

WALNUT CITY COUNCIL MEETING

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

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

ROLL CALL:

PRESENT: COUNCILMEMBERS: M/Tragarz, MPT/Rodriguez, C/Pacheco, C/Wu
ABSENT: COUNCILMEMBERS: C/Ching

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; Finance Officer Cortez; Senior Planner Vasquez; Senior Management Analyst Guerra; Senior Management Analyst Layman; Public Information Office Tep; Administrative Assistant Markel; and City Clerk De Dios.

INVOCATION - NON-DENOMINATIONAL: Pastor Terrence Shay from the First Chinese Baptist Church of Walnut led the invocation.

PRESENTATIONS: None scheduled.

ORAL COMMUNICATIONS FOR THE CITY COUNCIL:

Jim Lolly expressed concerns regarding coyotes in his neighborhood.

William Harrison expressed concerns regarding the conditions of the Lemon Creek Village shopping center and the Walnut Hills Plaza shopping center.

There being no further input, it was unanimously moved by Council to close oral communications. Motion carried.

MINUTES:

1. **Approval of the June 12, 2019 City Council Meeting Minutes**

MOTION ON ITEM 1

MPT/Rodriguez made a motion to approve Item 1; seconded by C/Pacheco. Motion carried by the following electronic vote:

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

PUBLIC HEARINGS:

2. Resolution No. 19-30 - Adoption of the Fiscal Year 2019-20 to Fiscal Year 2023-2024 Capital Improvement Plan (CIP)

Recommendation: That the City Council:

1. Open the Public Hearing;
2. Hear the Staff Report;
3. Solicit input on this item;
4. Close the Public Hearing; and
5. Adopt Resolution No. 19-30 “A Resolution of the City Council of the City of Walnut, Adopting the Capital Improvement Plan for Fiscal Year 2019-20 to Fiscal Year 2023-24.”

C/Wu requested that Item 2 be discussed at the time Item 12 is discussed.

ASD/Ogawa presented a staff report.

M/Tragarz opened the public hearing.

Discussion took place amongst Council and staff regarding future capital improvement projects and the spending of restricted funds.

C/Wu expressed concerns regarding the CIP budget and the operating budget.

Vijay Vakil expressed concerns regarding the budget and suggested that the city increase permit fees and go out to bid for contracts.

William Harrison stated that he is in favor of a balanced budget and suggested going out to bid on certain projects.

There being no further input, it was moved by C/Pacheco to close the public hearing; seconded by MPT/Rodriguez. Motion carried.

MOTION ON ITEM 2

*C/Pacheco made a motion to adopt Item 2; seconded by MPT/Rodriguez.
Motion carried by the following electronic vote:*

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

ORDINANCE: None scheduled.

COUNCIL CONSENT CALENDAR:

Items 5, 8 & 9 were pulled for discussion.

- 3. Resolution No. 19-31 - A Resolution of the City Council of the City of Walnut Allowing Certain Claims and Demands in the Amount of \$1,193,693.14, Demand No. 158452 through No. 158531, Both Inclusive**

Recommendation: That the City Council adopt Resolution No. 19-31.

- 4. 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

- 6. Approval of a Three-Year Contract with D.H. Maintenance Services for Citywide Janitorial Services (New Contractor)**

Recommendation: That the City Council:

1. Approve a three-year contract with D.H. Maintenance Services for janitorial services in City buildings and park restrooms;
2. Authorize the City Manager to sign the agreement on behalf of the City in substantially the form attached and in such final form as approved by the City Attorney; and
3. Authorize staff to issue a purchase order to D.H. Maintenance Services for \$174,120 for FY 2019-2020.

- 7. Out-of-State Travel Authorization – City Manager Rob Wishner**

Recommendation: That the City Council approve the City Manager’s travel request to attend the International City/County Management Association (ICMA) 2019 Annual Conference in Nashville, Tennessee.

10. Commission Appointments to the Planning, Parks and Recreation, Senior Citizens, and Youth Advisory Commissions

Recommendation: That the City Council appoint the nominees recommended by each City Council Member to the Planning, Parks and Recreation, Senior Citizens, and Youth Advisory Commissions:

Planning Commission

Tony Koo (M/Tragarz); Mark T. Fernandez (MPT/Rodriguez); Heinrich Dy (C/Ching); Fernando Perez (C/Pacheco); Danny Wu (C/Wu).

Parks & Recreation Commission

Thomas Pedersen (M/Tragarz); Linda F. Freedman (MPT/Rodriguez); Gloria Munguia (C/Ching); Richard Cajulis (C/Pacheco); Dino Pollalis (C/Wu).

Senior Citizens Commission

Joanne Sharon Miller (M/Tragarz); Louis Simonelli (MPT/Rodriguez); Jean Sherwood Scott (C/Ching); Flora Coday-Lamb (C/Pacheco); Li Hwa (Marguerite) Wu (C/Wu).

Youth Advisory Commission

Jeremy Lin, Jason Wang (M/Tragarz); Ashley Ching (MPT/Rodriguez); Cathy Ning Zhong (C/Ching); Maximilian Pollalis, Nisha Lerdsuwanrut (C/Pacheco); Sabrina Li, Eric Zhiran Su (C/Wu).

MOTION ON ITEMS 3, 4, 6, 7, & 10

MPT/Rodriguez made a motion to adopt Items 3, 4, 6, 7, & 10; seconded by C/Pacheco. Motion carried by the following electronic vote:

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

ITEMS PULLED FOR DISCUSSION:

5. Resolution No. 19-32 - To Establish the 2019-20 Appropriation Limit

Recommendation: That the City Council approve and adopt Resolution No. 19-32, establishing the appropriation limit for Fiscal Year 2019-20 in the amount of \$29,408,221.

ASD/Ogawa presented a staff report.

Discussion took place regarding the appropriation limit.

MOTION ON ITEM 5

C/Pacheco made a motion to adopt Item 5; seconded by MPT/Rodriguez. Motion carried by the following electronic vote:

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

8. Request for a Use Permit to allow for Ancillary Musical Entertainment to an existing business at 20265 Valley Boulevard (Suite N)

Recommendation: That the City Council:

1. Grant a use permit for Musical Entertainment to the existing business at 20265 Valley Boulevard, Suite N (known as “Mayan Tacos”), subject to the attached Conditions of Approval (COA).

SMA/Guerra presented a staff report.

MPT/Rodriguez asked the applicant if they would be interested in extending the hours of musical entertainment in the COA, to which the applicant confirmed they would be.

Discussion took place regarding the operational hours as well as the hours allowed for musical entertainment.

MOTION ON ITEM 8

MPT/Rodriguez made a motion to modify Condition 2 of the COA to allow musical entertainment until 9:00 p.m. on weekdays and 10:00 p.m. on Fridays and Saturday and to modify Condition 5 of the COA to change the liquor license to type 41 instead of type 20; seconded by C/Wu. Motion carried by the following electronic vote:

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

9. Final Acceptance – Maintenance Area 4 Pavement Resurfacing Project

Recommendation: That the City Council:

1. Accept the work performed by Hardy & Harper, Inc. for the Maintenance Area 4 Pavement Resurfacing Project; and
2. Authorize the City Clerk to file the proper “Notice of Completion”.

CE/Gilbertson presented a staff report.

Discussion took place regarding the project.

MOTION ON ITEM 9

C/Pacheco made a motion to approve Item 9; seconded by MPT/Rodriguez. Motion carried by the following electronic vote:

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

SUCCESSOR AGENCY CONSENT CALENDAR:

11. Adoption of the 2019-20 Walnut Successor Agency (WSA) Budget

Recommendation: That the Walnut Successor Agency Members adopt the Walnut Successor Agency (WSA) Budget for Fiscal Year 2019-20. The annual budget includes \$127,630 in resources and \$121,630 in total appropriations.

MOTION ON ITEM 11

C/Pacheco made a motion to approve Item 11; seconded by MPT/Rodriguez. Motion carried by the following electronic vote:

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

COUNCIL DISCUSSION/TRANSACTION ITEMS:

12. Resolution No. 19-33 – Adoption of the 2019-20 Annual Budget

Recommendation: That the City Council adopt Resolution No. 19-33 approving the annual budget for Fiscal Year 2019-20.

ASD/Ogawa presented a staff report. She noted that staff recommends a reduction in the recreation facility capital improvement projects budget by 1.2 million dollars.

Discussion took place among Council and staff regarding reduction of the CIP budget, restricted revenues and the process of approving CIP, and the status of the facility maintenance fund.

Mayor Tragarz opened public comment.

Vijay Vakil and William Harrison stated that they are in favor of a balanced budget.

CM/Wishner stated that staff would continue to report to Council quarterly on revenues and expenditures. He noted that the General Fund budget would have surplus for fiscal year 2019-20.

MOTION

C/Wu made a motion have staff bring back a balanced budget. Motion failed due to lack of a second.

Discussion took place amongst Council and staff regarding the budget including the capital improvement projects budget.

MOTION ON ITEM 12

MPT/Rodriguez made a motion to approve Item 12 with staff recommended amendments; seconded by C/Pacheco. Motion carried by the following electronic vote:

AYES: COUNCILMEMBERS: Pacheco, Rodriguez, Tragarz

NOES: COUNCILMEMBERS: Wu

ABSTAIN: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Ching

ANNOUNCEMENTS (COUNCIL MEMBERS AND STAFF):

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

MPT/Rodriguez shared information from the National Association of Latino Elected Officials conference.

B. Individual Members' comments and updates

M/Tragarz invited the community to attend the annual 4th of July event at Suzanne Park.

COUNCIL LATE BUSINESS: None.

COUNCIL ADJOURNS TO WALNUT PUBLIC FINANCING AUTHORITY

WALNUT PUBLIC FINANCING AUTHORITY

13. **Convene Annual Meeting of Walnut Public Financing Authority** - The Walnut Improvement Agency established the Walnut Public Financing Authority for the purpose of issuing bonds, and the Authority is required to hold an annual meeting. The officers of the Authority are the same as the officers of the City Council.
- A. **Notice of Meeting** – Walnut Public Financing Authority – “As properly posted, this is now the time and place for the annual meeting of the Walnut Public Financing Authority.”
- B. **Call to order**
AM/Tragarz called the meeting to order at 8:25 p.m.
- C. **Roll call**
PRESENT: Authority Members: Tragarz, Rodriguez, Pacheco, Wu
ABSENT: Authority Members: Ching
- D. **Oral Communications**
There being no person present wishing to speak during oral communications, it was unanimously moved by the Authority to close oral communications. Motion carried.
- E. **Approval of minutes of the regular meeting of June 27, 2018**
MOTION ON ITEM 13-E
AM/Pacheco made a motion to approve Item 13-E; seconded by AM/Tragarz. Motion carried by the following electronic vote:
AYES: Authority Members: Pacheco, Rodriguez, Tragarz
NOES: Authority Members: None
ABSTAIN: Authority Members: Wu
ABSENT: Authority Members: Ching
- F. **Discussion/Transaction Items** – None scheduled.
- G. **Adjournment**

WPFA ADJOURNS TO THE WALNUT HOUSING AUTHORITY

RECESS TO THE MEETING OF THE WALNUT HOUSING AUTHORITY

WALNUT HOUSING AUTHORITY MEETING

CALL TO ORDER: Authority Chair Tragarz called the meeting to order at 8:27 p.m.

ORAL COMMUNICATIONS FOR HOUSING AUTHORITY:

There being no one present wishing to speak during oral communications, it was moved by AM/Rodriguez; seconded by AM/Wu to close oral communications. Motion carried.

AUTHORITY PUBLIC HEARINGS: None scheduled.

AUTHORITY CONSENT CALENDAR:

14. **Resolution No. 19-06 WHA - A Resolution of the Walnut Housing Authority Allowing Certain Claims and Demands in the Amount of \$24,174.53, Demand No. 100377 through No. 100377, Both Inclusive**

Recommendation: That the Authority adopt Resolution No. 19-06 WHA.

15. **Adoption of the 2019-20 Walnut Housing Authority (WHA) Budget**

Recommendation: That the Authority adopt the Walnut Housing Authority (WHA) Budget for Fiscal Year 2019-20. The annual budget includes \$52,000 in resources and \$350,150 in total appropriations.

MOTION ON ITEMS 14 & 15

AM/Rodriguez made a motion to adopt Items 14 & 15; seconded by AM/Pacheco. Motion carried by the following electronic vote:

AYES: *AGENCY MEMBERS: Pacheco, Rodriguez, Tragarz, Wu*

NOES: *AGENCY MEMBERS: None*

ABSTAIN: *AGENCY MEMBERS: None*

ABSENT: *AGENCY MEMBERS: Ching*

AUTHORITY DISCUSSION/TRANSACTION ITEMS: None scheduled.

AUTHORITY LATE BUSINESS: None scheduled.

AUTHORITY ADJOURNS TO CITY COUNCIL MEETING

CLOSED SESSION: Council went into Closed Session at 8:28 p.m.

- 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)**

- D. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Gov't Code Section 54956.8)
Property: APN 8720-024-016; 8720-034-029
Agency negotiator: City Engineer Gilbertson
Negotiating parties: City of Walnut and Vogel Properties
Under negotiation: Price and terms of payment**

- E. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Gov't Code Section 54956.8)
Property: APN 8720-024-056
Agency negotiator: City Engineer Gilbertson
Negotiating parties: City of Walnut and Walnut RB, LP
Under negotiation: Price and terms of payment**

- F. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Gov't Code Section 54956.8)
Property: APN 8722-038-018; 8722-038-022
Agency negotiator: City Engineer Gilbertson
Negotiating parties: City of Walnut and Lemon Valley LLC
Under negotiation: Price and terms of payment**

- G. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Gov't Code Section 54956.8)
Property: APN 8722-038-019
Agency negotiator: City Engineer Gilbertson
Negotiating parties: City of Walnut and Walnut Tech Business Center
Under negotiation: Price and terms of payment**

RECONVENE COUNCIL MEETING AND ANNOUNCE CLOSED SESSION ACTION:

Council reconvened from Closed Session at 9:28 p.m. with no reportable action.

ADJOURNMENT: There being no further business, the City Council meeting adjourned at 9:29 p.m.

PASSED AND APPROVED this 10th day of July 2019.

Nancy Tragarz, Mayor

ATTEST:

Teresa De Dios, City Clerk

PREPARED BY:

Ray Markel, Administrative Assistant