

**MINUTES OF A REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF BRADBURY,  
HELD ON TUESDAY JUNE 15, 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 Hale at 7:02 PM.

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

ABSENT: Councilmember Barakat

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

**MOTION TO EXCUSE ABSENCE OF COUNCILMEMBER BARAKAT:** Mayor Pro-Tem Lewis made a motion to excuse Councilmember Barakat from the meeting. Councilmember Lathrop seconded the motion which carried.

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

**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 May 18, 2010.
- B. Financial Statement for the Month of May 2010.
- C. Resolution No. 10-24: Demands & Warrants for June 2010.
- D. Resolution No. 10-25: Congestion and Management Program Report for Fiscal Year 2009-2010.
- E. Proposition A, Proposition C and TDA Article 3 Audit Report.
- F. Resolution No. 10-26: Authorizing Participation in the Los Angeles County Energy Program.

- G. Approval of Contingency Budget for the Civic Center Project.
- H. Resolution No. 10-27: Approval of GANN Limit Appropriation for Fiscal Year 2010-2011.

**COMMENTS FROM COUNCILMEMBERS**

Councilmember Lathrop noted that on page 5 of the May 18, 2010 minutes in the fourth paragraph a statement attributed to Councilmember Barakat was in fact made by Councilmember Lathrop.

Councilman Lathrop also asked that the City Manager explain Item F for the public in attendance. City Manager Keith explained how the Los Angeles County Energy Program works, including how the loans for energy improvement are tied to the property and paid quarterly with the Property Taxes and the low interest rates associated with these "green" loans.

**MOTION TO APPROVE CONSENT CALENDAR:**

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

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

NOES: None

ABSENT: Councilmember Barakat

**ITEM #2: DISCUSSION OF DUARTE UNIFIED SCHOOL DISTRICT BOND FEASIBILITY STUDY:**

Superintendent Dr. Dean Conklin thanked the City Council for the opportunity to share information regarding the feasibility study last month and was here to share more information, including some clarification on items shared last month.

During the City Council meeting on May 18, 2010 the statement was made that 75% of DUSD students go on to college, however after researching that number, it is in fact 65%. In response to a question Councilmember Barakat asked during the May City Council meeting in terms of the percentage of students who receive automatic admission in the University of California schools, Dr. Conklin discovered approximately 4% of the graduating class receive automatic admission in the UC and CSU system.

Dr. Conklin stated he has the moral obligation as the Superintendent of DUSD to provide the best environment for the students and teachers and must ask himself everyday if he would put his kids in the DUSD schools.

Dr. Conklin stated that DUSD is not asking for the City Council's endorsement tonight of the bond measure and would be more than willing to come back to future City Council meetings to keep the Council informed on the progress of the study.

Mayor Hale asked if DUSD staff has come any closer to determining the costs of the new bond. Dr. Conklin stated they haven't determined that yet.

Mayor Hale also asked Dr. Conklin how the funds for schools from property taxes are disbursed to DUSD. Dr. Conklin stated that Proposition 13 changed how school districts are funded. It's a combination of property sales and income taxes. Originally schools were funded just through property taxes although it is still in theory the same amount of funding.

City Manager Keith stated that for this new bond proposal there will be the formation of an Oversight Committee as well.

Mayor Pro-Tem Lewis stated that good schools are not all about facilities and updating technologies, it is about improving the teaching. If more money is spent on facilities than on teaching, he has an issue with that.

Councilmember Pycz asked what the previous bond measure was for. Dr. Conklin states it was mostly for facilities, including such things as air conditioning, plumbing ADA renovations, etc. Dr. Conklin thanked the City for its time and stated that he would be back

**ITEM #3: ADOPTION OF  
RESOLUTION NO. 10-28  
BUDGET FOR FISCAL  
YEAR 2010-2011**

City Manager Keith stated that the proposed budget maintains the City's core services from the previous fiscal year, although there continue to be reductions in every area of the City. Despite these significant expenditure reductions, the budget simply could not meet revenues without severely changing the City's quality of service to residents.

Recent reports and economic indicators suggest nationwide the economy is stabilizing; however, the same cannot be said for the State of California. With the State budget in constant crisis, the pace of recovery in California is still very unclear.

Unfortunately, due to the economic crisis, continuing decline in revenues and increased cost of State unfunded mandates, Bradbury is for the third year using reserves to cover an ongoing operational shortfall. Further, any State takeaways of property taxes will directly effect operations in Bradbury dramatically.

Last year the city faced a \$125,000 shortfall and this year the city is facing a shortfall of \$23,000. Mayor Pro-Tem Lewis asked if this reduction in shortfall is a combination of reducing expenditures and projections for revenues. City Manager Keith confirmed that it was a combination of the two.

City Manager Keith stated that the budget of \$25,000 for general liability deductible and operation contingency \$5,000 hasn't been spent for over a decade and may be able to be reduced to close a portion of the budget shortfall.

City Manager Keith stated that since the previous June 8, 2010 Budget study session she has been able to lower the IT contract for the upcoming fiscal year.

Currently there is a General Fund deficit of \$23,000. This does not include the following projects that lack a funding source that will be coming up soon:

- Meeting the requirements of State unfunded mandates such as Storm water related items
- City Re-districting following the completion of the 2010 Census
- Updating the City's design guidelines
- Citywide street improvements
- Increase policing services
- Cost of living adjustments for employees
- Extending the Public Sewer System
- Undergrounding Utilities
- Replacement of aging City equipment (i.e. copier)
- Improvements to City services to better meet residents needs.

Unfortunately, the fees for Building & Safety and Planning & Engineering Services are directly tied to the fees the City charges and cannot be reduced in order to keep the balance.

Another area road repairs, maintenance and law enforcement services. Los Angeles County is increasing its costs to contract cities to cover the costs it charges and ensure their losses; therefore there is no savings here either.

City Manager Keith stated that during the Budget Session the City Council discussed the implementation of a 5% (one day a month) furlough for City staff. This means City Hall would be closed one

Friday a month to residents. Upon reviewing the item, the Council would first need to meet and confer with its employees and come to an agreement which could take some time. Further, as all of the City's employees are of Exempt status, furlough days could endanger this status especially during weeks when the day is implemented for the City into a position of possibly paying overtime. However, in reviewing all City Funds there is a way to shift those costs from the General Fund to the City's restricted funds Proposition A, Proposition C, Measure R and Gas Tax delaying furloughs and still saving the General Fund the needed \$13,000.

**DISCUSSION:**

Mayor Hale asked if we were planning on selling the Prop A monies this year. City Manager Keith stated no because by using the funds for staffing the City would be getting dollar for dollar.

Councilmember Lathrop asked to move half of the Dial-a-Ride expenses from Proposition C to Proposition A so that it will look more reasonable when salaries are placed under the Proposition A funding.

City Manager Keith said that by using some of the Proposition A & C and Measure R funds for salaries, which is permitted under the measures, it will help so that we can use the furloughs as a tool in case any other funding necessities arise during the year.

Councilmember Lathrop asked why the City maintains a \$25,000 deductible and an \$800,000 reserve. Let's move that deductible to pay off deficit and have a General Fund Balance of \$775,000. This would allow the City to have a balanced budget.

Mayor Hale stated he would rather have a deficit budget and have the \$23,000 chasing him knowing that he would have to find a way to close it.

City Attorney Reisman wished to address the no seminar training as proposed in the budget up for adoption tonight. City Attorneys have to keep up on the law and they do so at these annual meetings. There are two meetings held every year, one is specifically for City Attorneys and the League's annual conference that has sessions tailored towards City Attorneys. City Attorney Reisman stated that he does not charge City Attorney time to attend these meetings because the City typically reimburses him for the conference fees. By not reimbursing him, the Council would be imposing a 10% pay cut.

Mayor Hale asked City Attorney Reisman if he is the City Attorney for other cities. City Attorney Reisman stated he wasn't. He performs City Attorney work for other cities but not enough to justify them paying for his training.

Councilmember Lathrop said that this year all employees have to make sacrifices and next year it could change.

City Attorney Reisman stated he mentioned this fact because he doesn't see any other departments being slashed as much.

Councilmember Lathrop replied that the City Council has reduced the contract for the IT services and cut entirely the Special Services budget for the City Planner.

City Attorney Reisman stated that the cut for City Attorney special services won't allow for litigation against Cal American Water and the reduction might be a moot point if the city gets sued and has to defend itself.

City Attorney Reisman made a suggestion in that while he is out of the country next month that the city attempt to go bare and not use a City Attorney replacement for the month from his firm to save costs.

**MOTION TO APPROVE  
RESOLUTION 10-28:**

Councilmember Lathrop made a motion to approve Resolution No. 10-28 Approving the Budget for Fiscal Year 2010-2011 including moving a portion of funding for the Dial a Ride program from Proposition C to Proposition A. Mayor Pro-Tem Lewis seconded the motion which was passed by the following roll-call vote:

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

NOES: None

ABSENT: Councilmember Barakat

**MATTERS FROM THE  
CITY MANAGER:**

City Manager Keith stated she would be out of the office attending meetings on Wednesday and on Friday taking a vacation day.

Wednesday in the morning the storage container for the temporary City Hall will be arriving and in the afternoon the temporary office will be delivered.

City Manager Keith stated she was looking at Ability First for document shredding. Mayor Pro-Tem Lewis asked why the City doesn't go to Staples to buy a shredder and do it themselves. City Manager Keith stated that the documents must be shredded under State mandates by a certified shredder.

The City Manager stated that if she didn't have to come back to the City Council for additional authorization for the water lines then construction of the water lines will start after the 4<sup>th</sup> of July.

Also, the City did not receive the fire grant this year, but is on the list in case more funding becomes available.

**MATTERS FROM THE CITY COUNCIL:**

- MAYOR HALE:** Nothing to Report at this time.
- MAYOR PRO-TEM LEWIS** Mayor Pro Tem Lewis reminded the audience of the Emergency Response Committee Meeting on June 24, 2010 at 7:00 pm and that a new representative for his district, John Hervey, will be joining the Emergency Response Committee.
- COUNCILMEMBER LATHROP** Councilmember Lathrop reported that he met with PCC and Cal Tech officials along with Dr. Conklin in regards to engineering and technology partnerships with the local High Schools. There was tremendous enthusiasm in participating with the universities and DUSD to bring technology to the schools with support of AmGen.
- COUNCILMAN PYCZ** Nothing to Report at this time.
- COUNCILMEMBER BARAKAT:** Absent
- 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 and (2) Conference with Labor Negotiators pursuant to Government Code Section 54957.6 labor negotiations with unrepresented employees; assignment of negotiator(s).
- 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.
- ADJOURNMENT:** At 8:45 pm Mayor Hale adjourned the meeting to the next regularly scheduled City Council Meeting on July 20, 2010.

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**MAYOR – CITY OF BRADBURY**

ATTEST: \_\_\_\_\_

**CITY CLERK – CITY OF BRADBURY**