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

CALL TO ORDER: The meeting was called to order by Mayor Lewis at 6:35 p.m.

ROLL CALL: PRESENT: Mayor Lewis, Mayor Pro-Tem Lathrop, Councilmembers Pycz, Barakat and Hale

STAFF: City Manager Keith, City Clerk Saldana and Management Analyst Kearney

PUBLIC COMMENT: None

STUDY SESSION – COMMITTEE INTERVIEWS: City Manager Keith stated that at the February meeting, the Council appointed two applicants to the General Plan Steering Committee: Patty DeVault, District Five, and Richard Riddle, District One. The Council also approved the appointments of Planning Commissioners Kuba and Novodor to the Committee. Since the February meeting, the City received two more applications from Serena Burnett, District Two, and Nomerita Ryon, District Four. Ms. Burnett was present to be interviewed by the City Council.

Ms. Burnett stated that she is a paralegal specializing in environmental and land use issues. In 1993, she was appointed to the Riverside County Flood Control Commission, Zone 2, by Supervisor Bob Buster, and she is currently the Chairwoman of that Commission. In her role on the Flood Control Commission, the General Plan for Riverside County is often discussed. Ms. Burnett has owned property in Bradbury since 1995.

The Council reviewed the application from Ms. Nomerita Ryon. Ms. Ryon and her husband just moved to Bradbury after living in the foothills of Monrovia for the past decade. Ms. Ryon would like to be involved and contribute insights in defining, shaping and preserving the future of the City and to preserve its big lots, unblocked mountain views, city lights, and quiet and peaceful neighborhood. Ms. Ryon has a conflict on Tuesdays and Thursdays.

ADJOURNMENT: At 6:47 p.m. the Study Session was adjourned to the Regular Meeting at 7:00 p.m. and Mayor Lewis called for a recess.

CALL TO ORDER: The regular meeting was called to order by Mayor Lewis at 7:03 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 AGENDA: Councilmember Barakat made a motion to approve the agenda to proceed with City Business. Councilmember Hale seconded the motion which carried unanimously.

PUBLIC COMMENT: Ann Armstrong, 1775 Royal Oaks Drive North, announced that she would like to encourage residents to send in their ballots and to vote "YES" on Measure A. Ms. Armstrong also offered to a give residents who are unable to drive themselves a ride to the polling place on election day.

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 is aware of two potential disclosures. Councilmember Barakat has a potential conflict of interest on item #5 (Civic Center Fence and Landscape Modifications) due to the proximity of this home to the project site. Councilmember Barakat stated that he would not be leaving the room during the discussion of item #5. Mayor Lewis asked Councilmember Barakat to set a good example and remove himself from the decision making process concerning agenda item #5, as he had done in the past and not change his course now. Councilmember Barakat agreed to do so.

City Attorney Reisman stated that he is aware of another potential conflict, but it has not arisen yet, and he is going to wait until the issue arises.

PRESENTATIONS:

Mayor Lewis presented a Proclamation declaring March 11-27, 2012 as Girl Scout Week. The Proclamation will be mailed to the Girl Scouts of the USA, which is celebrating its 100th Anniversary.

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 February 21, 2012
B. Resolution No. 12-04: Demands & Warrants for March 2012
C. Financial Statement for the month of February 2012
D. Community Development Block Grant (CDBG) Proposed Project from Program Year 2012-2013
E. Resolution No. 12-06: Approving a Renewal of the General Services Agreement with the County of Los Angeles County ending June 30, 2017

CORRECTION TO MINUTES:

Mayor Pro-Tem Lathrop stated that on page 3 of the February minutes the motion to appoint members to the General Plan Steering Committee was made by Councilmember Hale and seconded by himself.

MOTION TO APPROVE CONSENT CALENDAR:

Mayor Pro-Tem Lathrop 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 - 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 and may or may not make appointments.

Mayor Lewis stated that there are currently two applicants pending for the General Plan Steering Committee. They are Serena Burnett and Nomerita Ryon. The City Council met with Ms. Burnett earlier in the evening and Ms. Ryon submitted a Statement of Interest.

MOTION TO APPOINT COMMUNITY MEMBERS TO THE GENERAL PLAN STEERING COMMITTEE:

Mayor Pro-Tem Lathrop moved to approve the appointment of Nomerita Ryon, District Four, to the General Plan 2012 Oversight Committee. Mayor Lewis amended the motion to add Serena Burnett, District Two. Councilmember Pycz seconded the amended 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 – DUARTE UNIFIED SCHOOL DISTRICT STATE OF THE DISTRICT:

DUSD Superintendent Dr. Terry Nichols gave a power point presentation on items pertaining to Duarte Unified Schools and offered to answer any questions the City Council may have (power point attached) Mayor Lewis thanked Dr. Nichols for coming.

DISCUSSION - CALIFORNIA AMERICAN WATER:

Mr. Garry Hofer, Operation Manager with California American Water presented information regarding the current rate case before the CPUC and the direct projects benefitting Bradbury and discussed remote billing practices.

Mr. Hofer stated the Commission is going to approve Cal-Am's radio read of meters. Many customers in Bradbury already have these meters. In fact, most of the members of the City Council already have these readers with the exception of maybe Mayor Pro-Tem Lathrop. Radio read meters increase the accuracy of the readings. Mr. Hofer stated that in regards to the tier reads, Cal-Am experienced complications with about nine readers. that compensated and showed a high. Although the system is quite complicated, Cal-Am is able to adjust the tiers to ensure accuracy and fairness whenever there is an over-read. However, this is rare and does not happen very often. California is one of the few states that has the tier rating. The meters are read once every two months. In the future, Cal-Am will start reading meters every month. They hope to start in July, and residents will be notified once this occurs.

Mayor Pro-Tem Lathrop stated that if Cal-Am only reads once every two months, this creates problems. For example, one of his constituents received a rather high bill one month even though he was in the hospital and was not consuming water. He expects that water bills will be based on facts of actual usage and not on an estimate, especially with the tiered system.

Mr. Hofer stated that he does not know the specifics of this customer. Estimates do occur occasionally, but are very rare. If Cal-Am is unable to read the meter, then they estimate. However, during the next read, if Cal-Am discovers the estimate was high from the previous read, they will equalize the bill and balance it out.

Councilmember Barakat asked how a customer knows when the meter is being read. Mr. Hofer stated that the date of the meter read is on the bill. It also states when the meter will be read next.

The average usage in Bradbury is different than the usage in Duarte. Councilmember Pycz asked if being tied to Duarte is causing Bradbury to subsidize Duarte. Mr. Hofer has stated that it is possible to have Bradbury in their own pool system without being tied to Duarte, but it may be very costly.

Councilmember Hale asked how he could step-down into a lower tier system if his property is much larger than the Duarte lots. Even if he reduces his monthly water consumption, there is no way he can step-down the tier system based on lot size alone

Mr. Hofer stated the City of San Marino would also like to have their own tiered system as well, but it is difficult to achieve as it is expensive and needs to be approved by the California Utility Commission (CPUC)

Mayor Lewis stated that some of his constituents are not happy with the Customer Service that Cal-Am provides. If Bradbury residents are going to pay a lot for water, then customer service should be exceptional.

Mr. Hofer stated that he will take Mayor Lewis' recommendation and pass it on to his supervisor. Mr. Hofer stated that he would like to assist Bradbury in their future landscaping plans for the Civic Center through grants and program Cal-Am offers.

P.E. Operations Engineer Mark Reifer talked about Cal-Am's capital improvement projects (past, current and future) and well projects that affect Bradbury.

Councilmember Pycz asked about Cal-Am's plans for aging line replacement. Mr. Reifer stated that at this time there wasn't a plan other than repairing breaks.

Mayor Lewis stated that there are many leaks in the irrigation system on Woodlyn Lane and that the street is destroyed as a result. How does Cal-Am expect to address these issues?

Mr. Hofer stated he would look into the matter and thanked the City Council for the opportunity to work together. As the item was informational, no action was taken.

COUNCILMEMBER BARAKAT LEAVES ROOM:

Councilmember Barakat recused himself from the discussion on the Civic Center Fence and Landscape Modifications and left the room.

DISCUSSION – CIVIC CENTER WROUGHT-IRON FENCE AND LANDSCAPE MODIFICATIONS:

City Planner Meyer stated that this has been a long and complicated process trying to balance the improvements that the Council wants with the budgetary constraints. In 2011, the City contracted with Landscape Architects Armstrong & Walker to prepare the design for the Civic Center.

City Planner Meyer stated that Armstrong & Walker prepared the landscaping in three phases:

1) landscaping across the public right away;
2) landscaping in and around the Civic Center; and
3) landscaping in the rear portion of the property.

These plans were submitted to the Council and the City Planner was directed to modify the plans to include a dedication patio and a wrought-iron fence, the wrought-iron fence being another phase.

Councilmember Hale asked if we could build the four phases separately. City Planner Meyer said yes and he plans on doing unit pricing for the bids.

City Manager Keith said that the City can demolish the fence in the front using volunteers. The City can also meet with California American Water about their desire to donate to the project.

Councilmember Hale would like to get the landscaping in the front of City Hall done as soon as possible so that we can bring it up to Bradbury standards from the street view.

City Manager Keith also mentioned that the City did not receive the grant for the landscape project.

City Planner Meyer stated that through the donation path the City could sell bricks and generate funding for the project. The City Planner is seeking approval from City Council to move forward with further researching the selling of bricks for the dedication patio.

MOTION:

Councilmember Hale made a motion to go out to bid for five separate projects, and advise contractors that they may not obtain the contracts all at once. Due to budget concerns, it may not be possible to complete all at once. The five projects are 1) landscaping in front of City Hall, 2) landscaping in the middle of City Hall property, this is to include the dedication patio, 3) landscaping in the back of City Hall, 4) wrought-iron fence, 5) the columns in front of City Hall, including the mailbox and Bradbury sign. Council Member Pycz second the motion, which was carried by the following roll call vote:

AYES: Mayor Lewis, Mayor Pro-Tem Lathrop, Councilmembers Pycz, and Hale
NOES: None
ABSENT: Councilmember Barakat
ABSTAIN: None

DISCUSSION – LONG-TERM REVENUE SOLUTIONS TO REDUCE TAXES IN BRADBURY FOR SUSTAINABLE VIABILITY AND/OR COST SAVINGS:

City Manager Keith stated that the City Attorney looked into the tax donations, such as the dedication patio, and the City will create a fund so that the donated dollars will be separate from the General Fund. Thank you letters will also be sent so that residents can have a letter for their taxes.

In regards to website advertising, City Manager Keith stated that it is not a violation of the first amendment if we keep it specific. She said that several cities are already using a company called E2G2. E2G2 will serve as the business license clerk and will not follow up on enforcement. Ms. Keith stated that the City could take the E2G2 concept and sell advertising on our website.

City Manager Keith stated that there was a change to the Advertising Policy in section B: Evaluation of Advertisement under Policy. It should read, "Prior to the commencement date of an advertisement, all advertisers shall submit a final copy of a proposed advertisement with full text and all illustrations to the Management Analyst.

Mayor Pro-Tem Lathrop stated that he is familiar with other organizations that have a similar advertisement programs set in place. One can pay a yearly fee and you can add an advertisement to their online listing.

In regards to business licensing, City Manager Keith stated that in the future, she would like to work with the new Finance Director to see how the City can start enforcing licensing for small businesses in the community, such as gardeners.

Councilmember Hale said it would be very easy to monitor the various businesses operating in the Bradbury Estates because they have to check-in and go through the gates. Staff will work with the guard house on this item.

MOTION:

Mayor Pro-Tem Lathrop made a motion to move forward with the advertising policy and the concept to post business licenses on the City website. Councilmember Hale 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

MATTERS FROM THE CITY MANAGER:

City Manager Keith said that she was pleased to report the City has hired Lisa Bailey as the new Part-Time Finance Director. Ms. Bailey comes from the City of San Marino.

Friday, April 6, is the next Furlough Day.

Tuesday, April 10, is Election Day.

In an effort to be more cost effective, Management Analyst Kevin Kearney has an appointment with the Los Angeles County Internal Services Department for a proposal to do our landscaping and facility maintenance.

The City is looking at a partnership with a non-profit organization called Food Finders to outreach to the community to pick fruit from residents' trees to donate to homeless shelters in the local area.

April is the Reorganization Meeting and the Mayor Pro-Tem Statements of Interest are due by April 11th at 4 pm.

The first General Plan Steering Committee meeting is on Wednesday, April 25 at 6:00 p.m.

All Forms 700 (Statement of Economic Interests) are due on April 2 to the City Clerk.

MATTERS FROM THE CITY COUNCIL:

MAYOR LEWIS: The Los Angeles County City Selection Committee extended the term of Michael Cacciotti. Mr. Cacciotti is currently running for the State Assembly, so the position may be vacant again. The next meeting is April 5 and he can't attend but the meeting may be cancelled.

MAYOR PRO-TEM LATHROP: Mayor Pro-Tem Lathrop was appointed to sit on the Ad-Hoc committee which will be reviewing the San Gabriel Valley Council of Governments' management structure..

COUNCILMEMBER PYCZ: Nothing to report.

COUNCILMEMBER BARAKAT: Councilmember Barakat stated that in regards to the Waste-By-Rail Program, landfills within the area are not filling as quickly as initially anticipated. Even though the Waste-By-Rail will be ready by 2013, we will not need to utilize it immediately.

Councilmember Barakat attended his first meeting with the LASD Temple Station Booster Club. The Sheriff's Department will have a Volunteer Awards Banquet and tickets are $25. They are a hard working group of volunteers.

COUNCILMEMBER HALE: Councilmember Hale has suggested that we start planning the annual retreat for Councilmembers in June or July. It would be a good opportunity to update the Council's goals and objectives.

ITEMS FOR FUTURE AGENDAS: None

CLOSED SESSION: At 9:07 p.m. the Council went into Closed Session to discuss Personnel:

A. Pursuant to California Government Code Section 54957 – Evaluation of Performance. Title: City Attorney
B. Pursuant to California Government Code Section 54957 – Public Employment. Title: Finance Director

RECONVENE OPEN SESSION AND ANNOUCE ACTION TAKEN: The Open Session was reconvened and City Attorney Reisman stated that no reportable action was taken.

ADJOURNMENT: At 9:27 p.m. Mayor Lewis adjourned to the meeting to Tuesday, April 17, 2012 at 7:00 p.m. at the Bradbury Civic Center.

MAYOR – CITY OF BRADBURY

ATTEST:

CITY CLERK – CITY OF BRADBURY