

WALNUT CITY COUNCIL MEETING

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

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

ROLL CALL:

PRESENT: COUNCILMEMBERS: M/Ching, MPT/Su, C/Pacheco, C/Rodriguez, C/Tragarz
ABSENT: COUNCILMEMBERS: None

Also present were City Manager Wishner; Administrative Services Director Ogawa; Community Development Director Weiner, Community Services Director Rooney; City Attorney Leibold; City Planner Carlson; City Engineer Gilbertson; Deputy Community Services Director Jensen; Interim Finance Officer Cortez; Senior Management Analyst Layman; Senior Management Analyst Womble; Associate Planner Vasquez; Associate Planning Guerra; Management Analyst Barcelo; Administrative Assistant Markel; and City Clerk De Dios.

INVOCATION - NON-DENOMINATIONAL: The invocation was led by Dennis Liu of Vineyard of Harvest Church.

PRESENTATIONS:

- **Outstanding Young Citizen Recognition – Jacqueline Yu**

Council presented a certificate to Jacqueline Yu and congratulated her on all of her accomplishments.

- **Outstanding Young Citizen Recognition – Jonathan Lee**

Council recognized Jonathan Lee for his accomplishments.

ORAL COMMUNICATIONS FOR THE CITY COUNCIL:

Vijay Vakil expressed concerns regarding pension plans.

William Harrison stated that he feels that the contract for the city manager is fair and he would like the City to provide middle and upper management with a three percent increase in salary.

Jim Dixon Jr. and Phil Bennett expressed support for the contract of City Manager Wishner.

Pat Whalen wanted to know more information regarding the contract of the city manager.

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

MINUTES:

1. Approval of the December 14, 2016 City Council Meeting Minutes.

MOTION ON ITEM 1

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

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

PUBLIC HEARINGS:

2. Resolution No. 17-01: Selection of Projects for the 2017-2018 (43rd) Program Year of the Community Development Block Grant (CDBG) Program

Recommendation: That the City Council:

1. Hear the staff report;
2. Open the Public Hearing to solicit input relative to the 2017-2018 (43rd Year) Community Development Block Grant (CDBG) Program;
3. Close the Public Hearing;
4. Adopt Resolution No. 17-01, adopting the 2017-2018 (43rd Year) CDBG Program as follows: Housing Rehabilitation (\$119,446) and Senior Citizen Activities (\$16,334); and
5. Authorize the City Manager or designee to prepare, execute and submit the Planning Summary, Agreements, and all required documents for the 2017-2018 (43rd Year) CDBG Program.

SMA/Womble presented a staff report.

Council inquired into the ways that CDBG funds can be dispersed.

CDD/Weiner stated that staff will look into the using the funds for cluster mailboxes.

Mayor Ching opened the public hearing.

There being no input, it was unanimously moved to close the public hearing.

MOTION ON ITEM 2

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

AYES: COUNCILMEMBERS: *Ching, Pacheco, Rodriguez, Su, Tragarz*

NOES: COUNCILMEMBERS: *None*

ABSTAIN: COUNCILMEMBERS: *None*

ABSENT: COUNCILMEMBERS: *None*

ORDINANCE: None scheduled.

COUNCIL CONSENT CALENDAR:

Items 5 and 6 were pulled for discussion

- 3. Resolution No. 17-02 -- A Resolution of the City of Walnut Allowing Certain Claims and Demands in the Amount of \$1,095,816.93, Demand No. 152569 through No. 152715, Both Inclusive**

Recommendation: That the City Council adopt Resolution No. 17-02.

- 4. Resolution No. 17-03 – A Resolution of the City Council of the City of Walnut Establishing a Self-Insurance Reserve**

Recommendation: That the City Council adopt Resolution No. 17-03.

- 7. Authorization to Contract with MIG, Inc. to Prepare and Complete an Environmental Impact Report (EIR) and CEQA Documentation for the Walnut Ranch Expansion Project**

Recommendation:

1. Approve the Professional Services Agreement with MIG, Inc. in substantially the form attached and authorize the City Manager to execute the Agreement in such final form approved by the City Attorney; and
2. Issue a Purchase Order to MIG, Inc. in the amount of \$121,305 to prepare and complete an Environmental Impact Report (EIR) and CEQA documentation for the Walnut Ranch Expansion Project.

- 8. Final Acceptance – Areas 1 & 2 Street Resurfacing Project**

Recommendation: That the City Council:

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

MOTION ON ITEMS 3-4 AND 7-8

MPT/Su made a motion to approve Items 3-4 and 7-8; seconded by C/Rodriguez. Motion carried by the following electronic vote:

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

ITEMS PULLED FOR DISCUSSION

5. City Manager Amended and Restated Employment Agreement

Recommendation: That the City Council approve and authorize the Mayor to execute the Amended and Restated Employment Agreement by and between the City of Walnut and Rob Wishner.

ASD/Ogawa provided a staff report.

Discussion took place regarding the process of drafting the contract.

CA/Leibold stated that there is no change in compensation or benefits; only the provisions were updated to assure that they met the intent of Council and the subcommittee. She also noted that the City Manager did not request a change in compensation, but rather it was requested by the subcommittee and subsequently discussed with the Council in closed session. She noted that the increase is based on a performance review, to take place prior to July 1, 2017, in which the review meets expectations as determined by Council.

Discussion took place regarding a salary survey for city managers within the City's designated survey cities, criteria to determine compensation, the proposed three percent increase in salary, and the other benefits and leave accruals.

C/Tragarz stated that she feels the cities used in the survey are not comparable cities to Walnut and do not create a fair representation. She recommended the following: that language be included in the contract to address released matters, that the severance months be reduced from six months and that the contract not be automatically be renewed.

CA/Leibold stated that she can add that language into the contract regarding released matters and that it is up to the Council if they want to shorten the severance package.

Mayor Ching opened public discussion.

William Harrison, Lou Simonelli, Frank Tripepi, Jim Dixon Jr. expressed support for City Manager Wishner and the contract.

Pat Whalen shared that she does not like discord at meetings.

Vijay Vakil inquired into details of the city manager contract.

Dale Whalen stated that he has not seen improvements in the City during the current tenure of the city manager.

Shirley Lunblade shared that she would like to compare salaries from cities not only of greater population, but also slightly less.

There being no further input, it was unanimously moved to close public discussion.

C/Pacheco made a motion to approve the Item 5 as presented; seconded by C/Rodriguez.

Discussion took place regarding adding language to the contract defining released matters.

C/Pacheco withdrew his motion.

MOTION ON ITEM 5

C/Pacheco made a motion to approve Item 5 with the addition of the definition of the term “released matters” consistent with the original contract; seconded by C/Rodriguez. Motion carried by the following electronic vote:

AYES: COUNCILMEMBERS: Ching, Pacheco, Rodriguez, Su

NOES: COUNCILMEMBERS: Tragarz

ABSTAIN: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

6. 2017 Investment Policy

Recommendation: That the City Council adopt the attached 2017 Investment Policy reaffirming their support of the current City Treasurer operations which provides safety, liquidity, and yield for the City funds.

ASD/Ogawa presented a staff report.

MOTION ON ITEM 6

C/Pacheco made a motion to approve Item 6; seconded by MPT/Su. Motion carried by the following electronic vote:

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

SUCCESSOR AGENCY CONSENT CALENDAR:

9. **Resolution No. 17-04 – A Resolution of the City of Walnut as Successor Agency Allowing Certain Claims and Demands in the Amount of \$125,000.00 Demand No. 100533 through No. 100533 Both Inclusive**

Recommendation: That the City Council adopt Resolution No. 17-04.

MOTION ON ITEM 9

C/Pacheco made a motion to approve Item 6; seconded by C/Rodriguez. Motion carried by the following electronic vote:

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

COUNCIL DISCUSSION/TRANSACTION ITEMS:

10. **Comprehensive Annual Financial Report (CAFR) for the Year Ended June 30, 2016**

Recommendation: That the City Council receive and file the Comprehensive Annual Financial Report (CAFR) for the year ended June 30, 2016.

ASD/Ogawa presented a staff report.

An audit manager with Vavrinek, Trine & Day provided an overview of the audit of the financial statements of the City of Walnut and issued an unmodified opinion which is the highest level of assurance on the financial statements.

C/Pacheco thanked the auditors for the report and thanked CM/Wishner for leading the City in the way he does.

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M/Ching stated that the City is always looking for ways to improve the City.

CM/Wishner shared that the General Fund Reserve is 16.8 million and emphasized that the City is in a solid fiscal position.

MOTION ON ITEM 10

MPT/Su made a motion to approve Item 10; seconded by C/Rodriguez. Motion carried by the following electronic vote:

AYES: COUNCILMEMBERS: Ching, Pacheco, Rodriguez, Su, Tragarz

NOES: COUNCILMEMBERS: None

ABSTAIN: COUNCILMEMBERS: None

ABSENT: COUNCILMEMBERS: None

ANNOUNCEMENTS (COUNCIL MEMBERS AND STAFF):

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

C/Pacheco provided information gathered regarding district of choice.

M/Ching shared the City is working with the Sheriff's Department on a program that would use cameras to capture license plates to help deter crime; ASD/Ogawa provided more information on the program.

B. Individual Members' comments and updates

C/Rodriguez thanked CSD/Rooney and her staff for their work and effort during recent storms. He also congratulated Layla Abou-Taleb for her appointment to the Walnut Valley Unified School District Board.

MPT/Su thanked staff for their efforts and thanked everyone that attended the meeting.

C/Pacheco thanked the community for their support.

COUNCIL LATE BUSINESS: None.

CLOSED SESSION: None scheduled.

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ADJOURNMENT: There being no further business, the City Council meeting adjourned at 9:01 p.m.

PASSED AND APPROVED this 8th day of February 2017.

Eric Ching, Mayor

ATTEST:

Teresa De Dios, City Clerk

PREPARED BY:

Ray Markel, Administrative Assistant