

WALNUT CITY COUNCIL MEETING

CALL TO ORDER: Mayor Pro Tem Rodriguez called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE: C/Pacheco led the flag salute.

ROLL CALL:

PRESENT: COUNCILMEMBERS: MPT/Rodriguez, C/Ching, C/Pacheco

ABSENT: COUNCILMEMBERS: M/Tragarz, C/Wu

Staff present: City Manager Wishner; Assistant City Manager Weiner, Assistant City Manager Rooney; Administrative Services Director Ogawa; City Attorney Leibold; City Planner Carlson; City Engineer Gilbertson; Senior Planner Vasquez; Senior Management Analyst Layman; Public Information Office Tep; Administrative Assistant Markel; and City Clerk De Dios.

INVOCATION - NON-DENOMINATIONAL: Pastor Baldwin Chan of Vineyard of Harvest Church led the invocation.

PRESENTATIONS: None scheduled.

ORAL COMMUNICATIONS FOR THE CITY COUNCIL:

Gregg Fritchle expressed concerns regarding Item 7.

William Harrison thanked code enforcement staff for their efforts in the Creekside neighborhood.

There being no further input, it was moved by C/Ching to close oral communications; seconded by C/Pacheco. Motion carried.

MINUTES:

- 1. Approval of the May 8, 2019 Study Session Meeting**
- 2. Approval of the May 8, 2019 City Council Meeting**

MOTION ON ITEMS 1 & 2

MPT/Rodriguez moved to approve Item 1 & 2; seconded by C/Pacheco. Motion carried by the following electronic vote:

AYES: COUNCILMEMBERS: Ching, Pacheco, Rodriguez

NOES: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Tragarz, Wu

3. Approval of the May 15, 2019 Study Session Meeting

4. Approval of the May 22, 2019 City Council Meeting

MOTION ON ITEMS 3 & 4

C/Pacheco moved to approve Items 3 & 4; seconded by C/Ching. Motion carried by the following electronic vote:

AYES: COUNCILMEMBERS: Ching, Pacheco

NOES: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: Rodriguez

ABSENT: COUNCILMEMBERS: Tragarz, Wu

PUBLIC HEARINGS: None scheduled.

ORDINANCES: None scheduled.

COUNCIL CONSENT CALENDAR:

Items 6 & 12 were pulled for discussion.

5. **Resolution No. 19-27 - A Resolution of the City of Walnut Allowing Certain Claims and Demands in the Amount of \$1,546,418.01, Demand No. 158325 through No. 158451, Both Inclusive**

Recommendation: That the City Council adopt Resolution No. 19-27.

7. **Resolution No. 19-29 – A Resolution of the City Council of the City of Walnut, County of Los Angeles, Supporting Balanced Energy Solutions and Local Choice**

Recommendation: That the City Council adopt Resolution No. 19-29.

8. Ordinance No. 19-05 – Zoning Code Amendment (ZCA) and Negative Declaration (ND) Amending and Restating Walnut Municipal Code (WMC) Title 6, Chapter 6.08.210 Pertaining to Accessory Housing

Recommendation: That the City Council adopt by title only and waive further reading of Ordinance 19-05, “An Ordinance of the City Council of the City of Walnut, County of Los Angeles, California, Amending and Restating Walnut Municipal Code Title 6, Chapter 6.08.210 Pertaining to Accessory Housing in the City of Walnut.”

9. Animal Care & Control Services Agreement: Renewal of a Five (5) Year City-County Agreement with the County of Los Angeles

Recommendation: That the City Council:

1. Approve a five (5) year City-County Municipal Services Agreement for Animal Care & Control Services with the County of Los Angeles for the period beginning on July 1, 2019, expiring June 30, 2024; and
2. Authorize the Mayor to execute said Agreement.

10. Municipal Law Enforcement Services Agreement Renewal

Recommendation: That the City Council approve the five (5) year Municipal Law Enforcement Services Agreement (MLESA) and authorize the Mayor to execute the agreement.

11. Public Convenience and Necessity (PCN): Notification to the State Department of Alcoholic Beverage Control (ABC) Board at 21555 Valley Boulevard (Aldi Store)

Recommendation: That the City Council authorize the City Manager to sign the letter of PCN for the property at 21555 Valley Boulevard (Aldi Store).

13. Final Acceptance – Veterans Memorial Fountain Project

Recommendation: That the City Council:

1. Accept the work performed by E.C. Construction Company for the Veterans Memorial Fountain Project; and
2. Authorize the City Clerk to file the proper “Notice of Completion”.

14. Award of Bid for Construction and Appropriations for the La Puente Road Rehabilitation Project from Transportation Funds

Recommendation: That the City Council:

1. Award bid to Gentry Brothers, Inc. (Gentry Brothers) and approve a construction contract for the La Puente Road Rehabilitation Project to Gentry Brothers in the amount of \$507,672.50;
2. Reject the bid of All American Asphalt as incomplete and unresponsive;

3. Reject the bid protest submitted by Excel Paving Company regarding the formal bid submitted by Gentry Brothers;
4. Reject all other bids;
5. Appropriate \$270,000 from Measure R Reserves (Fund 16) to the Project in place of the FY 18-19 budgeted amount of \$270,000 from Measure M (Fund 21);
6. Appropriate \$90,900 from Proposition A Reserves (Fund 23) to the Project;
7. Appropriate \$167,540 from Proposition C Reserves (Fund 13) to the Project;
8. Authorize staff to issue a Purchase Order to Gentry Brothers in the amount of \$507,672.50
9. Authorize staff to issue change orders not to exceed 10% of the contract award amount (\$50,767) to Gentry Brothers; and
10. Authorize staff to issue a Purchase Order to RKA Consulting Group in the amount of \$50,000.

15. Bingo Permit Application Submitted by the Walnut Senior Citizens Club and Request for Waiver

Recommendation: That the City Council:

1. Approve the bingo permit application submitted by the Walnut Senior Citizens Club for Fiscal Year 2019-20;
2. Waive any applicable facility use fees and insurance requirements;
3. Waive the bingo permit application fee and monthly gross receipts fees; and
4. Accept a monthly donation of \$350.00.

16. Bi-Annual Sport Group and Tournament Field Use Request – Fall 2019

Recommendation: The Walnut Parks and Recreation Commission recommends that the City Council:

1. Approve the Bi-Annual Use Agreements for July 2019 through January 2020 for American Youth Soccer Organization (AYSO), Walnut Pony Baseball, Walnut Youth Softball, Walnut Valley Cowboys (Football and Cheer), and DBWV-FC Man United for the use requests listed below; and
2. Authorize the Assistant City Manager - Community Services/Public Works to execute and administer said agreements in substantially the form attached and in such final form as approved by the City Attorney; and
3. Approve the following Sunday Use and Tournament requests.

Field Use Requests:

- a) Use of **Butterfield Park** by DBWV-FC Man United Soccer from August 1, 2019 through December 1, 2019; and AYSO from December 7, 2019 through January 31, 2020.
- b) Use of **Creekside Park** by Walnut Valley Pony Baseball from September 2, 2019 through November 23, 2019 for practices/games;
- c) Use of **Snow Creek Park** by Walnut Valley Pony Baseball from September 2, 2019 through November 23, 2019; and Walnut Valley Cowboys (Football and Cheer) from July 22, 2019 through December 31, 2019.

- d) Use of **Suzanne Park** by Walnut Youth Softball from August 1, 2019 through November 30, 2019 for practices (*excluding October 11-12*); and DBWV-FC Man United Soccer from August 1, 2019 through December 1, 2019 (*excluding October 11*);
- e) Use of **Walnut Ranch Park** by AYSO from August 1, 2019 through December 7, 2019 (*excluding October 11 due to Westhoff Elementary School event*); and DBWV-FC Man United from August 1, 2019 through December 1, 2019 (*excluding October 11 due to Westhoff Elementary School event*). There is mutually agreed upon division of field use between AYSO and DBWV-FC Man United Soccer;
- f) That the request for Sunday use of **Walnut Ranch Park** be approved as in previous years for DBWV-FC Man United Soccer; and
- g) That the tournaments be approved as requested.

Sunday Use and Tournaments Requests:

Waivers for Sunday use have been approved following consideration by the Parks and Recreation Commission and the City Council, and again, are being requested by DBWV-FC Man United at Walnut Ranch Park.

The *Facility Use and Allocation Policy* states that “Sports organizations with approved Facility Use Permits are limited to two tournaments per year.” The following youth sports groups have requested tournaments at the following parks:

Walnut Ranch Park

AYSO: August 5, 6, 7, 8 and 9

DBWV-FC Man United Soccer: August 2, 3 and 4; August 9, 10 and 11; and
November 29, 30 and December 1

MOTION ON ITEMS 5, 7 – 11, & 13 - 16

C/Ching moved to adopt Items 5, 7–11, & 13-16; seconded by MPT/Rodriguez. Motion carried by the following electronic vote:

AYES: **COUNCILMEMBERS:** *Ching, Pacheco, Rodriguez*

NOES: **COUNCILMEMBERS:** *None*

ABSTAIN: **COUNCILMEMBERS:** *None*

ABSENT: **COUNCILMEMBERS:** *Tragarz, Wu*

ITEMS PULLED FOR DISCUSSION:

- 6. **Resolution No. 19-28 – A Resolution of the City Council of the City of Walnut Supporting the Reducing Crime & Keeping California Safe Act of 2020**

Recommendation: That the City Council adopt Resolution No. 19-28

MOTION ON ITEM 6

MPT/Rodriguez moved to continue Item 6 to the next City Council meeting; seconded by C/Ching. Motion carried by the following electronic vote:

AYES: *COUNCILMEMBERS: Ching, Pacheco, Rodriguez*
NOES: *COUNCILMEMBERS: None*
ABSTAIN: *COUNCILMEMBERS: None*
ABSENT: *COUNCILMEMBERS: Tragarz, Wu*

12. Parcel Map No. 82198 Final Acceptance (A. Pacheco)

Recommendation: That the City Council:

1. Approve Parcel Map No. 82198; and
2. Authorize the City Clerk and City Treasurer to endorse the certificates as shown on the Final Parcel Map.

MOTION ON ITEM 12

MPT/Rodriguez moved to approve Item 12; seconded by C/Ching. Motion carried by the following electronic vote:

AYES: *COUNCILMEMBERS: Ching, Pacheco, Rodriguez*
NOES: *COUNCILMEMBERS: None*
ABSTAIN: *COUNCILMEMBERS: None*
ABSENT: *COUNCILMEMBERS: Tragarz, Wu*

SUCCESSOR AGENCY CONSENT CALENDAR: None scheduled.

COUNCIL DISCUSSION/TRANSACTION ITEMS: None scheduled.

ANNOUNCEMENTS (COUNCIL MEMBERS AND STAFF):

A. Councilmembers' report on meetings attended at the expense of the local agency

None.

B. Individual Members' comments and updates

MPT/Rodriguez and C/Ching wished C/Pacheco a happy belated birthday.

C/Pacheco shared information regarding an active shooter seminar.

COUNCIL LATE BUSINESS: None.

CLOSED SESSION: Council went into closed session at 7:17 pm.

- A. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Gov't Code § 54956.9)
United Walnut Taxpayers v Mt San Antonio Community College District, et al.
Los Angeles County Superior Court Case No. BC 576587
[Consolidated with Case Nos. BS 154389, BC 600860 and BS159593]**

- B. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Gov't Code § 54956.9)
City of Walnut v Mt San Antonio Community College District, et al.
Los Angeles County Superior Court Case No. BS 166152 MF;
(Consolidated Case No. BS170683)**

- C. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Gov't Code § 54956.9)
City of Walnut v Mt San Antonio Community College District, et al.
Los Angeles County Superior Court Case No. BS 171818
City of Walnut v. Mt. San Antonio Community College District et al)**

RECONVENE COUNCIL MEETING AND ANNOUNCE CLOSED SESSION ACTION

The meeting reconvened at 7:42 p.m. There was no reportable action on items A, B, C.

ADJOURNMENT: There being no further business, the City Council meeting adjourned at 7:43 p.m.

PASSED AND APPROVED this 26th day of June 2019.

Nancy Tragarz, Mayor

ATTEST:

Teresa De Dios, City Clerk

PREPARED BY:

Ray Markel, Administrative Assistant