

**MINUTES OF ADJOURNED MEETING OF THE  
CITY COUNCIL OF THE CITY OF BRADBURY  
HELD ON TUESDAY, JUNE 28, 2016**

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

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

**ROLL CALL:**

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

STAFF: City Manager Keith, City Attorney Reisman, City Planner McIntosh, Deputy City Engineer Gilbertson, City Clerk Saldana and Management Analyst Donayre

**APPROVAL OF AGENDA:**

Councilmember Barakat made a motion to approve the agenda and proceed with City business. Councilmember Hale 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.

Councilmember Barakat stated that although he would not be part of the Sewer Reimbursement District he resides within 500 feet of the Public Sewer Project on Winston Avenue (agenda item #7). Mayor Pro-Tem Lathrop stated that he has a conflict of interest regarding the approval of demands & warrants for Axxon Tech, LLC.

**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 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 17, 2016
- B. Minutes – Special Study Session of May 11, 2016
- C. Resolution No. 16-11: Demands & Warrants for June 2016
- D. Preliminary Financial Statement for the month of May 2016
- E. Authorization to exchange Federal Surface Transportation Program Funds (STPL) for an Equal Amount of Los Angeles County Metropolitan Transportation Authority (LACMTA) Funds
- F. Emergency Response Committee Re-Appointments
- G. Award of Contract for Environmental Consultant for Oak View Estates Development Project
- H. Resolution No. 16-16 Ratifying Resolution No. 16-15 Proclaiming the Existence of a Local Emergency

**MOTION TO APPROVE  
CONSENT CALENDAR:**

Mayor Lewis moved to approve Consent Calendar as presented. Mayor Pro-Tem Lathrop abstained from approving any payments for Axxon Tech, LCC. 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

Motion passed 5:0

**PUBLIC HEARING –  
RESOLUTION NO. 16-12  
ANNEXATION APPLICATION TO LAFCO:**

Deputy City Engineer Gilbertson stated that there are four (4) existing parcels within the confines of the Bradbury Estates that are outside of the Bradbury city limits and are currently within the jurisdiction of the City of Monrovia. Two of the parcels are owned by the Bradbury Estates Homeowners Association for the entry area and guard house and two of the parcels have been previously developed with single-family residences.

**RECOMMENDATION:**

It is recommended that the City Council adopt Resolution No. 16-12 requesting that the Local Agency Formation Commission (LAFCO) initiate proceedings to amend the sphere of influence and reorganization of certain territory from the City of Monrovia to the City of Bradbury.

**PUBLIC HEARING OPENED:**

Mayor Lewis opened the public hearing and asked anyone wishing to speak in favor or opposition to come forward and be heard.

**PUBLIC HEARING CLOSED:**

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

**MOTION:**

Councilmember Hale made a motion to adopt Resolution No. 16-12 requesting that the Local Agency Formation Commission of Los Angeles County initiate proceedings to amend the sphere of influence and reorganization of certain territory. Councilmember Pycz seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

NOES: None

ABSENT: None

Motion passed 5:0

**PUBLIC HEARING –  
ZONE CHANGE 16-002  
ADOPTION OF ORDINANCE NO. 344:**

There are four (4) existing parcels within the confines of the Bradbury Estates that are outside of the Bradbury city limits and are currently within the jurisdiction of the City of Monrovia. Two of the parcels are owned by the Bradbury Estates Homeowners Association for the entry area and guard house and two of the parcels have been previously developed with single-family residences.

**PRE-ZONE ACTION REQUIRED  
FOR ANNEXATION OF 4 PARCELS:**

City Planner McIntosh stated that this pre-zone request will ensure that there is a logical delivery of municipal services to the four affected parcels by the City of Bradbury and the Bradbury Community Services District (CSD) instead of from the adjacent jurisdiction of Monrovia. This pre-zone request for a zone change, if recommended for approval by the Planning Commission and adopted by the City Council, and following approval by the Local Agency Formation Commission of Los Angeles County (LAFCO), would become effective once the four parcels are annexed into the City Limits.

The Planning Commission conducted a noticed public hearing on this matter on May 25, 2016. The Planning Commission recommended adoption of the Ordinance to the City Council.

**RECOMMENDATION:**

It is recommended that the City Council conduct the public hearing, discuss this matter and adopt Ordinance No. 344, implementing Zone Change 16-002.

**PUBLIC HEARING OPENED:**

Mayor Lewis opened the public hearing and asked anyone wishing to speak in favor or opposition to come forward and be heard.

**PUBLIC TESTIMONY:**

An unidentified Monrovia resident asked how the City of Bradbury benefits from this annexation. Councilmember Hale replied that the City of Bradbury will receive property taxes for those 4 parcels.

She then asked if the City of Monrovia has any reservations. City Manager Keith replied that without Monrovia's consent the City of Bradbury would not be able to proceed with the application.

**PUBLIC HEARING CLOSED:**

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

**MOTION:**

Councilmember Hale made a motion to adopt Ordinance No. 344 approving Zone Change 16-002: A pre-zone for the City of Bradbury Estates Annexation and Adopting the Categorical Exemption for the Project. Councilmember Pycz seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

NOES: None

ABSENT: None

Motion passed 5:0

**FISCAL YEAR 2016-17 ANNUAL RATE  
ADJUSTMENT FOR SOLID WASTE  
COLLECTION AND RECYCLING AND  
CONTRACT AMENDMENT NO. 6:**

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 service shall be subject to upward or downward adjustment. Customer rates are comprised of the following categories: contractor service cost, disposal cost, recycling processing, green waste processing cost and manure waste processing cost."

**RECOMMENDATION:**

It is recommended, following a review of the rates and public comment, that the City Council approve the refuse collection and recycling rates set forth in the charts presented by Burrtec to become effective July 1, 2016. Furthermore the City Council will consider a term extension from June 30, 2018 to June 30, 2025 (Contract Amendment No. 6).

**POWERPOINT PRESENTATION  
BY BURRTEC:**

Richard Nino with Burrtec Waste Industries, Inc. had prepared a power point presentation going over the current and proposed rates for:

- Residential Barrel Components
- Refuse Bin Components
- Recycling Bin Components
- Manure Bin Components
- Greenwaste Bin Components
- Roll-off Rate Components
- Temporary Roll-off Rate Components

Mr. Nino stated that the July 2015 CPI was 1.4% as reported for the All Urban Consumer Price Index for Los Angeles, Riverside and Orange, California. In addition, there were moderate increases for materials disposal and processing rates.

**CONTRACT TERM EXTENSION:**

Mr. Nino stated that the State expanded its solid waste diversion efforts with the passage of AB341 in 2012 that established diversion goals of 75% by 2020. Most recently the State also enacted legislation requiring organics diversion and recycling (AB1826). These higher standards require infrastructure and program development to capture the more readily recoverable segments of the waste stream including organics, construction and demolition, and additional recyclables through mixed waste processing systems. These programs will require significant capital investments that are more feasible and cost effective with longer term contracts.

In addition, the current remaining term does not allow sufficient time to adequately secure future costs effective disposal and materials processing options for the City. The City's prior action related to this issue allowed Burrtec to secure favorable disposal pricing terms as evidenced by the Puente Hills MRF posted solid waste tip fee of \$52.75 per ton and the Burrtec negotiated \$43.01 per ton. An additional term beyond 2018 will allow Burrtec to continue securing favorable disposal options for the City.

In order to continue providing Bradbury the most cost effective and comprehensive service offerings Burrtec is respectfully requesting a contract term extension to a seven (7) year term with an annual reviewing feature. An increased term will assist in establishing an appropriate resource allocation plan to serve the City's needs in the years to come while meeting future solid waste diversion goals.

In consideration of the contract term extension, Burrtec is offering the following service enhancements at no additional charge:

- Large Volume Generators Diversion Program: Provide and promote expanded diversion program options for large volume generators. Burrtec will contribute \$4,200 per year towards this effort.
- Shred Event: Include a document shred day at the City's spring and fall cleanup events.

**DISCUSSION:**

The City Council discussed recycling in the Bradbury Estates. Currently there is no source separation available in the gated area.

Mayor Pro-Tem Lathrop stated that he would like the City to go out to bid for trash services because it's been almost 20 years since the City last went out to bid. City Manager Keith stated that the City would have to hire a consultant and that going out to bid is a lengthy process. Last time the City went out to bid 4 cities (Arcadia, Bradbury, Duarte and Monrovia) shared the consultant's fee. City Manager Keith also stated the LARA compares rates and that the City of Bradbury has lower rates than most other cities.

City Attorney Reisman stated that the City of Alamosa used a consultant 5-6 years ago and it cost at least \$25,000.

Councilmember Pycz stated that he was pleased with Burrtec. City Manager Keith stated that the City has had no complaints about the service provided by Burrtec.

City Manager Keith stated that the City Council could act on the rate increase tonight and postpone the contract extension to another meeting.

Mayor Lewis directed staff to do some research comparing basic service rates with other cities for the next meeting. Mr. Nino stated that Burrtec can assist with this task.

**PUBLIC COMMENT:**

None

**MOTION TO APPROVE RATE INCREASE:**

Mayor Pro-Tem Lathrop made a motion to acknowledge the new collection and recycling rates to become effective July 1, 2016. Councilmember Hale seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

Motion passed 5:0

**MOTION TO POSTPONE CONTRACT EXTENSION:**

Mayor Pro-Tem Lathrop made a motion to postpone the request by Burrtec for a contract term extension from June 30, 2018 to June 30, 2015. Councilmember Hale seconded the motion, which was carried by the following roll call vote:

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

Motion passed 4:1

**CONTINUED DISCUSSIONS ON  
POLICING SERVICES FOR  
FISCAL YEAR 2016-17:**

City Manager Keith stated that at the April meeting the City Council requested to review several options to consider regarding the policing services for the City of Bradbury. At the May 11<sup>th</sup> Special Study Session representatives from the City of Monrovia as well as the Los Angeles County Sheriff's Department were present to discuss the options with the City Council. Following this discussion the City Council requested staff to bring the item back for further discussion at the May 17, 2016 City Council meeting. There were still a number of items for which the City Council requested further information.

**RECOMMENDATION:**

It is recommended that the City Council provide further direction to staff, such action may include switching from the Los Angeles County Sheriff's Department to Monrovia Police Department.

**POLICING SERVICES:**

The City's current staffing level is approximately 730 hours per year and ensures responding to all calls. The Deputy assigned to Bradbury is part of the Duarte Sub-Station, which also patrols the unincorporated areas of the County.

The City Council reviewed a chart prepared by staff outlining Annual Calls for 2015-2016, Agency Response Times and a Comparison Chart of the Cost of Policing Services Contracts with Monrovia and LASD.

**INCREASE IN LASD  
SERVICE LEVELS:**

City Manager Keith stated that a 40-hour working an 8-hour shift 5 days a week is approximately \$280,000 per year. The City learned from LASD Contract Law that it would be a lesser amount for less patrol time, for example 20 hours a week would be \$140,000.

**CITY OF MONROVIA PROPOSAL:**

The City of Monrovia has provided a proposal for the City Council's review and consideration. The total cost of the proposal is \$115,000. Monrovia has the capability of including the services of the Community Service Officer (CSO) in either a full-time capacity or part-time for additional funds. This would be an eligible use of COPS funds. Monrovia's proposal is very comprehensive and offers other services to the City on an as needed basis, such as additional patrols, traffic enforcement and parking citations. The City could also participate in the Foothill Air Support Team (FAST) which provides helicopter support for a minimal additional expense which could be paid for using COPS funds.

**DISCUSSION:**

Following a power point presentation by the Monrovia Police Department and LASD, both agencies were available to answer questions.

Chief Hunt with Monrovia PD explained how Mutual Aid works and that Monrovia PD gets help from LASD through Mutual Aid. Chief Hunt also stated that Bradbury would be Monrovia's only contract city.

Councilmember Lathrop asked if Monrovia PD would have had the same amount of officers as LASD available during the San Gabriel Complex Fire. Chief Hunt replied yes.

Mayor Lewis wanted to hear from the Sheriff's Department.

Captain Coronne Jacobs and Matthew Squire, Contract Law Enforcement Bureau, talked about the Sheriff's Department response to the fire. Steven Johnson, Chief of the East Patrol Division, was also present.

Mayor Lewis inquired if LASD prepares an after action review. Chief Johnson replied yes. Mayor Lewis stated that the LASD response went well, although some of the deputies did not know the geography of Bradbury very well. Captain Jacobs stated that some of the deputies deployed during the fire came from other stations.

Captain Jacobs stated that the Los Angeles County Sheriff's Department cares about Bradbury and that Temple Station has implemented a call back policy for Bradbury, something that can't be done in larger cities.

City Attorney Reisman asked what court Monrovia PD uses. Chief Hunt stated that Monrovia uses Pasadena and sometimes Alhambra for traffic tickets.

**PUBLIC COMMENT:**

Resident Jim Hunt, 151 Deodar Lane, wanted to thank the Sheriff's Department for its response to the San Gabriel Complex Fire. Mr. Hunt stated that this was the first emergency in many years and the Council's decision should not be based on this one recent incident. You can't build a church for Easter Sunday.

**CITY COUNCIL:**

Mayor Lewis stated that constituents care about the (law enforcement) service, not how much it costs. Mayor Lewis also stated that he is not ready to make a decision.

Mayor Pro-Tem Lathrop wants to make sure word gets out again to residents that the City might switch services to Monrovia Police Department.

The Council directed the City Manager to prepare another (apples to apples) comparison chart for basic service, hours and costs for the July 19 meeting.

Mayor Lewis stated that the number of service hours is key.

Mayor Pro-Tem Lathrop felt like we're kicking the can down the road and that the Council needs to make a decision at the next meeting.

**COST ALTERNATIVES FOR  
MOUNT OLIVE DRIVE  
SEWER EXTENSION PROJECT:**

The City Council will consider alternatives to continue the public infrastructure project outline in Mount Olive Reimbursement District 14-1.

**BACKGROUND:**

At its May 20, 2014 meeting the City Council adopted Resolution No. 14-15 establishing a sewer reimbursement district for the extension of sewer improvements on Mount Olive Drive. A Memorandum of Understanding (MOU) was prepared by the City for the three (3) principal property owners for execution with a request for a deposit of \$5,000 from each. Two out of the three property owners executed the MOU and paid the required fees. One of the property owners was reluctant to sign and deposit the required fees. Additionally, as part of the agreement, the property owner at 412 Mount Olive Drive has agreed to assist with a \$5,000 contribution toward the design phase of the project, which will be credited toward his connection fee. The MOU stipulated that the three principal property owners collectively would contribute \$250,000 towards the total project cost with the City contributing the remainder of the costs.

At its October 20, 2015 meeting, the City Council awarded the Mount Olive Sewer Extension Project, Phase II to Ramona, Inc. in the amount of \$326,445. After the City Council meeting, discussions were held with the three principal property owners regarding their commitment of the funding of the project. At that time one of the property owners declined to contribute their portion of the funding until their proposed development project has been approved by the Planning Commission.

Consequently, at its November, 2015 meeting the City Council rejected the bids for the Mount Olive Drive Sewer Extension, Phase II Project. Staff was directed to revise the plans to reduce the scope of the project to allow the properties at 412 and 425 Mount Olive Drive the ability to connect to the public sewer, and to re-advertise the reduced project for formal bids.

On December 15, 2015 the City Council awarded a contract to GRFCO, Inc. for the Mount Olive Drive Sewer Extension, Phase II Project in the amount of \$97,250. The work began on December 28, 2015 and was completed on January 29, 2016. The project was accepted by the City Council and finalized at the March 22, 2016 meeting for a final construction project cost of \$133,707.85.

**330 MOUNT OLIVE DRIVE:**

Since that time, the owners of 330 Mount Olive Drive (Patel) have been completing the final building department plan check and are almost ready to begin construction, with the exception of the unresolved sewer issue.

**336 & 338 MOUNT OLIVE DRIVE:**

Additionally, the owners of 338 Mount Olive Drive have re-submitted a Conceptual Plan Review and are in the initial phase of the planning review process. The third owner at 336 Mount Olive Drive is in the design phase with the project architect. After several attempts the City has had limited success with 336 and 338 Mount Olive Drive committing to the MOU until their projects are approved.

To that end staff needs to resolve the sewer connection for 330 Mount Olive so that they may proceed with the build-out of the project.

**THREE OPTIONS:**

The City has three options:

- A. Abandon the Phase II of the Mount Olive Sewer Extension Project and revise the Reimbursable Sewer District 14-1 to only include 412 and 425 Mount Olive Drive, which are already complete.
- B. Continue the project as a City owned investment, finish the project, and maintain the reimbursable district with the three owners paying their fair share upon completions of development.
- C. Partner with the owner at 330 Mount Olive Drive who is still willing to honor his third share of the MOU (\$83,334) and the City pays the balance as a City owned investment as outlined in the revised schedule.

**COSTS:**

Total cost is \$503,282  
City paid portion is \$419,948.  
Patel (330 Mount Olive) is \$83,334

The City previously agreed to pay the processing fees, PS&E preparation costs, construction management costs, and annexation fees for an amount of \$76,500.

**RECOMMENDATION:**

It is recommended that the City Council elect to proceed with cost alternative C in order to reduce the total cost incurred by the remaining principal property owners for the Mount Olive Drive Sewer Extension Project.

**MOTION:**

Following discussion, Councilmember Hale made a motion to proceed with Option C (partner with the owner at 330 Mount Olive Drive and pay the balance as a City owned investment). Councilmember Barakat seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

Motion passed 5:0

**AUTHORIZATION TO PROCEED WITH THE DEVELOPMENTS OF CONSTRUCTION PLANS AND DOCUMENTS FOR EXTENDING THE PUBLIC SEWER ON WINSTON AVENUE AND CREATING A SEWER REIMBURSEMENT DISTRICT:**

City Manager Keith stated that during the analysis of the Lemon Sewer Extension Project an alternative approach to providing sewer service to four parcels on Lemon Avenue was identified with the added benefit of providing public sewer service to seven (7) parcels north of City Hall fronting Winston Avenue.

There is an existing public sewer located in Winston Avenue that ends just south of City Hall with City Hall being the last structure connected to the public sewer. There are seven developed parcels on Winston Avenue to the north of City Hall that are currently on private septic tanks.

**PROJECT COSTS:**

Deputy City Engineer Gilbertson stated that project costs associated with LA County plan checking and annexation fees are estimated based on the recent Mount Olive Drive Sewer Extension Project. Both projects are of similar size and therefore, while estimated, it is expected that costs relating to the LA County processing should be similar. The total estimated project cost is \$516,300.

**FINANCIAL REVIEW;**

Measure R Restricted Funds may be used for the street resurfacing portion of the project.

Deputy City Engineer Gilbertson stated that the amount needed for the project is an investment in public infrastructure and a worthy investment of public funds.

**RECOMMENDATION:**

It is recommended that the City Council authorize staff to proceed with the development of construction plans and documents for extending the public sewer on Winston Avenue and creating a Sewer Reimbursement District in an amount not to exceed \$77,000.

**MOTION:**

Councilmember Hale made a motion to authorize staff to proceed with the development of construction plans and documents for extending the public sewer on Winston Avenue and creating a Sewer Reimbursement District in an amount not to exceed \$77,000. Mayor Lewis seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

NOES: None

ABSENT: None

ABSTAIN: Councilmember Barakat

Motion passed 4:0

**RESOLUTION NO. 16-14  
APPROVING BUDGET FOR  
FISCAL YEAR 2016-2017:**

At the May 17, 2016 the City Council reviewed and discussed the proposed budget Forecast for Fiscal Year 2016-2017 and directed staff to make some changes.

**RECOMMENDATION:**

It is recommended that the City Council adopt Resolution No. 16-14 approving the City of Bradbury's Annual Budget for Fiscal Year 2016-2017.

**DISCUSSION:**

Mayor Pro-Tem Lathrop stated that he would like to see how each option of the different base levels of law enforcement services the Council is considering would affect the bottom line.

**MOTION:**

Councilmember Pycz made a motion to adopt Resolution No. 16-14 approving the City of Bradbury's Annual Budget for Fiscal Year 2016-2017. Councilmember Hale seconded the motion, which was carried by the following roll call vote:

**APPROVED:**

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

NOES: None

ABSENT: None

Motion passed 5:0

**MATTERS FROM THE  
CITY MANAGER:**

City Hall will be closed on Friday, July 2, for First Friday Closure and Monday, July 4<sup>th</sup> for Independence Day. City Manager Keith reminded everyone that fireworks are not allowed in the City.

**MATTERS FROM THE CITY COUNCIL:**

**MAYOR LEWIS:** Nothing to report

**MAYOR PRO-TEM LATHROP:** Nothing to report

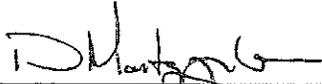
**COUNCILMEMBER BARAKAT:** Nothing to report

**COUNCILMEMBER HALE:** Nothing to report

**COUNCILMEMBER PYCZ:** Councilmember Pycz inquired if it was true or false that the Mayor should only vote in a tie break. City Manager Keith stated that the Mayor can vote the same as any other Member of the City Council.

**ITEMS FOR FUTURE AGENDAS:** None

**ADJOURNMENT:** At 9:37 p.m. Mayor Lewis adjourned the meeting to Tuesday, July 19, 2016 at 7:00 p.m.



**MAYOR – CITY OF BRADBURY**

ATTEST:

  
\_\_\_\_\_  
**CITY CLERK – CITY OF BRADBURY**