

WALNUT CITY COUNCIL MEETING

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

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

ROLL CALL:

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

Also present: City Manager Wishner; Assistant City Manager Weiner; Assistant City Manager Rooney; Administrative Services Director Ogawa; City Attorney Leibold; Finance Officer Cortez; Deputy Community Services Director Jensen; Community Services Superintendent Barcelo; City Planner Carlson; Senior Planner Vasquez; Senior Management Analyst Layman; Senior Management Analyst Guerra; Finance Analyst Meza, Public Information Officer Maio; Administrative Assistant Markel; and City Clerk De Dios

INVOCATION – NON-DENOMINATIONAL: Pastor Terry Khor from Can2 Church of Walnut led the invocation.

PRESENTATIONS:

- **Women’s History Month**

Council proclaimed March 2021 Women’s History Month and recognized the following women who have contributed greatly to the community: Maryam Malik, Carmen Elsahrgty, Cat Castaneda, Honrita (Honchee) Natividad, and Melba Collins.

ORAL COMMUNICATIONS FOR THE CITY COUNCIL:

Vijay Vakil requested that Council provide members of the public more time to speak on the proposed development at the former Brookside Equestrian Center and asked for transparency on the issue.

Charles Isacc and William Harrison expressed concerns regarding the proposed development at the former Brookside Equestrian Center.

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

MINUTES

- 1. Approval of the February 24, 2021 Study Session**
- 2. Approval of the February 24, 2021 City Council/WHA Meeting**

MOTION ON ITEMS 1 & 2

MPT/Ching made a motion to approve Items 1 & 2; seconded by C/Freedman. Motion carried by the following voice vote:

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

PUBLIC HEARING: None scheduled.

ORDINANCES: None scheduled.

COUNCIL CONSENT CALENDAR:

- 3. Resolution No. 21-10 - A Resolution of the City of Walnut Allowing Certain Claims and Demands in the Amount of \$670,577.08, Demand No. 162235 through No. 162302, Both Inclusive**

Recommendation: That the City Council adopt Resolution No. 21-10.

- 4. Resolution No. 21-11 – Approving the Adoption of the Public Agencies Post-Employment Benefits Trust Administered by PARS**

Recommendation: That the City Council:

1. Adopt Resolution No. 21-11, Approving the Adoption of the Public Agencies Post-Employment Benefits Trust administered by the Public Agency Retirement Services (PARS);
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. Appropriate \$2,000,000 from General Fund Reserves to Section 115 Trust Fund (Fund 52).

5. Resolution No. 21-12 - Directing the Preparation of the Engineer's Report and Filing of Report for Fiscal Year 2021-22 Lighting and Open Space Maintenance District No. 1 (LOSMD) Assessments and Setting the Time and Place for a Public Meeting and Public Hearing

Recommendation: That the City Council adopt Resolution No. 21-12 initiating proceedings for the levy and collection of assessments within the Lighting and Open Space Maintenance District (LOSMD) No. 1 for Fiscal Year 2021-22 and ordering the engineer to prepare a report in connection therewith; and

1. Direct staff to hold a virtual Community Meeting on Tuesday, March 23, 2021 at 7:00 p.m. via Zoom;
2. Direct staff to set the time and place for the Public Hearing on the matter of levying assessments for Fiscal Year 2021-22 LOSMD assessments at the City Council Meeting on May 12, 2021 at 7:00 p.m.; and
3. Direct staff to provide notice of the public meeting and Public Hearing in accordance with the law.

6. Professional Services Agreement (PSA) with Rincon Consultant, Inc. to prepare the necessary environmental documents for the Housing Element Update 2021-2029 and Housing District Zoning Ordinance

Recommendation: That the City Council:

1. Amend the current PSA with Veronica Tam and Associates, Inc. to remove Rincon Consultants, Inc. as a subcontractor and the preparation of any environmental documents from the PSA's Scope of Work;
2. Authorize the City Manager to execute and administer a PSA with Rincon Consultants, Inc. in substantially the form attached (Attachment 1), and in such final form as approved by the City Attorney;
3. Appropriate \$20,322 from the General Fund to expenditure account 01-5000-6216 for the overall project; and
4. Authorize Staff to issue a Purchase Order to Rincon Consultants, Inc. in the amount not to exceed \$65,000.

7. Finding Continued Existence of Local Emergency (COVID-19)

Recommendation: That the City Council find the need to continue the local emergency (COVID 19) consistent with Resolution No. 20-25 Proclaiming Existence of a Local Emergency (COVID-19) adopted March 23, 2020 as amended by Resolution No. 20-32 adopted May 13, 2020.

8. Approval of Plans and Specifications and Authorization to Advertise for Formal Bids for the FY 2020-21 Sidewalk Repairs Project

Recommendation: That the City Council approve the plans and specifications and authorize the City Engineer to advertise for formal bids for the FY 2020-21 Sidewalk Repairs Project.

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9. Notice of Decision – March 3, 2021 Planning Commission Meeting

Recommendation: That the City Council:

1. Receive and File the “Notice of Decision” by the Commission at its March 3, 2021 Meeting, for the following Project:
 - a. Conditional Use Permit (CUP) 2021-001.
2. Receive and File the “Recommendation” by the Commission at its March 3, 2021 Meeting, for the following Item:
 - a. Annual Report – General Plan and Housing Element for Calendar Year 2020.

MOTION ON ITEMS 3 - 9

MPT/Ching made a motion to adopt Items 3 - 9; seconded by C/Tragarz. Motion carried by the following voice vote:

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

SUCCESSOR AGENCY CONSENT CALENDAR: None scheduled.

COUNCIL DISCUSSION/TRANSACTION ITEMS:

10. Appeal - Planning Commission Approval of Site Plan Case/Architectural Review (SPC/AR) 2021-003 (Nicholls)

Recommendation: That the City Council:

1. Hear the Staff Report;
2. Hear from the Appellant and any other member of the Public regarding the Project;
3. Close public comment and discuss amongst Council Members; and
4. Uphold the Planning Commission’s January 20, 2021 Approval and Conditions of Approval (COA) of SPC/AR 2021-003.

M/Pacheco stated that C/Wu asked to recuse himself from the discussion due to a conflict of interest as he owns property in close proximity to the subject property.

SP/Vasquez provided a staff report.

CC/De Dios stated that she received letters and a petition of support for the appellant’s proposed plan.

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Jennifer Nicholls, appellant, shared information on her proposed plan and asked Council to approve her plan.

Discussion took place amongst Council and staff regarding the following: options for the appeal, background information on the property, and potential design options for the property.

C/Freedman stated that submitting professional plans to the Planning Commission may help resolve the matter; she is not in favor of diagonal parking.

C/Tragarz stated that she is not in favor of diagonal parking on the property and supports a driveway on the right side, though she is not in favor of too wide of a driveway.

M/Pacheco and C/Ching recommended that the item be brought back to Planning Commission with professional plans.

M/Pacheco opened public comment. There being no further input, it was unanimously moved by Council to close public comment.

MOTION ON ITEM 10

C/Freedman made a motion to reject the Planning Commission's recommendation; seconded by MPT/Ching. Motion carried by the following voice vote:

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

MOTION ON ITEM 10

M/Pacheco made a motion to refer the item back to the Planning Commission with the conditions that no diagonal parking be recommended, the size of the parking area be reduced, plans be drawn by a qualified technician, and that relocation of the gas meter be considered; seconded by MPT/Ching. Motion carried by the following voice vote:

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

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

C/Freedman shared information from her Principal for a Day experience.

MPT/Ching stated that he enjoyed the Lunar New Year event and ask that staff consider adding similar events in the future.

M/Pacheco invited the community to participate in outdoor spring recreation classes hosted by the city.

COUNCIL LATE BUSINESS: None.

CLOSED SESSION: None scheduled.

ADJOURNMENT: There being no further business, the City Council adjourned the meeting at 9:09 p.m.

PASSED AND APPROVED this 24th day of March 2021.

Bob Pacheco, Mayor

ATTEST:

Teresa De Dios, City Clerk

PREPARED BY:

Ray Markel, Administrative Assistant