

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY
HELD ON TUESDAY, SEPTEMBER 20, 2016**

**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 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, 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.

Mayor Pro-Tem Lathrop stated that he has to abstain from agenda item #3 - Mount Olive Lane Sewer Improvements.

PUBLIC COMMENT:

Captain Coronne Jacobs, Commander of Temple Station, introduced Sgt. Dave Kearney. Sgt. Kearney has been with the Sheriff's Department for 17 years and had been assigned to Temple Station before. Recently Sgt. Kearney worked the north end of the unincorporated areas of Arcadia, Duarte and Monrovia, so he is very familiar with the area.

PRESENTATIONS:

The City Council proclaimed Friday, September 23, 2016 Vin Scully Day. Vin Scully is known for his unprecedented 67 seasons as a broadcaster with the Los Angeles Dodgers. There was no one present to receive the proclamation.

Lilia Rosas Gutierrez with Metro presented a slide show regarding Measure M. Ms. Gutierrez stated that the Metro Board of Directors has approved placing a sales tax ballot measure, titled the Los Angeles County Traffic Improvement Plan, on the November 8, 2016 ballot. Measure M is expected to generate an estimated \$860 million a year in 2017 dollars. Based on the latest economic forecast by the Los Angeles County Economic Development Corporation, the Los Angeles County Traffic Improvement Plan would add 465,690 new jobs across the region. The proposed projects will be built over a 40-year period. Major projects include:

- Gold Line Extension to Claremont
- SR-71 Gap from I-10 to Rio Rancho Road
- SR-57/SR-60 Interchange Improvements
- Gold Line Eastside Extension
- I-605/I-10 Interchange
- SR 60/I-605 Interchange HOV Connectors

Ms. Gutierrez left information guides regarding Measure M with the City for handouts.

CONSENT CALDENDAR:

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 16, 2016
- B. Resolution No. 16-24: Demands & Warrants for September 2016
- C. Monthly Investment Report for the month of August 2016
- D. Reappointment of Planning Commissioners for Districts 2 and 4
- E. City of Bradbury Response to the Los Angeles County Civil Grand Jury Report on Appointed Commissions - Transparency
- F. Approval of the Master Sewer Service Agreement with the City of Monrovia
- G. Cal-Card Purchasing Card Program Implementation
- H. Additional Appropriation – Woodlyn Lane Pavement Rehabilitation Project
- I. September Legislative Report

DISCUSSION:

Mayor Pro-Tem Lathrop wished to pull items A, F, G, H and I from the consent calendar for discussion.

CORRECTION TO AUGUST MINUTES:

Mayor Pro-Tem Lathrop stated that the offer the City Council voted on to make the City of Monrovia to cover the loss of property tax revenue for the annexation of four parcels was \$59,000, not \$70,690.47. City Manager Keith stated that staff made the correction in the minutes.

APPROVAL OF MASTER SEWER SERVICE AGREEMENT WITH CITY OF MONROVIA:

Mayor Pro-Tem Lathrop wanted to make sure that the City of Bradbury can terminate the agreement within 30 days. City Attorney Reisman stated that the termination of the agreement by either party is outlined in Section 11 of the Master Sanitary Sewer Service Agreement. Mr. Reisman also stated that the Monrovia City Council already approved the agreement.

CAL-CARD PURCHASING CARD PROGRAM IMPLEMENTATION:

Mayor Pro-Tem Lathrop suggested to add language in the policy that the City Council gets to look at the statements the same way it looks at the demands & warrants. City Manager Keith stated that she will revise the policy to include this.

WOODLYN LANE PAVEMENT REHABILITATION PROJECT:

The City Council discussed the additional appropriation needed for this project. It is recommended that the City Council allocate an additional \$4,000 to cover unanticipated additional charges.

CHANGE ORDERS:

- 1) *Adjustment of one existing manhole - \$1,200*
Deputy City Engineer Gilbertson stated that based on a field review of the existing pavement grades downstream it may be necessary to extend the pavement removal to improve the "drivability" of the street. The expansion of the re-pavement may necessitate the adjustment of an existing manhole.
- 2) *Install of speed hump - \$3,850*
An existing speed hump was present approximately midway in the project. It was the old style of hump that is substandard and is considered a hazard. Staff feels that the installation of a speed hump complying with current City standards, including the proper striping and signage, would be prudent at this location in lieu of the old style hump.
- 3) *Construct concrete driveway - \$4,970*
The project plans identified a portion of the existing driveway at 48 Woodlyn Lane to be reconstructed in asphalt. During the pre-construction meeting, the property owner requested that the existing driveway be replaced in kind. Approximately half of the affected portion of the driveway consists of broken concrete, therefore, it would be prudent to replace the entire affected portion in concrete rather than only a portion.

Mayor Pro-Tem Lathrop was concerned about spending funds on private property (48 Woodlyn Lane). Deputy City Engineer Gilbertson stated that we are only talking about the apron (approach), not the entire driveway.

MOTION TO REMOVE SPEED HUMP:

Mayor Lewis made a motion to remove the installation of the speed hump to eliminate the need for additional funds. Councilmember Hale seconded the motion, which was carried by the following roll call vote:

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

Motion passed 5:0

SEPTEMBER LEGISLATIVE UPDATE:

Mayor Pro-Tem Lathrop stated that he would like the City to take a position on the following bills:

- Oppose AB 1669 - Public Contracts; Displaced Employees
- Support AB 1719 – Mandatory CPR Training: High School
- Support AB 2953 – Public Records: Internet Reports

Staff was directed to send letters regarding these three bills.

Regarding Senate Bill 2013 Ending Veteran Homelessness the City Council felt that it did not have enough information and directed staff to invite the vets to make pitch at the next City Council meeting.

**MOTION TO APPROVE CONSENT
CALENDAR:**

Councilmember Hale made a motion to approve the Consent Calendar as amended. Councilmember Barakat seconded the motion, which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

Motion passed 5:0

**AWARD OF BID FOR THE MOUNT OLIVE
DRIVE SEWER PROJECT:**

Deputy City Engineer Gilbertson reported that the bid for the Mount Olive Drive Sewer Extension Project, Phase III, were opened on September 8, 2016 with GRBCON, Inc. being the lowest responsible bidder.

RECOMMENDATION:

It is recommended that the City Council award the contract GRBCON, Inc. in the amount of \$274,487.49.

BACKGROUND:

At its June 21, 2016 meeting, the City Council directed staff to proceed with the preparation of the plans and specifications for the next section of the Mount Olive Drive Sewer Extension Project, Phase III, and partner with the property owner at 330 Mount Olive Drive who was willing to honor his one-third share of the original MOU.

Staff completed plans and specifications for bidding purposes and on September 8, 2016 a total of nine (9) bids were received ranging between \$274,487.49 and \$552,545.00 with the lowest responsible bidder submitted by GRBCON, Inc.

FINANCIAL REVIEW:

Mr. Gilbertson stated that there is a shortfall in funding for the project in the amount of \$62,586 as identified in Table 3 in the staff report.

MOTION:

Councilmember Barakat made a motion to award the bid for the Mount Olive Drive Sewer Extension Project, Phase III, to GRBCON, Inc. in the amount of \$274,487.49 and distribute the shortfall of \$62,586 among the 12 property owners (identified in Table 2 - Reimbursement Schedule). Councilmember Hale seconded the motion, which was carried by the following roll call vote:

APPROVED:

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

NOES: None

ABSENT: None

ABSTAIN: None

Motion passed 5:0

**MAYOR PRO-TEM LATHROP
STEPS OUT:**

Before stepping out Mayor Pro-Tem Lathrop stated that he has 10 mature trees on his property where the easement is proposed and he can't see how this could be done without killing those trees.

**MOUNT OLIVE LANE
SEWER IMPROVEMENTS:**

Deputy City Engineer Gilbertson stated that the property owner of 2438 Mount Olive Lane is proposing to construct a significant room addition and has expressed a desire to connect to a public sewer system in lieu of expanding the private septic system. In addition, staff has been contacted by another property owner on Mount Olive Lane inquiring about a connection to public sewer system for a future guest house.

RECOMMENDATION:

It is recommended that the City Council direct staff to perform public outreach to the affected residents to obtain input on the proposed Mount Olive Lane Sewer Improvement Project.

BACKGROUND:

The properties on the south side of Mount Olive Lane as well as a section of Mount Olive Drive westerly of the intersection with Mount Olive Lane are below the street elevation and any public sewer improvements would need to be installed in the rear of the properties in order to provide a gravity flow outlet. There are also two properties on the north side of Mount Olive Lane that are above the street elevation and could gravity flow to the street. The intersection of Mount Olive Drive and Mount Olive Lane is at a crest, therefore any proposed public sewer improvements would need to split and outlet to the west and to the east from the high point. There is an existing public sewer available in Mount Olive Drive in the westerly direction and another public sewer available at the end of Elda Street in the City of Duarte in the easterly direction. There are eleven (11) properties that have the ability to connect to the proposed sewer extension.

**ISSUES WITH THE PROPOSED
PUBLIC SEWER IMPROVEMENT:**

- In order to construct the public sewer improvements in the rear of the properties, easements would be required from seven (7) of the affected property owners as well as the property owner at 554 Mount Olive Drive. In addition, the acquisition of a sewer easement from a Duarte resident at the end of Elda Street would also be required. The property at 518 Mount Olive Drive is currently constructing a significant remodel and has been conditioned to dedicate a sewer easement along the rear of their property.
- The connection to the existing City of Duarte public sewer would require formal approval from the City of Duarte and LA County Sewer Maintenance.
- The proposed public sewer would require plan review and approval from LA County Sewer Maintenance and LA County Sanitation Districts with applicable plan check fees, connection fees, annexation fees, and costs to prepare a Sewer Area Study.
- The costs for the construction of the public sewer improvements, PS&E preparation, construction management, and any required fees imposed by LA County and the City of Duarte could be included into a Reimbursement District with the costs split between the property owners.
- The City of Bradbury would need to cover the total cost of the project until such time as the individual property owners actually connect to the public sewer and their "fair share" of the costs are reimbursed.

FINANCIAL REVIEW: The cost estimate for the proposed project is \$594,177. According to the reimbursement schedule prepared by the City Engineer, each of the identified eleven (11) property owners' share is estimated to be \$54,016.

DISCUSSION: Councilmember Hale referred to the map and asked the City Engineer if the project could be broken up into two projects, East (502, 518, 526 and 534 Mount Olive Drive) and West (2402, 2416, 2428, 2436, 2438, 2441 and 2435 Mount Olive Lane).

PUBLIC COMMENT: Sal Castro, 2416 Mount Olive Lane, stated that everyone on the east side wants to hook up to the public sewer immediately.

MOTION: Councilmember Pycz made a motion to direct staff to perform public outreach to the affected residents to obtain input on the proposed Mount Olive Lane Sewer Improvements and to investigate the possibility of breaking up the project into two parts (east and west). Councilmember Hale seconded the motion, which was carried by the following roll call vote:

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

Motion passed 4:0

MAYOR PRO-TEM LATHROP: Mayor Pro-Tem Lathrop rejoined the meeting.

MATTERS FROM THE CITY MANAGER: The Planning Commission will meet on Wednesday, September 28, to consider development applications for 412 Mount Olive Drive and 1390 Sharon Hill Lane.

Bradbury Clean-up days are September 29, 30 and October 1, including a shredder event on Saturday, October 1st.

City Manager Keith reminded the City Council to RSVP for the upcoming Bradbury Annual Appreciation Event on Thursday, October 13, from 6 to 8 pm at the Congregation Ale House in Pasadena (across from the Pasadena Humane Society).

MATTERS FROM THE CITY COUNCIL:

MAYOR LEWIS: Nothing to report.

MAYOR PRO-TEM LATHROP: Mayor Pro-Tem Lathrop stated that he received an email about available boarding room for horses in Fish Canyon in Duarte.

COUNCILMEMBER BARAKAT: Councilmember Barakat that the San Gabriel Mosquito and Vector Control is reporting that Zika Virus is in the San Gabriel Valley and that this has been the worst West Nile Virus year ever.

Councilmember Barakat asked if staff could do something about the weeds that are growing outside the construction fence at 1533 Royal Oaks Drive North.

COUNCILMEMBER HALE: Councilmember Hale stated that the biggest horse boarding place on Sawpit is closing down.

COUNCILMEMBER PYCZ: Councilmember Pycz stated that he has been contacted by Steven Collins, 612 Winston Avenue, about putting a chain across the City Hall driveway to close off the parking lot after hours and on weekends. Mr. Collins, who lives directly adjacent to City Hall, has observed lots of cars going in and out when City Hall is closed. City Manager Keith stated that staff will get some quotes.

ITEMS FOR FUTURE AGENDAS: City Attorney Reisman stated that the City Council should consider adopting an urgency ordinance prohibiting the growing of indoor marijuana plants before November 30, 2016. Mayor Lewis directed the City Attorney to put something together for the City Council to consider at the November meeting.

CLOSED SESSION: At 7:50 p.m. the City Council adjourned to a Closed Session.

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

STAFF: City Manager Keith and City Attorney Reisman

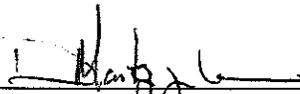
PUBLIC COMMENT REGARDING CLOSED SESSION ONLY: None

CONFERENCE WITH LEGAL COUNSEL: The City Council met in Closed Session to discuss:

- A. **Pending Litigation.** Pending Litigation pursuant to Government Code Section 54956.9 (d)(1) Natural Resources Defense Council NRDC, et al v. State Water Resource Control Board et al, Los Angeles Superior Court Case No. BS156962; and City of Gardena v. Regional Water Quality Control Board, et al, Orange County Superior Court Case No. 30-2016-00833722-CU-WM-CJC

RECONVENE OPEN SESSION AND ANNOUNCE ANY ACTION TAKEN: City Attorney Reisman reported that the City Council took no formal action but provided direction to staff.

ADJOURNMENT: At 8:00 p.m. Mayor Lewis adjourned the meeting to Tuesday, October 18, 2016 at 7:00 p.m.



MAYOR – CITY OF BRADBURY

ATTEST:



CITY CLERK – CITY OF BRADBURY