

WALNUT CITY COUNCIL MEETING

CALL TO ORDER: Mayor Ching called the meeting to order at 7:03 p.m.

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

ROLL CALL:

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

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

INVOCATION - NON-DENOMINATIONAL: The invocation was led by Pastor Krista Givens of the Walnut United Methodist Church.

PRESENTATIONS:

- **Recognition of Frederick Chiu**

Council recognized 12 year old Frederick Chiu and congratulated him on his solo piano performance at Carnegie Hall.

ORAL COMMUNICATIONS FOR THE CITY COUNCIL:

Claudine Stines asked Council to consider changing the traditional Family Festival parade to a short family-oriented parade as proposed by the festival volunteer committee.

Paula Yang invited the community to attend Family Science night at the Walnut Senior Center.

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

MINUTES: None scheduled.

PUBLIC HEARINGS:

1. **General Plan Amendment 2015-01 and Mitigated Negative Declaration (MND) 2016-01** – To change the Walnut General Plan Land Use Map and designation for an undeveloped parcel of land totaling 2.67 acres at 20650 San Jose Hills Road from Commercial to San Jose Hills Road Residential Specific Plan (APN: 8712-033-001).

Zone Change 2015-01 – To change the City of Walnut Zoning Designation and Walnut Zoning Map for an undeveloped parcel of land totaling 2.67 acres at 20650 San Jose Hills Road from C-3; Heavy Commercial Zone to San Jose Hills Road Residential Specific Plan (APN: 8712-033-001).

Specific Plan 2014-02 (SP) and Site Plan and Architectural Review (SPC/AR) 2014-046 – To establish development standards and design guidelines for the construction of twenty (20) detached single-family dwelling units and related site improvements for the development of the 2.67-acre lot located at 20650 San Jose Hills Road (APN: 8712-033-001).

Recommendation: That the City Council:

1. Open the Public Hearing;
2. Hear the Staff Report;
3. Receive testimony from the applicant and any other member of the public regarding the project; and
4. Close the Public Hearing; and
5. Adopt the following resolutions which will include the following actions:
 - a. Adopt Resolution No. 17-14 approving General Plan Amendment 2015-01 and Mitigated Negative Declaration (MND) 2016-01; and
 - b. Adopt Resolution No. 17-15 approving Zone Change 2015-01; and
 - c. Adopt Resolution No. 17-16 approving the San Jose Hills Road Residential Specific Plan 2014-02 and Site Plan and Architectural Review 2014-046, subject to the attached Conditions of Approval (COA) in Exhibit A.

CDD/Weiner presented a staff report.

Discussion took place regarding aspects of the project.

M/Ching opened the public hearing.

Eric Chen, architect for the project, shared information regarding construction and design of the project.

Phil Bennett shared concerns regarding wall height around the homes, a gate for residents to enter the adjacent shopping center as well as placement of a traffic signal for safety; CDD/Weiner addressed the concerns presented.

There being no one wishing to speak, Council closed the public hearing.

MOTION ON ITEM 1

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

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

2. Ordinance No. 17-01 – Establishing Regulations for the Use of Marijuana

Recommendation: That the City Council:

1. Hear the Staff Report;
2. Open the Public Hearing to solicit input on this item;
3. Close the Public Hearing; and
4. Adopt Ordinance No. 17-01, “An Ordinance of the City Council of the City of Walnut, California, County of Los Angeles, amending and restating Walnut Municipal Code Title III, Chapter 17D, to establish regulation for the use of marijuana.”

SMA/Womble presented a staff report.

Discussion took place regarding the clarification of personal use of Marijuana within the city.

M/Ching opened the public hearing.

There being no one wishing to speak, Council closed the public hearing.

MOTION ON ITEM 2

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

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

3. Ordinance No. 17-02 - Prohibiting Parking on Various City Streets in the Vicinity of Mount San Antonio College (Mt. SAC)

Recommendation: That the City Council:

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1. Hear the Staff Report;
2. Open the Public Hearing to solicit input on this item;
3. Close the Public Hearing; and
4. Adopt Ordinance No. 17-02, “An Ordinance of the City Council of the City of Walnut, California Prohibiting Parking on Various City Streets in the vicinity of Mount San Antonio College (Mt. SAC).”

M/Ching opened the public hearing to receive testimony in favor of or against the item.

There being no one wishing to speak, Council closed the public hearing.

MOTION ON ITEM 3

MPT/Su made a motion to adopt Item 3; seconded by C/Pacheco. Motion carried by the following electronic vote:

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

ORDINANCE: None scheduled.

COUNCIL CONSENT CALENDAR:

4. **Resolution No. 17-17 - “A Resolution of the City of Walnut Allowing Certain Claims and Demands in the Amount of \$592,678.86, Demand No. 152074 through No. 153197, Both Inclusive.”**

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

5. **Appropriation Request – Recodification of Walnut Municipal Code**

Recommendation: That the City Council:

1. Authorize the City Manager to execute and administer the agreement;
2. Appropriate \$15,000 from the General Fund reserve to account number 01-4300-6212 Ordinance Codification, Amendments; and
3. Issue a Purchase Order to Quality Code Publishing in the amount of \$15,000.

6. **Request for Appropriations and Transfer Totaling \$102,310 For Storm Related Expenses From the Fiscal Year 16/17 Winter Storm Season**

Recommendation: That the City Council:

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1. Appropriate \$37,640.00 from Fund 01- General Fund Reserves to:
 \$25,000.00 Storm Drain Maintenance 01-6102-6227
 \$8,225.00 Park Maintenance 01-9100-6227
 \$4,415.00 Park Tree Maintenance 01-9100-6243;
2. Transfer \$56,670.00 from Fund 02- Slurry Seal Area 6 CIP to:
 \$26,250.00 General Street Maintenance 02-6102-6227
 \$30,420.00 Street ROW Tree Maintenance 02-6206-6243;
3. Appropriate \$8,000.00 from Fund 19- Zone 2 Landscape & Open Space Maintenance (LOSMD) Fund Reserves to: LOSMD Zone 2- Tree Maintenance 19-7200-6243; and
4. Approve an increase to the West Coast Arborists (WCA) contract of \$42,835.00 to pay for storm related tree services and authorize the City Manager to sign the Agreement Amendment on behalf of the City in substantially the form attached and in such final form as approved by the City Attorney.

MOTION ON ITEMS 4 - 6

MPT/Su made a motion to approve Items 4 - 6; seconded by C/Pacheco. Motion carried by the following electronic vote:

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

SUCCESSOR AGENCY CONSENT CALENDAR: None scheduled.

COUNCIL DISCUSSION/TRANSACTION ITEMS:

7. **Continuance: Appeal – Site Plan/Architectural Review (SPC/AR) 2016-050 (Chandler) – An appeal to eliminate two (2) Conditions of Approval (COA) related to the construction of a new 37,648 square-foot building located at 20659 Valley Boulevard (APN: 8720-025-013 and 050).**

Recommendation: That the City Council:

1. Open the Public Hearing;
2. Hear the staff report;
3. Receive testimony from the appellant and any other member of the public regarding the project;
4. Close the Public Hearing; and
5. Approve the appeal of SPC/AR 2016-050 with modified Conditions of Approval (COA) #'s 30 & 31, and add COA #32 as it related to SPC/AR 2016-050.

C/Pacheco recused himself from the discussion at 7:33 p.m. due to the close proximity of his commercial building to the site.

CDD/Weiner presented a staff report.

Discussion took place regarding the specifics of the site and the requirements of the conditions.

CA/Leibold stated that the applicant demonstrated to staff's satisfaction due diligence in attempt to acquire the additional right-of-way; the adjacent property owner declined. She stated that if the City is successful in in acquiring the right-of-way, then the applicant will be financially responsible for completing the cul-de-sac improvement, but not responsible for the property acquisition; if the applicant completes construction and is issued a certificate of occupancy, then they are not responsible for the cost of completing the portion of the cul-de-sac they do not own.

M/Ching opened the public hearing.

Jim Dixon Jr. expressed his concerns regarding the adjacent property and the improvements needed.

Tony Bosa, counsel for the applicant, asked for clarification of the condition regarding the city covering the cost of acquiring the adjacent land, to which CA/Leibold affirmed that it is indeed the intent of the city to cover the costs of acquisition.

Business owner near the site shared concerns regarding the increase of traffic on Commerce Way.

Gayle Pacheco shared concerns regarding the traffic safety of the cul-de-sac.

MPT/Su asked staff to address the traffic concern, to which CE/Gilbertson recommended an item be placed on the next Traffic and Safety Commission agenda.

There being no one present wishing to speak, Council closed the public hearing.

MOTION ON ITEM 7

MPT/Su made a motion to approve Item 7 with the clarification that land acquisition is at the City's cost; seconded by C/Rodriguez. Motion carried by the following electronic vote:

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

C/Pacheco returned to the Council meeting at 7:59 p.m.

ANNOUNCEMENTS (COUNCIL MEMBERS AND STAFF):

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

There were none.

B. Individual Members’ comments and updates

MPT/Su shared information regarding a meeting with a representative from Supervisor Solis’ office in efforts to acquire funding for a community center.

C/Rodriguez thanked staff for their efforts regarding alerting residents in the Timberline community as to the city’s plans to replace dead trees.

C/Pacheco encouraged the community to attend the Mayor’s Summit on April 5th.

M/Ching shared that there will be an E-Waste recycle event at Walnut High School to help raise funds for the Walnut Peer Counseling program.

RECESS CITY COUNCIL TO THE WALNUT HOUSING AUTHORITY MEETING

WALNUT HOUSING AUTHORITY MEETING

CALL TO ORDER: Authority Chair Ching called the meeting to order at 8:04 p.m.

ORAL COMMUNICATIONS FOR HOUSING AUTHORITY:

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

AUTHORITY PUBLIC HEARINGS: None scheduled.

AUTHORITY CONSENT CALENDAR:

- 8. Resolution No. 17-04 WHA – A Resolution of the Walnut Housing Authority Allowing Certain Claims and Demands in the Amount of \$32,848.79 Demand No. 100347 through 100347, Both Inclusive**

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Recommendation: That the authority adopt Resolution No. 17-04 WHA.

MOTION ON ITEM 8

VC/Su made a motion to approve Item 8; seconded by AM/Rodriguez. Motion carried by the following electronic vote:

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

AUTHORITY DISCUSSION/TRANSACTION ITEMS: None scheduled.

AUTHORITY LATE BUSINESS: None scheduled.

AUTHORITY ADJOURNS TO CITY COUNCIL MEETING

CLOSED SESSION: The City Council went into Closed Session at 8:15 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

RECONVENE COUNCIL MEETING AND ANNOUNCE CLOSED SESSION ACTION

The meeting reconvened at 9:14 p.m. There was no reportable action for Items A - B.

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ADJOURNMENT: There being no further business, the City Council meeting adjourned at 9:15 p.m.

PASSED AND APPROVED this 10th day of May 2017.

Eric Ching, Mayor

ATTEST:

Teresa De Dios, City Clerk

PREPARED BY:

Ray Markel, Administrative Assistant