

WALNUT CITY COUNCIL MEETING

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

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

ROLL CALL:

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

Also present: City Manager Weiner; City Attorney Leibold; Community Development Director Vasquez, Community Services Director Barcelo, Deputy Community Services Director Bumia; Administrative Services Director Carlson; Planning and Code Enforcement Manager Guerra; Senior Finance Analyst Meza, Finance Analyst Rashad; Management Analyst Ramos; Management Analyst Markel; and City Clerk De Dios.

INVOCATION – NON-DENOMINATIONAL: Pastor Glen Taylor from Vineyard of Hope led the invocation.

PRESENTATIONS:

- **Recognition of the Purist Group, Charity Organization – for contributions to the community**

The City Council recognized the members of the Purist Group and Car Code Automotive group for their support of the less fortunate and giving back to the community.

ORAL COMMUNICATIONS FOR THE CITY COUNCIL:

William Harrison thanked Community Services Superintendent Martinez and expressed concerns of activities occurring at Walnut Valley Unified School District and feels it will affect the City of Walnut in a negative way.

An attendee presented the City Council with documents requesting help for her family currently being held in China.

There being no further person wishing to speak, the City Council closed oral communications.

MINUTES: None scheduled.

PUBLIC HEARING:

1. **Continuance: Appeal of Site Plan and Architectural Review (SPC/AR) 2022-109 (Li) to permit a grading project consisting of moving dirt and the construction of retaining walls to create a new building pad, on the subject property located at 20235 Fuerte Drive, Walnut. (APN: 8709-011-015).**

Recommendation: It is recommended that the City Council:

1. Open the Public Hearing;
2. Hear the Staff Report;
3. Solicit public input on this item;
4. City Council Discussion;
5. Close the Public Hearing; and
6. Take one (1) of the following actions:
 - a. Uphold the Planning Commission’s decision to deny SPC/AR 2022-109;
 - b. Approve SPC/AR 2022-109, based on the revised plans and subject to Condition(s) of Approval (COA).

M/Tragarz opened the public hearing at 7:15 p.m.

PCEM/Guerra presented a staff report and mentioned this project was continued from the August 9th Council meeting. She explained staff has been working with the applicant, but despite the minor changes, staff still has concerns.

Mike Basura expressed his opposition to having the applicant build the ADU at the proposed location. He mentioned there were three other alternatives and feels the applicant has not followed the rules in the past.

William Harrison expressed his opposition to the project and hopes the Council looks at the project in the best interest of the City.

The applicant mentioned that the other locations suggested were not good and would require more soil to be moved. He commented on the sewer line and stated that it could be adjusted, as suggested by staff.

Discussion took place between Council, staff, and the applicant regarding the following: the sewer line connection, concerns from staff and the Planning Commission, the applicant’s opposition to a different location, and possible locations for the ADU.

M/Tragarz expressed her concern of the location of the ADU being on a hill and said the other alternatives would be better locations.

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C/Ching commented that the applicant had made some adjustments, but the concerns now are the sewer and the location. He suggested the applicant work with his neighbor to find a compromise.

The applicant indicated that he doesn't believe there could be an agreement with his neighbor since Mr. Basura does not agree with the location. He has worked with the architect and engineer and there is no other location to consider and felt that the suggestions made by the Planning Commission were unreasonable.

M/Tragarz commented that the location was the issue and this was mentioned in the last discussion during public hearing.

C/Ching emphasized that the project went to Planning Commission and staff and it was recommended for denial and wanted to know what steps follow if the project is denied this evening.

CM/Weiner explained the ADU can still be approved for a different location on the property.

CA/Leibold explained the City Council is the final decision maker in the process, if they deny the project, the applicant will be left with an alternative remedy such as filing a claim or pursuing legal action or submitting a new application.

The applicant stated that he does not understand why he is forced to relocate the ADU on his own property. He felt that he has been meeting the guidelines for moving soil in order to build an ADU and feels the grading issue has already been addressed.

C/Freedman asked for clarification on the Planning Commission's original denial.

PCEM/Guerra explained the original denial was based on earth work being moved and per the General Plan you want to keep natural slopes and work with the topography you currently have and not necessarily modify so much to be able to build pads. She reiterated staff made it clear to the applicant since the beginning that there would be no issues in approving the ADU, but staff would likely condition that the location be changed.

C/Freedman said she would like to make a motion to approve an ADU on the property, but in a different area as approved by community development staff.

The applicant stated that he is firm on where he wants the ADU.

M/Tragarz closed the public hearing at 7:54 p.m.

MOTION ON ITEM 1

C/Freedman made a motion to approve an ADU on this parcel with the final location as approved by the Community Development Director or designee; seconded by C/Cajulis. Motion carried by the following voice vote:

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

ORDINANCE: None scheduled.

COUNCIL CONSENT CALENDAR:

2. **Resolution No. 23-54 - A Resolution of the City of Walnut Allowing Certain Claims and Demands in the Amount of \$898,063.26 Demand No. 167202 through No. 167265, Both Inclusive Fiscal Year 2023-24**

Recommendation: That the City Council adopt Resolution No. 23-54.

3. **Ordinance No. 23-06 – Amending Title 1 (General Provisions and Administration) Section 1.12.010 (Misdemeanor/Infraction Penalty) and Title 3 (Public Health, Safety, and Welfare), Section(s) 3.36.030 (Definitions) and 3.36.060 (Public Nuisance) of the Walnut Municipal Code.**

Recommendation: That the City Council adopt, by title only, and waive further reading Ordinance No. 23-06, “An Ordinance of the City Council of the City of Walnut, County of Los Angeles, State of California, Amending Title 1 (General Provisions and Administration) Section 1.12.010 (Misdemeanor/Infraction Penalty) and Title 3 (Public Health, Safety and Welfare), Section(s) 3.36.030 (Definitions) and 3.36.060 (Public Nuisance) of the Walnut Municipal Code.”

MOTION ON ITEMS 2 - 3

C/Ching made a motion to approve Items 2 - 3; seconded by C/Cajulis. Motion carried by the following voice vote:

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

COUNCIL DISCUSSION/TRANSACTION ITEMS: None scheduled.

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

MPT/Freedman announced the following: October is Breast Cancer Awareness month; she reminded residents that coyotes are being more aggressive to pets in the area. She participated in a Habitat for Humanity build for the San Gabriel Valley and announced the football game between Walnut High School and the Diamond Bar High School will take place next Friday night.

Mayor Tragarz announced the upcoming Halloween event on October 28th at Suzanne Park and invited everyone to attend.

COUNCIL LATE BUSINESS: None scheduled.

CLOSED SESSION: The City Council went into closed session at 8:01 p.m.

A. CONFERENCE WITH LABOR NEGOTIATOR (Gov’t Code Section 54957.6)

Unrepresented Employee: City Manager

B. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Gov’t Code Section 54956.9: 1 potential case

RECONVENE COUNCIL MEETING AND ANNOUNCE CLOSED SESSION ACTION:

The City Council met in closed session; there were no reportable actions on Items A and B.

ADJOURNMENT:

There being no further business, the City Council adjourned the regular meeting at 11:35 p.m.

PASSED AND APPROVED this 8th day of November 2023.

Nancy Tragarz, Mayor

ATTEST:

Teresa De Dios, City Clerk