

WALNUT CITY COUNCIL MEETING

CALL TO ORDER: Mayor Tragarz called the meeting to order at 7:10 p.m.

PLEDGE OF ALLEGIANCE: M/Tragarz led the flag salute.

ROLL CALL:

PRESENT: COUNCILMEMBERS: M/Tragarz, MPT/Rodriguez, C/Ching, C/Pacheco, C/Wu
ABSENT: COUNCILMEMBERS: None

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; Community Services Deputy Director Jensen; Senior Planner Vasquez; Public Information Officer Tep; Administrative Assistant Markel; and City Clerk De Dios.

INVOCATION - NON-DENOMINATIONAL: The invocation was led by Pastor Kenneth Kwan from Vineyard of Harvest Church.

PRESENTATIONS: None scheduled.

ORAL COMMUNICATIONS FOR THE CITY COUNCIL:

William Harrison commended Alyssa Ramos in code enforcement for her hard work. He also expressed concerns regarding certain shopping centers and homeless in the city.

Marilyn Caldwell and Robert Baker expressed concern regarding the former Brookside Equestrian Center including their recent fire and homeless problems.

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 January 23, 2019 Study Session**
2. **Approval of the January 23, 2019 City Council Meeting**

MOTION ON ITEMS 1 & 2

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

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

NOES: COUNCILMEMBERS: *None*

ABSTAIN: COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *None*

PUBLIC HEARINGS: None scheduled.

ORDINANCES:

3. Ordinance No. 19-01 – 2018 Citywide Speed Survey Establishing Speed Limits on Certain Streets in the City of Walnut

Recommendation: That the City Council:

1. Approve the 2018 Citywide Speed Survey and authorize the filing of said report with the appropriate judicial court;
2. Introduce Ordinance No. 19-01, “An Ordinance of the City Council of the City of Walnut, California, Amending Walnut Municipal Code Section 3.32.030 of Chapter 3.32 of Title III thereof, Revising the Speed Limit on Certain Streets.” read by title only, and waive further reading; and
3. Appropriate \$15,000.00 from the General Fund Reserve and transfer to Special Maintenance Projects Account No. 01-6206-6290.

CE/Gilbertson presented a staff report.

Discussion took place amongst staff and Council regarding speed limit changes that will be made in various parts of the city.

Mayor Tragarz opened public comment.

Sabrina Foreman, William Harrison, and Silvia Chavez expressed concerns regarding speed limit increases.

Mark Saunders stated that drivers in the community need to take responsibility and slow down.

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

MOTION ON ITEM 3

C/Wu moved to approve Item 3; seconded by C/Ching. Motion carried by the following electronic vote:

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

COUNCIL CONSENT CALENDAR:

Items 5 – 7 were pulled for discussion.

- 4. Resolution No. 19-09 - A Resolution of the City of Walnut Allowing Certain Claims and Demands in the Amount of \$846,648.50, Demand No. 157576, through No. 157693, Both Inclusive**

Recommendation: That the City Council adopt Resolution No. 19-09.

- 8. First Amendment to the Agreement for Professional Services between the City of Walnut and Vavrinek, Trine, Day & Co., LLP**

Recommendation: That the City Council:

1. Approve the First Amendment between the City of Walnut and Vavrinek, Trine, Day & Co., LLP in substantially the form attached hereto, and in such final form as may be approved by the City Attorney; and
2. Authorize the City Manager to execute and administer the First Amendment and any other documents necessary to effect the foregoing, on behalf of the City in such final form as may be approved by City Attorney.

MOTION ON ITEMS 4 & 8

C/Ching moved to adopt Items 4 & 8; seconded by MPT/Rodriguez. Motion carried by the following electronic vote:

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

PULLED ITEMS FOR DISCUSSION

- 5. Award of Contract to the Law Office of Charisse L. Smith for Walnut Code Enforcement Legal Services**

Recommendation: That the City Council:

1. Award a contract to the Law Offices of Charisse L. Smith for Code Enforcement legal services, in an amount not to exceed \$35,000.00;
2. Approve Professional Services Agreement for sixteen (16) month term beginning February 14, 2019 and expiring on June 30, 2020;
3. Authorize the City Manager to execute and administer said Agreement in substantially the form attached, and in such final form as approved by the City Attorney;
4. Appropriate \$35,000.00 from the General Fund Reserves to 01-5002-6216; and
5. Issue a Purchase Order to the Law Offices of Charisse L. Smith in an amount not to exceed \$35,000.00.

M/Tragarz expressed concerns regarding certain aspects of the contract and stated that if consultant compensation should change, that it be taken back to Council for approval.

CA/Leibold stated that any change in compensation that is over the City Manager's approval authority, would be taken to Council; she stated that they will clarify that in the contract.

M/Tragarz stated that she feels that every contract should be approved by the city attorney and city manager and then signed by the mayor.

CA/Leibold stated that Council may change the recommendation to have the mayor sign and execute the contract.

MOTION ON ITEM 5

M/Tragarz moved to strike through the second sentence in section 4 of the contract and approve all of staff's recommendations for Item 5 except recommendation number three; seconded by C/Ching. Motion carried by the following electronic vote:

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

6. Award of Bid – FY 2018-19 Area 4 Pavement Resurfacing Project

Recommendation: That the City Council:

1. Award a construction contract for the Area 4 Pavement Resurfacing project to Hardy and Harper, Inc. in the amount of \$695,000.00;
2. Reject all other bids;

FEBRUARY 13, 2019 – CC

3. Appropriate \$49,000.00 from the 03- Road Maintenance Rehabilitation Account (RMRA) Reserves and \$165,500.00 from the 13- Proposition C Reserves to the project;
4. Authorize staff to issue a Purchase Order to Hardy and Harper, Inc. in the amount of \$695,000.00;
5. Authorize staff to issue change orders not to exceed \$69,500.00 (10% of the contract award amount) to Hardy and Harper, Inc.; and
6. Authorize staff to issue a Purchase Order to RKA Consulting Group in the amount of \$50,000.00

7. Award of Bid – FY 2018-19 Maintenance Area 4 Slurry Seal Project

Recommendation: That the City Council:

1. Award a construction contract for the 2018-19 Maintenance Area 4 Slurry Seal Project to Doug Martin Contracting Company, Inc. in the amount of \$659,113.50;
2. Reject all other bids;
3. Appropriate \$115,024.85 from 03- Road Maintenance Rehabilitation Account Reserves to the project;
4. Authorize staff to issue a Purchase Order to Doug Martin Contracting Company, Inc. in the amount of \$659,113.50;
5. Authorize staff to issue change orders not to exceed \$65,911.35 (10% of the contract award amount) to Doug Martin Contracting Company, Inc.; and
6. Authorize staff to issue a Purchase Order to RKA Consulting Group in the amount of \$65,000.00.

CE/Gilbertson presented a staff report.

C/Wu requested that staff share the areas affected by the projects with the community.

MOTION ON ITEMS 6 & 7

MPT/Rodriguez moved to adopt Items 6 & 7; seconded by C/Pacheco. Motion carried by the following electronic vote:

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

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

C/Wu shared information from the San Gabriel Valley Mosquito and Vector Control meeting.

M/Tragarz shared information from the Foothill Transit governing board meeting.

C/Pacheco shared information regarding a Board of Supervisors meeting.

B. Individual Members' comments and updates

Council thanked staff for all of their work on the Lunar New Year event.

C/Ching thanked Sheriff Captain Reyes and his team for attending an event with local pastors. He also shared that City Blessing Church donated \$2000 for the city's safety camera program and invited the community to attend the joint public safety and Council meeting on March 4th.

M/Tragarz announced that recreation registration will begin on February 25th.

COUNCIL LATE BUSINESS: None

CLOSED SESSION: M/Tragarz announced that closed session was cancelled.

- 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)**

FEBRUARY 13, 2019 – CC

ADJOURNMENT: There being no further business, the City Council meeting adjourned at 8:04 p.m.

PASSED AND APPROVED this 27th day of February 2019.

Nancy Tragarz, Mayor

ATTEST:

Teresa De Dios, City Clerk

PREPARED BY:

Ray Markel, Administrative Assistant