



A G E N D A
REGULAR MEETING OF THE
WALNUT CITY COUNCIL
CITY COUNCIL CHAMBERS
21201 La Puente Road, Walnut, CA 91789

JUNE 12, 2019
7:00 P.M.

WALNUT CITY COUNCIL MEETING

CALL TO ORDER: Mayor Tragarz

PLEDGE OF ALLEGIANCE: C/Pacheco

ROLL CALL: M/Tragarz, MPT/Rodriguez, C/Ching, C/Pacheco, C/Wu

INVOCATION – NON-DENOMINATIONAL:

In permitting a nonsectarian invocation, the City does not intend to proselytize, advance, or disparage any faith or belief. Neither the City nor the City Council endorses any particular belief or form of invocation.

PRESENTATIONS: None scheduled.

ORAL COMMUNICATIONS FOR THE CITY COUNCIL:

Under Government Code Section 54954.3, any person wishing to address any item or issue not on the agenda or any item on the Consent Calendar may do so under Oral Communications. There will also be an opportunity to speak on Discussion or Public Hearing items when the items are scheduled for consideration.

The Council may listen but may not act on items that are not already on the agenda.

Any person given permission to address shall advance to the podium and state their name for the record and the subject matter they wish to discuss. Speakers are asked to limit their comments to three minutes and to present them in a constructive manner. The Council, City staff, and other citizens present have the right to be treated with respect, courtesy and openness. In return, the members of the Council and Staff commit to conduct themselves at all times with civility and courtesy.

MINUTES:

1. [Approval of the May 8, 2019 Study Session Meeting](#)
2. [Approval of the May 8, 2019 City Council Meeting](#)
3. [Approval of the May 15, 2019 Study Session Meeting](#)
4. [Approval of the May 22, 2019 City Council Meeting](#)

PUBLIC HEARINGS: None scheduled.

ORDINANCES: None scheduled.

COUNCIL CONSENT CALENDAR:

The Consent Calendar items listed below are considered and acted upon under one motion unless an individual item or items are removed by a Councilmember for further consideration or explanation.

There will be no dialogue/debate unless a Council Member requests otherwise on the following matters:

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.

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

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).

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.

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

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**
- B. **Individual Members’ comments and updates**

COUNCIL LATE BUSINESS: No action shall be taken on any item not appearing on the posted agenda except upon a determination by four-fifths of the Council Members that an emergency exists.

CLOSED SESSION:

- 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

No action shall be taken on any item not appearing on the posted agenda except upon a determination by four-fifths of the City Council that an emergency situation exists.

ADJOURNMENT: The next regular meeting of the City Council is scheduled on Wednesday, June 26, 2019, at 7:00 p.m., in the Council Chambers, 21201 La Puente Road, Walnut, California.

NOTIFICATIONS:

AMERICANS WITH DISABILITIES: It is the intention of the City of Walnut to comply with the Americans with Disabilities Act (ADA) in all respects. If as an attendee or a participant at this meeting and you need special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact the City Clerk's Office at (909) 348-0710 at least forty-eight (48) hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible. Please advise us at that time if you will need accommodations to attend or participate in meetings on a regular basis.

AGENDA POSTING: The agenda for this meeting was posted in the following listed sites before the close of business at 6:00 p.m. on the Thursday preceding the meeting:

1. Walnut City Hall 21201 La Puente Road, Walnut, CA
2. United States Post Office, 280 S. Lemon Avenue, Walnut, CA
3. Public Library, Walnut Branch, 21155 La Puente Road, Walnut, CA
4. Walnut Senior Center, 21215 La Puente Road, Walnut, CA
5. Internet: www.cityofwalnut.org/agendas (staff reports included)

The Agenda and all related reports are also available for inspection at City Hall at 21201 La Puente Road on the Monday prior to each meeting. In compliance with Government Code section 54957.5, any writings distributed within 72 hours of the meeting will be made available to the public at the time it is distributed to the City Council.

LIVE BROADCASTS OF CITY COUNCIL MEETINGS ON WCTV: City Council meetings air live the second and fourth Wednesdays of each month at 7:00 p.m. on Channel 3 (Charter Subscribers) and Channel 21 (Verizon Subscribers).

WCTV CHANNEL 3 REBROADCAST: City Council meetings re-air at 7:00 a.m., 2:00 p.m., 7:00 p.m., and 10:00 p.m. for a week following the live meeting on Channel 3 (Charter Subscribers) and Channel 21 (Verizon Subscribers).

This meeting is being broadcast live and recorded for rebroadcast on Charter Channel 3 and Verizon Channel 21. By remaining in the City Council Chambers, you are giving your permission to be videotaped.

PLEASE SWITCH YOUR CELL PHONES, PAGERS, AND OTHER ELECTRONIC DEVICES INTO THE SILENT OR OFF POSITION WHILE THE MEETING IS IN SESSION. THANK YOU IN ADVANCE FOR YOUR COOPERATION.