

WALNUT CITY COUNCIL MEETING

CALL TO ORDER: MPT/Wu called the meeting to order at 7:00 p.m.

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

ROLL CALL:

PRESENT: COUNCILMEMBERS: MPT/Wu, C/Freedman, C/Pacheco, C/Tragarz

ABSENT: COUNCILMEMBERS: M/Ching

Also present: City Manager Wishner; Assistant City Manager Weiner; Assistant City Manager Rooney; Administrative Services Director Ogawa; City Attorney Leibold; Community Services Superintendent Barcelo; Community Services Superintendent Bumia; City Engineer Gilbertson; Senior Planner Vasquez; City Planner Carlson, Senior Management Analyst Layman; Management Analyst Ramos; Community Development Technician Katigbak, Public Information Officer Maio; Administrative Assistant Markel; and City Clerk De Dios

INVOCATION – NON-DENOMINATIONAL: Pastor Kenneth Kwan from Vineyard of Harvest Church led the invocation.

PRESENTATIONS:

- **Common Corners Brewing – Welcome to the City/Business Recognition**

Council recognized and welcomed Justin Mazorlig from Common Corners Brewing into the City.

- **Walnut Valley Women’s Club – 30th Annual Scholarship Tree of Lights Fundraiser**

Council recognized the Walnut Valley Women’s Club for their 30th annual Scholarship Tree of Lights fundraiser.

ORAL COMMUNICATIONS FOR THE CITY COUNCIL:

Sharon Altman, Walnut Valley Women’s Club representative, presented C/Freedman and C/Tragarz with honorary memberships for their club.

DECEMBER 8, 2021 – CC/WHA

William Harrison congratulated C/Pacheco on his new grandchild and thanked staff for their efforts throughout the city.

Wendy Chen expressed concerns regarding the proposed conversion of tennis courts to pickleball courts. She stated that she submitted a petition to Council.

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

MINUTES:

- 1. Approval of the November 10, 2021 Meeting**
- 2. Approval of the November 10, 2021 Special Meeting**

MOTION ON ITEM 1

C/Tragarz made a motion to approve Item 1; seconded by C/Freedman. Motion carried by the following voice vote:

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

MOTION ON ITEM 2

C/Tragarz made a motion to approve Item 2 as corrected; seconded by C/Freedman. Motion carried by the following voice vote:

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

PUBLIC HEARINGS:

- 3. Resolution No. 21-67 - Public Nuisance Abatement: Declaration of Public Nuisance for a Substandard Property located at 415 Pierre Road (APN: 8720-012-057)**

Recommendation: That the City Council:

1. Open the Public Hearing; and
2. Hear the Staff Report; and
3. Solicit public input on this item; and

DECEMBER 8, 2021 – CC/WHA

4. City Council Discussion; and
5. Close the Public Hearing; and
6. Adopt Resolution No. 21-67 and declare the following property as a Public Nuisance: 415 Pierre Road (APN: 8720-012-057); and
7. Authorize Staff to begin the “Public Nuisance Abatement” process, as prescribed in Walnut Municipal Code (WMC) Chapter 3.36 (Nuisance).

MPT/Wu opened the public hearing.

CDT/Katigbak presented a staff report.

Minsheng Zhang, property owner at 415 Pierre Road, shared information on the property and expressed concerns regarding the repeated notice of violations received.

Gregg Fritchle stated that he feels the city is prioritizing visual beauty over sustainability and accessibility of housing. He stated the city should be more tolerant of people who are making reasonable efforts to deal with conditions under the circumstances they face.

Discussion took place amongst Council and staff regarding the following: the history of violations, photos and status of the property, and the abatement process.

C/Freedman suggested adjusting the abatement timeline due to upcoming holidays.

MPT/Wu closed the public hearing.

MOTION ON ITEM 3

C/Tragarz made a motion to approve Item 3 and direct staff to wait 30 days before beginning the abatement process; seconded by C/Pacheco. Motion carried by the following voice vote:

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

COUNCIL CONSENT CALENDAR:

Items 6 and 11 were pulled for discussion.

4. **Resolution No. 21-65 - A Resolution of the City of Walnut Allowing Certain Claims and Demands in the Amount of \$1,351,984.34, Demand No. 163459 through No. 163582, Both Inclusive**

Recommendation: That the City Council adopt Resolution No. 21-65.

5. **Resolution No. 21-66 – Salary Schedules and Authorized Positions**

Recommendation: That the City Council adopt Resolution No. 21-66, Amending the City of Walnut Salary and Authorized Position Schedules to comply with State minimum wage requirements and reflect position authorization change.

7. **Ordinance No. 21-04 - Amending Walnut Municipal Code, Adding Chapter 3.29 Mandatory Organic Waste Disposal Reduction**

Recommendation: That the City Council adopt Ordinance No. 21-04, “An Ordinance of the City Council of the City of Walnut, California, County of Los Angeles, Amending the Walnut Municipal Code, to Add Chapter 3.29 “Mandatory Organic Waste Disposal Reduction”, Amend Section 2.38.190 and Delete Section 3.28.230 of Chapter 3.28 “Collection and Disposal of Refuse” and Add Section 6.52.080 to Article I of Chapter 6.52 “Water Efficient Landscaping.”

8. **The Terraces at Walnut – Development Agreement (DA), Second Operating Memorandum of Understanding (Second OMOU)**

Recommendation: That the City Council receive and file the Second OMOU for the Terraces at Walnut (Terraces) DA.

9. **Award of Bid – 2021-2022 Green Street Project**

Recommendation: That the City Council:

1. Award a construction contract for the 2021-2022 Green Street Project to Excel Paving Company in the amount of \$189,410.00;
2. Reject all other bids;
3. Authorize staff to issue a Purchase Order to Excel Paving Company in the amount of \$189,410.00;
4. Authorize staff to issue change orders not to exceed 10% of the contract award amount (\$18,941.00) to Excel Paving Company; and
5. Approve a Purchase Order to RKA Consulting Group in the amount of \$30,040.00.

10. Request to Accept a Donation of \$300 from the Office of Los Angeles County Supervisor Hilda Solis and Appropriate \$300 towards the Basic Box Program

Recommendation: That the City Council:

1. Accept the donation from Los Angeles County Supervisor Hilda Solis; and
2. Appropriate the funds towards supplies for Basic Box Program (\$300 to account #01-9696-6277)

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

Recommendation: That the City Council make the following findings:

1. The City Council has reconsidered the circumstances of the state of emergency related to COVID-19; and
2. The state of emergency continues to directly impact the ability of members of the City Council, City Staff and the public to meet safely in person; and
3. Los Angeles County Department of Public Health officials continue to impose or recommend measures to promote social distancing; and
4. Existing circumstances support 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.

MOTION ON ITEMS 4, 5, 7 - 10, and 12

C/Tragarz made a motion to adopt Items 4, 5, 7 - 10, and 12; seconded by C/Freedman. Motion carried by the following voice vote:

AYES: *COUNCILMEMBERS: Freedman, Pacheco, Tragarz, Wu*

NOES: *COUNCILMEMBERS: None*

ABSTAIN: *COUNCILMEMBERS: None*

ABSENT: *COUNCILMEMBERS: Ching*

ITEMS PULLED FOR DISCUSSION:

6. Resolution No. 21-68 - Valley Vista Services Rate Adjustment of 13.29% for Residential (9.36% one-time adjustments plus 3.93% CPI), 13.93% (10% one-time adjustment plus 3.93% CPI) for Commercial, and 3.93% CPI for Special Rates (Resolution No. 21-68) with a Five-Year Solid Waste Contract Extension to Meet the Requirements of SB 1383

Recommendation: Staff recommends that the City Council:

1. Approve a one-time increase of 13.29% for residential and special rates effective on or after February 1, 2022, subject to Valley Vista Services (VVS) providing all customers with the required 30-day notification; and

DECEMBER 8, 2021 – CC/WHA

2. Approve a one-time increase of 13.93% for commercial rates effective on or after February 1, 2022, subject to VVS providing all commercial customers with the required 30-day notification; and
3. Approve a Consumer Price Index (CPI) increase of 3.93% for special rates effective on or after February 1, 2022, subject to VVS providing all customers with required 30-day notification; and
4. Adopt Resolution 21-68: setting fees for refuse, recycling, organic waste and commercial collection (including organic collection) within the City of Walnut; and
5. Amend the current Solid Waste Contract with Valley Vista Services to extend the term for five additional years (February 1, 2026 to January 31, 2031) subject to the provisions below:

Residential Rate Increase:

Year	Annual Increase
January 2022	13.29% one-time adjustment for Organics
January 2023-2031	CPI only (not to exceed 5%)

Commercial Rate Increase:

Year	Annual Increase
January 2022	13.93% one-time adjustment for Organics
January 2023-2031	CPI only (not to exceed 5%)

- Ensure full regulatory compliance of SB 1383
 - Provide organic waste recycling services to all customers (March 2022)
 - Provide and distribute organic waste kitchen containers (2.5. gallon) to residential customers
 - Provide and distribute organic waste carts to businesses as required by AB 1826 (Mandatory Commercial Organics Law) and SB 1383.
 - Produce compost and renewable natural gas (RNG) credits sufficient to meet Walnut’s procurement requirements set by SB 1383.
 - Participate in the Food Recovery Network to ensure that available and edible food generated at restaurants, commercial kitchens, and other food establishments in Walnut are recovered according to SB 1383.
 - Guarantee sufficient organic waste capacity for City of Walnut required by SB 1383
 - Provide public education to residential and commercial customers regarding SB 1383
 - Inspect and report to CalRecycle as required by SB 1383.
6. Authorize the City Manager to sign the amendments on behalf of the City in substantially the form attached and in such final form as approved by the City Attorney.

CSS/Barcelo presented a staff report.

DECEMBER 8, 2021 – CC/WHA

Discussion took place amongst Council and staff regarding the proposed rate increases and organic services.

Dave Perez, Valley Vista Services representative, provided information regarding the proposed increases and organic services.

MOTION ON ITEM 6

MPT/Wu made a motion to adopt Item 6; seconded by C/Tragarz. Motion carried by the following voice vote:

AYES: COUNCILMEMBERS: Freedman, Pacheco, Tragarz, Wu

NOES: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: Ching

11. Approval of the Parks and Recreation Commission Recommendation for a Six-Month Pilot Program to Schedule One Tennis Court at Walnut Ranch Park for Three Days a Week for Pickleball Play

Recommendation: The Parks and Recreation Commission recommends that the City Council approve a six-month pilot program allowing Tennis Court A at Walnut Ranch Park to be:

1. Modified with new striping to allow for dual tennis and pickleball use (Attachment D); and
2. Scheduled for open pickleball play on Tuesdays, Thursdays, and Sundays for a six-month trial period

ACM/Rooney provided a staff report.

MPT/Wu opened public comment.

Joseph Ashe stated that he does not believe that the city is able to use the tennis courts at Walnut High School.

CSS/Bumia provided information regarding the city's efforts to provide public play at the Walnut High School tennis courts.

Wendy Chen expressed concerns regarding the proposed schedule for pickleball due to the lack of tennis court availability.

Discussion took place amongst Council and staff regarding the proposed schedule for pickleball and its potential impacts, tennis court availability, the benefits of pickleball, and the costs of the pilot program.

DECEMBER 8, 2021 – CC/WHA

MPT/Wu stated that he does not want to negatively affect high school athletes with fewer tennis courts available.

C/Pacheco suggested altering the pickleball schedule to only Tuesdays and Thursdays.

C/Freedman stated that a weekend day for pickleball would be important to test the success of the program.

FIRST MOTION ON ITEM 11

C/Freedman made a motion to approve Item 11; seconded by C/Tragarz. Motion failed by the following voice vote:

AYES: COUNCILMEMBERS: *Freedman, Tragarz*

NOES: COUNCILMEMBERS: *Pacheco, Wu*

ABSTAIN: COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *Ching*

SECOND MOTION ON ITEM 11

C/Pacheco made a motion to approve Item 11, but modify the schedule for pickleball to only Tuesdays and Thursdays; seconded by C/Freedman. Motion carried by the following voice vote:

AYES: COUNCILMEMBERS: *Freedman, Pacheco, Tragarz*

NOES: COUNCILMEMBERS: *Wu*

ABSTAIN: COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *Ching*

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/Tragarz shared information from a San Gabriel Valley Council of Governments meeting.

- B. Individual Members' comments and updates**

Council wished everyone Happy Holidays and a Happy New Year.

DECEMBER 8, 2021 – CC/WHA

C/Pacheco thanked the Walnut Valley Women’s Club for the Tree of Lights fundraiser and asked about the future of the tree due to its instability, to which CSS/Barcelo stated that staff is working with the club to provide potential alternatives.

C/Freedman invited the community to attend the Winter Jam event and thanked the Walnut Valley Women’s Club for the honorary membership.

MPT/Wu provided information for the Winter Jam event.

COUNCIL LATE BUSINESS: None scheduled.

RECESS CITY COUNCIL TO THE WALNUT HOUSING AUTHORITY MEETING

WALNUT HOUSING AUTHORITY MEETING

CALL TO ORDER: Authority Vice Chair Wu called the meeting to order at 9:17 p.m.

ORAL COMMUNICATIONS FOR HOUSING AUTHORITY:

There being no one present wishing to speak, it was unanimously moved by the Authority to close oral communications; motion carried.

AUTHORITY PUBLIC HEARINGS: None scheduled.

AUTHORITY CONSENT CALENDAR:

13. **Resolution No. 21-13 WHA - A Resolution of the Walnut Housing Authority Allowing Certain Claims and Demands in the Amount of \$44,910.38 Demand No. 100412 through No. 100412, Both Inclusive**

Recommendation: That the Authority adopt Resolution No. 21-13 WHA.

MOTION ON ITEM 13

*AM/Tragarz made a motion to adopt Item 13; seconded by AM/Freedman.
Motion carried by the following voice vote:*

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

AUTHORITY DISCUSSION/TRANSACTION ITEMS: None scheduled.

AUTHORITY LATE BUSINESS: None scheduled.

AUTHORITY ADJOURNS TO CITY COUNCIL MEETING

CLOSED SESSION: None scheduled.

ADJOURNMENT: There being no further business, the City Council adjourned the meeting at 9:19 p.m.

PASSED AND APPROVED this 12th day of January 2022.

Eric Ching, Mayor

ATTEST:

Teresa De Dios, City Clerk

PREPARED BY:

Ray Markel, Administrative Assistant