

April 12, 2023
Agenda Item 6.f.

Royal Oaks

COMMUNITY DEVELOPMENT

Honorable Commissioners of the LA County LAFCO,

I serve as the Executive Director of Royal Oaks, a Continuing Care Retirement Community (CCRC) and licensed Residential Care Facility for the Elderly (RCFE) owned and operated by HumanGood, a not-for-profit senior housing provider. I am submitting these comments on agenda item 6.f. of your April 12 meeting and I ask that these comments, along with the referenced attachments, be included and made part of the public record for this item.

Royal Oaks is an 18-acre property that opened its doors to older adults in 1957 and is currently home to around 250 residents, including 199 registered voters. Since the incorporation of the Cities of Bradbury and Duarte in the 1950s, Royal Oaks has remained as an unincorporated island property in LA County, completely surrounded on all sides by incorporated areas in the cities of Bradbury and Duarte. When we learned of Bradbury's application to annex the roughly 700-foot sliver of County Road south of our property and thus cutting us off from the city of Duarte, we began investigating the pros and cons of remaining as an unincorporated island property indefinitely along with the implications of Bradbury's application.

Unfortunately, the city of Bradbury has actively denied our request to annex our property but its proposal to annex the road to the south of us would effectively eliminate any opportunity for our property to join the city of Duarte.

We concluded that it would benefit our entire community in both the short and long-term to be annexed into either Bradbury or Duarte to allow for more local control and deeper connection with a city. From a business perspective, for example, seeking land use and development permits for property or building enhancements would be much more convenient if we were able to work with our local city rather than navigate the complexities and distance of the county permitting process. From a mission perspective, a connection to a local city allows us to support and promote resident engagement with a local community that is difficult to accomplish while operating on a county island. Moreover, our residents already are part of the local community and frequent local businesses and institutions. After bringing this issue to our Royal Oaks Resident Council, we received significant interest in pursuing an annexation into either the City of Bradbury or City of Duarte for these reasons.

HumanGood already operates another CCRC/RCFE in Duarte called Westminster Gardens, which has more than 150 residents and has been in operation for more than 80 years. We also operate three affordable housing senior communities in Duarte. However, because Royal Oaks is in the Bradbury sphere of influence, and has been since the city's incorporation, we first approached the City Manager of Bradbury in the summer of 2022 asking if Bradbury would consider annexing Royal Oaks along with the sliver of county road they had already applied to

annex. The City Manager of Bradbury brought the topic and options to the Bradbury City Council for discussion during their August 16 Council meeting. A copy of the August 16 meeting minutes are attached to this letter. You will see on pages 5-6 of the attached minutes, the Bradbury City Council unanimously voted (with one absence) "to withdraw our application with LAFCO for the annexation of a portion of Royal Oaks Trail and to send a letter to the County to ask them to maintain the trail in front of the Manor." "The Manor" is in reference to Royal Oaks.

After that vote, we began working with the City Manager and City Council Members in Duarte towards an application for annexation of the full County island, including both the road and Royal Oaks property, into Duarte. A few months later, we were surprised to learn that Bradbury had not withdrawn their application as they had publicly stated and voted they would. This galvanized our residents and accelerated our organization's efforts to work with Duarte to present an alternative annexation application to LAFCO so the Residents of Royal Oaks would not be permanently stranded within unincorporated LA County. On March 14, 2023, the City Council of Duarte voted unanimously to submit a resolution of annexation to LAFCO of the full County Island including the road and Royal Oaks. That resolution was subsequently filed with LAFCO by the City of Duarte staff.

I share this backstory so you can understand why we are strongly requesting your denial or delay of your consideration of the application by the City of Bradbury to annex the sliver of road that provides the only connection our community has to Duarte. Annexing the road in front of our property into Bradbury would foreclose any opportunity we may have to join Duarte.

We care so deeply about this because we see the degree to which our Residents care about belonging to, being a part of and participating in local government. We believe the right thing to do is to give them a chance to finally be a part of a city and not just another property in unincorporated LA County. Operating a not-for-profit senior living community in LA County presents complexities that would be simplified by allowing us to annex into a city, which prompted our annexation efforts in the first place. Bradbury expressly refused to annex us and Duarte has welcomed us with open arms. We therefore respectfully request that you either deny or, at a minimum, delay consideration of the Bradbury application while we continue to pursue annexation into Duarte.

Finally, and more technically, we have reviewed the language of the Cortese-Knox-Hertzberg Act of 2000, specifically, Government Code Section 56375 and have the following comments:

1. We do not believe the sliver of road Bradbury seeks to annex meets the definition of "surrounded or substantially surrounded by the city to which the annexation is proposed" considering the fact that the sliver of road is entirely south of Royal Oaks which would remain an unincorporated island under the Bradbury application. At

best, there is only a tiny fraction of the road that could be considered contiguous with the City of Bradbury, if any at all.

2. Even if the road Bradbury seeks to annex were to meet this criteria, which we believe is questionable, California Government Code Section 56375.3 states the “commission shall approve” an annexation request of an unincorporated island property, and waive protest proceedings, if *all* of the following are true:
 - a. The annexation is proposed by resolution adopted by the affected City. In our case, the City of Duarte, during its March 14 public hearing, adopted a resolution of annexation that includes the entire unincorporated island and not just the road.
 - b. The unincorporated island property does not exceed 150 acres. Our community is approximately 18 acres.
 - c. The proposed annexation includes the entirety of an unincorporated island located within the limits of a city. Duarte is proposing annexing all of our property along with the road, all of which constitutes an unincorporated island within the limits of the City. Bradbury is only proposing to annex the road, excluding our community.
 - d. The unincorporated island is surrounded or substantially surrounded by the city to which annexation is proposed and adjacent cities. Our property shares borders with both Duarte and Bradbury and therefore meets this requirement.
 - e. The property proposed for annexation is substantially developed. Our community is built out and has been in place since 1957.
 - f. The property that is subject to the proposed annexation is not prime agricultural land. We are a residential community and therefore this requirement is met.
 - g. The property subject to the proposed annexation will benefit from the change of organization. For all of the reasons previously stated, our community and our residents will benefit greatly from being part of a local city as opposed to the unincorporated county.
 - h. The final requirements, that the target property is not a gated community that receives services via a community services district, and the need for a property tax transfer agreement that does not affect existing master tax sharing agreements, are both met in conjunction with our request to become part of Duarte.
3. We believe that Royal Oaks, a not-for-profit senior living community made up of older adults mostly in their eighties, constitutes a “disadvantaged unincorporated community that is contiguous to the area of proposed annexation” per California Government Code 56375(8)(A). California Government Code Section 56375(8)(A) prohibits a LAFCO commission approving certain annexation applications unless the application, or a separate application, requests annexation of the disadvantaged unincorporated community into the same city. We ask the LAFCO commission to

carefully consider the resident profile of our community and why Bradbury wishes to annex only the road, and not our community, into its city.

Thank you for your service to the County of Los Angeles and thank you for considering our request to deny or delay the Bradbury annexation application that would leave our residents stranded on a County Island. We are diligently working with the city of Duarte to put forward a complete annexation application that will include the entire island, and we look forward to working with LAFCO staff on that application in the coming months.

Sincerely,

A handwritten signature in black ink, appearing to be 'AS' with a long horizontal flourish extending to the right.

Andrew Smith
Executive Director, Royal Oaks and Westminster Gardens
HumanGood Communities

**MINUTES OF A REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF BRADBURY
HELD ON TUESDAY, AUGUST 16, 2022
AT THE BRADBURY CIVIC CENTER
600 WINSTON AVENUE, BRADBURY, CA 91008**

**CALIFORNIA GOVERNMENT
CODE SECTION 54953(e)(1):**

Pursuant to California Government Code Section 54953(e)(1), the City is allowing Councilmembers, Staff and the public to participate in this meeting by means of a Zoom video or telephone call. Participants will be able to hear the entire proceedings and be able to speak during Public Comment, Public Hearing, and other authorized times. Members of the public must maintain silence and mute their microphones and telephones except during those times.

MEETING CALLED TO ORDER:

The Regular Meeting of the City Council of the City of Bradbury was called to order by Mayor Lathrop at 7:00 p.m. followed by the Pledge of Allegiance.

ROLL CALL:

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

ABSENT: Councilmember Lewis

STAFF: City Manager Kearney, City Attorney Reisman, City Clerk Saldana and Management Analyst Musa

COUNCILMEMBER LEWIS EXCUSED:

Mayor Pro-Tem Barakat made a motion to excuse Councilmember Lewis from the meeting. Councilmember Hale seconded the motion, which carried.

APPROVAL OF AGENDA:

Councilmember Hale made a motion to approve the agenda to proceed with City business. Mayor Pro-Tem Barakat seconded the motion, which carried unanimously.

**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.

City Attorney Reisman stated that he was not aware of any potential conflicts of interest.

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 Meeting of July 19, 2022
- B. Resolution No. 22-22: Demands & Warrants for August 2022
- C. Monthly Investment Report for the month of July 2022

**MOTION TO APPROVE
CONSENT CALENDAR:**

Councilmember Hale made a motion to approve the Consent Calendar as presented. Mayor Pro-Tem Barakat seconded the motion, which was carried by the following roll call vote:

APPROVED:

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

NOES: None

ABSENT: Councilmember Lewis

Motion passed 4:0

**APPROVAL OF CONSULTANT
AGREEMENT WITH DE NOVO PLANNING
GROUP FOR UPDATE OF THE SAFETY
CHAPTER OF THE HEALTH AND SAFETY
ELEMENT OF THE GENERAL PLAN:**

City Manager Kearney stated that Government Code Section 65302(g) regulating General Plans requires the City to update its Safety Element (the Safety Chapter of the Health and Safety Element) with the revision of the Housing Element.

California Government Code Section 65302(g) relating to Safety Elements of the General Plan has been amended to include analysis of additional topics, including those related to wildfires and climate adaptation and resiliency. While the recent hazard mitigation plan addresses many of the wildfire requirements, it does not address climate adaptation and resiliency. Staff does not have the expertise to prepare this update.

The City reached out to two consultants that it has been working before with to obtain a proposal for the update of the Safety Chapter of the Health & Safety Element. Only De Novo Planning Group provided a response. De Novo is a well-respected planning firm that has prepared Safety Element updates for a number of cities (i.e. Gardena and Hawthorne).

PROPOSAL:

De Novo has provided a proposal for \$37,250. The project is billed on the time expended, but it is a "not-to-exceed contract." Staff has checked with other cities updating their Safety Element as to costs and it is in line with those cities.

RECOMMENDATION:

It is recommended that the City Council approve the Agreement between the City of Bradbury and De Novo Planning Group, Inc. for services to update the City's Safety Element at a not-to-exceed amount of \$37,250.

DISCUSSION:

City Manager Kearney stated that this discussion was continued from the July meeting and staff supplied the City Council with more information, such as:

- City of Los Angeles: Safety Element Background & Summary of Amendments;
- Introducing SB 379: Climate Adaptation and Resiliency Strategies; and
- SCAG: Southern California Climate Adaptation Framework

Perry Banner from De Novo Planning Group was online to answer questions about the Safety Element Update.

Councilmember Hale asked how long the process takes. City Manager Kearney stated that the time table is in De Novo's proposal.

City Manager Kearney stated that the City Council approves the Safety Element, not the HCD (Department of Housing and Community Development).

There will be two public hearings: one with the City Council and one with the Planning Commission. Community input can be taken at the regular City Council meeting and regular Planning Commission meeting.

MOTION TO APPROVE AGREEMENT WITH DE NOVO PLANNING GROUP:

Councilmember Hale made a motion to approve the Professional Services Agreement with De Novo Planning Group, Inc. for the Preparation of an Update to the Safety Chapter of the Safety Element of the General Plan at a not-to-exceed amount of \$37,250. Mayor Pro-Tem Barakat seconded the motion, which was carried by the following roll call vote:

APPROVED:

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

NOES: None

ABSENT: Councilmember Lewis

Motion passed 4:0

PRESENTATION - AN UPDATE BY CALIFORNIA AMERICAN WATER ON THE LEMON AVENUE RESERVOIR:

City Manager Kearney stated that California American Water (Cal-Am) has been coordinating with City Staff on the demolition, filling, and landscaping of the Lemon Avenue reservoir. At the February 2022 City Council meeting, Cal-Am presented plans that included estimates of 26,000 cubic yards of import soil transported by approximately 3,250 haul trucks to fill the Reservoir. It was assumed soils import and grading would take place over 25 days, which translated to about 130 trucks per day. The City Council commented that the import of soils seemed excessive, especially since Cal-Am did not have immediate plans to develop the site. Since the February meeting, Cal-Am has revised their plans and reduced the volume of import. The initial estimates of 26,000 cubic yards of import soil has now been reduced to approximately 15,000 cubic yards.

HAUL ROUTE:

The current haul route from the project site is west on Lemon Avenue, then south of Mountain Avenue to the 210 Freeway. The route passes by the Wild Rose Elementary School in Monrovia, and an additional assessment would need to be conducted on the health risks.

LONG-TERM PLANS FOR RESERVOIR SITE:

It is unknown at this time what will happen to the Reservoir site in the long term. Cal-Am has conducted a study on system-wide storage, and the results of the study suggested it as a site for additional water storage. However, Staff has been told that

the timeline associated with the construction of such water storage is unknown.

CAL-AM REPRESENTATIVES:

(Name), Civil Engineer, and Brandon (Name), Landscape Architect, were online to make the presentation and answer questions from the City Council.

DISCUSSION:

Councilmember Hale stated that he is not comfortable with the project, because he is concerned that Cal-Am will fill the site and then put a new tank on top. Councilmember Hale also was concerned about the traffic and the nearby school. Maybe Cal-Am should to post a bond for the road.

Councilmember Hale stated that he wants to see the plans and asked if our City Engineer, David Gilbertson, could look at them as well.

Councilmember Hale stated that he built a tank for Cal-Am in the past which included landscaping. As soon as the tank was finished, Cal-Am shut off the water and all of the landscaping died. He does not want that to happen again.

The Cal-Am Representatives stated that the current site is getting watered, but right now water conservation is necessary. Other than that, is Cal-Am going in the right direction?

ACTION TAKEN:

City Manager Kearney stated that he will set up a meeting between Cal-Am, the City Engineer and Councilmember Hale to look at the finalized plans for the Lemon Water Reservoir.

PRESENTATION BY SOUTHERN CALIFORNIA EDISON ON WILDFIRE MITIGATION EFFORTS:

Jeanette Soriano, Government Relations Manager, and Albert Diaz, District Manager of Monrovia, gave a presentation on Wildfire Mitigation Efforts by Southern California Edison.

The topics of the Power Point Presentation included:

- 2021 Wildfire Season
- SCE's Wildfire Mitigation Activities
- Public Safety Power Shutoffs (PSPS)
- Reducing the Need for PSPS
- PSPS Communications
- Customer Programs and Resources

Edison provided Council and Staff with a sample of Insulated Wire.

DISCUSSION:

Mayor Lathrop inquired if the City could use its Rule 20A money to pay for insulated wire in the City of Bradbury. Ms. Soriano stated that this would be a great idea, but that the Rule 20A program is for undergrounding utilities only and that the PUC is retiring the Rule 20A program soon.

**DISCUSSION OF THE ANNEXATION
OF THE ROYAL OAKS RETIREMENT
COMMUNITY:**

City Manager Kearney stated that the City of Bradbury redistricted in 2021. As part of the process, the City Council directed Staff to annex a portion of Royal Oaks Drive North, directly below the Retirement Community ("Manor"), which was found to be in Los Angeles County territory. Such an annexation would ensure that Bradbury's District Three meets regulations regarding district contiguity. Staff recently learned of a Duarte Councilmember's desire to annex the Retirement Community, which would affect Bradbury's current District map and annexation efforts of a portion of Royal Oaks Drive North.

ANALYSIS:

It is Staff's understanding that since the incorporation of Bradbury in 1957, the Retirement Community has always been an unincorporated parcel of land belonging to Los Angeles County. The Retirement Community has a lot size of approximately 17.71 acres and the County Assessor's map shows the property divided by three legal lot lines (pursuant to the Subdivision Map Act).

The following are current resident estimates of the Retirement Community in comparison to Bradbury:

Population:

City of Bradbury - 925

Retirement Community – 260

Number of registered Voters:

City of Bradbury - 650

Retirement Community – 199

City Staff recently met with the Manor's Executive Director to better understand the Community and its desire for annexation.

OPTIONS:

City Manager Kearney stated that there are a few options the City Council can explore in response to a potential City of Duarte annexation of the Retirement Community:

1. The City of Bradbury could annex the entire Retirement Community;
2. The City of Duarte could annex the majority of the Retirement Community and Bradbury could annex a side and/or northern most section;
3. The City of Duarte could annex the entire Retirement Community;
4. The City of Bradbury could continue with its current annexation plan through LAFCO since an application is already pending.

FINANCIAL ANALYSIS:

A Bradbury annexation of the Retirement Community is unlikely to produce significant property tax revenue since the property belongs to a non-profit organization. After credits for the claimed, non-profit exemption, initial estimates assume City property tax revenues to be approximately \$500 a year. There could be additional future revenue sources for planning reviews and building permits.

**INFORMAL CONTRACT WITH
BEAR DEMOGRAPHICS:**

Staff has entered into an informal contract with Bear Demographics and Research, Inc. for a not-to-exceed amount of \$2,500 to provide initial consulting services on an hourly basis to advise Staff on a potential annexation and/or redistricting.

RECOMMENDATION:

This item is a review of the background on the 2021 redistricting, the efforts to annex a portion of Royal Oaks Dive North, and options for the City Council to explore if the City of Duarte were to annex the Retirement Community. It is recommended that the City Council direct Staff on how to proceed.

DISCUSSION:

Mayor Lathrop stated that he is not in favor of annexing the entire Retirement Community.

Mayor Pro-Tem Barakat felt that the City does not need to do anything about the redistricting.

Councilmember Hale also does not want to annex the entire Manor, because the residents would make up an entire district.

Mayor Lathrop inquired if Duarte can annex the Manor. Andrew Westall from Bear Demographics replied that is up to LAFCO.

Councilmember Bruny was also not in favor of annexing the Manor.

PUBLIC COMMENT:

Mr. Andrew Smith, Executive Director of the Royal Manor, stated that they prefer a full annexation by either the City of Bradbury or the City of Duarte. They don't want to be part of Los Angeles County.

MOTION:

Councilmember Hale made a motion for Bradbury to continue with its current annexation plan through LAFCO and to let Duarte annex the Manor. Mayor Pro-Tem Barakat seconded the motion.

COMMENT FROM LAFCO:

Paul Novak of LAFCO stated that under the current law cities must be contiguous. In our scenario the City of Duarte is not contiguous with the Manor. The City Council needs to amend its motion to explore other option, because the Duarte Mesa does not touch Royal Oaks Drive North.

MORE DISCUSSION:

Mayor Pro-Tem Barakat stated that Duarte Councilmember Margaret Finley wants Duarte to annex the Manor. Mayor Pro-Tem Barakat suggested to let Duarte or the County maintain Royal Oaks Trail.

Mayor Lathrop said let Duarte do what they want to do.

AMENDED MOTION:

Councilmember Hale amended his motion for the City of Bradbury to do nothing, to withdraw our application with LAFCO for the annexation of a portion of Royal Oaks Trail and to send a letter to the County to ask them to maintain the trail in front of the Manor. Mayor Pro-Tem Barakat seconded the motion, which was carried by the following roll call vote:

APPROVED:

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

NOES: None

ABSENT: Councilmember Lewis

Motion passed 4:0

**DISCUSSION ON THE UPCOMING
RETIREMENT OF THE CITY CLERK:**

City Manager Kearney stated that this is an ongoing discussion about the planned retirement of City Clerk Claudia Saldana in the spring of 2023, and the challenges associated with filling her position. This is an informal discussion with no formal recommended actions. Rather, this item seeks input from the City Council on how they would like to proceed. It is expected that there will be multiple discussions on this item in the next few months.

The City Clerk's position has expanded with the City's needs since she started working for the City in June of 1988. Today Claudia's position has three main functions. These roles and responsibilities are equivalent in other cities to 1) City Clerk, 2) Accounting Technician, and 3) Executive Assistant to the City Manager.

City Manager Kearney stated the City Council discussed this item at the July 2022 meeting and requested additional job descriptions for both the positions of City Clerk and Accounting Technician. The City Council additionally requested the most recent Bradbury job announcement for the Management Analyst.

Mayor Lathrop stated that the City should outsource payroll and some of the light accounting could be done by the Management Analyst. City Manager Kearney stated that the Management Analyst position was not recruited for accounting tasks. City Manager Kearney also stated that he asked the current Management Analyst if she would be willing to take over some of Claudia's responsibilities and she declined.

Councilmember Bruny inquired about what the part-time Finance Director's responsibilities are. City Manager Kearney replied that the Finance Director's responsibilities are different from the tasks that Claudia is doing. The Finance Director prepares the City's financial reports, completes reports required by the State Controller's Office, prepares Journal Entries, manages investments (CDs) for the City, and is the main liaison for City audits. It would not make sense to have the Finance Director take over Claudia's responsibilities as he gets paid \$87/hour, because he is a CPA. On top of that, the Finance Director is at the office only once a week for half a day and may not be available to dedicate more time to Bradbury.

NO ACTION TAKEN:

This was an informal discussion and the City Council took no formal action. It is expected that there will be more discussions regarding this item over the next few months.

DISCUSSION ON THE USE OF CAL RECYCLE FUNDS:

Management Analyst Musa stated that the City received \$5,000 from the CalRecycle Beverage Container Recycling/County Payment Program. At the April City Council Meeting, Staff was directed to contact the City of Duarte about partnering and installing a water refill station on the Duarte portion of Royal Oaks Trail. City Staff identified an old water refill station that needs to be replaced but the proposal was complicated due to an existing partnership between Duarte and a third-party organization in regards to a plaque that would be placed on the water refill station stating that it was a donation from the City of Bradbury. Since then, the City of Duarte has designated two more potential locations for a water refill station to be installed.

RECOMMENDATION:

It is recommended that the City Council review both potential locations and approve one of the proposed areas for the installation of a water refill station for the City of Duarte at a not-to-exceed amount of \$7,500.

DISCUSSION:

Mayor Pro-Tem Barakat suggested to place the water refill station near the bridge on Royal Oaks Trail. Mayor Pro-Tem Barakat also stated that there is no water refill station on Mount Olive Drive.

DIRECTION TO STAFF:

The City Council directed Staff to identify possible locations for a water refill station in the City of Bradbury and to report back at the next City Council meeting.

DISCUSSION AND UPDATE ON BRADBURY NIGHT OUT:

Bradbury Night Out (BNO) is an annual event to celebrate the City's anniversary and National Night Out. This year's Bradbury Night Out took place on July 28, 2022. Management Analyst Musa reported that we had over 26 service providers hosting a booth and three food vendors. Residents enjoyed the variety of vendors present, especially the Wildlife Learning Center, which brought several animals, including a porcupine, armadillo, hedgehog, owl and more. One of the highlights of BNO was the attendance of Los Angeles County Supervisor Kathryn Barger.

The City allocated \$10,000 for the event but only spent \$7,000. Based on the feedback received from residents and vendors, the main challenge was long wait times for food and event parking. Staff hopes to improve the parking situation and will consider hiring a different food vendor for next year's event.

MATTERS FROM THE CITY MANAGER:

City Manager Kearney stated that the CSO contract with the City of Monrovia should be ready soon and that we may have to call a Special Meeting before the regular September City Council Meeting to adopt the contract.

MATTERS FROM THE CITY ATTORNEY:

City Attorney Reisman stated that he enjoyed Bradbury Night Out and that he bonded with an owl (Zeus from the Wildlife Learning Center).

MATTERS FROM THE CITY COUNCIL:

MAYOR LATHROP: Nothing to report
COUNCILMEMBER BARAKAT: Nothing to report
COUNCILMEMBER HALE: Nothing to report
COUNCILMEMBER LEWIS: Not present
COUNCILMEMBER BRUNY: Nothing to report
ITEMS FOR FUTURE AGENDAS: None

CLOSED SESSION

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

RECESS TO CLOSED SESSION: The City Council adjourned to a Closed Session to discuss:

- A. Appointment of Temporary Public Employee**
Government Code Section 54957(b)(1)
Title: Management Analyst

REPORT FROM CLOSED SESSION: City Attorney Reisman reported that the City Council met in Closed Session to discuss the matter regarding the Management Analyst. No formal votes were taken or required.

ADJOURNMENT: At 9:15 p.m. Mayor Lathrop adjourned the meeting to a regular meeting to be held on Tuesday, September 20, 2022 at 7:00 p.m.



MAYOR – CITY OF BRADBURY

ATTEST:



CITY CLERK – CITY OF BRADBURY

CITY OF DUARTE

**MINUTES OF THE REGULAR JOINT MEETING OF THE CITY COUNCIL,
THE DUARTE HOUSING AUTHORITY, AND THE DUARTE COMMUNITY
FACILITIES FINANCING AUTHORITY**

**TUESDAY, MARCH 14, 2023
7:00 PM – Regular Session**

1. CALL TO ORDER

Mayor Schulz called the meeting to order at 7:20 p.m.

ROLL CALL:

Councilmembers Present: Finlay, Kang, Lewis, Truong, Garcia, Martin Del Campo, Schulz
Councilmembers Absent: None
Staff Present: Daniel Jordan, City Manager
Thai Viet Phan, City Attorney
Kristen Petersen, Assistant City Manager / Director of
Administrative Services
Craig Hensley, Director of Community Development
Manuel Enriquez, Director of Parks and Recreation
Brian Villalobos, Director of Public Safety Services
Victoria Rocha, Assistant to the City Manager
Albert Nuñez, Management Aide
Salina Bautista, Permit Technician
Annette Juarez, City Clerk

2. PLEDGE TO THE FLAG

The flag salute was led by Joanne Waldon.

3. ADOPTION OF THE AGENDA

Moved by Councilmember Finlay, seconded by Mayor Pro-Tem Truong, and carried by the following vote of the Council to adopt the agenda.

AYES: FINLAY, KANG, LEWIS, TRUONG, GARCIA, MARTIN DEL CAMPO,
SCHULZ
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

4. SPECIAL ITEMS

A. Azusa Connects Autism Walk

Heather Rietta shared a few words regarding the Azusa Connects organization and invited the Duarte City Council and members of the community to join them on April 2, 2023, for their first annual Autism Awareness and Acceptance Walk in the City of Azusa.

B. Community Development Department Update

Community Development Director Hensley provided a department update. He reported on upcoming public outreach for the Safe Routes to School project, annual concrete repairs, annual pavement repairs, and striping and marking repairs.

C. Parks and Recreation Department Update

Parks and Recreation Director Enriquez provided a department update. He reported on the upcoming Spring festivities and the underwater Easter Egg Hunt.

5. ANNOUNCEMENTS OF UPCOMING COMMUNITY EVENTS

Joanna Gee, from Duarte Library, announced upcoming library programs and events.

Assistant to the City Manager Rocha announced upcoming City events.

Jennifer Santana, from the Upper San Gabriel Valley Water District, provided a brief update on the water levels in the water basin.

6. ORAL COMMUNICATIONS – ITEMS NOT ON THE AGENDA

Councilmember Garcia requested for the council meeting to adjourn in memory of Carmen Calabro.

Doris Anderson shared her concerns regarding improvements for Duarte Library.

Steve Hernandez expressed appreciation for Duarte Library and the City.

Lino Paras expressed his concerns regarding the cost of water and unhoused individuals in the downtown area.

7. CONSENT CALENDAR

- A. Motion to read all Resolutions and ordinances presented for consideration by Title only and waive further reading. (CC/HA/FA)
- B. Approval of absence(s) of City Councilmember(s) from the City Council meeting.
- C. Approval of Minutes – February 28, 2023 Special Meeting and February 28, 2023 Regular Meeting (CC/HA/FA)
- D. Approval of Warrants – March 14, 2023 (CC/HA/FA)
- E. Receive and file the Community Development Department Status Report for March 2023.
- F. Receive and file the Parks and Recreation Department Status Report for March 2023.
- G. Approval of an Amended Professional Services Agreement with LPA, Inc. for an Aquatic Preliminary Assessment at the Fitness Center, as previously ratified at the City Council Meeting held on January 24, 2023.
- H. Award of Contract for FY 2022-23 Annual Concrete Repair Project No. 23-7 to Ruiz Concrete and Paving, Inc. in the amount of \$141,715.00.
- I. Award of Contract for FY 2022-23 Annual Asphalt Repair Project No. 23-8 to Ruiz Concrete and Paving, Inc. in the amount of \$48,510.00.
- J. Award of Contract for FY 2022-23 Annual Striping and Marking Project No. 23-9 to WGJ Enterprises, Inc. dba PCI in the amount of \$32,017.20.
- K. Removed from the agenda for discussion.
- L. Approval of Proclamation Declaring March 2023 as Red Cross Month.

Moved by Councilmember Finlay, seconded by Councilmember Lewis, and carried by the following vote of the Council to approve Items 7A-7J and 7L of the Consent Calendar.

AYES: FINLAY, KANG, LEWIS, TRUONG, GARCIA, MARTIN DEL CAMPO,
SCHULZ
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

8. ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION

K. Authorization of One-Time Appreciation Pay

Councilmember Garcia thanked the city employees who worked through the pandemic.

Moved by Councilmember Finlay, seconded by Councilmember Kang, and carried by the following vote of the Council to approve Item 7K of the Consent Calendar authorizing a budget amendment of \$145,000 to the General Fund for one-time payments of up to \$5,000 for each current full-time employee who worked for the City of Duarte during the 25-month period of the COVID-19 pandemic between March 2020 and March 2022.

AYES: FINLAY, KANG, LEWIS, TRUONG, GARCIA, MARTIN DEL CAMPO,
SCHULZ

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

9. PUBLIC HEARINGS

None.

10. BUSINESS ITEMS

A. Resolution of Application to annex to the City of Duarte the territory encompassing Royal Oaks Retirement Community

Andrew Smith, Royal Oaks Executive Director, thanked Staff for working on this effort and expressed why the City of Duarte should annex Royal Oaks.

Joanne Walden expressed her opinions on why the City of Duarte should annex Royal Oaks.

Jim Lawler shared that the City of Duarte has had a long history with Royal Oaks and he expressed his opinions on why the City should annex Royal Oaks.

Bradbury City Manager Kevin Kearney expressed his concerns regarding the complexities of annexation and responsibilities of maintenance.

Bradbury City Councilmember Barakat shared inquired about the City of Duarte's interest in potentially annexing Royal Oaks.

City Manager Jordan gave an overview of the resolution of application for potential annexation of Royal Oaks.

In response to questions posed by Council, City Manager Jordan clarified that Bradbury's application presented to the Local Agency Formation Commission (LAFCO) only includes the 720 sq. ft of county-owned street in front of Royal Oaks.

Discussion ensued regarding potential impacts of annexing Royal Oaks and why Bradbury has not annexed the area in previous years.

Mayor Schulz called for a five-minute recess.

Councilmember Garcia announced that out of an abundance of caution, he will recuse himself from discussing and voting on Business Item 10A - Resolution of Application to annex to the City of Duarte the territory encompassing Royal Oaks Retirement Community.

Mayor Schulz clarified that the resolution being discussed is for interest and informational purposes only.

Moved by Mayor Schulz, seconded by Councilmember Martin Del Campo, and carried by the following vote of the Council to adopt Resolution No. 23-04, authorizing the submittal of an application to the Local Agency Formation Commission for the County of Los Angeles (LAFCO) requesting the annexation to the City of Duarte of the territory encompassing Royal Oaks Retirement Community.

AYES: FINLAY, KANG, LEWIS, TRUONG, MARTIN DEL CAMPO, SCHULZ
NOES: NONE
ABSTAIN: GARCIA
ABSENT: NONE

11. CONTINUATION OF ORAL COMMUNICATIONS

None.

**12. ITEMS FROM CITY COUNCIL/SUCCESSOR AGENCY/HOUSING AUTHORITY/
FINANCING AUTHORITY MEMBERS AND CITY MANAGER/EXECUTIVE
DIRECTOR**

Councilmember Martin Del Campo expressed gratitude for her fellow Councilmembers and their expertise.

Mayor Pro-Tem Truong expressed gratitude for the community, staff members, and the Council.

Councilmember Finlay shared gratitude for unvengeful people.

Councilmember Garcia showed appreciation for staff and the City Attorney. He expressed his sympathy for Carmen Calabro's family.

Councilmember Lewis shared that he was grateful to be a Councilmember, even if the job is not always easy.

Councilmember Kang requested staff to bring back a status report for the town center medians and the Teen Center boxing ring. He applauded Mayor Schulz for doing a great job at the Duarte Fashion Show.

Mayor Schulz shared that she was grateful for everyone. She requested that staff work on a work-force program to help students obtain jobs.

13. ADJOURNMENT

At 9:30 p.m. the City Council adjourned the meeting in memory of Carmen Calabro.


Jody Schulz, Mayor


Annette Juarez, City Clerk