

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY,
HELD ON TUESDAY MAY 15, 2010 AT 7:00 PM
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 Hale at 7:02 PM.

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

ABSENT: None

STAFF: City Manager Keith, City Attorney Reisman, City Clerk Saldana, City Planner Meyer and Management Analyst Petsas

APPROVAL OF THE AGENDA: Mayor Pro-Tem Lewis made a motion to approve the agenda to proceed with City business. Councilmember Barakat seconded the motion which carried unanimously.

PRESENTATIONS: **Proclamation Designating May as Mental Health Awareness Month**

The City Council made a proclamation designating May as Mental Health Awareness Month.

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.

City Attorney Reisman reported that Councilmember Barakat would have to excuse himself from Item #4-Civic Center Remodel and Addition-Award of Contract because of his home's proximity to the project site.

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 Council Member request 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 April 20, 2010
- B. Financial Statement for the month of April 2010
- C. Resolution No. 10-20: Demands & Warrants for May 2010
- D. Resolution No. 10-21: Authorization for new signatures on City

- bank accounts.
- E. Resolution No. 10-22: Approving the appointments to the Los Angeles Sanitation District.
 - F. Resolution 10-23: Approving the appointments to the San Gabriel Valley Council of Governments.
 - G. Reimbursement payment to 1433 Royal Oaks Drive North for Easement Documents.
 - H. Approval of Resolution No. 10-16: Amending the Animal Care and Control Contract with Los Angeles County and Establishing Fees for Animal Control Services

**MOTION TO APPROVE
CONSENT CALENDAR:**

Mayor Pro-Tem Lewis moved to approve the Consent Calendar. Councilmember Lathrop 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

**ITEM #2: DISUCSSION
REGARDING DUARTE
UNIFIED SCHOOL
DISTRICT FEASABILITY
STUDY:**

Dr. Dean Conklin, Superintendent of DUSD stated Plans are considering for the School District and wants to make sure the Council is well informed of the Finance measure. The Probability is that it will be putting in ballot on November 2010.

Francisco Figueroa, Board member of the DUSD stated that the last bond passed by the voters was in 1998 to upgrade the facilities. It is important to note what has been done with previous monies. They organized an ABC committee that oversaw the priority setting. The bond was for \$44 Million with \$9 million in matching funds from the state. In the eleven years of the bond, they were able to address the high facilities need and they have been under time and under budget. Classrooms have been updated to College Level technology.

During the bond time they dealt with a 10-15% increase in construction cost which is why many of the items in the original

master plan had to be put until the next bond. According to Mr. Figueroa Duarte Unified School district needs to be similar to Arcadia high school and Monrovia to increase competition and pass there corresponding \$45-\$50 Million bonds.

Councilmember Barakat asked what makes a school a "Distinguished School". Dean Conklin stated that it is for those schools who improve their scores year after year and that schools basically compete against themselves and then must apply to the State for the designation of a 'Distinguished School'. Councilmember Barakat asked of Dean Conklin what percentage of schools that apply received the designation. Dean Conklin stated that 50%-60% of the schools that apply get the designation.

Pam....stated that there are 28 more years left on this current bond and they are currently looking at refinancing the bonds since they have a AA- bond rating. Councilmember Barakat asked with the current bond how much are people paying. Vice President Pam... stated it was \$59.00 per \$100,000 assessed. With the high rates Councilmember Barakat asked why the school district waited this long to refinance the bond. Board Member Figueroa said refinance must be taken slowly and can't jump into the process. Dean Konklin added there may have been refinancing of the bond before he had arrived and can follow-up with Councilmember Barakat on the issue.

Dr. Konklin said this time the DUSD is looking for \$35 to 40 per \$100,000 assessed value which should bring in \$50 to \$60 Million.

Dr. Konklin stated that Pasadena passed one for \$350 Million. Councilmember Barakat said that it was inappropriate to compare amounts, rather give examples of the amount per property. Dr. Konklin gave an example of San Marino which has passed bonds equaling on average \$1,200 per year per property. Councilmember Barakat stated that high fee is why so many San Marino students go to private school.

According to Dr. Konklin, the DUSD spends on 90% on personnel and other people so they can't afford to save money to improve school property. The school district though has been able to stay in budget which is

Mayor Hale asked of DUSD staff who was the architect for Duarte High School gymnasium. Mr. Figueroa stated it was Osborne Architects. Mayor Hale says the auditorium by Osborne was one of the ugliest in the region. How can the ABC committee let something like the gymnasium happen?

DISCUSSION:

Bill Novodor of 220 Mount Olive Drive inquired of the DUSD staff if they had looked into the Stimulus (ARRA) funding for some of the work planned? Dean Conklin stated they had and have received

some funding and have used it for the busing of students.

Mr. Novodor then asked if they had looked into the 'Build America Bonds Act'. The DUSD staff said they had not looked into it. Mr. Novodor offered his assistance in explaining the measures and how the DUSD can take advantage of them.

Councilman Lathrop said in looking at the Needs Analysis from a competitive standpoint, some of the items on the preliminary list are not necessarily that great of a need, they are more like "nice to have". VP stated that this just preliminary just to get started and they are not updated. Both Councilmember Lathrop and Councilmember Barakat then asked why they weren't provided by DUSD with the updated lists.

According to Vice-President, the "final" list should be done late June early July. Right now they are getting final feedback from other groups before they go before the architects and release the plans.

Board Member Figueroa said board members are very conflicted in the process. On one hand they are board members and need to raise funds, on the other hand they have their own families and their budgets are tight just like everyone else. Board Member Figueroa said everyone needs to reflect on the work done and see that one can directly connect the improvement with increase in grades and test scores and a better education overall.

Councilmember Lathrop asked if the Board was rushing into this bond process in trying to get this passed in November. Vice-President xxx responded that they were planning on taking this bond to the June Ballot but decided they want community involvement in the process and postponed it until November.

Councilmember Barakat asked since the last bond was passed, what percentage of students go on to college compared to then. Dr. Konklin about 75% go on to college. In addition, graduation rates get better every year and a large portion of those who graduate go onto Citrus College and then to a four year university.

Board Member Figueroa stated that nearly all of the schools in DUSD have had a 200 point increase over the years in their API score. Councilmember Barakat asked how many of the schools in DUSD are Title One schools; Dr. Konklin stated that all the elementary schools are Title One.

Mayor Pro-Tem Lathrop asked what the attendance was for DUSD. Dr. Konklin stated the attendance is currently 4,000 for DUSD and is shrinking on average by 100 students per year.

Councilmember Pycz wanted to confirm with DUSD staff if the current bond is being paid off and if this bond being discussed is passed, homeowners will be paying for both bonds for at least three years. In ten to fifteen years there will have to be another bond and once again another overlap. Dr. Konklin stated that was correct.

Councilmember Pycz asked of the DUSD staff if they after a certain amount of money and then figuring out projects or are they going after specific projects and from there determining the amount requested.

Councilman Lathrop asked why DUSD hasn't partnered with City of Hope. He also stated that he contacted Cal Tech and found out they have programs to reach out to school district to create programs and grants and If we [Duarte Unified School District] are to be competitive, you need more than just window dressing as described in the plans.

Councilmember Lathrop stated that The big problem with the plans they were provided is that there are no specifics and that the DUSD will back into the ideas after the money is approved. If you are going to sell the community of Bradbury on the improvements, there are not that many improvements listed for Royal Oaks School. This constituency wants to see Royal Oaks well off and not see other schools catch up with the school. They [the residents] want the school to always be ahead. If you start from the bottom (elementary schools) and work your way up, there is a better chance that students will stay.

Vice- President Pam and Board Member Figueroa stated they would be more than willing to return after the plans are finalized in later June/ early July and explain the propose Master Plan in further detail.

**ITEM #3: DISCUSSION OF
ANIMAL CONTROL
SERVICES FOR THE 2010-
2011 FISCAL YEAR:**

Annually the Los Angeles County Department of Animal Care and Control asks all contract cities to state their required level of service for the upcoming fiscal year.

The new service available to the City is Canvassing which provides for dedicated County Staff to perform license enforcement activities (issuing new licenses, license renewals, collecting delinquency charges and other fees) in the field. The cost for these options is an hourly rate of \$56.66. The fees for these services are high, but with other cities that have contracted for these services, the return in terms of new licenses and their subsequent revenue would increase as well, although it would be difficult to determine by how much the revenue would increase.

City Manager Keith asked the Council if they want to increase services, decrease services or keep it the same.

**MOTION TO DIRECT
STAFF:**

Councilmember Barakat made a motion to keep the level of services that are currently contracted with Animal Care and Control for the 2010-2011 Fiscal Year. Councilmember Pycz 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

ABSTAIN: None

**ITEM #4: DISCUSSION OF
CIVIC CENTER REMODEL
AND ADDITION-AWARD
OF BID:**

Councilmember Barakat excused himself from this item due to his property's proximity to City Hall.

City Planner Meyer presented the staff report. The City has solicited bids following the two approaches as directed by the City Council. The low bidder based on the plans was a bit over \$514,000. From that time to the present day, staff has internally value-engineered the project with the support of Planning and the City Engineer.

Staff conducted a preliminary investigation and decided that it would be a prudent approach to reframe the existing roof over the city hall. Now the recommended step would be gut the entire building and tear off the roof and place trusses over the new and existing facilities. There was also identification of minor changes to the foundation. These items are identified in the packet as "Alternate A" and the contractor bid those items at a cost of \$32,615.

Alternate A was the inclusion of an emergency generator; the contractor included it in the price 25,276. Staff has found out that if they reduce the size to a 30 KW, they would not have to go after an AQMD permit.

Attachment C attempted to analyze all costs. Direct const, admin cost, off site, permits, engineering and the cost to temp to relocate city hall faculties for a time of 8 months, plus interior equipment and furniture.

The entire project with the cost identified, with a 20% contingency for construction would be a bit over \$1.1 Million.

The contract to Rasumussen would be for \$547,241. Associated with that requesting authorization the City Manager to authorize contract with Rasmussen and enter contracts with California American Water for line to be installed at a cost of \$178,000. Also authorize the City Manager to spend \$22,214 for relocating existing operations of City Hall.

Mayor Hale asked how much cheaper a 30KW generator would be,

City Manager Keith said it would be around \$1,000 and that the bigger issue is dealing with the AQMD permit for the Generator which is extremely cumbersome.

The issue is that the state legislature had to pass a measure for those public projects that had a generator larger than 30kw so that they could operate. The State is now being used by the EPA and if that issued is overturned they those projects would have to be stopped and could stop the building from using the generator until AQMD approval was received. That is why the 30 KW generators are being looked at.

Mayor Pro Tem Lathrop asked when he is looking at on page 4 of a total encumbrance value of \$934,763 that seems to be missing the \$60,000 estimated in interior finishes and equipment. City Planner Meyer said that is correct. In addition the \$934,763 includes the contingency.

DISCUSSION

Councilmember Lathrop asked of Staff what exactly is being approved tonight. City Planner Meyer stated that the vote was for items #1-3 which includes the award of bid to Rasmussen Construction, construction of the temporary facilities and payment of the off-site work to be paid to Cal-Am water which will go out for bids for the work of the water line. In addition they are working on a Rule 15 in which the City will be reimbursed for the cost over 30 years.

Councilmember Lathrop asked questions regarding the change of the roofing and if that would change the height of the building in any way. City Planner Meyer stated it wouldn't change because the pitch of the roof would be different so that the height could remain the same.

Councilmember Lathrop expressed concern regarding how changes would be made and approved to the project, specifically regarding three people having discretion on approving changes in cost rather than go to the City Council. City Planner Meyer stated that if items were brought back to the City Council for their approval it could cause a delay in the project.

Mayor Hale suggested that changes to the plans be approved by the City Hall subcommittee and that any change over \$25,000 be brought to the City Council during an emergency meeting.

PUBLIC HEARING OPENED:

Mayor Hale opened the public hearing and invited those wishing to speak to come forward and be heard.

PUBLIC COMMENT

Ann Armstrong, 1775 Royal Oaks Drive North, wants to verify that tonight the City Council is asking for the award of Bid and that the number she was given by the City Planner for the temporary facilities is not what is listed in the staff report for the cost of the

temporary facilities. City Planner Meyer said between the preparation of the agenda and preparation of the staff report, verification of the rental costs increased, It is now \$22,314.

**PUBLIC HEARING
CLOSED:**

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

DISCUSSION

Mayor Hale said that there will be a monthly report provided to the City Council and there will be listed the change orders.

City Attorney Reisman noted that the contingency amount of \$122,408 was not placed on the agenda and that it needs to be advertised on the agenda to be approved by the City Council. He stated that it can be placed on the consent calendar for the June City Council meeting.

**MOTION TO AWARD BID
AND AUTHORIZE CITY
MANAGER TO RELOCATE
TO TEMPORARY CITY
HALL AND ENTER
CONTRACT WITH CAL AM
WATER**

Mayor Pro-Tem Lewis moved to award the bid to Rasmussen Construction in the amount of \$547,241, authorize the City Manager to proceed with implementing the relocation of the City Hall to temporary facilities to be located at the easterly half of the subject property with a budget not to exceed \$22,314 and authorize the City Manager to execute the necessary documents with the water purveyor that will result in the provision of sufficient fire flow at 600 Winston Avenue to accommodate the proposed Civic Center construction. Councilmember Pycz seconded the motion, which was carried by the following roll call vote:

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

NOES: None

ABSENT:

ABSTAIN: Councilmember Barakat

Councilmember Barakat rejoined the meeting

**MATTERS FROM THE
CITY MANAGER:**

City Manager Keith stated that there was going to be a Budget study session scheduled for either June 8 or June 10 and requested of the Council what dates would work. It was agreed that June 8th at 6:30 pm would work best.

Date for the Planning Commission/City Council join retreat planned for October, please look at dates during that month that would work. Would a Saturday work, evening meetings or something different. The City council decided the best thing to do would be to poll the commissioners to see what date would work.

City Manager Keith reminded the City Council that City Hall will be closed May 31st for Memorial Day and that the City Manager is out on the 26th. The Building Inspector will be on vacation for two weeks starting the 25th of May and a replacement will be here during that

time.

At the June City Council meeting there would be a 45 minute NIMS/SIMS overview taught by the Area D coordinator @ 6:15 pm. Finally, the Burrtec Agreement will be up for City Council review at the July City Council meeting

MATTERS FROM THE CITY COUNCIL:

**COUNCILMEMBER
BARAKAT:**

Nothing to report at this time.

MAYOR HALE:

Nothing to report at this time.

**COUNCILMEMBER
LATHROP**

Nothing to report at this time.

MAYOR PRO-TEM LEWIS

Reminded everyone that the next Emergency Response Committee is on May 27, 2010 at 7:00 pm.

COUNCILMAN PYCZ

The first California Joint Powers Insurance Authority meeting is coming up soon.

**ITEMS FOR FUTURE
AGENDAS:**

City Attorney will not be here for the July City Council meeting.

CLOSED SESSION:

Mayor Hale adjourned the meeting to a Closed Session regarding conference with legal council to discuss (1) Personnel/Evaluation of Performance (Title: City Manager) pursuant to California Government Code Section 54957.

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

The open session was reconvened and City Attorney Reisman reported that the City Council met in Closed Session to discuss personnel matters and no reportable action was taken.

The Personnel/Evaluation of Performance (Title: City Manager) was continued to the **May 18, 2010 meeting**.

ADJOURNMENT:

At 9:30 pm Mayor Hale adjourned the meeting to the City Council Meeting on June 15, 2010.

MAYOR – CITY OF BRADBURY

ATTEST: _____
CITY CLERK – CITY OF BRADBURY