

**MINUTES OF A REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF BRADBURY  
HELD ON TUESDAY, SEPTEMBER 16, 2014**

**MEETING CALLED TO ORDER:** The Regular Meeting of the City Council of the City of Bradbury was called to order by Mayor Barakat at 7:00 p.m.

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

ABSENT: None

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

**APPROVAL OF AGENDA:** Councilmember Lewis made a motion to approve the agenda as presented and proceed with City business. Mayor Pro-Tem 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.

City Attorney Reisman stated that Mayor Barakat may need to abstain from Agenda Item #3 (Parking Restrictions on Braewood Drive). Mayor Barakat stated that his understanding of FPCC rules are that if every resident on Braewood Drive is affected in the same way, he does not have to abstain from voting.

**PUBLIC COMMENT:** Deputy Goodrich, LA County Sheriff's Department, Temple Station, introduced motorcycle traffic officer Marcello Sepulveda.

**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 August 19, 2014
- B. Resolution No. 14-26: Demands & Warrants for Sep 2014
- C. Preliminary Financial Statement for the month of August 2014
- D. Reappointments to the Planning Commission, Districts 2 & 4
- E. Resolution No. 14-27: San Gabriel Valley Water Quality Authority (WQA) Board Member Nomination

**MOTION TO APPROVE CONSENT CALENDAR:** Councilmember Lewis moved to approve the Consent Calendar as presented. Councilmember Lathrop seconded the motion, which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

Motion passed 5:0

**DISCUSSION – COST ALTERNATIVES FOR THE MOUNT OLIVE DRIVE SEWER EXTENSION PROJECT:**

City Manager Keith stated that the City Council will consider alternatives to reduce the costs incurred by the principal property owners as outlined in Mount Olive Drive Sewer Reimbursement District 14-1. It is recommended that the City Council elect to proceed with Cost Alternative No. 4.

**BACKGROUND:**

Deputy City Engineer Gilbertson stated that 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 MOU, 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.

There are twelve (12) properties on Mount Olive Drive that are included in Sewer Reimbursement District 14-1. The vacant parcel located at 370 Mount Olive Drive consists of 8.01 acres and will be assessed a "double" assessment. Therefore, there are a total of 13 assessments.

**COST TO EXTEND PUBLIC SEWER:**

Deputy City Engineer Gilbertson stated that the construction cost to extend the public sewer approximately 1,350 lineal feet on Mount Olive Drive is estimated to be \$250,000. The total cost for the project, including the cost for plan preparation and construction management, annexation fees, connection fees, and city processing fees is \$325,000.

**COST ALTERNATIVES:**

Staff has outlined five (5) cost alternatives to reduce the overall costs that will be incurred by the principal property owners:

1. City to pay the processing fees only – \$10,000
2. City to pay the processing fees and PS&E preparation - \$35,000
3. City to pay processing fees, PS&E preparation costs, and construction management costs – \$70,000
4. City to pay processing fees, PS&E preparation costs, construction management costs, and annexation fees - \$76,500
5. City to pay all of the costs required - \$326,500

After discussions with the three principal property owners, they are agreeable to front the cost for the construction portion of the project only (\$250,000) and request that the City pay the remaining costs for the processing fees, PS&E preparation costs, construction management costs, and the annexation fees of up to \$76,500 (Alternative 4). The City Council reviewed the Reimbursement Schedule as outlined in the Engineer's Report.

**INTEREST CHARGES:**

Interest charges would be added to the reimbursement for each of the parcels with the exception of the three principal properties and parcels 2 and 11 because they would be the first properties to connect to the public sewer upon completion of the sewer mainline. Parcels 2 and 11 have current construction projects underway.

**SEWER IMPROVEMENT PLANS:**

Once the Sewer Improvement Plans have been completed and approved by LA County, the plans could be "shelved" and ready for construction at any time in the future even if the project does not move to the construction stage at this time. The City would only need to expend the funds for the processing and PS&E preparation (\$35,000), should the project not reach construction. The remaining costs for construction management and annexation (\$41,500) would not need to be expended until the project entered the construction stage.

**PUBLIC COMMENT:**

At the conclusion of the City Engineer's report, Mayor Barakat asked if there were any comments from the public.

Mr. Dinesh Patel and his wife Lila introduced themselves as one of the three principal property owners (370 Mount Olive Drive).

**DISCUSSION:**

Councilmember Lewis stated that this is a "no brainer."

Mayor Pro-Tem Hale stated that this is what we are here for, this is a good investment in the community.

Mayor Barakat stated that this is similar to what we did with Sharon Hill.

Mayor Barakat inquired about what the interest rate will be. City Manager Keith replied that staff doesn't know yet because that will occur upon award of the contract when true costs are known. Mayor Barakat also wanted to know who decides what the interest rate will be. Deputy City Engineer Gilbertson stated that the City Engineering Department will work that out, and it will be a variable rate, not a fixed rate.

**MOTION TO PROCEED WITH COST ALTERNATIVE NO. 4:**

Councilmember Lewis made a motion to proceed with Cost Alternative No. 4 in order to reduce the total costs incurred by the principal property owners for the Mount Olive Drive Sewer Extension Project. Mayor Pro-Tem Hale seconded the motion which was carried by the following roll call vote:

**APPROVED:**

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

Motion passed 5:0

**PUBLIC HEARING – ORDINANCE NO. 338:**

City Manager Keith stated that the City Council will consider the adoption of Ordinance No. 338 amending Chapter 1 of the Bradbury Municipal Code to establish parking restrictions on Braewood Drive and Woodlyn Lane. It is recommended that the City Council introduce Ordinance No. 338, read by title only, and waive further reading.

**BRAEWOOD DRIVE:**

Deputy City Engineer Gilbertson stated that Braewood Drive is not currently identified in the Municipal Code for any parking restrictions or prohibitions. However, during a review of Braewood Drive by staff, it was determined that the street has numerous signs posted along the edge of the roadway with 2-hour parking limitations between the hours of 7 am and 6 pm on every day except Sundays.

Draft Ordinance No. 338 has been prepared to add a section to Chapter 1 limiting the parking on Braewood Drive to a maximum of 2 hours during the hours of 7 am and 6 pm on every day except Sunday.

**WOODLYN LANE:**

Resolution No. 13-33 prohibiting parking at any time on both sides of Woodlyn Lane outside the gated area was approved by the City Council on November 19, 2013, but was not codified. Ordinance No. 338 will now codify the parking prohibitions.

**PUBLIC HEARING OPENED  
AND CLOSED:**

Mayor Barakat opened the public hearing for Ordinance No. 338:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRADBURY, CALIFORNIA, AMENDING ARTICLE III CHAPTER 1 OF THE BRADBURY MUNICIPAL CODE PROVIDING PARKING RESTRICTIONS ON BRAEWOOD DRIVE AND WOODLYN LANE

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

**DISCUSSION:**

Mayor Barakat gave a brief history on the parking restrictions explaining that the Manor employees used to park on Braewood Drive.

Councilmember Pycz inquired if the City has to buy new signs. Deputy City Engineer Gilbertson replied that the required signs on Braewood Drive and Woodlyn Lane already exist.

Councilmember Lathrop suggested to strike "or stop any motor vehicle" from Section 3204. It should now read: No person at any time shall park any motor vehicle except as may be necessary to comply with an order or command of any law enforcement officer on any streets or portions of streets hereinafter set forth.

City Manager Keith stated that there was a change in State Law and that the Sheriff's Department is not allowed to process parking tickets any longer. Therefore the City will be looking to establish parking fees and establish an agreement with a processor. The tickets however will still be issued by LASD.

**MOTION TO INTRODUCE  
ORDINANCE NO. 338:**

Councilmember Lewis made a motion to introduce for first reading Ordinance No 338 amending Bradbury Municipal Code Chapter 1, as amended. Councilmember Lathrop seconded the motion which was carried by the following roll call vote:

**APPROVED:**

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

NOES: None

ABSENT: None

Motion passed 5:0

City Manager Keith stated that Ordinance No. 338 will be on the October 21, 2014 City Council Agenda for adoption.

**ITEMS FOR FUTURE AGENDAS:**

None

**MATTERS FROM THE CITY MANAGER:**

City Manager Keith stated that the Draft Housing Element has been posted on the City's website and letters for comments have gone out. The public hearing before the Planning Commission is scheduled for October 22, 2014. The October 1, 2014 Planning Commission meeting has been cancelled.

The fall cleanup is this week, Thursday, September 18 through Saturday, September 20.

The Emergency Response Committee (ERC) will meet on Thursday, September 18, to discuss evacuation of horses during an emergency.

The fire grant kick-off has been delayed because the Fire Department is tending to current wild fires.

**MATTERS FROM THE CITY COUNCIL:**

**MAYOR BARAKAT:**

Mayor Barakat stated that there is a big COG meeting on Thursday. City Manager Keith stated this topic will be discussed during Closed Session.

Mayor Barakat reported that the Vector Control District discovered "Aussie Mozzie," an Australian mosquito, in Los Angeles County. Vector Control officials are warning residents that although the Australian mosquito is currently not a pressing threat, the Asian tiger mosquito, discovered in LA County in 2011, poses a greater risk to public health.

**MAYOR PRO-TEM HALE:**

Nothing to report.

**COUNCILMEMBER LEWIS:**

Nothing to report.

**COUNCILMEMBER LATHROP:**

Councilmember Lathrop stated that the Duarte Education Foundation will hold its Annual Fundraising Dinner on Saturday, October 11 at the City of Hope. Tickets are \$50 and proceeds will go to buying musical instruments. There will also be a raffle to win a trip for two to Italy.

**COUNCILMEMBER PYCZ:**

Nothing to report.

**CLOSED SESSION**

**ROLL CALL:**

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

ABSENT: None

STAFF: City Manager Keith and City Attorney Reisman

**PUBLIC COMMENT REGARDING CLOSED SESSION ONLY:**

None

**CONFERENCE WITH LEGAL COUNSEL:**

1. Conference with Legal Counsel – Anticipated Litigation  
Pending Litigation pursuant to subdivision (d) (2) of Section 54956.9: One Case
2. Personnel  
Pursuant to California Government Code Section 54957 – Evaluation of Performance. Title: City Manager

**RECONVENE OPEN SESSION AND  
ANNOUNCE ANY ACTION TAKEN:**

City Attorney Reisman reported that the City Council instructed the COG representatives on how to proceed. No formal votes were taken.

The performance evaluation of the City Manager has been continued to the next meeting.

**ADJOURNMENT:**

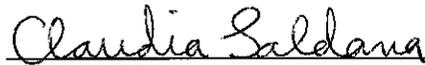
At 8:10 p.m. Mayor Barakat adjourned the meeting to Tuesday, October 21, 2014 at 7:00 p.m.



---

**MAYOR – CITY OF BRADBURY**

**ATTEST:**



---

**CITY CLERK – CITY OF BRADBURY**