line' issues.

City Attorney Reisman remarked that on the June 9th, 2011 minutes on Page 1 the bullet point, a comma should be inserted and the phrase 'and all planning commissioners' should be added. Also, on the July 19<sup>th</sup> minutes on page 1, the phrase 'as long as the intent doesn't change' should be changed to 'as long as the substance doesn't change.'

**MOTION TO APPROVE  
CONSENT CALENDAR**

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

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

NOES: None

ABSENT: None

**INTRODUCTION OF NEW  
INTERIM ASSISTANT CHIEF  
PENA OF LA COUNTY FIRE**

Assistant Fire Chief Pena introduced himself to the City Council, shared some of his background including time as Battalion Chief for the area and managing the local fire camps. He anticipates being in this position for a minimum of one year.

**ITEM #2: REVIEW AND  
APPROVAL OF FINAL 2011  
REDISTRICTING  
COUNCILMANIC DISTRICT  
BOUNDARIES MAP**

As required by law the City has begun the process to redraw/balance the Councilmanic District lines to reflect necessary population changes as required by Federal and State law following the 2010 US Census. The City last undertook this very complex challenge in 2003/2004 and adopted the District Boundaries as they are today. The City Council reviewed the Bradbury Counts data at the July 19, 2011 meeting. At a Special Meeting on July 26, 2011 the City Council decided a methodology for determining population and prepared a map for balancing district boundaries. It is recommended that the City Council:

- A. Open a Public Hearing and receive public input on the map developed by the City Council balancing district boundaries;
- B. Approve the 2011 Redistricting Map with the adjustment of the City Council district boundaries with a deviation of +/- 2%;
- C. Direct staff to prepare the legal descriptions and ordinance for introduction at the September 20, 2011 meeting; and
- D. Authorize the City Manager to enter into an agreement with RKA Consulting Group in an amount not to exceed \$9,195 to prepare the legal descriptions of the new district map.

Staff received an email from Judith Selby, 1442 Lemon Avenue, stating that she found it odd that the City Council takes 4 homes from the south side of Lemon Avenue and puts them into District 3 rather than taking an equal number of homes from both the north and south side of the street since Lemon Avenue is such a unique neighborhood with no one else around; you (the City) should keep it as "whole" as possible.

**DISCUSSION**

None

**PUBLIC COMMENT OPENED**

Mayor Lewis opened up the Public Hearing and invited those wishing to speak to come forward and be heard.

**PUBLIC COMMENT**

None

**PUBLIC COMMENT CLOSED**

There being no public comment, Mayor Lewis declared the public hearing closed.

**DISCUSSION**

Councilmember Barakat expressed his approval over this option because of the fact that there are no new neighborhoods being split up. Responding to Ms. Shelby's comment, Mayor Lewis remarked that the City Council did it this way because it was the most contiguous among all alternatives available.

**MOTION TO SELECT OPTION D**

Councilmember Hale made a motion to approve Items B through D as recommended by City staff. Councilmember Barakat seconded the motion which was passed by the following roll-call vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

Motion passed 5-0.

**ITEM #3: DISCUSSION-CIVIC CENTER WROUGHT IRON FENCE BIDS**

Councilmember Barakat excused himself from the meeting due to his conflict with this item.

The City Council directed staff at the last meeting of this item to prepare a Masonry and Wrought Iron Fence Design that includes an electrically operated gate at the Civic Center to restrict access to the site and a five-foot high wrought-iron fence along the street frontage.

The City Council Design Committee approved the concept plans that are before the City Council tonight. Upon approval by the City Council, the plans will be sent to fence companies for construction bids. It is recommended that the City Council review the plans and provide further direction to staff.

**DISCUSSION**

City Planner Meyer noted that since the preparation of the staff report, the numbers presented in terms of the contingency account are incorrect. The correct amount is \$10,377.

Councilmember Hale stated that the new design is great but doesn't like the costs.

City Manager Keith stated that the City Council, before determining if an option is too expensive, needs to instruct staff to go out to bid before making that determination.

Councilmember Hale said that the City Council needs to make a motion so that we at least have an approved project. Maybe then we can piecemeal the project if the costs come in too high. City Manager Keith asked if Councilmember Hale was asking for alternatives in the bid package. Councilmember Hale stated that is correct.

Mayor Lewis stated that neighbors and contractors bidding on the project are becoming irritated because the City Council keeps changing its mind on the project and can't settle on the issue.

Mayor Pro-Tem Lathrop stated that the options would be all jobs required for the project such as masonry, electric gate opener etc. City Manager Keith stated that is correct.

**PUBLIC COMMENT OPENED**

Mayor Lewis opened up the meeting for Public Comment and invited those wishing to speak to come forward and be heard.

**PUBLIC COMMENT**

Don Burnett, 4 Woodlyn Lane, asked if the City Council has considered using a thinner gauge metal for the project. City Planner Meyer stated that they had, but due to the longevity needed for the metal a thicker gauge was needed for the Civic Center fence.

Anne Absey, 44 Woodlyn Lane, asked if the City Council was planning on using the grant that they applied for towards the funding of this fence. City Manager Keith stated that the City was intending on doing so, but needed to get these approvals in place before the award is made.

**PUBLIC COMMENT CLOSED**

There being no more public comment, Mayor Lewis declared the public hearing closed.

**DISCUSSION**

City Planner Meyer stated that the high cost of the fence is due to the installation costs and the requirements of meeting the prevailing wage laws. The manufacturer of the fence is providing the City the cheapest option available.

**MOTION TO PROVIDE  
DIRECTION TO STAFF**

Councilmember Hale made a motion to direct staff to solicit bids for the fencing project including preparing alternatives for the electric gate and allowing for bids using different materials. Councilmember Pycz seconded the motion which passed by the follow roll-call vote:

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

NOES: None

ABSENT: None

ABSTAIN: Councilmember Barakat

Motion passed 4-0-1.

Councilmember Barakat rejoined the meeting.

**ITEM #4: DISCUSSION-REVIEW  
OF DEVELOPMENT POLICIES**

Staff was requested to provide the City Council an opportunity to reexamine some of the existing development standards and policies. Specifically a review of those policies related to variance authority, development fees for variances, lot coverage and impervious material. Concerns have been expressed regarding the following items:

- Should the Planning Commission have the authority to grant variances from development standards established by the City Council as set forth in the zone code?
- If a development proposal requires a variance from more than one development standard (i.e. setback and/or building height), should the applicant be charged a fee for the review, impact analysis and consideration of each requested variance?
- Should the city's development standards include maximum lot

coverage restrictions?

- Should the zone code be revised to include a definition of "impervious material?"
- Should a moratorium on all development be established until the City Council is satisfied that the development standards as set forth in the zone code properly reflect the goals and objectives set forth in the adopted general plan?

## DISCUSSION

Mayor Pro-Tem Lathrop stated that he has concerns about these issues ever since the Circle Drive project was approved and that the City Council needs to prevent those types of situations from occurring again. Mayor Pro-Tem Lathrop added that the City Council was never able to address these issues at the joint retreat and now is a good time to discuss them.

He continued by saying that in past situations the City has had projects go to the latest stages (appeal level) before getting pushback and having to start over. Mayor Pro-Tem Lathrop then continued by saying that what he proposes to do is give the authority to approve variances to the City Council before the Planning Commission is allowed to review the remainder of the project. Currently the Planning Commission is allowed to approve variances in some situations and then in others the Planning Commission makes a recommendation for approval by the City Council. By removing the right from the Planning Commission to grant variances it removes the possibility of projects moving forward so far and then getting shot down by the City Council.

Councilmember Hale stated that with the ideas proposed above, the City Council will be undermining the Planning Commission's authority. He continued by saying he agreed with the idea that the concepts of maximum lot coverage and impervious material need to be addressed, but not now. In addition, he would like to reduce the amount of total hardscape required in support of the new State regulations that will be coming eventually.

City Manager Keith stated that the only two problems in terms of appeals and projects moving forward before getting turned down has been the 165 Circle Drive and 1901 Royal Oaks Drive North.

Mayor Lewis pointed out that the 1901 Royal Oaks Drive North project was really a review of a concept not an actual appeal.

Councilmember Hale stated that projects, not including the most recent, haven't been appealed since 1998. If we follow through with Mayor Pro-Tem Lathrop's idea we will be causing more problems.

City Planner Meyer stated that bad ideas are usually eliminated during the concept review process. Councilmember Hale added it is rare for a controversial project to make it that far.

Councilmember Barakat stated that either the City Council needs to have faith in the Planning Commission or eliminate them altogether. Mayor Lewis added that he likes the way the system works and it shouldn't be changed.

Mayor Pro-Tem Lathrop said that there was a controversial project and the details in previous projects before that time haven't been 'flushed out'. He stated that the City Council hasn't made the process better. If the City Council thinks the process is perfect then the variance process doesn't need to be changed.

Mayor Lewis stated that the process isn't perfect, but based on the previous project it was impossible to please everyone.

Councilmember Pycz said he sees this as the City Council making them the Planning Commission as well. The City Council needs to remind the Planning Commission of the power they have in shaping projects that come before them and not take the decisions away from them.

Councilmember Pycz stated that the recent appeal they heard was an aberration and it involved emotions more than hard facts in the initial appeal and the people opposed to the project replayed these emotions time and time again rather than focus on real issues.

**PUBLIC COMMENT OPENED**

Mayor Lewis opened the discussion for public comment and invited those wishing to speak to come forward.

**PUBLIC COMMENT**

None.

**PUBLIC COMMENT CLOSED**

There being no public testimony, Mayor Lewis declared the public comment period closed.

**ITEM DROPPED DUE TO LACK OF A MOTION**

Mayor Lewis asked the Councilmembers if there was any consensus or motion on the issue. No Councilmember responded with any idea, therefore Mayor Lewis said the item was dead due to a lack of a motion or any members seeing a problem with the status quo.

**ITEM #5: DISCUSSION ON THE CONSIDERATION OF A UTILITY USER TAX OR VALUE-BASED PARCEL TAX**

During the adoption of the fiscal year 2010-2011 budget the City of Bradbury was faced with escalating expenses and consistently decreasing revenues. This stemmed from the result of the current economic downturn, decreased home sales, decreased construction activity and overall rising costs of providing service to residents.

At the March 15, 2011 meeting the City Council reviewed the current status of the City's short and long-term budget prospects and reviewed some alternative ways of addressing ongoing fiscal needs. At the April 19<sup>th</sup> meeting, the City Council reviewed estimates for the upcoming FY 2011-2012 budget and forecast projections for FY 2013-2014. At the June 21<sup>st</sup> meeting the City Council reviewed a sample of a UUT ordinance. At the July 19<sup>th</sup> meeting the City Council reviewed the comments from a number of community workshops, including evaluation of a value based parcel tax.

The objective of this report is for the City Council to provide staff with a direction to proceed with either a UUT or value-based parcel tax, so that the City Council can begin to get community input and begin the preparation of the necessary documents.

**DISCUSSION**

Councilmember Hale stated that the UUT is the best way for the City Council to increase revenue because of the fewer votes needed although he personally likes the idea of the Parcel tax. He also

recommended that if the City Council chooses an UUT that they consider eliminating water from the measure.

Mayor Pro-Tem Lathrop stated that he preferred a value based Parcel tax, although he is concerned about the 2/3rds vote requirement for its approval, but that he likes the idea of predictability and reliability with a Parcel Tax.

Councilmember Hale stated that if the City Council could guarantee a 2/3 approval he would support the Parcel tax.

Mayor Pro-Tem Lathrop asked if the City Council could lower the Parcel Tax if needed. City Attorney Reisman stated that he thinks it is possible to lower a Parcel Tax, but he needs to research the idea further before providing a definitive answer.

Councilmember Pycz said that we just need something to pass and that most residents will see them as a tax and not distinguish between an UUT and Parcel Tax.

Mayor Lewis stated that the City has good news and bad news right now. The good news is that revenue was higher than anticipated and expenditures were lower than expected. The bad news is that what the City feared in terms of TMDLs is coming true and the permits will be coming through some time next year. Even though the numbers are changing, the story is staying the same in that the City still needs more revenue.

Mayor Lewis continued by saying that he is back to supporting the UUT because of the optimism he has about the economy. If the revenue outperforms expenditures for several years then the City Council could reduce or pause the UUT for one year. It would be something that the City could add to their 'revenue tool belt' to address the overall problem cities are facing.

#### **PUBLIC COMMENT OPENED**

Mayor Lewis opened the discussion for public comment and invited those wishing to speak to come forward.

#### **PUBLIC COMMENT**

Don Burnett, 4 Woodlyn Lane, stated that the City has to do something, but one thing he is concerned with is the Value Added Parcel Tax that he wonders who selects the amount to be assessed. If the City decides to go with a UUT he would recommend assessing a smaller percentage on water because of everyone's high water bill. He continued by saying that the City Council should consider making the UUT a two year term and then come back and review the need for the money because he like everyone else would not like to pay higher taxes any longer than needed.

Ann Absey, 44 Woodlyn Lane, stated that the City Council might want to consider the idea of not taxing Cable TV because people can switch to Satellite television. The Council should focus on things that people need to survive such as water, electricity, gas, trash. She continued by stating that after hearing the new Fire Chief introduce himself one thing that the City Council might consider adding in their message to residents is the fact that these funds help the Fire Department in terms of safety by people using their water.

**PUBLIC COMMENT CLOSED**

There being no more public comment, Mayor Lewis declared the public comment period closed.

**DISCUSSION**

Councilmember Barakat responded to Mr. Burnett's comment by saying that while it is a great idea bringing the UUT to a vote every two years, the need to hold an election every two years or so is expensive and that costs would have to be added to the amount the UUT is trying to cover. City Manager Keith added that 5 years is a practical timeline for UUTs due to trending data and the time needed to start the process again for the possible re-approval of the measure by voters.

Councilmember Pycz said this issue isn't just because of the economy; it has become more and more an issue of the unfunded State mandates.

Mayor Lewis responded to some of the comments of eliminating water from the measure. He said that the City Council can't eliminate telecommunications and water because the overall UUT percentage would be high.

Councilmember Hale asked if the City can tax sewers even if not all of the residents are on sewers. City Manager Keith stated that sewers should be removed from the UUT because of the upcoming MS4 permit issues that may require homeowners to switch out their septic tanks.

Mayor Lewis called for a motion on either moving towards a UUT or Parcel Tax.

**MOTION TO PROVIDE  
DIRECTION TO STAFF  
REGARDING WHICH REVENUE  
MEASURE TO SELECT**

Councilmember Barakat made a motion to direct staff to move forward with the preparation of documents for the consideration of a UUT measure at the next election. Councilmember Pycz seconded the motion which passed by the following roll-call vote:

AYES: Mayor Lewis, Councilmembers Pycz, Barakat and Hale

NOES: Mayor Pro-Tem Lathrop

ABSENT: None

ABSTAIN: None

Motion passed 4-1.

Mayor Lewis stated that the City Council needs to consider what rates to direct staff to use in the Ordinance.

Mayor Pro-Tem Lathrop stated that whatever rate is selected, it needs to be half of that for water. Councilmember Pycz said that everyone picks on water because it's something everyone has to use no matter what.

Mayor Pro-Tem Lathrop stated that some tax on water is appropriate no matter the percentage. He continued by stating that water is ranked third in terms of revenue received.

Councilmember Barakat said that the water number in comparison to Sierra Madre is off because of the uniqueness of Bradbury and size of lots. Mayor Lewis said the skew is much greater in electricity because

of the size of homes here in Bradbury as well as the Sierra Madre data was a base to work from.

Mayor Pro-Tem Lathrop asked if the City Council could come back to this question at the end of the discussion and proceed with the other items.

Mayor Lewis agreed to move forward.

Mayor Lewis stated the City Council can review the sunset provision. He stated that he personally likes the idea of a 5 year time period for the UUT so that the City Council can reopen the issue after three years and then vote in the fourth year and have a new one in place by the time the current UUT expires if necessary.

**MOTION TO PROVIDE  
DIRECTION TO STAFF  
REGARDING TIMELINE OF THE  
UUT**

Councilmember Hale made a motion to direct staff to include a 5 year sunset clause in the draft UUT Ordinance. Mayor Pro-Tem Lathrop seconded the motion which passed by the following roll-call vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

Motion passed 5-0.

Mayor Lewis stated the next item is the question "what is the revenue target?" He further stated that not all the items cut from the budget need to come back but some certainly do. The \$350,000 or \$444,000 amount is based on whether or not the City Council wants to cover the eliminated COPS funds and other items cut from the General Fund.

Mayor Pro-Tem Lathrop stated that if COPS funding isn't restored and if the City Council determines that the City needs that level of law enforcement, that is where the City can look to the cut items versus the COPS to come back in and maintain the \$350,000 but not the \$440,000. He stated he was reluctant to go up as high as the \$440,000 figure.

City Manager Keith stated that the City Council can continue this discussion up until the point of the adoption of the ordinance but City staff wanted to provide them with all the information as early as possible.

Mayor Pro-Tem Lathrop stated that he would still like to stick with the \$350,000 because the City has been conservative in their budgeting.

Mayor Lewis stated that while he likes Mayor Pro-Tem Lathrop's idea, he thinks that the discussion needs to be continued so that maybe the City Council can move things around and trade dollars among the various accounts. The appropriate time may be during the budget review.

Mayor Lewis stated that the number the City Council is going to aim for in selecting the percentages for the UUT Ordinance is \$359,000 and called for a motion on that number.

City Manager Keith stated that (additionally) in the future presentations staff would state the COPS/Reduced items.

**MOTION TO PROVIDE  
DIRECTION TO STAFF  
REGARDING REVENUE TARGET**

Councilmember Barakat made a motion to direct staff to create an UUT Ordinance to set the revenue target for the creation of the percentages at \$359,000. Mayor Pro-Tem Lathrop seconded the motion which passed by the following roll-call vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

Motion passed 5-0.

City Manager Keith asked if the City Council was going to add a provision for low/very-low income households to the Ordinance. Mayor Lewis stated that if the City Council excludes the very low category from the Ordinance it really won't impact people because they probably aren't spending a large amount of money.

Mayor Pro-Tem Lathrop stated that he has concerns that the exemptions might complicate things if it is in there. City Manager Keith said that it isn't any more work than just adding a paragraph to the Ordinance and making residents come in and prove their low income status. In addition, City Manager Keith stated, it will provide good will towards the residents who stated they were on fixed incomes.

City Planner Meyer added that with the low income provision you would be meeting some of the needs in the Housing Element of the General Plan by providing for the needs of the low-income people in the City.

Councilmember Barakat made a motion to add the low and very-low income exemption to the UUT Ordinance. Councilmember Hale seconded the motion which passed by the following roll-call vote:

**MOTION TO PROVIDE  
DIRECTION TO STAFF  
REGARDING INCOME  
EXEMPTIONS**

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

NOES: None

ABSENT: None

ABSTAIN: None

Motion passed 5-0.

City Manager Keith asked if the City Council wanted to add a 'Green Provision' to the measure for exempting green technologies. All of the Councilmembers expressed their opinion that they would not support such an exemption.

City Manager Keith said that what she needed from the City Council is their final decision regarding the percentages for the different utilities.

Mayor Lewis said that he thought the City Council could adopt a percentage range and also select an initial percentage to set the UUT. City Manager Keith said that it is possible to do that.

Councilmember Hale said it might be a good idea to say that the City Council has the option to lower the percentage as needed, but start with 1% to 9%.

Mayor Lewis stated that if the target is \$359,000 and if water is to be excluded then the percentage needs to be 8.4%. City Manager Keith added that if the City Council wants to include language to lower the rate then that language must be added into the ordinance as well.

Mayor Lewis suggested the language to say the range is 2% to 8.75% and the 1<sup>st</sup> year level is 8.4%.

Mayor Pro-Tem Lathrop asked if at any time the percentage can be set at zero (0). City Attorney Reisman stated that 1% is the minimum amount.

Mayor Pro-Tem Lathrop also stated he'd like water in there even if it's a quarter of the rate.

Councilmember Pycz said that these revenue amounts don't include the costs to run the election. However, there is a better chance of passage if the measure excludes water and keeps the measure simple.

Councilmember Hale commented again how sensitive water issues are in the community,

Councilmember Pycz reminded that water seems to be the area where residents are consistently facing rate increases.

There was much discussion regarding whether water should or should not be part of the measure.

City Manager Keith stated that with a percentage of 8.5% the costs for the election are recovered.

**MOTION TO PROVIDE  
DIRECTION REGARDING RATES**

Mayor Lewis made a motion to direct staff to set the rate at 8.4% for year one with a range of 1% to 8.75% with the caveat that all utilities are taxed at the same rate except for water which is set at 1/4 of the other utilities. Councilmember Barakat seconded the motion.

Mayor Lewis withdrew his motion on the basis that there was no consensus for his motion.

Councilmember Hale made a substitute motion to direct staff to set the rate in the Ordinance at 8.6% for year one (but requested staff check the numbers) with a range set of 1% to 8.75% and to exclude water and sewer from the Ordinance and bring back a draft Ordinance to the City Council at the next meeting. Mayor Lewis seconded the motion and called for a roll-call vote on the motion:

Councilmember Pycz: Yes  
Councilmember Barakat: Yes  
Councilmember Hale: Yes  
Mayor Pro-Tem Lathrop: No  
Mayor Lewis: Yes

Motion Passed 4-1.

City Manager Keith asked if the City Council would like staff to work with Special Counsel Levin to draft the UUT Ordinance and that it shouldn't take more than three hours to write or work with the City Attorney on the project.

Councilmember Barakat suggested that staff work City Attorney Reisman on the Ordinance.

**MOTION TO AUTHORIZE CITY  
ATTORNEY TO EXPEND  
ADDITIONAL RESOURCES**

Councilmember Barakat made a motion to authorize the City Attorney to expend resources for the creation of the UUT Ordinance and authorize additional hours for the work. Councilmember Pycz seconded the motion which passed by the following roll-call vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

Motion passed 5-0.

Mayor Lewis reminded the City Council now that they have put 'the stake in the ground' regarding which option they are moving forward, City staff and Councilmembers are restricted in what they can say now as was discussed in previous meetings.

**ITEM #6- DISCUSSION LONG-  
TERM REVENUE SOLUTIONS TO  
REDUCE TAXES IN BRADBURY  
FOR SUSTAINABLE VIABILITY**

The City Council will 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.

**DISCUSSION**

Mayor Pro-Tem Lathrop stated that the City Council could reach out to the development community and ask them if the City was to consider doing a commercial development what type of development should the City consider placing.

Councilmember Barakat stated no one in his district wants a commercial development near their homes.

Councilmember Hale said the City Council has to be careful in what they consider because they need to keep the community as is.

Mayor Pro-Tem Lathrop stated the City needs to look at as a many ideas as necessary to make up the total \$350,000, perhaps this is just a portion of it.

Councilmember Barakat stated that everything you add to the City will somehow be a tax burden for the residents.

Mayor Lewis stated he appreciates the brick-and-mortar approach, but it will become a 'band-aid' for the larger problem and it will not work. Overall the solutions we come up with can't change the character of the community.

Mayor Pro-Tem Lathrop stated that another idea was to in-source City staff like Bell and Maywood did. He also added that maybe the City considers selling t-shirts and license plate frames although it wouldn't necessarily be a lot of money.

Mayor Lewis stated regarding the t-shirts and selling of merchandise that in the past the City Council was extremely hesitant in letting the Mayor go on a cable tv show because they didn't want the publicity.

Councilmember Barakat said that back in the day the City used to do a lot of filming and he asked if there was a way that we can bring that back. City Manager Keith stated that the City does allow some filming in the area; however, the Bradbury CSD has adopted some policies to discourage filming in at area.

Councilmember Barakat stated that if we (the Council) don't do something to save our City we are going to lose more than \$800 a year in property value just from the reputation of the City. There is the potential to lose tens of thousands of dollars in home values.

Mayor Lewis stated that this discussion needs to be ongoing, but let us not say no to anything right now. Councilmember Barakat stated that he agreed and that the discussion should be on every City Council agenda. The other Councilmembers agreed with this and Mayor Lewis directed staff to place this discussion item on every agenda.

**MATTERS FROM THE CITY MANAGER**

September 2<sup>nd</sup> will be a furlough day and September 5<sup>th</sup> is Labor Day and City Hall will closed. There is no Planning Commission meeting this month. City Manager Keith asked before she sends out the invite for the appreciation BBQ if children are invited. The City Council said no.

**MATTERS FROM THE CITY COUNCIL**

**MAYOR LEWIS**

Nothing to report.

**MAYOR PRO-TEM LATHROP**

The Duarte Educational Foundation dinner is being held on the 9<sup>th</sup> of September at 4:00 pm.

**COUNCILMEMBER HALE**

Nothing to report.

**COUNCILMAN PYCZ**

Nothing to report.

**COUNCILMEMBER BARAKAT**

Nothing to report

**ITEMS FOR FUTURE AGENDAS**

None.

**CLOSED SESSION**

Mayor Lewis adjourned the meeting to a Closed Session regarding conference with legal counsel to discuss Personnel/Evaluation of Performance (Title: City Manager) pursuant to California Government Code Section 54957.

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

The Open Session was reconvened and Mayor Lewis reported that the City Council met in Closed Session to discuss the issues and reported that the Personnel/Evaluation of Performance (Title: City Manager) was completed and was presented to the City Manager for her review.

**ADJOURNMENT**

At 10:10 pm Mayor Lewis adjourned to the meeting to the Regularly scheduled City Council meeting to be held on September 20, 2011 at 7:00 pm at the Bradbury Civic Center.

  
\_\_\_\_\_  
MAYOR - CITY OF BRADBURY

ATTEST:   
\_\_\_\_\_  
CITY CLERK - CITY OF BRADBURY