

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY
HELD ON TUESDAY, JULY 21, 2015**

**MEETING CALLED TO ORDER AND
PLEDGE OF ALLEGIANCE:**

The Regular Meeting of the City Council of the City of Bradbury was called to order by Mayor Hale at 7:00 p.m. The Pledge of Allegiance was led by Mayor Hale.

ROLL CALL:

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

ABSENT: None

STAFF: City Manager Keith, Acting City Attorney Kranitz, Deputy City Engineer Gilbertson, City Clerk Saldana and Management Analyst Donayre

APPROVAL OF AGENDA:

Councilmember Lathrop made a motion to approve the agenda and proceed with City business. Mayor Pro-Tem Lewis 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 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 Manager Keith stated that staff is not aware of any conflicts.

PUBLIC COMMENT:

None

PRESENTATION:

The City Council proclaimed September 2015 as Childhood Cancer Awareness Month. No one from the American Cancer Fund for Children, Inc. was present to receive the proclamation.

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 June 16, 2015
- B. Resolution No. 15-18: Demands & Warrants for July 2015
- C. Preliminary Financial Statement for the month of June 2015
- D. Award of Bid for the Civic Center Generator Project in an amount not to exceed \$40,000
- E. Award of Bid and Acceptance for the Fire Hazard Reduction Grant to Rock's Tree and Hillside Service in an amount not to exceed \$81,090

Councilmember Lathrop had a question about the contract for the Fire Hazard Reduction Grant. City Manager Keith stated that the City Attorney advised staff to make sure the awardee signs an affidavit stating that prevailing wages are being paid for the grant work.

Councilmember Pycz had a question regarding Check No. 13450 for driveway reconstruction on Gardi Street. City Manager Keith stated that tree roots from a City owned tree damaged the private driveway.

**MOTION TO APPROVE
CONSENT CALENDAR:**

Councilmember Pycz moved to approve the Consent Calendar as presented. 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

Motion passed 5:0

**PUBLIC HEARING –
RESOLUTION NO. 15-19:
ADOPTION AND ESTABLISHMENT
OF A NEW FEE FOR NPDES
INSPECTIONS FOR ENGINEERING
SERVICES:**

City Manager stated that the City has established a policy to recover its cost for services provided to the community. The City is required to comply with the Los Angeles County Municipal Separate Storm Sewer System (MS4) Permit mandating inspections for violations of NPDES requirements. The City needs to recover expenses for these inspections.

FISCAL IMPACT:

Based on the considerations in the staff report, the stormwater NPDES Inspection Fee should be \$500. This reflects inspector costs and administrative time to complete the inspection report as well and the annual report to the State. Furthermore, should non-compliance be determined, the City has the option to impose Administrative fines to the offending party. This would cover the costs associated with those expenses.

RECOMMENDATION:

It is recommended that the City Council open a public hearing, receive public testimony regarding establishing an NPDES Inspection Fee and adopt Resolution No. 15-19.

PUBLIC HEARING OPENED:

Mayor Hale opened the public hearing and asked anyone 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:

Councilmember Lathrop made a motion to adopt Resolution No. 15-19, amending Resolution No. 15-16, to establish an NPDES Inspection Fee in the City Fee Schedule. Councilmember Barakat seconded the motion, which was carried by the following roll call vote:

APPROVED:

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

NOES: None

ABSENT: None

Motion passed 5:0

**DISCUSSION – AUTHORIZATION TO
PROCEED WITH AN ENGINEERING
ANALYSIS OF EXTENDING THE
PUBLIC SEWER ON LEMON AVENUE:**

City Manager Keith stated that the Bradbury Estates Community Services District (CSD) has expressed a desire to extend the public sewer on Lemon Avenue into a portion of the Bradbury Estates via Barranca Road.

RECOMMENDATION:

It is recommended that the City Council authorize staff to proceed with an engineering analysis of extending the public sewer on Lemon Avenue.

Councilmember Pycz stated that properties on the south side of Lemon might have to connect to the sewer on Winston or Royal Oaks Drive North, as Mr. Guthrie (1462 Lemon) did.

Councilmember Barakat inquired how this was different from the sewer on Mount Olive Lane and if the City is going to pay for it or front the money and get reimbursed.

MOTION:

Mayor Pro-Tem Lewis made a motion (verbatim) to approve \$20,000 to do final analysis on how to run the sewer from the existing Monrovia system in Monrovia to sub out to Barranca and that that we do preliminary analysis to understand the potential for extending the sewer on Lemon and who might need to connect to it in the future, but that second piece is just preliminary. Councilmember Pycz seconded the motion, which was carried by the following roll call vote:

APPROVED:

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

NOES: None

ABSENT: None

Motion passed 5:0

DISCUSSION – AUTHORIZATION TO PROCEED WITH THE WOODLYN LANE STORM DRAIN IMPROVEMENTS:

City Manager Keith turned this agenda item over to Deputy City Engineer Gilbertson for his report. Mr. Gilbertson stated that runoff from Mount Olive Drive upstream of Woodlyn Lane is channeled on the roadway surface and is directed down Woodlyn Lane past the private gate. There are no catch basins in the area to collect the surface runoff. There is a catch basin at the bottom of El Cielo Lane at the intersection with Woodlyn Lane, however, it is located in such a manner that the surface runoff from Mount Olive Drive does not enter the storm drain at this location. Thus, the result is an increased amount of surface runoff that continues westerly on Woodlyn Lane until it reaches the next downstream catch basin where it is finally collected into the storm drain.

ANALYSIS:

At the August 2004 City Council meeting, a contract in the amount of \$25,000 was awarded to Willdan for the design and construction of the proposed drainage improvements at Mount Olive Drive and Woodlyn Lane. The proposed storm drain would connect to an existing LA County maintained storm drain (Woodlyn Drain). Therefore, LA County would be responsible for the review and approval of the plans and calculations for the proposed storm drain extension. Upon discussion with LA County staff, Willdan obtained approval of the Hydrology Study in June of 2005. The plans appear to be approximately 90% complete but were never submitted to LA County for formal plan check.

In 2008, due to legal issues regarding the construction permits for any building activity and unclear ownership of the right-of-way relating to the Woodlyn Lane Gate (near Mount Olive Drive) this project was put on hold. The restriction regarding the issuance of building permits within this area was directed to be removed upon the submission of documentation, satisfactory to the City Attorney, that the party seeking such construction permit(s) possesses the authority to execute the building permit applications. It is staff's understanding that this issue has been resolved and City staff should be receiving written documentation on that result in the very near future.

FISCAL IMPACT:

Willdan's original cost estimate for the proposed storm drain improvements was \$35,000. Upon review of the prepared plans, staff's revised cost estimate, with contingencies, is \$275,000. In addition, it is estimated that an additional \$7,500 would be required to complete the storm drain plans and obtain approvals from LA county and an additional \$17,500 for inspection, testing, and construction management services. Finally, LA County fees would be approximately \$60,000 for plan check and inspection of the improvements. Therefore, the total cost to complete the Woodlyn Lane storm drain improvements would be \$360,000.

Although some of the work will be located on private streets inside the Woodlyn Lane gated area, public funds can be spent of this project. The storm runoff is originating outside of the gates and ultimately returns to the public streets and drainage systems outside the gates at Royal Oaks Drive North.

RECOMMENDATION:

It is recommended that the City Council authorize staff to proceed with the completion of the construction plans for the extension of storm drain improvements in Woodlyn Lane in an amount not to exceed \$7,500.

DISCUSSION:

There was discussion about the ongoing legal issues regarding ownership of the gate. Mayor Pro-Tem Lewis stated that it was his understanding that the issue is not resolved yet. The judgment says the Woodlyn Lane Improvement Association (WLIA) owns the gate, but the Maiwandis have appealed that decision

The Council wanted to know if the water could be kept on Mount Olive by creating a high top on the public portion of Woodlyn Lane.

Ann Absey, 44 Woodlyn Lane, stated that she thought LA County was supposed to pay for the storm drain. City Manager Keith replied that there is nothing in the City records indicating that LA County would pay for the storm drain.

MOTION:

Councilmember Barakat made a motion to allocate \$2,500 for a survey and \$2,500 for a study (not to exceed \$5,000 in total) for RKA to explore less expensive options to deal with the runoff from Mount Olive Drive. Mayor Pro-Tem Lewis seconded the motion, which was carried by the following roll call vote:

APPROVED:

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

Motion passed 5:0

MATTERS FROM THE CITY MANAGER:

The Planning Commission will meet on Wednesday, July 22, 2015.

City Manager Keith stated that she and Julio will meet with the Fire Department tomorrow morning to discuss additional fire reduction opportunities.

City Manager Keith stated that she will be out next week to watch her two sons compete in Junior Olympic water polo.

City Hall will be closed on Friday, August 7, for First Friday Closure.

MATTERS FROM THE CITY COUNCIL:

MAYOR HALE: Nothing to report

MAYOR PRO-TEM LEWIS: Nothing to report

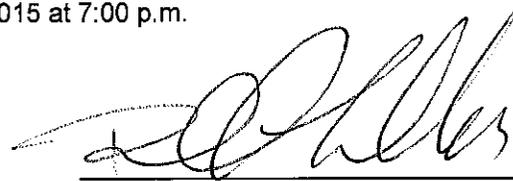
COUNCILMEMBER LATHROP: Councilmember Lathrop stated that the new Superintendent for the Duarte Unified School District, Dr. Allan Mucerino, started on July 1, 2015 and that he would like to attend a City Council meeting to introduce himself.

COUNCILMEMBER PYCZ: Councilmember Pycz inquired about closing the Civic Center Fund. City Manager Keith stated that there are still Civic Center projects such as the generator approved at tonight's meeting and the Civic Center park.

COUNCILMEMBER BARAKAT: Councilmember Barakat stated that the San Gabriel Valley Mosquito and Vector Control District has reported the first West Nile Virus death in the State due to heat.

ITEMS FOR FUTURE AGENDAS: None

ADJOURNMENT: At 7:55 p.m. Mayor Hale adjourned the meeting to Tuesday, August 18, 2015 at 7:00 p.m.



MAYOR – CITY OF BRADBURY

ATTEST:

Claudia Saldana
CITY CLERK – CITY OF BRADBURY