

**MINUTES OF A REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF BRADBURY,  
HELD ON TUESDAY, JULY 21, 2009 AT 7:00 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 at 7:00 PM.

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

ABSENT: None.

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

**APPROVAL OF THE AGENDA:** Councilmember Hale made a motion to approve the agenda as presented; Councilmember Lewis seconded the motion which carried unanimously.

**PUBLIC COMMENT:** 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.

City Manager Keith stated on item 3 for option 3 of that report Councilmember Lathrop will have to recuse himself.

**CONSENT CALENDAR:**

- A. Minutes - Regular City Council Meeting June 16, 2009
- B. Financial Statement for the month of June 2009
- C. Resolution No. 09-26 Demands and Warrants for July 2009
- D. Resolution No. 09-27 Authorizing Signature for East West Bank
- E. Renewal of the Annual Pest Control Agreement with the County of Los Angeles
- F. Acceptance of Pedestrian/Equestrian and Utility Easement for 1433 Royal Oaks North
- G. Approval of Electronic Data Policy
- H. Resolution 09-28 Designating an Alternate Temporary Seat of Government During Emergencies

I. Award of Contract to Construct a Sign Monument and Replacement of a retaining wall for the Lemon Avenue and Royal Oaks Drive Equestrian/Pedestrian Trail

Councilmember Lathrop stated there was a correction on page ## the of the minutes, Councilmember Lewis is on the record twice in the motion to adopt Ordinance No. 307 the record should reflect that Councilmember Lewis voted ayes on the item and Councilmember Lathrop voted no.

Councilmember Lewis stated on page two of the regular minutes there was a double nomination of Mayor Pro-Tem Hale and one should be deleted.

**MOTION TO APPROVE  
CONSENT CALENDAR:**

Councilmember Guthrie abstained from item I. Award of Contract to Construct a Sign Monument and Replacement of a retaining Wall for the Lemon Avenue and Royal Oaks Drive Equestrian/Pedestrian Trail.

Councilmember Lathrop moved to approve the consent calendar with noted corrections. Mayor Pro-Tem Hale seconded the motion which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

ABSTAIN: Council member Guthrie on item I

**AGENDA ITEM #2  
DISCUSSION- MOUNT  
OLIVE DRIVE SEWER  
IMPROVEMENTS  
(NORTHERNLY 4,000  
LINEAR FEET)**

Deputy City Engineer Gilbertson presented the Mount Olive Drive Sewer Improvements report and informed the City Council that the City did not currently have a shovel ready project and therefore would not qualify for the grant funds associated with the ARRA. Mr. Gilbertson outlined the Clean Water State Revolving Fund (CWSRF) as an alternate source of funding for the sewer improvements. Mr. Gilbertson stated that the cost to prepare the Financial Assistance Application that is needed to pursue the funds would cost \$20,000.

Councilmember Guthrie inquired if the City Hall project would qualify as a shovel ready project.

City Manager Keith stated that the sewer improvement funds could not be used for the Civic Center Project, but the City is pursuing Energy Efficiency funds.

Councilmember Guthrie inquired about the amount of homes would benefit from this project.

City Manager Keith stated 20 homes would benefit.

Councilmember Lathrop inquired if the City of Duarte should be approached to share in the project costs since their residents in the Duarte Mesa area will benefit if the project is completed.

Lathrop stated that he did not want to see the Mount Olive Drive street improvements delayed as a result of the sewer improvements.

Staff was directed to explore the item with the City of Duarte and if they are interested as well to bring the item back to the City Council.

**AGENDA ITEM #3 MOUNT OLIVE DRIVE SEWER EXTENSION (500 LINEAR FEET)**

Councilmember Lathrop excused himself from the meeting due to the proximity of his property to the subject matter.

Deputy City Engineer Gilbertson reviewed the proposed extension of 500 linear feet north of 555 Mount Olive Drive of the sewer line. Mr. Gilbertson outlined three options for the City Council and what costs associated with the various options.

Mayor Barakat stated he could not justify spending approximately 125,000 for the benefit of two homes as proposed in Option One.

Mayor Pro-Tem Hale proposed taking the plans out to bid to find out how far the amount of 125,000 that we have would take a sewer line extension.

Mayor Pro-Tem Hale made a motion for Option One to go out to bid with a not to exceed amount of 125,000; Councilmember Lewis seconded the motion which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

ABSTAIN: Councilmember Lathrop

**AGENDA ITEM #4 APPROVAL OF PLANS AND AUTHORIZATION**

Councilmember Lathrop rejoined the meeting.

City Manager Keith reviewed the Mount Olive Drive Pedestrian

**TO RECEIVE FORMAL  
BIDS- MT. OLIVE DRIVE  
PEDESTRIAN PATHWAY**

Pathway project and requested City Council's approval to approve the plans and proceed with the formal bidding.

Councilmember Guthrie inquired if any of the stimulus money could be applied to this project to offset the remanding \$25,000 that the Proposition C funds will not cover.

City Manager Keith stated that there is a chance that this project will come in under \$100,000 after we receive the bids, the amount the City Council approved in the Budget. If we exceed \$100,000 there may be other resources like the like the Metro TDA funds that can be allocated for the project.

Councilmember Lathrop inquired about note four on the construction sheet that was missing from the plans.

Deputy City Engineer Gilbertson made note of the missing instruction and stated it would be corrected prior to going out to bid.

Councilmember Hale inquired about the trail material and how effective it was on the type of grade that existed on Mount Olive Drive.

Deputy City Engineer Gilbertson stated that that type of material was made specifically for steeper grade surfaces.

Councilmember Lathrop inquired about the gap in fencing on page two of three that existed on the plans.

Deputy City Engineer Gilbertson stated that gaps occur on the plans when there is existing fencing from the properties that we could tie into and save some money on the project.

Mayor Pro-Tem Hale made a motion qualifying the project for a Class I exemption pursuant to Section 15301 of the California Environmental Quality Act Guidelines; Councilmember seconded the motion which passed unanimously.

Mayor Pro-Tem Hale made a motion to approve the plans and specifications; and authorize the City Engineer to advertise to receive formal bids, Councilmember Lewis the motion which was carried by the following roll call vote:

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

NOES: None  
ABSENT: None  
ABSTAIN: None

**AGENDA ITEM #5  
APPROVAL AND  
AUTHORIZATION TO  
RECEIVE FORMAL BIDS-  
MOUNT OLIVE DRIVE  
TRAFFIC CALMING**

City Manager Keith reviewed the Mount Olive Drive traffic calming measures and requested City Council's approval to approve the plans and proceed with the formal bidding.

Mayor Barakat confirmed that all of these traffic calming measures would be occurring north of Mount Olive Lane.

City Manager Keith stated that was correct except for the striping.

Mayor Barakat requested an update on the amount of citations that have been issued recently as a result of the increased enforcement.

Lt. Harshman stated there have been 38 citations given over an eight day period.

Councilmember Lathrop inquired about the landscaping which was missing from the plans presented.

Deputy City Engineer Gilbertson stated that those details would be on the bid documents. He apologized for not having included them in the presented materials.

Councilmember Lewis inquired about California-American Water Companies offer to provide drought tolerant landscaping.

City Manager Keith stated that the last conversation she had with Cal-Am Water Company directed staff to find out how much the landscaping would cost and they would cover the costs.

Councilmember Lathrop made a motion qualifying the project for a Class I exemption pursuant to Section 15301 of the California Environmental Quality Act Guidelines; Councilmember Lewis seconded the motion which passed unanimously.

Councilmember Lewis made a motion to approve the plans and authorize the City Engineer to advertise to receive formal bids, Councilmember Lathrop seconded the motion which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

**AGENDA ITEM #6  
APPROVAL OF PLANS  
AND AUTHORIZATION  
TO RECEIVE FORMAL  
BIDS- CITY-WIDE  
SLURRY/CAPE SEAL  
PROJECT**

City Manager Keith stated that the next item on tonight's agenda was the approval and plans and authorization to receive formal bids for City-wide Slurry/Cape Seal Project. This project would include all of the City's public streets as part of the Pavement Management System. City Manager Keith stated that Mount Olive Drive would be done separately in conjunction with the traffic calming installation.

Mayor Barakat requested clarification on the process of slurry seal and inquired if the street would be raised or lowered.

Deputy City Engineer Gilbertson stated that the height of the streets would not change. Mr. Gilbertson added that the streets are in good shape overall and only a slurry/cape seal was needed at this time.

Councilmember Guthrie requested that staff work with the City of Monrovia on Lemon Avenue as both Cities share parts of that street and it would make sense to fix the entire street all at once.

Mr. Rick Pycz, 1157 Lemon Ave, agreed with Councilmember Guthrie and added that the last time that any work was done on that street was in 1994.

Deputy City Engineer Gilbertson stated that it sounds like the asphalt on Lemon Ave is in worse shape, the solution for that would be a grind and overlay instead of just a slurry seal.

Staff was directed to bring the item back with further information on what repairs are needed to Lemon Ave and to work with the City of Monrovia.

**AGENDA ITEM #7 CIVIC  
CENTER PROJECT  
TIMETABLE AND STATUS  
UPDATE**

Mayor Barakat excused himself from the meeting citing proximity of his own property to the proposed connection of Civic Center project.

City Manager Keith stated that the Civic Center plans have been approved by the Planning Commission, they have gone through plan check, and we are awaiting final approval from Los Angeles County Fire Department and the City is currently in the process of putting together the bid package. City Manager Keith stated that the project was one bid package but it is going to be bid out to all the separate trades and the City will act as the General Contractor.

City Manager Keith proceeded with a highlight of the time line from now until November when construction is set to begin. City Manager Keith stated that the Engineer's estimate for the project currently is \$732,000, with \$52,000 allotted for construction supervision/superintendent services. City Manager Keith stated that in order to effectively keep this project on time and on budget it is recommended that a construction superintendent be contracted in an amount not to exceed \$52,000 to LDM and Associates.

Councilmember Lathrop inquired if the City Council needed to look at the specs before it goes out to bid.

Mayor Pro-Tem Hale stated that the plans have been through the Planning Commission and the Building Department where they have reviewed the specs.

Councilmember Guthrie inquired as to why a superintendant was needed on the project and referenced the other construction projects that the City Manager had worked while working in in her previous employment.

Mayor Pro-Tem Hale stated that the City Manager was going to be the General Contractor and oversee the project, but day to day supervision and organization is required.

City Manager Keith stated that when she had worked on construction projects in the past, there was a construction manager that she worked with to ensure budgets and schedules were met.

Councilmember Guthrie inquired about how much the City would be affected by the State Budget cuts.

City Manager Keith stated that if today's plan to balance the budget goes through tomorrow it would be about a \$65,000 loss to the City's budget. That would include the Gas Tax and Property Tax borrowing.

Councilmember Lewis made a motion to approve the timetable, status update for the Civic Center Project and authorize the City Manager to contract with LDM Associates for construction superintendent services. Councilmember Lathrop seconded the motion which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

ABSTAIN: Mayor Barakat

**AGENDA ITEM#8  
SELECTION AND  
ROTATION OF MAYOR  
AND MAYOR PRO-TEM**

Mayor Barakat rejoined the meeting.

City Manager Keith stated the City Council had requested an opportunity to review and discuss the process for the selection and rotation of Mayor and Mayor Pro-Tem. As a result of the first discussion on the matter held at the June 16, 2009 City Council meeting, the City Council appointed Councilmembers Lewis and Lathrop to work together on two alternatives a non-rotation and rotation option.

Mayor Pro-Tem Hale requested clarification on selection of Mayor Pro-Tem must provide for succession consistent with requirements.

Councilmember Lewis explained that meant a Councilmember needed to be on City Council for two years before being Mayor, so therefore if a Councilmember were appointed to Mayor Pro-Tem in their first year the Mayor position would have to default to rotation because the candidate would not have meet the two year requirement.

Mayor Pro-Tem Hale stated he preferred the non-rotation option and he was in favor of the thirty day waiting period between nomination of the candidate and voting.

City Attorney Reisman suggested not placing a timed requirement like "30 days" but rather a more general statement like the "previous meeting".

Mayor Barakat stated that he preferred the non-rotation option as it provided the City Council more flexibility.

Councilmember Lathrop stated that the rotation option is the better choice because the City Council is not elected at large and therefore all the districts should have chance to have their representative should have a chance to serve as Mayor.

Mayor Barakat pointed out that with four year terms with five year rotations that if you go with the strict rotation option would prelude a representative from ever having the chance to be Mayor.

Councilmember Lathrop made a motion for the rotation option.

The motion died to a lack of second.

Mayor Pro-Tem Hale made a motion for the non-rotation option, Councilmember Lewis seconded the motion which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

Staff was directed to have the item come back to the City Council as an Ordinance for adoption at the next meeting.

**MATTERS FROM THE  
CITY MANAGER:**

Ms. Keith reminded the City Council that a field representative from Congressman Dreier's office would be at City Hall tomorrow.

Ms. Keith stated that she is working with the City Engineer and Royal Oaks Elementary School on the traffic congestion that affects the streets of Elda, Freeborn, and Gardi. The item will come before you on your agenda next month.

Ms. Keith stated the Estates has made a request to amend the City's contract with Burrtec Waste Services and this item will come before you at your next City Council meeting. As a result of discussion with Burrtec, the City has discovered that two areas, the Estates and Woodlyn Lane have not been given the option to recycle. This matter will be a part of the discussion at an upcoming City Council meeting. In the meanwhile Burrtec has invited the City Council to the "MRF" in Fontana on July 31 to see the process of manual separation of trash for recycling. MRFing may become the alternative method of recycling for the City.

Ms. Keith provided an update on the State Budget issued stating that the current discussions in Sacramento do not change from the earlier projections of \$30,000 in gas tax and about \$30,000 in property tax.

Ms. Keith reminded the City Council that she will be out of the office Thursday July 23 and Friday July 24 but will be available by phone.

**MATTER OF THE CITY**

City Attorney Reisman pointed out a typo in the electronic data

**ATTORNEY:** memo before the words “any, language, tone, attitude and graphics should be the word, “the”.

**MATTERS FROM THE CITY COUNCIL:**

**MAYOR PRO-TEM HALE:** None.

**COUNCILMEMBER LATHROP:** None.

**COUNCILMEMBER GUTHRIE :** None.

**COUNCILMEMBER LEWIS:** Councilmember Lewis reminded the City Council of the Emergency Response Committee meeting on Thursday, July 23.

**MAYOR BARAKAT:** Mayor Barakat stated that the Sanitation District is entering into discussions with the Metropolitan Water District to sell them 100 million gallons of recycled water per day.

Mayor Barakat mentioned Mayor Pro-Tem Hale would be out of town for the August 18 City Council meeting and proposed to the City Council postponing the meeting one week.

The consensus of the City Council was to leave the date of August 18, 2009 for the next City Council meeting.

**ADJOURNMENT:** At 8:30 PM, Mayor Pro-Tem Hale moved to adjourned to August 18, 2009 at 7:00 PM. The motion was seconded by Councilmember Lewis.

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**MAYOR CITY OF BRADBURY**

ATTEST:

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**CITY CLERK – CITY OF BRADBURY**