

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY
HELD ON TUESDAY, JUNE 19, 2012**

- CALL TO ORDER:** The meeting was called to order by Mayor Lathrop at 7:02 p.m. Mayor Lathrop led the Pledge of Allegiance.
- ROLL CALL:** PRESENT: Mayor Lathrop, Mayor Pro-Tem Pycz, Councilmembers Barakat, Hale and Lewis
- STAFF: City Manager Keith, City Attorney Reisman, City Clerk Saldana
- APPROVAL OF AGENDA:** Councilmember Hale made a motion to approve the agenda to proceed with City Business. Councilmember Lewis 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.
- PRESENTATION:** The City Council issued a Proclamation honoring Dennis and Carolyn Lee for many years of distinguished service and leadership to Arcadia Methodist Hospital. City Manager Keith stated that the proclamation will be printed in the Tribute Journal for the Crystal Ball to be held on Saturday, October 13, 2012.
- PUBLIC COMMENT:** Ann Armstrong, 1775 Royal Oaks Drive North, thanked the City Council for its continued dedication to their jobs.
- 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 May 15, 2012
 - B. Resolution No. 12-17: Demands & Warrants for June 2012
 - C. Financial Statement for the month of May 2012
 - D. Resolution No. 12-18: Declaring a Mandatory Unpaid Furlough Plan for City Employees during Fiscal Year 2012-2013 and Approving a General Furlough Closure Schedule for City Offices
 - E. Resolution No. 12-20: Approval of the Gann Appropriation Limit for Fiscal Year 2012-2013
 - F. Professional Service Agreement with Pun and McGeady for Auditing Services
- MOTION TO APPROVE CONSENT CALENDAR:** Councilmember Hale moved to approve the Consent Calendar as presented. Councilmember Barakat seconded the motion, which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

Motion passed 5:0

DISCUSSION – AMENDING THE ANIMAL CARE AND CONTROL CONTRACT WITH THE COUNTY OF LOS ANGELES AND ESTABLISHING FEES FOR THE ANIMAL CONTROL SERVICES:

City Manager Keith stated that this item is in response to the annual service request that all contract cities must enter into with Los Angeles County Animal Care and Control (ACC) for the provisions of services. The County is increasing service rates for Fiscal Year 2012-13. In order to cover these costs the City Council has the option of increasing licensing fees for pets to cover the costs associated with operating and managing the animal control program.

ACC SERVICES:

Currently, the ACC provides for and charges the City for a number of services it provides to residents. Those include the following:

- ✓ Kennel housing for dogs, cats and other animals
- ✓ Kennel housing for special needs animals
- ✓ Disposal of dead animals
- ✓ Vet services to stray animals
- ✓ Canvassing services (house-to-house enforcement of licensure requirements) available, but the City is currently not utilizing
- ✓ Field services, such as responding to animal complaints
- ✓ Liability Trust Fund (4% field and canvassing services)

DISCUSSION:

Councilmember Barakat inquired about the "Senior Altered Dog" category.. City Manager Keith responded that the term "Senior" refers to the owner of the dog and not the dog itself. Senior rates are available if the animal is spayed or neutered. Senior must be 60 years of age.

City Manager Keith also stated that the staff recommendation is to leave the fees as is as Bradbury's fees are already the highest of all cities contracting with ACC.

Councilmember Barakat wanted to know if there are licenses for horses. The answer is no.

There was no support from the Council for door-to-door canvassing.

MOTION TO INCREASE CURRENT FEE STRUCTURE:

Following discussion, Councilmember Hale made a motion to adopt Resolution No. 12-22 and increase the current fee structure by \$5 across the board. Councilmember Lewis seconded the motion, which carried by the following roll call vote:

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

NOES: None

ABSENT: None

Motion passed 5:0

The City Clerk will submit a copy of the Resolution to the County ACC,

NEW FEE STRUCTURE:

	<u>Fee</u>	<u>New Penalties</u>
Un-Altered Dog	\$ 75.00	\$ 60.00
Altered Dog	\$ 35.00	\$ 20.00
Senior Altered Dog	\$ 22.50	\$ 7.50
Un-Altered Cat	\$ 25.00	\$ 10.00
Altered Cat	\$ 20.00	\$ 5.00
Field Enforcement Fee	\$ 45.00	\$ 40.00

DISCUSSION – APPROVAL OF BURRTEC WASTE SERVICES CONTRACT – AMENDMENT NO. 4 TO SOLID WASTE COLLECTION SERVICES AGREEMENT TO INCREASE THE FRANCHISE FEE FROM 7% TO 9% AND ANNUAL RATE ADJUSTMENT FOR SOLID WASTE COLLECTION AND RECYCLING:

City Manager Keith stated that the City of Bradbury contracts with Burrtec Waste Services for solid waste collection and recycling. Pursuant to Section 10.10 of the Franchise Agreement “each subsequent July 1 (after July 1, 1999) the rate for each category of services shall be subject to upward or downward adjustment. Customer rates are comprised of the following categories: contractor service cost, disposal cost, recycling processing cost, green waste processing cost and manure waste cost.”

It is recommended that the City Council approve the refuse collection and recycling rates set forth in the staff report effective on July 1, 2012.

Further it is recommended that the City Council adopt Resolution No. 12-23 approving an increase in the franchise fee charged by Burrtec Waste Services under the amended and restated Solid Waste Collection Franchise Agreement, effective July 1997; the proposed increase in the franchise fee from 7% of gross revenues collected to 9% of gross revenues collected, shall become effective on July 1, 2012.

RICHARD NINO PRESENT:

Richard Niño, Burrtec's Regional Manager, was present to answer questions from the City Council.

DISCUSSION REGARDING UNLIMITED GREEN WASTE SERVICE:

Councilmember Hale inquired about how many green waste barrels residents are allowed. Richard Niño responded that the City has an unlimited green waste program and that some residents have upwards of 20 barrels every week. Burrtec is proposing to charge \$20.46 per month in the Bradbury Estates for green waste barrel service.

Councilmember Barakat suggested amending the contract to limit the amount of green waste barrels.

Councilmember Lewis inquired about green waste barrel service on Woodlyn Lane. Mr. Lewis also stated that paying \$20 per month for barrels is better than paying \$128 for a bin, so there is no incentive for residents to get a green waste bin.

Resident Anne Absey, 44 Woodlyn Lane, wondered if bin service wouldn't encourage the practice of co-mingling.

Councilmember Barakat suggested limiting green waste pick-up to five (5) barrels, anything over that residents would have to get a bin.

City Manager Keith stated that the City offers free roll-offs twice a year for residents to get rid of bulky items and for brush clearance. Mr. Niño stated that Burrtec also offers discounts on bins during brush clearance season.

City Attorney Reisman interjected that the City needs an Ordinance and fine for co-mingling manure, green waste and trash.

Councilmember Lewis felt that people don't know how to separate their trash and suggested to put an article in the City Newsletter reminding residents not to co-mingle trash in manure or green waste bins.

Mr. Nino stated that there is no demand for manure mixed with green waste. Mr. Nino also stated that there are different needs for different seasons.

Councilmember Pycz inquired how to police the number of green waste barrels? It was suggested that Burrtec drivers count bins at every location and take a picture of the barrels and address of the offenders. Richard Niño replied that the drivers won't do that and that they don't have cameras in the trucks.

Councilmember Barakat inquired about bill averaging. Richard Niño stated Burrtec did that and came up with the \$20 per month for barrel service.

Councilmember Barakat stated that Puente Hill Landfill is supposed to close in 2013 but there is still space.

Mayor Lathrop suggested the following: service for five (5) green waste barrels is free, up to 20 barrels is \$20 per month, and anything over 30 barrels is \$40 a month.

Anne Absey suggested that Burrtec just pick up an allotted amount of green waste barrels.

Mr. Nino stated that the drivers won't count barrels and that he needs to think about how to do this and discuss it with the City Manager prior to the next City Council meeting.

MOTION:

Councilmember Hale made a motion to adopt Resolution No. 12-13, approving Amendment No. 4 to the Agreement between the City of Bradbury and Burrtec Waste Services for Solid Waste Collection (approval of all rate increases as suggested except for green waste barrel service, which will come back to the City Council after further review by staff and Burrtec) and authorize the City Manager to execute said agreement increasing the franchise fee from 7% to 9% of gross revenues collected, effective July 1, 2012. Councilmember Lewis seconded the motion, which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

Motion passed 5:0

**DISCUSSION –
ADOPTION OF BUDGET FOR
FISCAL YEAR 2012-2013:**

City Manager Keith stated that the City's Budget is much more than a "numbers" document. The budget determines the City's resource priorities and sets the course for years to come. The City Council does this by linking the most important, highest priority items for the City to accomplish over the next year with the resources necessary to do so. For FY 2012-13 the City is projected to again have a General Fund budget that is structurally out of balance (ongoing revenues not matching ongoing expenditure increases).

One major factor creating the FY 12-13 deficit is the City's anticipated first year costs of the new Municipal Stormwater Permit at approximately \$180,000.

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

In FY 10-11 the City received about \$200,000 more in General Fund revenue than anticipated as well as spending \$100,000 less than budgeted. As a result the City's undesignated fund reserve has increased to \$445,836 which will assist in funding a few one-time necessary special projects this coming year and offset the expected \$165,610 deficit.

MOTION:

Councilmember Barakat made a motion to adopt Resolution No. 12-18 approving the City of Bradbury's Annual Budget for Fiscal Year 2012-2013. Councilmember Lewis seconded the motion, which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

Motion passed 5:0

**PUBLIC HEARING –
INTRODUCTION AND
FIRST READING OF
ORDINANCE NO. 324:**

City Manager Keith recommended that the City Council open a public hearing and read for the first time by title only, Ordinance No. 324, amending the Bradbury Municipal Code to include provisions for contracting services to the County of Los Angeles. Ms. Keith stated that this is a housekeeping item.

PUBLIC HEARING OPENED:

Mayor Lathrop opened the public hearing and invited those wishing to speak in favor or opposition to come forward and be heard.

PUBLIC TESTIMONY:

None

PUBLIC HEARING CLOSED:

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

MOTION:

Councilmember Barakat made a motion to place Ordinance No. 324 on the July 17th City Council agenda for second reading and adoption. Councilmember Lewis seconded the motion, which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

Motion passed 5:0

**PUBLIC HEARING –
CONFORMANCE WITH
CONGESTION MANAGEMENT
PROGRAM (CMP) AND ADOPTION**

City Manager Keith stated that the Congestion Management Program (CMP) is based on California's Proposition 111, which enacted Assembly Bill 471. The Los Angeles County Congestion Management Program was created to meet the State of California requirements for a Congestion

**OF THE CMP LOCAL
DEVELOPMENT REPORT (LDR):**

Management System (CMS), pursuant to the provisions of the Intermodal Surface Transportation Efficiency Act (ISTEA). This is a federally funded program (based on State gas tax) that evaluates local transportation, land use and air quality decisions and their potential impact on regional transportation congestion.

Also, the CMP and subsequent Local Development Report (LDR) allows the County of Los Angeles to track new building activity throughout the County and promote local strategies and programs that benefit the regional transportation systems and offset the impact of new development

The Metropolitan Transportation Authority (MTA) has adopted a Congestion Management Program (CMP) that places a number of transportation related requirements on Los Angeles County cities. CMP conformance is required for the City to receive state gas tax funds and to preserve the City's eligibility for other state and federal transportation dollars.

PUBLIC HEARING OPENED:

Mayor Lathrop opened the public hearing and invited those wishing to speak in favor or opposition to come forward and be heard.

PUBLIC TESTIMONY:

None

PUBLIC HEARING CLOSED:

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

MOTION:

Councilmember Barakat made a motion to adopt Resolution No. 12-19, approving the City of Bradbury's Congestion Management Program (CMP) and adopt the CMP Local Development Report (LDR). Councilmember Lewis seconded the motion, which was carried by the following roll call vote:

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

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

DISCUSSION:

Resident Anne Absey, 44 Woodlyn Lane, stated that she still favors a UUT (utility users tax).

Mayor Lathrop suggested staff add the 3 Peaks of Bradbury run.

**MATTERS FROM THE
CITY MANAGER:**

City Manager Keith stated that she will be on vacation until July 6th. City Hall will be closed on July 4th for Independence Day and July 6th is a Furlough Day.

The next General Plan Steering Committee meeting will be held on Monday, July 9th at 6:00 p.m.

The Planning Commission will meet on Wednesday, July 25th to consider the demolition of a historic structure. This will be the first test case of the City's historic building policy. The property owner wants to sell the property as vacant land. The other project is in the Estates for solar panels proposed to be located in the side yard setbacks.

MATTERS FROM THE CITY COUNCIL:

MAYOR LATHROP:

Mayor Lathrop stated that the meetings of the San Gabriel Valley COG remain interesting.

Mr. Lathrop informed the Council that he will attend an earthquake seminar at Caltech on June 28 and that Dr. Lucy Jones will be a speaker. Kevin will also be attending.

Mayor Lathrop stated that the District Attorney's Office will be hosting put a Brown Act Seminar on July 11 and he will be attending.

MAYOR PRO-TEM PYCZ:

Mayor Pro-Tem Pycz had nothing to report.

COUNCILMEMBER BARAKAT:

Councilmember Barakat stated that the Los Angeles County Sanitations Districts are fighting to keep the Puente Hills Landfill open for several more years as it has the capacity to do so.

COUNCILMEMBER HALE:

Councilmember Hale stated that he did not attend the groundbreaking of the Stadium for Duarte High School, as he was out of town. But the bond program continues and several members are ensuring the DUSD accountability.

COUNCILMEMBER LEWIS:

Councilmember Lewis had nothing to report.

ITEMS FOR FUTURE AGENDAS:

None

CLOSED SESSION:

At 8:25 p.m. the Council went into Closed Session to discuss Personnel:

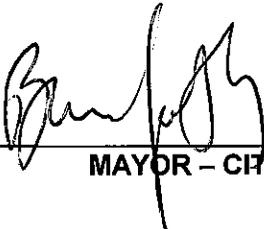
A. Pursuant to California Government Code Section 54957 – Evaluation of Performance. Title: Engineering Services

RECONVENE OPEN SESSION AND ANNOUCE ACTION TAKEN:

The Open Session was reconvened and City Attorney Reisman stated that no formal votes were required or taken.

ADJOURNMENT:

At 8:30 p.m. Mayor Lathrop adjourned to the meeting to Tuesday, July 17, 2012 at 7:00 p.m. at the Bradbury Civic Center.



MAYOR – CITY OF BRADBURY

ATTEST:



CITY CLERK – CITY OF BRADBURY