

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY
HELD ON TUESDAY, JUNE 20, 2017**

CLOSED SESSION 6:45 PM

MEETING CALLED TO ORDER: The Closed Session Meeting of the City Council of the City of Bradbury was called to order by Mayor Lathrop at 6:45 p.m.

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

ABSENT: None

STAFF: City Manager Kearney, City Attorney Reisman

**PUBLIC COMMENT REGARDING
CLOSED SESSION ONLY:** None

RECESS TO CLOSED SESSION: The City Council met in Closed Session to discuss the following:

PERSONNEL MATTER: Public Employee
Government Code Section 54957.6 (a)
City Negotiators: Kevin Kearney (City Manager)
and Cary S. Reisman (City Attorney)
Title: City Clerk (Compensation)

**RECONVENE OPEN SESSION AND
ANNOUNCE ANY ACTION TAKEN:** City Attorney Reisman reported that the City Council met in Closed Session to discuss compensation for the City Clerk. The City Council by a 5:0 vote approved an additional 2% salary increase on top of the 2.7% approved COLA for FY 2017-2018 plus a one-time \$2,000 bonus for the City Clerk.

OPEN SESSION 7:00 PM

**MEETING CALLED TO ORDER AND
PLEDGE OF ALLEGIANCE:** The Regular Meeting of the City Council of the City of Bradbury was called to order by Mayor Lathrop at 7:00 p.m. Mayor Lathrop led the Pledge of Allegiance.

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

ABSENT: None

STAFF: City Manager Kearney, City Attorney Reisman, Cody Howing (RKA), City Clerk Saldana and Management Analyst Parker-St John

APPROVAL OF AGENDA: Mayor Lathrop made a motion to approve the agenda to proceed with City business. Councilmember Barakat 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 Councilmember 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.

Mayor Pro-Tem Lathrop stated that he has to abstain from approving demands & warrants for AxonTech.

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 Councilmember requests 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 "waive further reading and adopt."

- A. Minutes – Regular City Council Meeting of May 16, 2017
- B. Resolution No. 17-10: Demands & Warrants for June 2017
- C. Monthly Investment Report for the month of May 2017
- D. Resolution No 17-12: Approval of GANN Appropriation Limit for FY 2017-2018
- E. Second Reading and Adoption of Ordinance No. 347 (Adopting the Los Angeles County Building Code, Electrical Code, Plumbing Code, Mechanical Code, Residential Code, Green Building Standards Code, Historical Building Code; 2016 Edition)

CORRECTION TO MAY MINUTES:

Mayor Lathrop had a correction to the minutes of May 16, 2017 stating that he abstained from voting on the Mount Olive Lane Sewer Project.

MOTION TO APPROVE CONSENT CALENDAR:

Councilmember Hale made a motion to approve the Consent Calendar, as amended. Mayor Lathrop abstained from voting on the demands & warrants for AxonTech (Check #14485) only. Councilmember Lewis seconded the motion, which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

Motion passed 5:0

AWARD OF BID FOR LEMON AVENUE SEWER PROJECT:

Cody Howing (RKA) presented the staff report for the award of bid for the Lemon Avenue Sewer Project. Bids for the Lemon Avenue Sewer Extension, Phase I, were opened on June 7, 2017 with GRBCON, Inc. being the lowest responsible bidder.

PROJECT DESCRIPTION:

The project consists of the installation of 215 feet of 8-inch VCP Sewer Line and two sewer manholes. The proposed extension would close the gap between the City of Monrovia sewer systems and future proposed extensions northerly on Barranca Road, further improving the availability of sewer infrastructure to the residents of Bradbury and the Bradbury Estates.

BID PROCESS:

Staff completed plans and specifications for bidding purposes and on June 7, 2017 bids were received. Due to the engineer's estimate being below the maximum value set by the California Public Contract Code for use of an informal bid process, the streamlined process was utilized to expedite bidding. Staff selected four local contractors that have successfully completed work for the City in the past to obtain bids for the proposed work.

A total of four (4) bids were received ranging between \$69,261 and \$137,000 with the lowest responsible bid submitted by GRBCON, Inc. The contractor's license and references were checked and found to be satisfactory. GRBCON, Inc. satisfactorily completed the recent Mount Olive Drive Sewer Extension Project.

FINANCIAL REVIEW:

The total project cost is anticipated to be \$116,187.10.

RECOMMENDATION:

It is recommended that the City Council award a contract to GRBCON, Inc. in the amount of \$69,261.00.

MOTION:

Councilmember Barakat made a motion to award a contract to GRBCON, Inc. in the amount of \$69,261.00. Councilmember Lewis seconded the motion, which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

Motion passed 5:0

**RESOLUTION NO. 17-11 –
ADOPTING THE BUDGET FOR
FISCAL YEAR 2017-2018:**

City Manager Kearney stated that at the May 16, 2017 meeting, the City Council discussed the proposed budget forecast for Fiscal Year 2017-2018 and provided staff with input and direction for the final budget document, which is being presented tonight for adoption by the City Council.

RECOMMENDATION:

It is recommended that the City Council adopt Resolution No. 17-11 approving the City of Bradbury's Annual Budget for Fiscal Year 2017-2018.

DISCUSSION:

At the May 16 meeting the City Council approved the allocation of COPS fund in the amount of \$75,000 to the City of Duarte.

The City Council directed staff to create a separate sewer fund for each sewer project. Councilmember Lewis had a question regarding the proposed revenue of \$36,967 in the Mount Olive Drive Assessment Account (206-50-4730). Staff replied that these are connection fees to be reimbursed to the City. Councilmember Lewis stated that he would like staff to prepare a "cheat sheet" of sewer reimbursements paid to the City.

The Expenditure part of the budget needs to reflect that Account Number 101-21-7035 was renamed Mt. Olive Drive Park and Trail Maintenance.

MOTION:

Councilmember Barakat made a motion to adopt Resolution No. 17-11 adopting the Annual Budget for Fiscal Year 2017-2018 and appropriating the amounts budgeted. Councilmember Hale seconded the motion, which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

Motion passed 5:0

ANNUAL RATE ADJUSTMENT FOR SOLID WASTE COLLECTION AND RECYCLING FOR FISCAL YEAR 2017-2018:

City Manager Kearney stated that the City contracts with Burrtec Waste Services for solid waste collection and recycling. Pursuant to Section 10.10 of the Franchise Agreement "each subsequent July 1 (after July 1, 1999) the rate for each category of service shall be subject to upward or downward adjustment. Customer rates are comprised of the following categories: contractor service cost, disposal cost, recycling processing, green waste processing cost and manure waste processing cost."

RECOMMENDATION:

It is recommended, following a review of the rates and public comment, that the City Council approve the refuse collection and recycling rates set forth in the charts provided by Burrtec to become effective July 1, 2017.

PRESENTATION BY BURRTEC:

Richard Nino, Director of Municipal Services with Burrtec, presented the rate review and charts for:

- Residential Barrel Components
- Refuse Bin Components
- Recycling Bin Components
- Manure Bin Components
- Green Waste Bin Components
- Roll-off Rate Components

Mr. Nino stated that the July 2016 CPI was 1.1% as reported for the All Urban Consumer Price Index for Los Angeles, Riverside, and Orange, California. In addition, there were moderate adjustments for materials disposal and processing rates.

MOTION:

Councilmember Barakat moved to approve a 1.1% increase for refuse collection and recycling rates, as requested by Burrtec, effective July 1, 2017. Councilmember Hale seconded the motion, which was carried by the following roll call vote:

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

NOES: None

ABSENT: None

Motion passed 5:0

**DISCUSSION REGARDING
PERFORMANCE EVALUATIONS:**

City Manager Kearney stated in the past, the City Council has conducted performance evaluations for the City Manager and the City's consulting services (City Attorney, City Engineer, City Planner, and City Building Official).

Although the City Council may choose to evaluate all or none of the City's contracting services, the City Manager should be evaluated once a year, pursuant to the City Manager's contract. However, the City Council should refrain from evaluating full-time and part-time personnel, as such evaluations fall within the purview of the City Manager.

In past years, the City Council has utilized the Professional Services Contract Scorecard to evaluate the consultants and the following is a schedule of evaluations that have occurred since 2013:

- February 2016 – VCA Contract (Planning & Building)
- May/June/Sep 2015 – City Attorney
- Sep/Oct 2014 – City Manager
- May 2014 – City Attorney
- February 2014 – City Engineering (RKA)
- January 2014 – Building & Safety
- September 2013 – Building & Safety
- Jan/Feb/Mar/Apr 2013 – City Manager

RECOMMENDATION:

It is recommended that the City Council discuss how to proceed with future performance evaluations and determine if a timeline for evaluations should be developed.

DISCUSSION:

Mayor Lathrop suggested that the City Council schedule an evaluation every three months with feedback provided from the City Manager before the meeting. It was also suggested to conduct performance evaluations for contractors every other year, and once a year for the City Manager (per contract).

Councilmember Barakat stated that he does not like the Scorecard.

ACTION:

This discussion item did not require a motion, only direction to staff on how to proceed.

**DISCUSSION REGARDING HALF-DAY
JOINT CITY COUNCIL & PLANNING
COMMISSION RETREAT:**

City Manager Kearney stated that Councilmember Hale requested to discuss the potential for a half-day joint City Council and Planning Commission Retreat to review general policies and practices related to development in the City. The City Council should decide if a retreat is desired. Additionally, a time and location should be determined if the retreat is to occur. Mr. Kearney stated that should the City Council decide to hold a retreat outside City limits, the Canyon Park Cabin could be rented from the City of Monrovia free of charge.

BACKGROUND:

Throughout the years the City Council has periodically held retreats with the Planning Commission to ensure both the Council and the Commission are working toward a common goal.

The last Council/Planning retreat was held at City Hall on November 18, 2015. The last meeting held at the Canyon Park Cabin was on October 15, 2008.

RECOMMENDATION:

It is recommended that the City Council discuss the idea of a half-day joint City Council & Planning Commission retreat and direct staff on how to proceed.

DISCUSSION:

Before the discussion City Manager Kearney informed the City Council that Anne McIntosh (City Planner under contract with VCA) resigned effective at the end of July 2017. Anne recently accepted a full-time position with the City of Manhattan Beach. City Manager Kearney stated that he is already working on finding a replacement. City Manager Kearney suggested to have the joint retreat in August or September with the new City Planner in place.

City Manager Kearney also stated that he surveyed the Planning Commissioner for availability and they proposed August 12 or 19, 2017 (both Saturdays).

Councilmember Lewis stated that he would not be available on a Saturday until October, except for Saturday, September 23. Councilmember Barakat inquired about the time of the retreat. City Manager Kearney stated the time would be roughly from 8:30 am to noon. Mr. Kearney stated that he will check with the Planning Commission and on the availability of the Cabin for Saturday, September 23, 2017 and report back.

DISCUSSION REGARDING CITY'S 60TH ANNIVERSARY OF INCORPORATION:

City Manager Kearney stated that July 26, 2017 marks the City of Bradbury's 60th anniversary of incorporation. Staff is seeking direction from the City Council on how and when to celebrate this milestone.

NATIONAL NIGHT OUT:

City Manager Kearney stated that the City Council could also consider combining this celebration with National Night Out to draw a larger crowd.

FINANCIAL ANALYSIS:

The overall cost for hosting an anniversary event will greatly depend on the location and activities. The City spent \$6,000 on its 50th Anniversary party in 2007, and \$675 for National Night Out last year.

DIRECTION TO STAFF:

The City Council directed staff to schedule the City's 60th Anniversary celebration together with National Night Out on Tuesday, August 1, 2017, from 6 to 8 pm. The event will be held at the Civic Center.

MATTERS FROM THE CITY MANAGER:

City Manager Kearney stated that the City has heard back from LAFCO regarding the annexation with the City of Monrovia, and there were some comments and revisions needed to the City's submission. The City will make revisions and then resubmit to LAFCO for their review. Staff is currently working with LAFCO to obtain a timeline of completion once revisions are submitted.

City Manager Kearney stated that he talked to Oliver Chi, Monrovia City Manager, regarding the Community Services Officer (CSO) Program, and was told that the process is in the final stretch.

City Manager Kearney informed the Council that he applied for a scholarship for a Harvard Leadership Training (at no cost to the City). Should the City Manager receive the scholarship, the training will take place October 16-20, 2017, which means the October 17, 2017 would have to be rescheduled. City Manager Kearney stated that he will keep the Council apprised on further developments.

MATTERS FROM THE CITY ATTORNEY:

City Attorney Reisman stated that he will be on vacation from October 19th through November 5th on a Panama Canal Cruise.

MATTERS FROM THE CITY COUNCIL:

MAYOR LATHROP:

Mayor Lathrop stated that he had to resign as the City's representative from the LA County Sanitation Districts. A letter to that effect will go out tomorrow.

MAYOR PRO-TEM PYCZ:

Nothing to report

COUNCILMEMBER BARAKAT:

Nothing to report

COUNCILMEMBER HALE:

Councilmember Hale suggested that the City Manager contact Jim Kasama, who just retired as the City Planner from the City of Arcadia, regarding the vacant City Planner position.

COUNCILMEMBER LEWIS:

Nothing to report

ITEMS FOR FUTURE AGENDAS:

None

CLOSED SESSION

ROLL CALL:

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

ABSENT: None

STAFF: City Manager Kearney, City Attorney Reisman

**PUBLIC COMMENT REGARDING
CLOSED SESSION ONLY:**

None

RECESS TO CLOSED SESSION:

The City Council met in Closed Session to discuss the following:

- A. Conference with Legal Counsel – Anticipated Litigation
Pending Litigation pursuant to Government Code Section 54956.9 (d)(3) Based on existing facts and circumstances, the legislative body of the local agency is meeting only to decide whether a closed session is authorized pursuant to paragraph (d)(2)


- B. Conference with Legal Counsel – Anticipated Litigation
Pending Litigation pursuant to Government Code Section 54956.9 (d)(2) A point has been reached where, in the opinion of the legislative body of the local agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency. 1 potential case.

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

City Attorney Reisman reported that the City Council met in Closed Session to discuss Anticipated Litigation. The City Council authorized a Closed Session. No action or formal votes were taken. This was an informational item only.

ADJOURNMENT:

At 8:30 p.m. Mayor Lathrop adjourned the meeting to a Regular Meeting at 7:00 pm on Tuesday, July 18, 2017.



MAYOR – CITY OF BRADBURY

ATTEST:



CITY CLERK – CITY OF BRADBURY