

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY,
HELD ON TUESDAY AUGUST 17, 2010, CLOSED SESSION AT 6:30 PM AND REGULAR
SESSION AT 7:00 PM IN THE STAFF LOUNGE AT ROYAL OAKS ELEMENTARY SCHOOL
2499 ROYAL OAKS DRIVE BRADBURY, CA 91008**

- CALL TO ORDER/** The regular meeting of the City Council of the City of Bradbury was called to order by Mayor Hale at 6:30 PM.
- ROLL CALL:** PRESENT: Mayor Hale, Mayor Pro-Tem Lewis, Councilmembers Lathrop, Pycz and Barakat.
- ABSENT: None
- STAFF: City Manager Keith, City Attorney Reisman, City Clerk Saldana, Deputy City Engineer Gilbertson and Management Analyst Petsas.
- CLOSED SESSION:** Mayor Hale adjourned the meeting to a Closed Session regarding conference with legal counsel to discuss (1) Conference with Legal Counsel-Anticipated Litigation/Initiation of Litigation. Pursuant to California Government Code Section 54956.9 (c) 1 Case
- 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 potential litigation and no reportable action was taken.
- REGULAR SESSION CONVENED/ PLEDGE OF ALLEGIANCE:** The Regular meeting was called to order by Mayor Hale at 7:01 pm.
- ROLL CALL:** PRESENT: Mayor Hale, Mayor Pro-Tem Lewis, Councilmembers Lathrop, Pycz and Barakat.
- ABSENT: None
- STAFF: City Manager Keith, City Attorney Reisman, City Clerk Saldana, Deputy City Engineer Gilbertson and Management Analyst Petsas.
- APPROVAL OF THE AGENDA:** Councilmember Lathrop made a motion to approve the agenda to proceed with City business. Mayor Pro-Tem Lewis 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 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 he was not aware of any conflicts of interests with any of the items on the agenda.

PUBLIC COMMENT:

Phil Wood, 2337 Elda, expressed concern regarding the Elda Street Gate at Royal Oaks School being locked at night and over the weekend, especially since there is no other way of getting out if the intersection at Mount Olive and Elda is blocked. He wondered if there was a way of giving one person on a key to unlock the gate in case of an emergency.

Elisa Clifford, 1440 South California Avenue Monrovia, Southern California Edison Governmental Liaison, presented information regarding the Techaphci Renewable Transmission project. Edison is currently working on the project which is being conducted in the existing right of way through Duarte and down the 605 freeway. The project should be only two to three months in length.

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 July 20, 2010
- B. Financial Statement for the Month of August 2010.
- C. Resolution No. 10-30: Demands & Warrants for July 2010.
- D. Resolution No. 10-31: Authorizing the City Treasurer as a signature on the Special Checking Account
- E. Resolution No. 10-32: Declaring a Mandatory Unpaid Furlough Plan for City Employees During Fiscal Year 2010-2011 and Approving a General Furlough Closure Schedule for City Offices.
- F. Resolution No. 10-33: Supporting the LA Metro 30/10 Plan.

COMMENTS FROM COUNCILMEMBERS

Councilmember Lathrop noted on page 8 of the July minutes, achieved should be switched to solve.

MOTION TO APPROVE CONSENT CALENDAR:

Councilmember Barakat moved to approve the Consent Calendar as amended. Mayor Pro-Tem Lewis 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: DISCUSSION-
MOUNT OLIVE TRAFFIC
CALMING MEASURES
AND PEDESTRIAN
PATHWAY (UPPER AND
LOWER SEGMENTS)**

Deputy City Engineer Gilbertson made the presentation:

The City Council considered the design concepts for the installation of traffic calming measures and pedestrian pathway alternatives in the upper and lower segments of Mount Olive Drive. Upon reviewing and discussing the various alternatives it is recommended that the City Council provide further direction to staff regarding this item.

At the July 20, 2010 City Council meeting, staff presented recommendations for the installation of traffic calming measures and pedestrian pathway alternatives in the upper and lower segments of Mount Olive Drive. The City Council continued the item and directed staff to provide pavement markings of the proposed traffic calming measures for field review by the council members and the affected residents and continued the item to this meeting.

Upper Segment

1. Pedestrian Pathway- Staff is recommending the installation of a 6' wide decomposed granite pedestrian pathway along the westerly side of Mount Olive Drive similar to the pathway in the middle segment as the best alternative.
2. Traffic Calming measures- Staff is recommending the installation of a single choker/bulb-out at the mid-way (crest) point in the upper segment of Mount Olive Drive. The crest of the hill is the only viable location for a choker/bulb-out in this segment because of the sight distances required for this type of traffic calming measure

After the pavement markings of the proposed location were completed, staff is concerned that there may not be sufficient visibility of the traffic calming improvements for the vehicles traveling in the southbound direction.

Lower Segment

1. Pedestrian Pathway- There are two (2) alternatives for the pedestrian pathway in the lower segment of Mount Olive Drive. The first is a variable width (4' to 6') decomposed granite pathway along the westerly side of Mount Olive Drive.

The second alternative is a 4' wide concrete sidewalk along the easterly side of Mount Olive Drive. The proposed sidewalk would be adjacent to the curb in order to avoid the mature trees in the landscaped parkway. This alternative would require the installation of four (4) ADA curb ramps at the intersections as well as a retaining curb to meet the existing topography.

2. Traffic Calming Measures- There are three (3) alternatives for traffic calming in the lower segment of Mount Olive Drive. The first alternative is the installation of white edge line striping along both curbs lines of the roadway.

The second alternative is the installation of raised bulb-outs along both sides of the roadway at the intersection on Freeborn Street and Mount Olive Drive

The third alternative is the installation of a choker/bulb-out at the intersection of Mount Olive Drive and Freeborn Street.

With the 2nd and 3rd alternative parking along Mount Olive would be reduced dramatically.

After the pavement marking of the proposed location were completed, it became evident to staff that the proposed traffic calming improvements in alternative No. 2 would inhibit ingress and egress to the driveways for the properties located at 635 Mount Olive Drive and 2304 Freeborn Street and is no longer recommended.

At the July 20, 2020 meeting staff was directed to revisit the option of installing a speed hump at 535 Mount Olive Drive. This location is the only area in the lower segment that is relatively flat that would allow the installation of a speed hump.

Staff also investigated the option of reconfiguring the Mount Olive Lane and Mount Olive Drive Intersection into a formal three-way stop configuration. This type of configuration is possible without the acquisition of additional right-of-way.

Staff has estimated the cost for the proposed improvements as followed:

A. Upper Segment of Mount Olive Drive	
1. Traffic Calming Measures	\$60,000.00
2. Pedestrian Pathway	\$130,000.00
B. Lower Segment of Mount Olive Drive	
1. Traffic Calming Measures (Choker/Bulb-outs)	\$62,500.00
2. Traffic Calming Measures (Bulb-outs)	\$86,000.00
3. Traffic Calming Measures (Striping)	\$5,000.00
4. Pedestrian Pathway (Decomposed Granite)	\$106,000.00
a. 619 Mount Olive	\$41,000.00
b. 635 Mount Olive	\$27,500.00
c. 645 Mount Olive	\$37,500.00
5. Concrete Sidewalk	\$77,500.00
C. Intersection Reconfiguration at Mount Olive Drive	\$75,000.00

Approximately \$382,000 is available in the Los Angeles County Measure R fund and staff believes that these funds may be utilized for these projects. Pending City Council's direction on what items to move forward with, staff will contact the MTA for approval prior to moving forward with the project.

DISCUSSION

Councilmember Pycz asked staff if the speed bump could cause any problems. Deputy City Engineer Gilbertson stated it doesn't appear to, but he recommended either doing the speed bump or the intersection configuration, but not both.

Councilmemeber Lathrop asked if landscaping could be added to the reconfiguration. Deputy City Engineer Gilbertson confirmed that it could and was included in the estimate.

Councilmember Lathrop asked how we determine what items to choose since we have a limited amount of money to deal with.

Mayor Pro Tem Lewis stated that based on the recommendations of staff, with the elimination of the traffic calming items that would only save \$60,000.

Councilmember Lathrop asked if these designs would have impacts on parking. Deputy City Engineer Gilbertson stated that many of them impact parking.

**PUBLIC HEARING
OPENED:**

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

PUBLIC COMMENT

Shirley Warren, 2307 Freeborn Street, stated she did not like the bulbouts and that they are not beautification measures to her and they are not important. Ms. Warren stated deterrents, such as

police are important.

Lisa Garcia, 2307 Freeborn Street, stated that with the proposed traffic calming measures, it would be difficult, if not impossible to get out of her driveway. Ms. Garcia stated that it would be better if the money spent on Sheriff officials stepping up their enforcement.

Mike Misik, 645 Mount Olive, stated that he could tell before the streets were painted that the traffic calming measures would block his driveway. It will be impossible to get out, as well as bringing out his boat from his driveway. The measurements simply don't work.

Walter Dahlem, 160 Mount Olive, stated that he objected to the reconfiguration of Mount Olive Drive and Lane and that the City of Duarte was considering installing a traffic signal at Mount Olive Drive and Royal Oaks Drive. He stated that with the configuration of the intersection horse trailers wouldn't be able to make the turn, nor in his opinion could large emergency vehicles.

Barbara Chang, 2320 Rim Road, Duarte Mesa, stated that she has lived in the area since 1980 and is concerned about the problems of this traffic calming measures during an emergency. She stated that people wouldn't be able to speed down Mount Olive Drive if they needed to get out in an emergency.

Bill Gomez, 635 Mount Olive, asked if the Council has considered striping instead of installing these bulbouts. He stated that he would rather have law enforcement continue giving tickets than have their traffic calming measures installed.

Jim Kelly, 2355 Rim Road, Duarte Mesa, expressed concern over emergency vehicles and large horse trailers being able to navigate the proposed reconfigured intersection of Mount Olive Drive and Mount Olive Lane.

Rick Forintos, 2236 High Mesa Drive, Duarte Mesa, believed that the idea of striping the lower portion of Mount Olive Drive would be the best option for calming traffic. He walks the area every morning and does realize the problem. He also believes that the hump near Mount Olive lane would not reduce speed that much. He also wanted to make sure that if the Mount Olive Lane reconfiguration takes place that landscaping is added. Mr. Forintos express that he believed that the traffic calming in the upper portion near Mickey Thompson's house is not needed.

Mr. Marcus, 200 Mount Olive Drive, expressed concern that the new traffic calming measures would make it difficult for him to get out of his driveway.

**PUBLIC HEARING
CLOSED:**

There being no more public testimony on the traffic calming, Mayor Hale declared the public hearing closed.

DISCUSSION

Mayor Hale said that he understands everyone concerns, but putting this into perspective everything they have done has slowed traffic down, we hear it is still not enough.

Mayor Pro Tem Lewis stated that this began with trying to get people off the street for safety. With all the concern being raised with the lower portion, we should eliminate that. With the enforcement issue being brought up, we can't spend the capital funds on that type of work. (referring to sheriff enforcement). We will continue to maintain traffic enforcement, but it is difficult to increase it without enforcement.

Councilmember Lathrop stated that he really likes the reconfiguration of the Mount Olive Lane/Drive area. He does express concern if the large vehicles can negotiate the turn. It may be that it can be less than 90 degrees. Councilmember Lathrop stated that if we can slow traffic down, it would make radar enforcement more possible. We can solve the lower portion with law enforcement through lowering speed for radar.

Councilmember Pycz agreed that he likes the reconfiguration of the intersection. Maybe if we take into consideration of the residents if we stripe the lower portion and address the problem later.

**PUBLIC HEARING
OPENED:**

Mayor Hale opened the public hearing again and invited those wishing to speak on the trail portion of the project to come forward and be heard.

PUBLIC COMMENT

Mr. Misik, 645 Mount Olive, stated that he was driving through Glendale and saw them use striping and thought that the City might consider that instead of installing trails. Mr. Misik suggested narrowing down the streets and use the new area for walking could solve the pedestrian problem.

Lisa Garcia, 2307 thought that if you have a sidewalk there, you might solve some issues, but the striping may solve the problems and let's do that and see if the speeding decreases.

**PUBLIC HEARING
CLOSED:**

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

DISCUSSION

Councilmember Lathrop said he is hearing that this is someone else's neighborhood and they are concerned about making this into a more public place than it already is. We can wait and see if after striping the area helps slow down traffic and then move forward from there.

Councilmember Pycz stated that if we don't do the trail, we might need to consider extensive striping and look at readdressing the area in four to five months.

Mayor Hale asked how hard it would be to eliminate parking on one side of the street. City Attorney Reisman said it would require an appropriate traffic study and public hearing.

Councilmember Lathrop stated that people can walk on the grassy areas of those homes along Mount Olive and avoid installing a path along the street.

Mayor Hale said he disagrees with the other councilman and believes that there needs to be a safe place for walkers where they don't have to weave in between parked cars.

Mayor Pro-Tem Lewis stated that he agrees and disagrees with Councilmember Lathrop. He stated that we have to get a safety zone along Mount Olive Drive, but this is a public street and people are still going to use it. He disagrees with Councilmember Lathrop in that we have done something; he states that we have done nothing to slow down traffic in the street on the lower portion of Mount Olive Drive.

Councilmember Lathrop said NIMBY (Not in My Backyard) issues are important, but they have to be considered in a cost/benefit situation when dealing with certain projects. In this situation, NIMBY is an important issue that should override the cost/benefit approach.

Councilmember Barakat stated that in certain portions of Mount Olive Drive, there are portions where you have to walk in the street. If pedestrians are required to walk around parked cars, it still feels very dangerous even if the car is moving 25 MPH.

Councilmember Lathrop asked about making the east side of Mount Olive Drive a "no parking zone" in the area of the proposed trail so that people could walk. Councilmember Lathrop asked fellow councilmembers why they are opposed to making the eastern side of Mount Olive Drive a no parking side where there is alternative parking. According to Councilmember Lathrop, as proposed, people would have to park and then cross the street to walk to the trail. Mayor Hale said it has to do with visibility of the pedestrians on the sidewalk.

Councilmember Lathrop stated that he didn't understand why the Councilmembers were worried about pedestrian visibility on the west side of the street when they were already on the trail. Councilmember Lathrop again asked the Councilmembers opposed to parking on the west side why they felt that way.

**MOTION TO DIRECT CITY
MANAGER:**

Mayor Pro-Tem Lewis made a motion to authorize the City Manager to move forward with implementation of A #1 and C and a modification of B #5 by narrowing the street and putting in a sidewalk and making the west side of Mount Olive Drive no parking using the existing right-of-way. Councilmember Barakat seconded the motion. Councilmember Lathrop amended the motion to make no parking on the east side. Councilmember Lathrop's amendment failed due to a lack of a second.

Mayor Hale called for a roll-call vote on Mayor Pro-Tem Lewis' motion:

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

NOES: Councilmember Lathrop

ABSENT:

ABSTAIN:

**ITEM #3: AWARD OF BID
FOR THE CITYWIDE
SLURRY/CHIP SEAL
PROJECT**

At the February 15, 2010 meeting, the City Council rejected the construction for the city-wide slurry/cape seal project and authorized staff to re-bid the project because only one bid was received.

The project was re-advertised in early July 2010 and bids were opened for the second time on July 29, 2010 with Doug Martin Contracting Company being the lowest responsible bidder.

The project consists of the installation of 217,560 square feet of slurry seal and the installation of 64,360 square feet of cape seal. The three existing speed bumps on Lemon Avenue will be replaced as a part of the project. However, the contractor will install lower speed humps in lieu of the more severe speed bumps.

The grind and asphalt overlay of the most westerly 1,000 feet of Lemon Avenue (north half) will be included with the Mount Olive Drive resurfacing project, which will be bid at a later date.

**PUBLIC HEARING
OPENED:**

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

**PUBLIC HEARING
CLOSED:**

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

MOTION TO AWARD BID:

Councilmember Barakat made a motion to reject all other bids, award the City-Wide Slurry/Cape Seal Project to Doug Martin Contracting Company, authorize staff to issue a Purchase Order to Doug Martin Contracting Company in the amount of \$121,701.05 and authorize additional City Engineering Services not to exceed \$1,950. Mayor Pro-Tem Lewis seconded the motion which was carried by the following roll call vote:

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

NOES: None

ABSENT:

ABSTAIN:

**ITEM #4: DISCUSSION
AND AWARD OF BID FOR
MOUNT OLIVE DRIVE
SEWER EXTENSION**

Deputy City Engineer Gilbertson made the presentation:

Staff completed plans and specifications for bidding purposes and on July 29, 2010 bids were opened. A total of eleven (11) bids were received ranging between \$77,890 and \$127,680 with the lowest responsible bid submitted by Perry C. Thomas Construction. The contractor's license and references were checked and found to be satisfactory.

The total project cost is anticipated to be \$134,039

Engineering Services (RKA)	\$13,460
Management, Inspection, Soils Testing & Staking (RKA)	\$34,900
Construction Contract (Perry C. Thomas Construction)	\$77,890
<u>Construction Contingency (10%)</u>	<u>\$7,789</u>
Total Anticipated Construction Cost	\$134,039

The City has \$100,000 available in the Sewer Fund for this project. This is a deposit made from the Sharon Hill project, which much be spent on improving the sewer system on Mount Olive Drive or returned to the developer.

An additional appropriation of \$34,039 from the General Fund infrastructure reserve will be required to offset the overall cost of the project. The City has \$200,000 in infrastructure reserves it could use to make the allocation.

DISUCSSION:

Councilmember Pycz asked why the engineering costs were so high for the project. Deputy City Engineer Gilbertson stated it was due to the amount of inspections and soils testing that would have to take place. Additionally, the County required an overview of the sewer line study which cost about \$1,600. Some of this work would be subcontracted out, but is included in the overall \$34,900 listed in the staff report.

Councilmember Pycz asked how far the sewer line would extend once the project was completed. Deputy City Engineer Gilbertson stated it would end just beyond Mount Olive Lane.

**PUBLIC HEARING
OPENED:**

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

**PUBLIC HEARING
CLOSED:**

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

MOTION TO PROVIDE

Mayor Pro-Tem Lewis made a motion to reject all other bids,

DIRECTION TO STAFF

award the Mount Olive Drive Sewer Extension Project to Perry C. Thomas Construction, authorize staff to issue a Purchase Order to Perry C. Thomas in the amount of \$77,890 and authorize additional City Engineering Services not to exceed \$34,900. Councilmember Barakat 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:

ABSTAIN:

MATTERS FROM THE CITY MANAGER:

City Manager Keith stated she would most likely not be here for the September meeting, City Attorney Reisman would run the meeting in her absence and that she would be attending the League of Cities conference in San Diego September 15-17.

MATTERS FROM THE CITY COUNCIL:

MAYOR HALE:

Nothing to report at this time.

MAYOR PRO-TEM LEWIS

Nothing to report at this time.

COUNCILMEMBER LATHROP

Councilmember Lathrop reported on the Duarte Educational Foundation's October 17th fundraiser event at The Village restaurant in Duarte.

COUNCILMAN PYCZ

Councilmember Pycz reported that he attended the recent CJPIA meeting.

COUNCILMEMBER BARAKAT:

Nothing to report at this time

ITEMS FOR FUTURE AGENDAS:

None

ADJOURNMENT:

At 9:09 pm Mayor Hale adjourned the meeting in memory of Roberta Mall to a Regular Meeting at Royal Oaks School, 2499 Royal Oaks Drive, Bradbury, CA on Tuesday September 21, 2010 at 7:00 p.m.

MAYOR – CITY OF BRADBURY

ATTEST: _____

CITY CLERK – CITY OF BRADBURY