

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY,
HELD ON TUESDAY APRIL 20, 2010 AT 7:00 PM
IN THE COUNCIL CHAMBERS AT CITY HALL
600 WINSTON AVENUE, BRADBURY, CA 91008**

CALL TO ORDER/PLEDGE OF ALLEGIANCE: The regular meeting of the City Council of the City of Bradbury was called to order by Mayor Barakat at 7:02 PM.

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

ABSENT: Councilmember Guthrie

STAFF: City Manager Keith, City Attorney Reisman, City Clerk Saldana, City Planner Meyer and Management Analyst Petsas

CITY ATTORNEY REPORT FROM THE CLOSED SESSION: City Attorney Reisman reported that the City Council met in a Closed Session at 6:15 PM to discuss the Personnel/Evaluation of Performance (Title: City Manager) pursuant to California Government Code Section 54957. There was discussion but there were was no action taken and the City Attorney reported that the Closed session will continue after the Council meeting.

APPROVAL OF THE AGENDA: Mayor Pro-Tem Hale made a motion to approve the agenda to proceed with City business. Councilmember Lewis seconded the motion which carried unanimously.

PRESENTATIONS:

- 1. Presentation of Service in honor of Planning Commissioner James Ryan-District 2.**

Mayor Barakat presented a plaque to Mrs. Toni Ryan thanking her for her husband's service to the City through his time on the Planning Commission and expressed how sorry the City Council was at his passing.

- 2. Presentations to and comments from outgoing City Councilmember Brian Guthrie, District 5.**

Councilmember Guthrie was unable to attend the City Council meeting and instead prepared comments that were shared with the City Council and members of the audience by Mayor Barakat.

Representatives from Congressman Dreier and State Senator Huff's Office presented proclamations thanking Councilmember Guthrie for his four years of service to the City of Bradbury.

Lieutenant Harshman of the Los Angeles County Sheriff's Department presented a scroll on behalf of Sheriff Lee Baca

thanking Councilmember Guthrie for his years of service as well.

Staff presented a proclamation from Supervisor Mike Antontovich's office thanking Mr. Guthrie for his years of service.

3. Presentations to and comments from Mayor Richard Barakat:

Representatives from Congressman Dreier and State Senator Bob Huff's Office presented proclamations thanking Mayor Barakat for his service as Mayor.

Lieutenant Harshman also presented a scroll from Sheriff Lee Baca to the Mayor recognizing his service as mayor.

Mayor Pro-Tem Hale presented a plaque from the City to recognize his term as mayor.

4. Oath of Office for Newly Appointed City Councilmembers:

City Clerk Saldana administered the Oath of Office to District Three representative Richard Barakat and District Five representative Richard Pycz

REORGANIZATION:

A. Appointment of the Mayor.

Councilman Lewis made a motion to nominate Dick Hale as Mayor of the City of Bradbury. Councilman Lathrop seconded the motion which carried unanimously.

B. Appointment of Mayor Pro-Tem.

Councilman Barakat made a motion to nominate Councilman Lathrop for Mayor Pro-Tem, Councilman Lathrop seconded that motion. Mayor Hale then made a motion to nominate Councilman Lewis for Mayor Pro-Tem, Councilman Pycz seconded that motion.

After these two motions, both Councilmen Lathrop and Lewis read their candidate statement to express their reasons for desiring the Mayor Pro-Tem position. After these statements were read out loud, Mayor Hale called for a Roll-Call vote to determine who would be Mayor Pro-Tem:

Votes for Councilmember Lathrop:

AYES: Councilmembers Lathrop and Barakat

NOES: Mayor Hale and Councilmembers Lewis and Pycz

ABSENT: None

Votes for Councilmember Lewis:

AYES: Mayor Hale and Councilmembers Lewis and Pycz

NOES: Councilmembers Lathrop and Barakat

ABSENT: None

Based on the results of the vote, Councilmember Lewis was selected to be Mayor Pro-Tem.

C. New Roll Call Vote.

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

ABSENT: None

D. Comments from the New Mayor

Mayor Hale thanked the Councilmembers for selecting him as Mayor. Mayor Hale stated one of his goals for this year was to start the City Hall Expansion project and looked forward to working with the City Council on making it a wonderful place to meet.

RECESS: The City Council took a brief recess for a reception in the City Hall Lobby to welcome the new councilmember and Mayor.

RECONVENED MEEITNG: The meeting was reconvened at 8:15 pm.

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.

City Attorney Reisman reported that he was not aware of any conflicts of interests 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 request 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 16, 2010
- B. Financial Statement for the month of March 2010
- C. Resolution No. 10-15: Demands & Warrants for April 2010
- D. Re-Appointment of City Treasurer Laurie Stiver for a Two-Year Term
- E. Second Reading of Ordinance No. 315 Amending the Bradbury Municipal Code by Adding Chapter 9.06.095 (Water Efficient Landscape Ordinance); Adding Sections 9.06.10.045, 9.06.10.050 and 9.06.010.055 as required by State Law (AB 1881)
- F. Second Reading of Ordinance No. 316 Amending the Bradbury Municipal Code as required to Meet the State Mandated Requirements Regarding Affordable Housing
- G. Reimbursement Payment to 1433 Royal Oaks Drive North for Easement Documents
- H. Approval of Resolution No. 10-17 Approving the City's participation in the Energywise Partnership with SGVCOG and SCE

**QUESTION REGARDING
ITEM #G**

Councilman Lathrop inquired about the invoice for Item G and whether or not the City had received an itemized invoice from the property owner at 1433 Royal Oaks Drive North for the costs related to filing of the easement. City Manager Keith stated that the only invoice that the City had received was the one that the City Council had a copy of with the report.

Councilman Lathrop expressed concern with the fact that there was not an itemized invoice and rather than hastily approve the invoice requesting the maximum funds that was allowed, he requested that the item be moved to the May City Council meeting so that the property owner can provide a detailed invoice on the expenses incurred with the recording of the easement.

**QUESTION REGARDING
ITEM #H**

Councilman Lathrop also expressed concern with Item H, the Energywise Partnership, specifically the language with #1 of the statement of facts which states:

That the above recitations are true and correct

He requested that this phrase be removed from the resolution. City Attorney Reisman responded that by removing this phrase from the resolution would be that the recitations in the resolution are no longer true and correct. City Attorney Reisman stated that a more appropriate concern for Councilmember Lathrop to express would be that he [Councilmember Lathrop] finds that phrase unnecessary, but the resolution is still correct, and wished it to be stricken from the resolution. Councilmember Lathrop agreed that this was his intent and directed staff to remove the statement from the resolution.

MOTION TO APPROVE

Councilmember Barakat moved to approve the Consent Calendar

**CONSENT CALENDAR,
EXCEPT ITEM #G WHICH
WAS POSTPONED TO
MAY 20, 2010 COUNCIL
MEETING:**

as amended. Councilman Lewis seconded the motion, which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

ITEM #2: RESOLUTION NO. 10-16 AMENDING THE ANIMAL CARE AND CONTROL CONTRACT WITH LOS ANGELES COUNTY AND ESTABLISHING FEES FOR ANIMAL CONTROL SERVICES:

This item is in response to an increase in service rates by the Los Angeles County Animal Care and Control Department. It is recommended that the City Council adopt Resolution No. 10-16 amending the fee schedule to reflect the cost of providing Animal Care and Control Services.

On July 1, 2009 the Los Angeles County Auditor-Controller approved an increase in Animal Control fees in order for ACC to achieve full cost recovery and adding a 3% charge for the liability fund for field service and canvassing hours. On August 18, 2009 the Los Angeles Board of Supervisors approved this increase.

Below are the current fees being collected by the City of Bradbury

Item codes	Fee	Penalties
Un-Altered Dog	\$ 70.00	\$ 20.00
Altered Dog	\$ 30.00	\$ 20.00
Senior Altered Dog	\$ 17.50	\$ 20.00
Un-Altered Cat	\$ 10.00	\$ 20.00
Altered Cat	\$ 5.00	\$ 20.00
Field Enforcement Fee	\$ 0	\$ 0

The new fee schedule would be as follows:

Item codes	Fee	New Penalties
Un-Altered Dog	\$ 70.00	\$ 60.00
Altered Dog	\$ 30.00	\$ 20.00
Senior Altered Dog	\$ 17.50	\$ 7.50
Un-Altered Cat	\$ 20.00	\$ 10.00
Altered Cat	\$ 15.00	\$ 5.00
Field Enforcement Fee	\$40.00	\$40.00

The intent of these new fees is to increase the penalty to match the initial fee so that the animal owner is encouraged to renew the animal license as well as add a Field Enforcement Fee that up to this point has yet to exist.

It is estimated that this amendment will not increase the cost to the City for the implementation of the Animal Care and Control Contract. Staff is recommending that the City Council adopt Resolution No. 10-16 adopting fees for Animal Care and Control Services with Los Angeles County.

DISCUSSION:

City Attorney Reisman noted that in the resolution the fifth paragraph stated that this had been posted and published, but it hadn't. In this case the item would need to be continued to the May City Council meeting and be advertised according to the advertising requirements for the City.

Mayor Pro-Tem Lewis asked would a motion then still be required for this item. City Attorney Reisman stated that the City Council could make a motion that they find such rates fees and/or changes reasonable and do not exceed the estimated reasonable cost of providing such services. In this case if the City Council were to do this, at the May council meeting the item can be placed on the Consent Calendar for adoption.

**PUBLIC HEARING
OPENED:**

Mayor Hale opened the public hearing and invited those wishing to speak to come forward and be heard.

**PUBLIC HEARING
CLOSED:**

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

**MOTION TO APPROVE
RESOLUTION 10-16:**

Mayor Pro-Tem Lewis made a motion to find that the proposed fees are reasonable and do not exceed the estimated reasonable cost of providing services and directed staff to add the fee increase to the May Council Meeting. Councilman Barakat seconded the motion which carried as follows:

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

NOES: None

ABSENT: None

**ITEM #3: CITY COUNCIL
LIASIONS FOR FISCAL
YEAR 2010-2011.
CONSIDERATION OF
RESOLUTIONS 10-18 AND
10-19; PERTAINING TO
THE APPOINTMENT TO
THE LOS ANGELES
COUNTY SANITATION
DISTRICT & CALIFORNIA
JOINT POWERS
AUTHORITY**

When the City Council reorganizes each year, part of the annual reorganization is to review the organizations and associations assignments. Two of the organizations, the Los Angeles County Sanitation District and California Joint Powers Insurance Authority, require the appointments to be approved by City Council resolution.

DISCUSSION:

The Councilmembers began by discussing each organization, who was the current appointee and if that person would like to stay there or not. After the discussion the following appointments were made:

California Contract Cities Association (CCCA)

Rep: Councilmember Barakat

Alt: Mayor Hale

League of California Cities

Rep: Mayor Pro-Tem Lewis

Alt: Councilmember Lathrop

L.A. County City Selection Committee

Rep: Mayor Hale

Alt: Mayor Pro-Tem Lewis

L.A. County Sanitation Districts

Rep: Councilmember Barakat

Alt: Mayor Hale

San Gabriel Valley Council of Governments (SGVCOG)

Rep: Councilmember Lathrop

Alt: Mayor Pro-Tem Lewis

So. Calif. Association of Governments (SCAG)

Rep: Councilmember Lathrop

Alt: Mayor Pro-Tem Lewis

So. Calif. Joint Powers Insurance Authority

Rep: Councilmember Pycz

Alt: Mayor Hale

Foothill Transit

Rep: Councilmember Barakat

Alt: Mayor Hale

San Gabriel Valley Mosquito & Vector Control District

Rep: Councilmember Barakat

(term expires Jan. 2012)

Duarte Community Education Council (CEC)

Rep: Councilmember Lathrop

Alt: Mayor Pro-Tem Lewis

Duarte Education Foundation

Rep: Councilmember Lathrop

Alt: Mayor Pro-Tem Lewis

**Area "D" Emergency Services and
Director of Bradbury Disaster Committee**

Rep: Mayor Pro-Tem Lewis

Alt.: Councilmember Lathrop

YMCA Community Advisor

Rep: Councilmember Pycz

**Construction Oversight Committee (Formerly Civic Center Sub
Committee**

Rep: Mayor Hale

Alt.: Councilmember Pycz

MOTION TO APPROVE APPOINTMENTS:

Councilman Lathrop made a motion to approve the appointments to the different organizations and associations. Mayor Pro-Tem Lewis seconded the motion which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

MOTION TO APPROVE RESOLUTION NO. 10-18:

Councilman Barakat made a motion to adopt Resolution No. 10-18 Affirming the Designation of Councilmember Barakat as member and Mayor Hale as alternative member to the Los Angeles County Sanitation District. Mayor Pro-Tem Lewis seconded the motion which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

MOTION TO APPROVE RESOLUTION NO. 10-19:

Mayor Pro-Tem Lewis made a motion to adopt Resolution No. 10-19 Affirming the Designation of Councilmember Pycz as member and Mayor Hale as alternative member to the Southern California Joint Powers Insurance Authority. Councilmember Barakat seconded the motion which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

MATTERS FROM THE CITY MANAGER:

There are new JPIA Insurance requirements that have been recently announced. The CJPIA is moving away from the Rolling-Retro model to a different model to insure fund stability. Specifics will be in the weekly memo.

Second, the CCAA vs. LA County case over the LTF (Liability Trust Fund) has been resolved. The Board of Supervisors approved a decrease to the Sheriff's amount from 6% to 4% and all other services will see a slight increase.

MATTERS FROM THE CITY COUNCIL:

**COUNCILMEMBER
BARAKAT:**

Councilmember Barakat reported that the County Mosquito and Vector Control Department has introduced new limitations for eliminating mosquitoes from one's property. Now property owners are restricted from using nearly all previous products because they cause too much harm to the environment, this includes dishwashing detergent or liquid. The requirements are being reviewed.

MAYOR HALE:

Mayor Hale inquired about obtaining an Inspection Warrant for 200 Barranca Road to address the algae and mosquito infested pool. The City Attorney responded that it would require a court order to issue that type of permission and will be working with the City Manager to pursue the issue.

**COUNCILMEMBER
LATHROP**

Councilman Lathrop reported that at the SGVCOG meeting it was advised Southern California Association of Governments has agreed to change the population growth numbers that they originally assigned to cities. Now the City of Bradbury is estimated to have 1,034 people by 2035. Overall, this is good news.

MAYOR PRO-TEM LEWIS

Nothing to Report at this time

COUNCILMAN PYCZ

Nothing to Report at this time.

**ITEMS FOR FUTURE
AGENDAS:**

None

CLOSED SESSION:

Mayor Hale adjourned the meeting to a Closed Session regarding conference with legal council to discuss (1) 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 City Attorney Reisman reported that the City Council met in Closed Session to discuss personnel matters and no reportable action was taken.

The Personnel/Evaluation of Performance (Title: City Manager) was continued to the May 18, 2010 meeting.

ADJOURNMENT:

At 9:30 pm Mayor Hale adjourned the meeting to Saturday, May 8, 2010, at 8:30 am at Monrovia Canyon Park for the City Council Retreat. The next regularly scheduled City Council Meeting is May 18, 2010.

MAYOR – CITY OF BRADBURY

ATTEST: _____
CITY CLERK – CITY OF BRADBURY