

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY,
HELD ON TUESDAY, JANUARY 20, 2009 AT 7:30 P.M.
IN THE COUNCIL CHAMBERS AT CITY HALL
600 WINSTON AVENUE, BRADBURY, CA 91008**

CALL TO ORDER/PLEDGE OF ALLEGIANCE: The regular meeting of the City Council of the City of Bradbury was called to order by Mayor Barakat.

ROLL CALL: PRESENT: Mayor Barakat, Mayor Pro-Tem Lathrop, Councilmembers Hale, Guthrie and Lewis (arrived late at 7:40 PM)

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

**REPORT FROM THE
CLOSED SESSION**

City Clerk Saldana stated that Councilmember Lewis would be at the meeting shortly.

City Attorney Reisman reported on items on anticipated litigation; with respect to one of those items the City Council instructed staff to not initiate litigation. With respect to the other matter, the City Council instructed the City Attorney on a 4-0 vote to initiate criminal prosecution against the property owner based upon failure to comply with City ordinances.

City Attorney Reisman also reported that the City Council also had a closed session item on personnel which was the evaluation of performance of the City Manager. The City Council instructed the City Attorney complete the evaluation form circulated to the City Council and provide it to the City Manger.

**APPROVAL OF THE
AGENDA:**

Mayor Pro-Tem Lathrop requested items E. and G. of the consent calendar be removed for discussion.

Mayor Pro-Tem Lathrop made a motion to approve the agenda as presented; Councilmember Hale seconded the motion which carried unanimously.

PUBLIC COMMENT:

None.

CONSENT CALENDAR:

- A. Minutes - Regular City Council Meeting December 16, 2008
- B. Financial Statement for the month of December 2008
- C. Resolution No. 09-01 Demands and Warrants for January 2009
- D. Approval of the Appointments to the Beautification

Committee (Dist. 3 & 5)

- E. Award of Contract for work on the Lemon Avenue/Royal Oaks Trail
- F. Fiscal Year 2007-08 Annual Financial Audit Report
- G. Award to Bid to RKA for Design of Sewer Extension on Mount Olive Drive

**MOTION TO APPROVE
CONSENT CALENDAR:**

City Manager Keith inquired if District 3 & 5 had an appointment for the Beautification Committee. There being none the item D was removed from the consent calendar.

Mayor Pro-Tem Lathrop moved to approve items A, B, C and F on the consent calendar as presented. Councilmember Lewis seconded the motion which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

ABSTAIN: Councilmember Guthrie Item #E

**DISCUSSION OF
CONSENT CALENDAR
ITEM #E AWARD OF
CONTRACT FOR WORK
ON LEMON
AVENUE/ROYAL OAKS
TRAIL**

Councilmember Guthrie recused himself from participating in Consent Calendar item E. Award of Contract for work on Lemon Avenue/Royal Oaks Trail and excused himself from the meeting.

Mayor Barakat inquired in there were other bids for item E. Award of Contract for work on the Lemon Avenue/Royal Oaks Drive Trail.

City Manager Keith stated that there were bids collected from Mursol Construction \$94,000, Willdan \$103,000 and the staff recommendation of Dave Pycz construction \$65,000.

Mayor Barakat inquired if this bid was to solve all the issues with the trail project.

City Manager Keith stated that the property at 1433 Royal Oaks Drive North will be responsible for mirroring our wall for their portion of the trail. The City is working out that agreement which will come before you at a later meeting.

Mayor Barakat opened the discussion up to the public.

Rick Pycz, 1157 Lemon Avenue, stated that as a member of the trail committee he will over see the project and report back to the

City Council as it progresses.

Councilmember Hale made a motion to award the contract with Dave Pycz Construction not to exceed \$66,000 for work on Lemon Avenue/Royal Oaks trail and to authorize the City Manger to retrain Dave Pycz Construction to grade the entire trail not to exceed \$20,000. Mayor Barakat seconded the motion which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

ABSTAIN: Councilmember Guthrie

**DISCUSSION OF
CONSENT CALENDAR
ITEM #G AWARD OF
DESIGN TO RKA
CONSULTING FOR THE
MOUNT OLIVE SEWER
EXTENSION PROJECT**

City Manager Keith stated that it was her understanding that it was the City Council's desire to extend the public sewer line northbound on Mount Olive Drive. The Sharon Hill project has submitted funds to the City for the sewer fund to do some additional work. The City has had it bid out for design and construction and would like to time the work so that the sewer work is done prior to repaving and traffic calming enhancements that the City has been looking at for Mount Olive Drive.

Mayor Pro-Tem Lathrop inquired if the proposal would be for two or five hundred feet.

City Manager Keith clarified that the extension would be 500 feet.

Mayor Barakat inquired if this extension would be tying into the O'Dell's sewer work.

City Manager Keith stated that it would.

Mayor Barakat opened the discussion up to the public.

Bill Gomez, 635 Mount Olive Drive, inquired how long the sewer extension work would delay the repaving of Mount Olive Drive.

Deputy City Engineer Gilbertson stated that it would depend on the action taken by the City Council later this evening when the Mount Olive traffic calming measures were discussed. The plan is to coordinate the construction in rapid succession starting with sewer work so that there will be least disruption to the street.

Mayor Pro-Tem Lathrop inquired if everything were to be

approved today how much longer would it take before it was all complete.

Deputy City Engineer Gilbertson stated that it would be all completed within a year, probably closer to nine months.

Mayor Pro-Tem Lathrop made a motion to award of design to RKA consulting for the Mount Olive sewer extension project. Councilmember Guthrie seconded the motion which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

**DISCLOSURE OF ITEMS
REQUIRED BY GOV.
CODE SECTION 1090 &
81000 ET SEQ.:**

In compliance with the California Political Reform Act, each City Council Member 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.

**AGENDA ITEM # 3
DISCUSSION – MOUNT
OLIVE TRAFFIC STUDY**

The City Attorney stated Councilmember Guthrie had recused himself from participating in the Consent Calendar item #E Award of Contract for work on the Lemon Avenue/Royal Oaks Trail.

Deputy City Engineer Gilbertson reviewed the Mount Olive Drive Traffic Calming Measures on a location map which included choker bulb outs, speed humps and edge line striping and opened the item up to the City Council for any questions regarding the proposal. In addition to traffic calming measures, Mr. Gilbertson reviewed the request by the City to examine the possibility of installing a pedestrian pathway along the entire stretch of Mount Olive Drive. Mr. Gilbertson stated that after studying both the east and west sides of the streets, the west side proved to be the preferred side due to the least amount of obstructions.

Mayor Barakat inquired the distance of the lower speed hump closest to the stop sign at Mount Olive Lane.

Deputy City Engineer Gilbertson stated it was about 200 feet from the stop sign.

Councilmember Lewis inquired if the rumble strips were to stay in.

Deputy City Engineer Gilbertson stated that that would be the desire of the City Council.

Mayor Pro-Tem Lathrop stated that he has received some complaints about the noise and that the rumble strips may not be very effective. Mayor Pro-Tem Lathrop suggested that placing the rumble strips in the areas within the white striping might work to remind drivers to drive within the lines.

Councilmember Hale inquired about the width of the landscaping for the chokers and bulb outs.

Deputy City Engineer Gilbertson stated that in the median the width is 9 foot and about 25 feet long.

Councilmember Hale encouraged landscaping on the chokers to improve the aesthetics of the street.

Councilmember Hale inquired if a choker couldn't replace one of the speed humps up above.

Deputy City Engineer Gilbertson stated that the amount of drive-ways up above on Mount Olive drive prohibits an additional choker.

Councilmember Lewis suggested landscaping in the middle of all speed humps to soften them up.

Mayor Barakat opened the discussion up to the public.

Mr. Gemeinhardt, 615 Mount Olive Drive, inquired as to why there were three speed humps proposed on the top part of Mount Olive Drive. Mr. Gemeinhardt added that he felt that the area could be well served with just one hump and more attention needed to be paid to the area down below closer to the southern side of Mount Olive Drive.

Councilmember Hale stated that a resident in the area where the speed humps are being proposed was in attendance at the last Council meeting expressing his concern about the excessive speed that occurs in front of his house in the mentioned area.

Mayor Pro-Tem Lathrop stated that the delivery drivers from the Pasadena Star News are not stopping at the stop signs and requested City staff contact the newspaper to report it.

City Council directed staff to proceed with a formal design incorporating the suggestions provided this evening. City Council also directed as a separate project to proceed with the proposal for a pedestrian pathway to be located on the west side of Mount Olive Drive.

Mayor Barakat requested markings be placed on the street where the improvements will be made so that the residents can get a better sense of where the installations will be located.

Councilmember Lewis made a motion to proceed with detailed design of the Mount Olive Drive traffic calming measures including the recommendations made this evening in an amount not to exceed \$10,000. Councilmember Hale seconded the motion which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

**AGENDA ITEM #4
DISCUSSION –FISCAL
YEAR 2008-09 MID YEAR
BUDGET REVIEW AND
ADOPTION OF
RESOLUTION NO. 09-02
APPROVING BUDGET
ADJUSTMENTS FOR
VARIOUS ACCOUNTS
MID-FISCAL YEAR 2008-09**

City Manager Keith presented an overview of the City's mid-year fiscal budget. City Manager Keith stated that the City is at its 50% mark, although slightly below on revenues collected from the State which is being withheld until the State passes their budget. The specific adjustments include \$18,000 for the interim City Manager that wasn't included in your adopted budget. Second item, staff is recommending rejoining the San Gabriel Valley Council of Governments COG at a cost of \$8,807.15 in fees. In recent months, staff has discovered it to be most effective with Southern California Council of Governments (SCAG) and to be able to participate in some of these larger regional issues that affect the City, would benefit if the City rejoined the COG.

Mayor Barakat stated he was not in support of rejoining the COG. Mayor Barakat stated that the COG is being punitive by charging for the year that we did not belong.

City Manager Keith stated Pasadena and West Covina, the two other Cities that left the COG, are faced with the same requirement of having to pay for the absent years. Bradbury is the only City that has not rejoined the COG at this point.

Mayor Pro-Tem Lathrop inquired if the voting was one vote per

city or was the number of votes assessed based on population.

City Manager Keith stated that it was one vote per city. City Manager Keith stated that the COG had a task force that was working on how the Regional Housing Needs Assessment (RHNA) numbers are established for Cities in the future. Rejoining the COG would provide the City with representation on regional issues, like housing, trauma centers and transit.

Mayor Barakat inquired how much the annual dues were for the COG.

City Manager Keith stated it would be about \$5,300, of which some of the cost could be offset by your Proposition C monies.

Mayor Pro-Tem Lathrop inquired if the City decided not to join would our agenda be carried by other Cities with similarities in the COG.

City Manager Keith stated that was not necessarily going to be the case. Going to the COG meetings and participating in the discussions is best way to have a voice for issues that matter to the City.

Councilmember Lewis stated that the City Council has always given the impression that our City does not have a voice on regional issues and yet now we don't want to participate in a group that could possibly provide that voice in the region, that is giving mixed messages.

Mayor Barakat suggested Mayor Pro-Tem Lathrop and Councilmember Lathrop attend a meeting to see the COG for themselves.

City Manger Keith stated that this Saturday the COG is meeting to set their agenda for their strategic planning. City Manger Keith stated that meeting would be a perfect opportunity to bring up the how the fees are set in such a way that are cost prohibitive for smaller Cities, like Bradbury, to join.

Councilmember Lewis inquired if they can attend the meeting on Saturday without having joined.

City Manager Keith stated the meeting on Saturday was open to the public.

Mayor Pro-Tem Lathrop and Councilmember Lewis agreed to attend the meeting on Saturday.

City Manager Keith introduced the next item on the mid-year budget adjusted items was CalPers, which is not mandatory but was placed in the City Manager contract as an item the Council would look at. City Manager Keith described CalPers retirement program, outlining the original formula of 2% at 60, and how over the years they have adopted other formulas 2% at 55, 2.5% at 55, 2.7% at 55 and 3% at 60. Most agencies have moved beyond the 2% at 60 as a recruitment tool. Staff recommendation is to adjust the CalPers formula to the next level up, 2% at 55.

Mayor Pro-Tem Lathrop inquired if the City could get an independent statement of what the City should be doing from an outside source and then hold off on considering the increase for next year budget than at this time.

City Manger Keith stated that this would just be the first step in the process to have the CalPers formula updated; the date when the formula is enacted can come at the Council's choosing.

Mayor Barakat inquired if the other Cities also contributed to Social Security.

City Manager Keith stated that there are some Cities that opted out of Social Security, but at some point that was no longer an option for Cities.

Mayor Barakat requested more information on whether or not other Cities are participating in Social Security.

City Manger Keith provided a summary of the mid year revenues of the City including Gas tax, COPS funds, MTA Proposition A and C, Proposition 1B, the sewer fund. City Manager Keith stated that in the area of grants there needed to be a revenue adjustment of \$75,000 for the Fire Safe Council Clearinghouse Grant which was the Cities' matching amount to the grant and therefore should not have been counted as revenue.

Mayor Pro-Tem Lathrop made a motion to approve the mid-year budget excluding the amount to rejoin the COG and adjustments the CalPers retirement formula. Councilmember Hale seconded the motion which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

MATTERS FROM THE CITY MANAGER

City Manager Keith stated that Edison wanted to provide a presentation at the February meeting.

City Manger Keith reminded the City Council of the breakfast meeting with Supervisor Antonovich to be held on March 11.

State Senator Bob Huff would like to meet with City Council and get a tour of the City. City Manager Keith proposed February 20th or the 27th for the meeting.

MATTERS FROM THE CITY COUNCIL

MAYOR PRO-TEM LATHROP:

None.

COUNCILMEMBER HALE:

Councilmember Hale stated that Civic Center Committee meet with the Civil Engineer and is starting to work on the Civic Center drawings.

Councilmember Hale reported that he received a letter from one of his constituents commending the level of service provided by the Los Angeles County Paramedics who responded to an emergency call on Christmas Eve.

COUNCILMEMBER GUTHRIE :

None.

**COUNCILMEMBER LEWIS:
MAYOR BARAKAT:**

Councilmember Lewis announced that there was an Emergency Response Committee meeting this Thursday night at 7 PM.
None.

ADJOURNMENT:

At 9:45 PM the meeting was adjourned to February 17, 2009.

MAYOR CITY OF BRADBURY

ATTEST:

CITY CLERK – CITY OF BRADBURY