

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY,
HELD ON TUESDAY, OCTOBER 19, 2010 AT 7:00 PM
IN THE STAFF LOUNGE AT ROYAL OAKS ELEMENTARY SCHOOL
2499 ROYAL OAKS DRIVE, BRADBURY, CA 91008**

CALL TO ORDER/PLEDGE OF ALLEGIANCE The meeting of the City Council of the City of Bradbury 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 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: 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 September 21, 2010
- B. Financial Statement for the Month of September 2010.
- C. Resolution No. 10-34: Demands & Warrants for October 2010
- D. Proclamation- Fire Prevention Month
- E. Proclamation- Eyes on the Road Campaign
- F. Final Acceptance- Citywide Slurry/Cape Seal Project

COMMENTS FROM CITY STAFF Management Analyst Petsas provided to the Councilmembers a revised portion of the City Council minutes of September 2010 that reflected the correct costs of installing a locking system on the Royal Oaks School gates at Elda and Freeborn Streets.

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: PUBLIC HEARING-
PROHIBITION OF PARKING
AT ANY TIME ON
WESTERLY SIDE OF
MOUNT OLIVE DRIVE
FROM GARDI STREET TO
100 FEET NORTHERLY OF
ELDA STREET**

At the August 17, 2010 meeting, the City Council elected to narrow Mount Olive Drive between Gardi Street and Elda Street and install a five-foot wide concrete sidewalk on the west side of the street. With the narrowing of the street, there will be insufficient street width to allow for two lanes of traffic and residential parking on both sides of the street. Therefore, parking must be prohibited on one side of the street.

For the prohibition of parking on the west side of the street, the centerline striping would be able to remain at the centerline of the road right-of-way. In addition, pedestrians using the sidewalk would not be 'hidden' behind parked vehicles but be completely visible by the southbound vehicular traffic.

For the prohibition of parking on the east side of the street, the centerline striping would need to shift 5 feet east. With the "shift" off the centerline, transitions will be required at both the north and south ends of the project. This would require the parking prohibition to be extended to Royal Oaks Drive on the southerly end and extended an additional 60 feet on the north end. Additional signage would also be required.

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

PUBLIC COMMENT Mike Misik, 645 Mount Olive Drive, expressed his support for the no parking on the East side of Mount Olive due to the extra parking for the homes on that side of the street.

Bill Gomez, 635 Mount Olive Drive, agreed with Mr. Misik's concerns regarding parking.

PUBLIC HEARING CLOSED: There being no more public testimony, Mayor Hale declared the public hearing closed.

DISCUSSION: Councilmember Barakat made a motion to adopt Resolution No-10-39, approving the prohibition of parking at any time on the west side of Mount Olive Drive from Gardi Street to 100 feet northerly of Elda Street. Mayor Pro-Tem Lewis seconded the motion for the purpose of discussing the issue further.

In response to public comment Mayor Pro-Tem Lewis said that he was at a loss in figuring out what do to. With everything people are requesting, plus the restrictions on the amount and usage of the available funds, there are very few things we as a city can do in response to the issues.

Councilmember Lathrop stated that the City Council was not doing what the neighbors wanted. Mayor Pro Tem Lewis stated that there was a major difference between convenience and safety and the City Council needs to consider that when making their decision.

Councilmember Barakat stated that if the City Council decided to continue the trail rather than choose a sidewalk this wouldn't be an issue.

Councilmember Barakat asked staff how long would it be before this project starts. Deputy City Engineer stated that it would begin in late November/early December.

Mayor Hale asked Deputy City Engineer Gilbertson if staff can modify the bid documents so that there are two proposals available to address the concerns of the no parking zones. Deputy City Engineer Gilbertson stated that it could, but in terms of the two alternatives, there is no need to modify the documents for that.

Councilmember Barakat stated that he would prefer to give the City Engineer the latitude in determining where the no parking zone starts on the West side.

Councilmember Lathrop asked Councilmember Barakat why he refuses to even consider making the No Parking Zone on the East side. Councilmember Barakat stated that the residents in his district feel that the cars parked next to the sidewalk would hinder the drivers from seeing the pedestrians. When Councilmember Lathrop asked Councilmember Barakat why he was turning this into a 'my district versus your district' scenario, Councilmember Barakat replied this safety issue impacts the entire city.

Mayor Pro-Tem Lewis stated that he was going to err on the side of safety rather than the feelings of residents in determining which side the no parking zone should be on Mount Olive Drive. Councilmember Barakat agreed and stated that the Council has listened to constituents for months and this is the best thing the City Council and staff has come up with.

Councilmember Lathrop still expressed concern over the residents living on Mount Olive Drive and their opinion not being heard.

**MOTION TO PROVIDE
DIRECTION TO STAFF**

Mayor Hale called for a roll-call vote of the City Council to adopt Resolution 10-39 approving the prohibition of parking at any time on the west side of Mount Olive Drive from Gardi Street to 100 feet northerly of Elda Street which was carried by the following roll-call vote:

Councilmember Lathrop: No
Councilmember Pycz: Yes
Councilmember Barakat: Yes
Mayor Pro-Tem Lewis: Yes

Mayor Hale: Yes

The resolution was adopted by a 4:1 vote.

ITEM #3: APPROVAL OF PLANS AND AUTHORIZATION TO RECEIVE FORMAL BIDS- MOUNT OLIVE DRIVE TRAFFIC CALMING AND PEDESTRIAN PATHWAY.

At its August 17, 2010 meeting, the City Council approved the implementation of additional traffic calming measures and pedestrian pathway improvements along Mount Olive Drive. The proposed improvements consist of the following:

1. Installation of a pedestrian pathway from Woodlyn Lane to the northerly city limit.
2. The reconfiguration of the intersection of Mount Olive Drive and Mount Olive Lane into a formal three-way intersection.
3. The reducing of the roadway width and the installation of a 5-foot wide concrete sidewalk along the west side of Mount Olive Drive from Gardi Street to Elda Street.

The formal plans and specifications have been completed. Staff is requesting approval of the formal plans and specifications by the City Council as well as authorization to advertise and receive formal bids.

Staff proposes to advertise for formal bids in late October 2010. The bids received will be compiled and submitted for the consideration by the City Council for award of a construction contract. If favorable bids are received and an award of contract is made, work will begin in early January 2011 with an estimated completion by the end of March 2011.

The Engineer's estimate for construction is as follows:

1. Pedestrian Pathway	\$105,500.00
2. Intersection Reconfiguration	\$ 48,000.00
3. Concrete Sidewalk	\$ <u>95,000.00</u>
Total	\$248,500.00

Approximately \$356,000 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 MTA for approval prior to moving forward with the project.

DISUCSSION:

Councilmember Barakat suggested that the sidewalk might be tinted in a manner where it will blend with the existing trail.

PUBLIC HEARING OPENED:

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

PUBLIC COMMENT:

Mike Misik, 645 Mount Olive, asked why the City Council was making this a public trail. Councilmember Barakat responded that he was trying to beautify the city.

Bill Gomez, 635 Mount Olive, stated that he no problem with the color sidewalk.

PUBLIC HEARING CLOSED:

There being no public testimony, Mayor Hale declared the public

hearing closed.

DISCUSSION:

Councilmember Lathrop stated that we should listen to the public when deciding if the sidewalk should be colored. In addition, Councilmember Lathrop raised the issue that the color of the sidewalk should have been on the agenda.

Councilmember Barakat responded that it is not just the neighbors' sidewalk; it belongs to the entire city. Councilmember Lathrop stated that it was the neighbors that have to live with the sidewalk and see it every day.

City Attorney Reisman stated that the issue of the color of the sidewalks couldn't be approved at this meeting because it was not on the agenda. It can be addressed at the November meeting. Mayor Hale said that the color issue can be addressed in the bid documents that are sent out and the Council can make their final decision at the time when they approve the bid.

Councilmember Lathrop asked of staff what was going to be done about striping in the area. Deputy City Engineer Gilbertson said it was not part of this plan but can be added at a later time by the City Council.

Councilmember Pycz asked why there was not a landscape plan provided with the plans the Councilmembers received. Deputy City Engineer Gilbertson stated that the landscape plans weren't included because they were delayed however they are available for review now.

Councilmember Pycz asked if staff has considered solar lighting for the trees for this project. Deputy City Engineer stated that it can be added to the plans. Councilmember Pycz asked why only one tree was shown on the plans when it appeared that two or three trees could possibly be added in the space allocated. Deputy City Engineer Gilbertson stated he thinks can be done but is not certain of that at this point.

**MOTION TO PROVIDE
DIRECTION TO STAFF:**

Mayor Hale called for a roll call vote for the recommendation to declare that the project qualifies for a Class I exemption pursuant to Section 15301 of the California Environmental Quality Act and to approve the plans and specifications and authorize the City Engineer to advertise to receive formal bids. The action was carried by the following roll call vote:

Councilmember Lathrop: No
Councilmember Pycz: Yes
Councilmember Barakat: Yes
Mayor Pro-Tem Lewis: Yes
Mayor Hale: Yes

The motion passed with a 4:1 Vote.

MATTERS FROM THE CITY MANAGER OR STAFF: Management Analyst Petsas gave an update on the City Manager and her recovery from surgery.

MATTERS FROM THE CITY COUNCIL:

MAYOR HALE: Nothing to report at this time.

MAYOR PRO-TEM LEWIS: Mayor Pro-Tem Lewis notified the audience that the California Shake Out would be taking place on October 21, 2010 and that the October Emergency Response Committee Event would be cancelled in lieu of a special event in late November/early December.

COUNCILMEMBER LATHROP: Councilmember Lathrop reported that the Duarte Education Foundation fundraiser on October 17th was a great success and thanked Mayor Hale for attending the event.

COUNCILMAN PYCZ: The Slurry Seal project has been completed and that the speed humps issue has been resolved and all of the surrounding neighbors are satisfied with the height of the humps.

COUNCILMEMBER BARAKAT: Councilmember Barakat requested that when the slurry seal is done on Mount Olive Drive and the next time overall that Burrtec be notified so that they can modify their schedule so as to not damage the new slurry.

ITEMS FOR FUTURE AGENDAS: None

ADJOURNMENT: At 8:30 pm Mayor Hale adjourned the meeting to a Regular Meeting at Royal Oaks School, 2499 Royal Oaks Drive, Bradbury, CA on Tuesday, November 16, 2010 at 7:00 p.m.

MAYOR – CITY OF BRADBURY

ATTEST: _____

CITY CLERK – CITY OF BRADBURY