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

CALL TO ORDER:

The meeting was called to order by Mayor Lewis at 7:00 p.m.

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 THE 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 conflicts of interest with any of the items on the agenda.

PUBLIC COMMENT:

Lt. Denise Harshman, Los Angeles County Sheriff's Department, Temple Station, announced that she would be retiring after 36 years of service. Lt. Harshman was the City's liaison with the Sheriff's Department for seven years. Lt. Harshman also handed out certificates of appreciation and commemorative drinking glasses to the City Council and City staff. Councilmember Barakat stated that Lt. Harshman has always been most responsive and helpful and that she will be missed. The Council concurred.

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 December 20, 2011
B. Resolution No. 12-01: Demands & Warrants for January 2012
C. Financial Statement for the month of December 2011
D. Second Reading of Ordinance No. 323: An Ordinance of the City Council of the City of Bradbury Amending various Provisions of the Bradbury Municipal Code to Update Misdemeanor Fine Amounts and Provide for Treatment of some Misdemeanors as Infractions
E. Resolution No. 12-02: 2012 Conflict of Interest Update

DISCUSSION:

In regards to the minutes, Mayor Lewis stated the Councilember Pycz and Commissioner Novodor attended the services for Planning Commissioner Gifford as well and to let the minutes reflect that.

Mayor Lewis also pointed out an adding mistake on page 5 of the Demands & Warrants (Check No. 12131 to ValleyCrest).

Mayor Pro-Tem Lathrop stated that he did not say to delete the Optiflex Proposal from the List of Suggestions of Revenue Sources and/or Cost Savings.

City Attorney Reisman had a correction to the minutes, page 4, regarding Ordinance No. 323. The word "administrative citations" should be replaced by "administrative infractions."

MOTION TO APPROVE CONSENT CALENDAR:

Councilmember Hale moved to approve the Consent Calendar as amended. Councilmember Barakat 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

Motion passed 5:0

DISCUSSION: GENERAL PLAN 2012 OVERSIGHT COMMITTEE

In November 2011, the City Council authorized the preparation of the City's General Plan update for 2012. The General Plan is required by State Planning Law. The General Plan is the City Council's policy document that will guide the City's long range physical development. The format of the General Plan is established by State law.

A key element for the preparation of the General Plan is to facilitate public input. It is suggested than an oversight committee be created to insure that the concerns of the Bradbury residents are adequately complied and analyzed. A committee comprised of one or two members of the City Council, Planning Commission and community residents may be helpful in the creation of the General Plan Update 2012.

City Planner Meyer stated that it is envisioned that the Oversight Committee will identify issues of significance to the community and provide guidance in the preparation of the draft General Plan update. The draft General Plan will ultimately be presented to the Planning Commission for review and recommendations. The City Council will be presented with the recommendations adopted by the Planning Commission.

City Manager Keith stated that the Committee would be subject to the Brown Act, therefore it can't have more than two City Councilmembers and two Planning Commissioners. Meetings will be open to the public and agendas will be posted in accordance with the law.

DISCUSSION:

City Planner Meyer stated that the Steering Committee would look at the land use plan first. Mr. Meyer also stated that staff envisions to meet with the Homeowner Associations.

Mayor Lewis stated that he was interested in serving on the Steering Committee. Mayor Pro-Tem Lathrop stated that he would like to be on the Steering Committee as well. Councilmember Hale also expressed interest.

Mayor Pro-Tem Lathrop felt that the representatives from the City Council and the representatives from the Planning Commission should not be from the same district, and that there should be a community representative from every district, so the structure of the Committee would be 2 + 2 + 5 = 9.

Mayor Lewis felt that 9 Committee members was a lot and maybe the number should be reduced to 7. We also may not get that many volunteers. The Mayor stated that he was not so concerned about having people from the same district.

Councilmember Hale wanted to know if the City Council could appoint 2 representatives and an alternate to the Steering Committee. City Manager Keith stated yes, but that the alternate could not participate in the meeting.

Councilmember Barakat stated that if the meeting is posted as a City Council meeting, then more than two Councilmembers could participate.

City Planner Meyer stated that the Planning Commission should pick two representatives at its February or March meeting.

City Attorney Reisman pointed out that it hurts the credibility of the Steering Committee if it is posted as a City Council or Planning Commission meeting.

MOTION TO SET STRUCTURE OF OVERSIGHT COMMITTEE:

Mayor Pro-Tem Lathrop made a motion to set the structure of the General Plan Oversight Committee as 2 City Councilmembers, 2 Planning Commissioners and 5 residents. Councilmember Barakat seconded the motion for discussion purposes.

PUBLIC COMMENT:

Resident Ann Armstrong, 1775 Royal Oaks Drive North, felt that 9 Committee members were too many.

Resident Ann Absey, 44 Woodlyn Lane, stated that the goal is to have a citizen from every district and that if the committee has 9 members, then the quorum is 5.

MOTION PASSED:

Mayor Pro-Tem Lathrop's motion to set the structure of the Oversight Committee at 2 City Councilmembers, 2 Planning Commissions and 5 residents, seconded by Councilmember Barakat, was approved 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 and Councilmember Hale stated that getting a diverse group is important and while 2 City Councilmembers, 2 Planning Commissioners and residents is the goal, the City Council will not limit itself to look knowledgeable people interested in engaging in the process.

SELECTION OF CITY COUNCIL-MEMBERS TO SERVE ON THE OVERSIGHT COMMITTEE:

Councilmember Barakat made a motion to appoint Councilmember Hale to the Oversight Committee. Mayor Lewis amended the motion to add himself.

Resident Ann Absey suggested selecting the two Council representatives by way of lottery.

Mayor Pro-Tem Lathrop pointed out that there is no HOA in his District.

Councilmember Hale stated that we need representation from both the public and private areas of the City.

The City Council had further conversation on which City Councilmembers to appoint to the General Plan Steering Committee.

MOTION TO APPOINT TWO CITY COUNCILMEMBERS TO THE OVERSIGHT COMMITTEE:

Mayor Lewis stated that Councilmember Hale has a lot of knowledge about the City and made a motion to appoint Councilmember Hale and Mayor Pro-Tem Lathrop to the General Plan 2012 Oversight Committee. Councilmember Pycz 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
ABSTAIN: None

Motion passed 5:0

MOTION TO APPOINT ALTERNATE TO THE OVERSIGHT COMMITTEE:

Councilmember Barakat made a motion to appoint Mayor Lewis as the City Council alternate to the General Plan 2012 Oversight Committee. Councilmember Pycz 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
ABSTAIN: None

Motion passed 5:0

PUBLIC HEARING – UPDATE OF BRADBURY'S FILM POLICIES:

City Manager Keith stated that the City's policies regarding filming have not been reviewed since 1996 and requires an update. Updates to the policies include:

- ✓ Notification to neighbors of the proposed film location
- ✓ Requirement of site and parking plan
- ✓ Permit application deadlines (in order to properly process a permit)
- ✓ Insurance requirement amount increase to today's standards and indemnity language
- ✓ Refund - Any cancellation of a film activity after a film permit has been issued will result in a forfeiture of 50% of the permit fee as a processing fee. All refund requests must be made in writing.

CALIFORNIA FILM COMMISSION:

As the City Council reviews these policy updates it is important to note that State law required that the City must provide a 30-day notice to the California Film Commission (CFC) of any proposed changes to film policies. Therefore, if the City Council wishes to make changes it has a great deal of latitude to do so in order to protect public interest. However, the CFC must first be advised of the specific language changes prior to the adoption or implementation so that is has an opportunity to comment.

DISCUSSION:

Mayor Pro-Tem Lathrop felt that 100% approval from neighbors was to high and suggested (at least) 75% approval. City Manager Keith agreed that 100% was too strict. It was also discussed to have the City Manager verify the absence of residents who do not respond to the film company.

It was also agreed to raise the General Liability Insurance from $1,000,000 to $2,000,000 naming the City of Bradbury, its officers, employees, agents and volunteers as additional insured for protection against claims of third persons for personal injuries, wrongful deaths and property damage and to indemnify the City for damage to City property arising out of the applicant's film activity.

PUBLIC HEARING OPENED: Mayor Lewis opened the public hearing and invited anyone speaking in favor or opposition to come forward and be heard.

PUBLIC TESTIMONY: Ann Armstrong, 1775 Royal Oaks Drive, wanted to know if she had to notify her neighbors before enlisting with a location company for possible filming on her property. City Manager Keith replied that neighbors don't get notified until a film application has been submitted to the City for approval.

PUBLIC HEARING CLOSED: There being no public testimony, Mayor Lewis declared the public hearing closed.

MOTION: Councilmember Barakat made a motion to approve the changes and updates to the City's film policies and notify the California Film Commission of its need to update its policies. 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

Motion passed 5:0

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-germ solutions to the City's fiscal challenges, specifically potential strategies for enhancing and creating new revenue and/or cost savings.

COUNCILMEMBER BARAKAT LEAVES ROOM: Councilmember Barakat, who resides adjacent to the Civic Center, left the room so the City Council could discuss options to do with the Civic Center, such as the use of the back parking lot.

DISCUSSION: City Manager Keith stated that at one point in time, Royal Oaks Manor was interested in renting the back parking lot on a long-term basis, but due to financial constraints and low enrollment is not able to so at this time. Mayor Pro-Tem Lathrop suggested keeping the use of the back parking lot on the list of options. The City Council is not interested at this time to use the back lot for RV storage or car dealers. Mayor Pro-Tem Lathrop inquired about the data center option. Mayor Lewis felt that the back lot was incompatible for the usage of a data center.

The City Council concurred that they would consider compatible usages of the back parking lot that work with the neighborhood.

COUNCILMEMBER BARAKAT REJOINS MEETING: After Councilmember Barakat returned, he asked if he could rent out his property for RV storage. The City Attorney stated that his property is not zoned for such use.

MORE DISCUSSION: Mayor Lewis stated that the option to create a sales tax was incompatible with the City Council's goal to reduce taxes.

The City Council decided not to pursue the Optiflex Proposal any further as the City owns no land for such a project. The item will be deleted from the list of suggested revenue sources in 90 days.

MATTERS FROM THE CITY MANAGER: City Manager Keith stated that she would be out of the office Thursday and Friday, January 19 and 20, to attend the JPIA conference in Pasadena.

The Emergency Response Committee (ERC) will be meeting on Thursday, January 19.

On Thursday, January 26, the California Public Utilities Commission (CPUC) will hold a Public Participation Hearing regarding the recent power outages that resulted from the wind storms which occurred in November and early December and Southern California Edison's response to the storm. The meeting is from 4-9 p.m. at Temple City High School, 9501 Lemon Avenue, Temple City, CA 91780.

Ms. Keith reminded the Council that she will be on vacation from Monday, January 30, through Thursday, February 2. Friday, February 3, is a furlough day.

Recruitment for a part-time/contract Finance Director is underway.

MATTERS FROM THE CITY COUNCIL:

MAYOR LEWIS: Mayor Lewis stated that the topic at the League meeting last week was the dissolution of the California Redevelopment Agencies.

MAYOR PRO-TEM LATHROP: Nothing to report.

COUNCILMEMBER PYCZ: Nothing to report.

COUNCILMEMBER BARAKAT: Nothing to report.

COUNCILMEMBER HALE: Councilmember Hale reported that the Duarte School District Bond Oversight Committee will meet on January 23 at 6:00 p.m.

ITEMS FOR FUTURE AGENDAS: None

ADJOURNMENT: At 8:20 p.m. Mayor Lewis adjourned to the meeting to Tuesday, February 21, 2012 at 7:00 p.m. at the Bradbury Civic Center.

21 Feb 2012

MAYOR – CITY OF BRADBURY

ATTEST:

Claudia Saldana

CITY CLERK – CITY OF BRADBURY