

A G E N D A
MOUNT SAN ANTONIO COLLEGE DEVELOPMENT TASK FORCE
WALNUT CITY HALL – PLANNING CONFERENCE ROOM
21201 La Puente Road, Walnut, CA 91789

JUNE 16, 2015
5:30 PM

CALL TO ORDER: Tish Chafatinos, Chair

DISCUSSION ITEMS:

1. Proposed Development Projects – power point presentation
2. Public Record documents
3. Public outreach and notification
4. Funding structure of State subsidies to Mt. SAC
5. Links on City's website

ADJOURNMENT: Next meeting date on Tuesday, July 7th at 5:30 p.m.

Attachments:

1. Mt. SAC Proposed Development Projects
2. Public Record Documents

ATTACHMENT 1

Mt. SAC Proposed Development Projects

**Mt. SAC Development
Task Force**

EMAIL

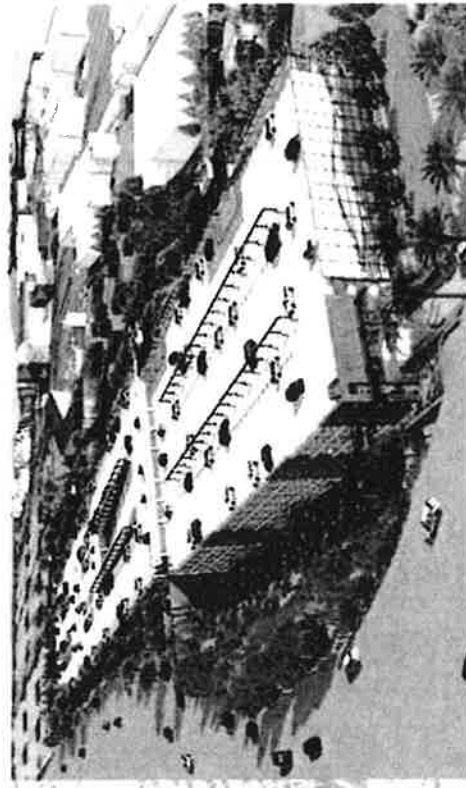
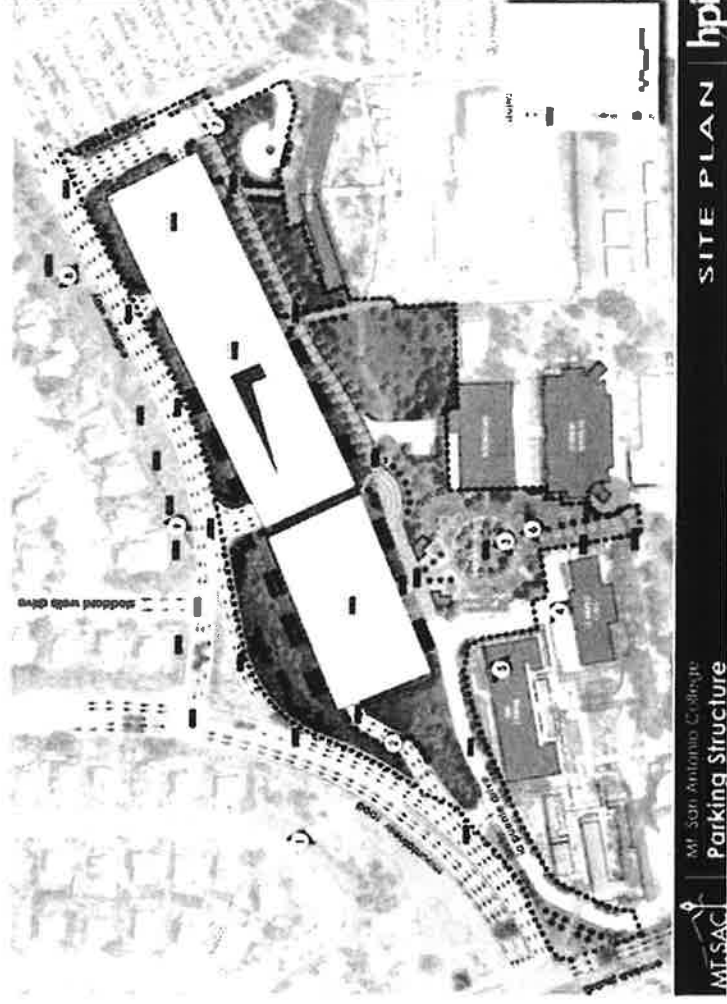
Alison Riggs	alisonmriggs@gmail.com
Anacleto Quinoveva	jun.quinoveva@aecom.com
Bill Liang	meehbill@gmail.com
Brad Chua	cchau2+walnutcity@gmail.com
Calvin Sun	calvin.sung6@gmail.com
David Alexander	david.alexander@ladwp.com
Dennis Majors	dnlmajors@gmail.com
Dino Pollalis	dino.pollalis@charter.net
Herbert Aguirre III	hsaguirre35@aol.com
Jane Mahon	jemahon@verizon.net
Johnny Chua	johnchua@earthlink.net
Layla Abou-Taleb	abousassi@yahoo.com
Lynn Glover	lglover35@yahoo.com
Randy Smith	randeyes@aol.com
Tish Chafatinos	tishc1055@gmail.com

Mt. SAC Proposed Projects

Please visit www.mtsac.edu/about/construction/ to retrieve the most up-to-date information regarding proposed projects at Mt. SAC.

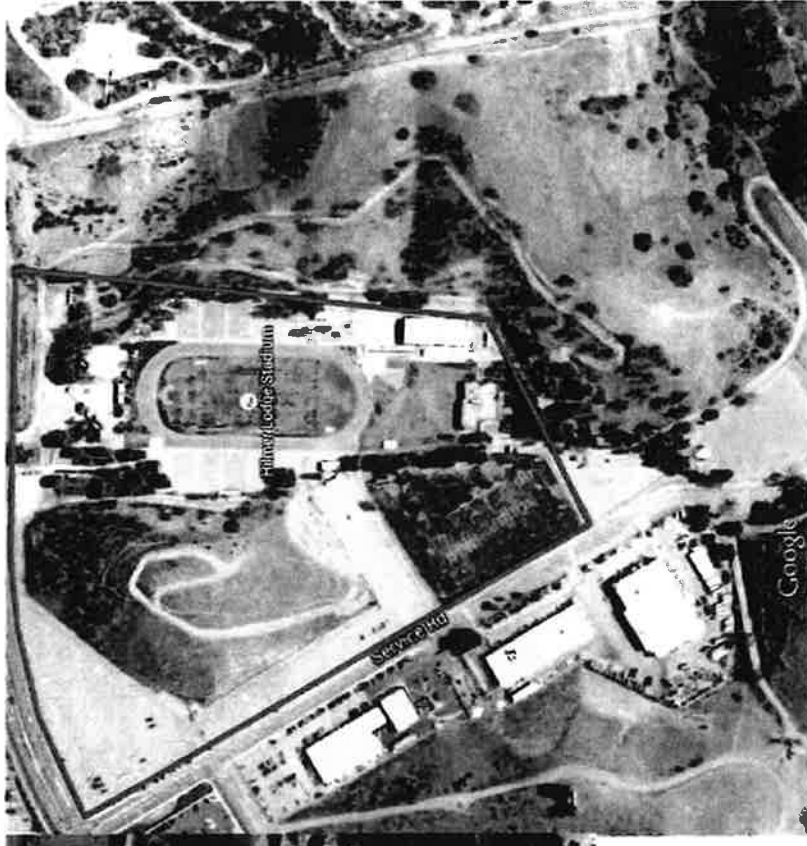
Parking Structure

5 level structure adding 2,085 parking spaces



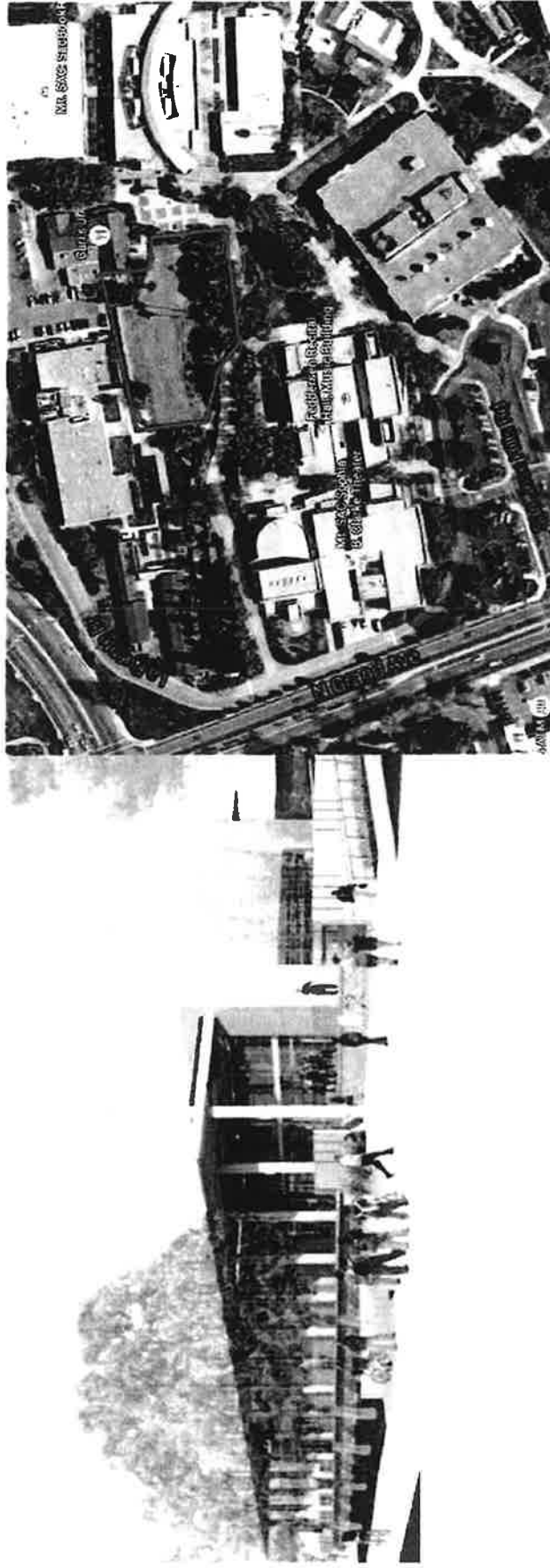
Hilmer Lodge Stadium

Track and field/cross-country/football field, with seating for 11,000 spectators



Food Services Building

13,500 square foot facility. 90 indoor seats and 200 outdoor seats.



Fire Academy/ Training Tower

10,000 square foot complex for training and classroom/administration.



Solar Power Generation

Site considered for solar generation on the parcel of land to the west of Grand Ave.



Student Success Center

Three-story building with 22,800 square-feet dedicated to classrooms, study labs, offices, and lab.



ATTACHMENT 2

Public Record Documents

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 05/13/15

DEPT. 86

HONORABLE LUIS A. LAVIN

JUDGE

N DIGIAMBATTISTA

DEPUTY CLERK

HONORABLE

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

NONE

Deputy Sheriff

NONE

Reporter

8:30 am

BC576587

Plaintiff

Counsel

UNITED WALNUT TAXPAYERS

VS

Defendant NO APPEARANCES

MT SAN ANTONIO ETC, ET AL

Counsel

CEQA

170.6 O'DONNELL - PLAINTIFF

R/T BS154389

NATURE OF PROCEEDINGS:

ORDER TO SHOW CAUSE RE PRELIMINARY INJUNCTION
RULING ON SUBMITTED MATTER

The court having taken the above matter under
submission on May 7, 2015, now makes its ruling as
follows:

Plaintiff United Walnut Taxpayers seeks to enjoin
Defendants Mt. San Antonio Community College
District and William Scroggins, in his official
capacity as President and CEO of Mt. San Antonio
Community College, from continuing with construction
of a 2,000-plus parking space structure on the
campus of Mt. San Antonio Community College and from
spending any Measure RR bond funds on that project.
The preliminary injunction is granted for the
reasons that follow.

Requests for Judicial Notice

The requests for judicial notice are granted.

Evidentiary Objections

Evidentiary objections must be specific and
accompanied by a reasonable, definite statement of
the grounds. See Evidence Code § 353 (a) (objections
must "make clear the specific ground of the
objection"). Accordingly, if a party objected to

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 05/13/15

DEPT. 86

HONORABLE LUIS A. LAVIN

JUDGE

N DIGIAMBATTISTA

DEPUTY CLERK

HONORABLE

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

NONE

Deputy Sheriff

NONE

Reporter

8:30 am BC576587

Plaintiff

Counsel

UNITED WALNUT TAXPAYERS

VS

Defendant NO APPEARANCES

MT SAN ANTONIO ETC, ET AL

Counsel

CEQA

170.6 O'DONNELL - PLAINTIFF

R/T BS154389

NATURE OF PROCEEDINGS:

several sentences or an entire paragraph in a declaration and one of the sentences is not objectionable, or if a party simply listed a litany of boilerplate objections, the Court overruled the objection. It is not the Court's duty to parse those sentences that are objectionable, or divine the specific basis for an objection, if the moving party has not done so. See People v. Porter, (1947) 82 Cal. App.2d 585, 588 ("An objection must usually be specific and point out the ground or grounds relied upon in a manner sufficient to advise the trial court and opposing counsel of the alleged defect so that the ruling may be made understandingly and the objection obviated if possible."). With these principles in mind, the Court overrules all of the parties' objections except for the following: the District's objections nos. 5, 6, 14, and 17 to the Sherman Declaration are sustained.

Discussion

Plaintiff is likely to prevail on its third and fourth causes of action alleging violations of the City's zoning ordinance.

Mt. San Antonio's campus is zoned as a "Residential Planned Development" (RPD) on the City's zoning map. District's RJN, Ex. 5. The City's zoning code specifies that structures within an RPD zone cannot

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 05/13/15

DEPT. 86

HONORABLE LUIS A. LAVIN

JUDGE

N DIGIAMBATTISTA

DEPUTY CLERK

HONORABLE

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

NONE

Deputy Sheriff

NONE

Reporter

8:30 am

BC576587

Plaintiff

Counsel

UNITED WALNUT TAXPAYERS

VS

Defendant

NO APPEARANCES

MT SAN ANTONIO ETC, ET AL

Counsel

CEQA

170.6 O'DONNELL - PLAINTIFF

R/T BS154389

NATURE OF PROCEEDINGS:

exceed thirty-five feet in height and does not list a parking structure as the type of structure that can be built within this zone. District's RJN, Ex. 12, pp. 1-2; Walnut Zoning Code § 25-89.1(b)(4)(g). However, a school district can exempt itself from local zoning codes under certain circumstances:

"the governing board of a school district may render a city or county zoning ordinance inapplicable to a proposed use of property by the school district. The governing board of the school district may not take this action when the proposed use of the property by the school district is for nonclassroom facilities, including, but not limited to, warehouses, administrative buildings, and automotive storage and repair buildings."

Gov. Code § 53094(b) (Section 53094). The term "nonclassroom facilities" has been interpreted to mean "those not directly used for or related to student instruction." City of Santa Cruz v. Santa Cruz City School Bd. of Education, (1989) 210 Cal.App.3d 1, 7.

Here, the District purported to exempt the parking structure project from the City's zoning code on February 11, 2015. Nellesen Decl., Ex. 21. Plaintiff argues that this exemption is ineffective because the project, a parking structure, is a nonclassroom facility that cannot be exempted from

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 05/13/15

DEPT. 86

HONORABLE LUIS A. LAVIN

JUDGE

N DIGIAMBATTISTA

DEPUTY CLERK

HONORABLE

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

NONE

Deputy Sheriff

NONE

Reporter

8:30 am

BC576587

Plaintiff

Counsel

UNITED WALNUT TAXPAYERS

VS

Defendant

NO APPEARANCES

MT SAN ANTONIO ETC, ET AL

Counsel

CEQA

170.6 O'DONNELL - PLAINTIFF

R/T BS154389

NATURE OF PROCEEDINGS:

the City's zoning codes pursuant to the plain language of Section 53094. Plaintiff is correct.

In City of Santa Cruz v. Santa Cruz City School Bd. of Education, the court considered whether a high school could exempt lighting renovations for the school's playing field from the city's zoning ordinances pursuant to Section 53094. Id., pp. 2-3. The city argued that the language of that statute only allowed an exemption for "a room in a school building," thus excluding outdoor field lighting. Id., p. 4. The court disagreed, finding that "nonclassroom facilities" means "those not directly used for or related to student instruction." Id., p. 7. Applying this definition, the court concluded that the playing field was directly used for student instruction because it was used for physical education classes, interscholastic athletics, spirit activities and band performances which were "an integral and vital part" of the educational program at the high school. Id., pp. 8-9. Thus, the lighting renovations for the field could be exempted from the city's zoning ordinances because they were not nonclassroom facilities. Id.

The Court finds that the parking structure is a nonclassroom facility that cannot be exempted from the City's zoning laws under Section 53094. A parking structure is ordinarily used for parking purposes, not for student instruction. Unlike the

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 05/13/15

DEPT. 86

HONORABLE LUIS A. LAVIN

JUDGE

N DIGIAMBATTISTA

DEPUTY CLERK

HONORABLE

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

NONE

Deputy Sheriff

NONE

Reporter

8:30 am BC576587

Plaintiff

Counsel

UNITED WALNUT TAXPAYERS

VS

Defendant NO APPEARANCES

MT SAN ANTONIO ETC, ET AL

Counsel

CEQA

170.6 O'DONNELL - PLAINTIFF

R/T BS154389

NATURE OF PROCEEDINGS:

playing field in City of Santa Cruz, no regular classes will be held in the parking structure and the activity that will primarily take place there (i.e., parking) is not an integral and vital part of the education being provided at Mt. San Antonio. While available parking spaces are ancillary to the classroom instruction of students, the Legislature intended to distinguish between instructional facilities and support facilities, such as administrative buildings, for purposes of the exemption in Section 53094. See City of Santa Cruz, supra, 210 Cal.App.3d at 7. A parking structure falls squarely into the category of support facilities in that it is only tangentially related to student instruction; it simply provides students with another place to park while they receive instruction elsewhere. Thus, it is not directly used for or related to student instruction.

The legislative history of Section 53094 supports this conclusion. Indeed, one of the stated reasons given during the floor analysis of the 1976 amendment to Section 53094 that stripped school districts of the power to override local zoning laws for "nonclassroom facilities" was the perception that the districts had used the exemption "to authorize various nonclassroom facilities, such as parking facilities, in areas where these facilities are not compatible with the zoning and land use of adjacent property." See Plaintiff's RJN, Ex. 7

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 05/13/15

DEPT. 86

HONORABLE LUIS A. LAVIN

JUDGE N DIGIAMBATTISTA

DEPUTY CLERK

HONORABLE

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

NONE

Deputy Sheriff

NONE

Reporter

8:30 am BC576587

Plaintiff

Counsel

UNITED WALNUT TAXPAYERS

VS

Defendant NO APPEARANCES

MT SAN ANTONIO ETC, ET AL

Counsel

CEQA

170.6 O'DONNELL - PLAINTIFF

R/T BS154389

NATURE OF PROCEEDINGS:

[Sherman Decl., Ex. J]; see also District's RJN, Ex. 16, pp. 7, 19, 21, 60-61 and 63.

To be sure, the District argues that the parking structure is directly related to student instruction because certain academic departments will use the structure for educational purposes. For example, it claims that the Fire Technology department plans to use the structure to study proper fire/life safety construction issues and the District's robotics program will use the space to practice with their robots. See Shull Decl., 5; Malmgren Decl., 6. These anticipated uses are not ordinary and established uses of the parking structure. Indeed, the District has not shown that a parking facility has ever been used for educational purposes by Mt. San Antonio. In contrast, the playing field at issue in City of Santa Cruz was used for regularly held physical education classes and interscholastic sporting events that were an "integral and vital" part of the scholastic life of the high school. City of Santa Cruz, supra, 210 Cal.App.3d at 8-9. While the additional space in the parking structure may be useful to certain educational programs at intermittent times, this ad hoc and irregular anticipated use of the structure does not mean that it will be directly used for or related to student instruction.

The District also argues that the parking structure

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 05/13/15

DEPT. 86

HONORABLE LUIS A. LAVIN

JUDGE

N DIGIAMBATTISTA

DEPUTY CLERK

HONORABLE

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

NONE

Deputy Sheriff

NONE

Reporter

8:30 am BC576587

Plaintiff

Counsel

UNITED WALNUT TAXPAYERS

VS

Defendant NO APPEARANCES

MT SAN ANTONIO ETC, ET AL

Counsel

CEQA

170.6 O'DONNELL - PLAINTIFF

R/T BS154389

NATURE OF PROCEEDINGS:

is directly related to student instruction because it will allow Mt. San Antonio's growing student population to find parking spots and, therefore, attend classes. However, the District misconstrues the term "directly". "Directly" means "in a straight forward manner; in a straight line or course; immediately." Black's Law Dictionary (10th ed. 2014). The proposed parking structure is not "immediately" related to student instruction; rather, it is indirectly related to a student's classroom instruction in the same way that administrative buildings and other support facilities are related to student instruction. The Legislature made a distinction between facilities directly related to student instruction and support facilities when it enacted the present version of Section 53094. In addition, the Legislature only made a distinction between buildings directly used or related to student instruction and support buildings; it did not make a distinction between commercial buildings and noncommercial buildings.

As a separate basis for granting the injunction, the Court finds that Plaintiff is also likely to succeed on its first cause of action alleging that the parking structure was not sufficiently identified in Measure RR when it was presented to the voters. See Taxpayers for Accountable School Bond Spending v. San Diego Unified School Dist., (2013) 215 Cal. App. 4th 1013. The Court does not reach Plaintiff's

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 05/13/15

DEPT. 86

HONORABLE LUIS A. LAVIN

JUDGE N DIGIAMBATTISTA

DEPUTY CLERK

HONORABLE

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

NONE

Deputy Sheriff

NONE

Reporter

8:30 am

BC576587

Plaintiff

Counsel

UNITED WALNUT TAXPAYERS

VS

Defendant NO APPEARANCES

MT SAN ANTONIO ETC, ET AL

Counsel

CEQA

170.6 O'DONNELL - PLAINTIFF

R/T BS154389

NATURE OF PROCEEDINGS:

remaining arguments.

After weighing the relative interim harm to the parties from the issuance or nonissuance of the injunction, the Court finds that an injunction should issue. As stated in the City's zoning codes, the restrictions on land for properties zoned RPD, which includes the Mt. San Antonio's campus, is to encourage the "appropriate and desirable use of land which is sufficiently unique in its physical characteristics and other circumstances to warrant special methods of development." Walnut City Code § 25-88. If the project is permitted to go forward, Plaintiff and the community will lose their interest in the enforcement of the City's zoning codes and in the orderly development of their community. In contrast, the District's harm is primarily financial. As for its students having to look for other parking spots pending this litigation, that harm is less severe than the harm that Plaintiff's members will suffer.

In determining the amount of the undertaking, the District argues that any injunction will delay the project for at least one year since the Phase I site work on the parking structure must occur during the summer months when the majority of students are not on campus. Nellesen Decl., 46. According to the District, such a delay would cause it to incur damages of approximately \$8,541,970. Nellesen

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 05/13/15

DEPT. 86

HONORABLE LUIS A. LAVIN

JUDGE

N DIGIAMBATISTA

DEPUTY CLERK

HONORABLE

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

NONE

Deputy Sheriff

NONE

Reporter

8:30 am

BC576587

Plaintiff

Counsel

UNITED WALNUT TAXPAYERS

VS

Defendant

NO APPEARANCES

MT SAN ANTONIO ETC, ET AL

Counsel

CEQA

170.6 O'DONNELL - PLAINTIFF

R/T BS154389

NATURE OF PROCEEDINGS:

Decl., 69. While the Court appreciates that an undertaking must cover all reasonably foreseeable damages that may be proximately caused by the preliminary injunction, the District's estimated damages are grossly inflated and are not directly related to or foreseeable to an injunction stopping construction of a single parking structure. Instead, the Court finds that an undertaking should be posted by Plaintiff in the amount of \$127,076. This amount was calculated as follows: \$112,076 for the change order; and \$15,000 to restore the building site to a safe condition.

Disposition

Based on the foregoing, the Court grants Plaintiff's request for a preliminary injunction. Defendants and real parties are enjoined from performing or conducting any further construction or dirt removal activity on the proposed parking structure site, or from spending any Measure RR funds on any aspect of this project. Plaintiff shall post an undertaking in the amount of \$127,076.

IT IS SO ORDERED.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 05/13/15

DEPT. 86

HONORABLE LUIS A. LAVIN

JUDGE

N DIGIAMBATTISTA

DEPUTY CLERK

HONORABLE

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

NONE

Deputy Sheriff

NONE

Reporter

8:30 am

BC576587

Plaintiff

Counsel

UNITED WALNUT TAXPAYERS

VS

Defendant NO APPEARANCES

MT SAN ANTONIO ETC, ET AL

Counsel

CEQA

170.6 O'DONNELL - PLAINTIFF

R/T BS154389

NATURE OF PROCEEDINGS:

A copy of this minute order is mailed via U.S. Mail to counsel of record addressed as follows:

CRAIG A. SHERMAN, ESQ., 1901 FIRST AVE., SUITE 335,
SAN DIEGO, CA 92101

STAN BARANKIEWICZ, ORBACH, HUFF, ET AL, 1901 AVE OF
THE STARS, SUITE 575, LOS ANGELES, CA 90067

DANIEL J. BULFER, ATKINSON, ANDELSON, ET AL, 20 PACI-
FICA, SUITE 1100, IRVINE, CA 92618

From: Layla <abousassi@yahoo.com>

To: Derrick Womble <dwomble@ci.walnut.ca.us>

Cc: alisonmriggs <alisonmriggs@gmail.com>; jun.quinoveva <jun.quinoveva@aecom.com>; meehbill <meehbill@gmail.com>; cchau2+walnutcity <cchau2+walnutcity@gmail.com>; calvin.sung6 <calvin.sung6@gmail.com>; david.alexander <david.alexander@ladwp.com>; dnlmajors <dnlmajors@gmail.com>; dino.pollalis <dino.pollalis@charter.net>; hsaguirrc35 <hsaguirrc35@aol.com>; jemahon <jemahon@verizon.net>; Johnny Chua <johnchua@earthlink.net> <johnchua@earthlink.net>; lglover35 <lglover35@yahoo.com>; randeyes <randeyes@aol.com>; tishc1055 <tishc1055@gmail.com>; Tom Weiner <tweiner@ci.walnut.ca.us>; Justin Carlson <JCarlson@ci.walnut.ca.us>; Teresa de Dios <tdedios@ci.walnut.ca.us>; Ray Markel <rmarkel@ci.walnut.ca.us>

Subject: Re: Mt. SAC Task Force Agenda 6-16-15

Date: Thu, 11 Jun 2015 4:51 pm

Hi Derrick,

Yesterday at the city council meeting it was agreed that the issue of possible legislation from Mt Sac would be added onto the Task Force agenda. Tom Weiner could verify.

This issue is urgent and I think the Task Force should address it ASAP!

Please add it to agenda.

Layla

On Jun 11, 2015, at 3:43 PM, Derrick Womble <dwomble@ci.walnut.ca.us> wrote:

Good Afternoon Task Force Members,

Attached is the agenda for our next meeting on Tuesday, June 16th, 2015, at 5:30 p.m., here at Walnut City Hall. Agenda topics will be discussed in more detail at the meeting. Thank you!

Derrick Womble | Senior Management Analyst | Community Development

City of Walnut | 21201 La Puente Road, Walnut, CA 91789

Tel (909) 595-7543 extension 403 | dwomble@ci.walnut.ca.us

<Agenda 06-16-15.pdf>

A G E N D A
MOUNT SAN ANTONIO COLLEGE DEVELOPMENT TASK FORCE
WALNUT CITY HALL – PLANNING CONFERENCE ROOM
21201 La Puente Road, Walnut, CA 91789

JUNE 16, 2015
5:30 PM

CALL TO ORDER: Tish Chafatinos, Chair

DISCUSSION ITEMS:

1. Proposed Development Projects – power point presentation
2. Public Record documents
3. Public outreach and notification
4. Funding structure of State subsidies to Mt. SAC
5. Links on City's website
6. Mt. SAC Legislation

ADJOURNMENT: Next meeting date on Tuesday, July 7th at 5:30 p.m.

Attachments:

1. Mt. SAC Proposed Development Projects
2. Public Record Documents

From: Lynn Glover <lglover35@yahoo.com>

To: alisonmriggs <alisonmriggs@gmail.com>; jun.quinoveva <jun.quinoveva@aecom.com>; meehbill <meehbill@gmail.com>; cchau2+walnutcity <cchau2+walnutcity@gmail.com>; calvin.sung6 <calvin.sung6@gmail.com>; david.alexander <david.alexander@ladwp.com>; dnlmajors <dnlmajors@gmail.com>; dino.pollalis <dino.pollalis@charter.net>; hsaguirre35 <hsaguirre35@aol.com>; jemahon <jemahon@verizon.net>; Johnny Chua (johnchua@earthlink.net) <johnchua@earthlink.net>; abousassi <abousassi@yahoo.com>; randeyes <randeyes@aol.com>; tishc1055 <tishc1055@gmail.com>

Subject: Re: Mt. SAC Task Force Member Listing

Date: Thu, 4 Jun 2015 1:00 pm

Hello Task Force Members. I have sent the following private message to Mansfield Collins addressing some thoughts he has shared on Next Door about Mt. SAC. I want to share this with you as well so you can start to get a perspective on the role I have cut out for myself. I have operated as a lone wolf so far in my Walnut civic endeavors, including my most significant accomplishment of getting rid of red light cameras, but I have agreed to work within this task force, as suggested by some people, because it clearly has more stature with the City than any I can muster on my own. I do not intend to usurp in any way the role of the task force, but I see the Mt. SAC issues as part of a very broad set of matters for our community to wend our way to the future that will be much more challenging than our present. I welcome any comment you, my fellow task force team members, may have with regard to this.

Lynn Glover

You just sent the following message to Mansfield Collins:

Lynn Glover, Near Walnut City Hall

Mansfield, thank you for the recap. I've wanted to meet you and discuss this matter face to face with you as I've done with Layla and her husband. I am in agreement with others on many concerns about Mt. SAC, but I have some that go beyond what others have identified and are of far greater importance to public safety, which is my greatest issue for Walnut (that includes traffic, crime and fire, as well as all related elements of those such as street lighting, street design and much more). My desire is to find a peaceful, neighborly way to resolve all the concerns. Mt. SAC is not only the gorilla in the room as far as neighbors go, but we own it and it has been here before us and will be here long after us. So, we must build a rapport rather than fighting everything in the courts for the next 50 years or so. The greatest achievement of UWT has been to finally get the City on-board, but even this is just a baby step because the City is as dysfunctional as Mt. SAC and we are the owners of it as well. I see the task force as a medium to bring about changes that we should have to get things in harmony among ourselves and our public properties, which are the City and Mt. SAC. It includes getting the City Council to work together instead of acting like kids on a playground, getting our City Manager to assume a more effective management role in our affairs instead of just relying on our team of sheriff, engineer, lawyer and other professionals to whom he hands off matters, getting control of City focus on where our priorities are (for example, getting a commission staffed by citizens for all matters of public safety rather than the present traffic

safety committee which we now have and is staffed by professionals, but nevertheless by outsiders. The same goes for Mt. SAC and their independent sources of revenue and interests that do not come under public purview, such as their foundation and alumni association. These are a sampling of the matters I intend to weave into the fabric of what this task force will accomplish, because they all come into play in our relationship with our Mt. SAC property, the gorilla of our neighbors.

PS: You mentioned "quality of life" several times in your remarks and others use this term as well. I am interested in learning more specifically what that term means to you.

Lynn Glover



Mt Sac Acts Like NFL Developer Going to State Lawmakers to Get Around Injunction

Mansfield Collins [Image](#) Timberline

1 Jun

5

I believe that Mt Sac, like the NFL defendants, will make a desperate "Hell-Mary" attempt to get around the injunction, by having the state legislature pass a law invalidating the zoning laws of the City of Walnut, as they apply to Mt Sac. Mt Sac's violation of the City of Walnut's zoning laws was one of the grounds used by Judge Lavin granting the injunction.

While you might expect a wealthy land developer using all means to secure approvals to bring an NFL team to Industry, a city with only 50 more or less registered voters, remember the NFL last minute maneuver a few years ago, you would never expect an educational entity to do the same to Walnut, a city with over 15,000 registered voters and 30,000 residents. This is shocking and a shameless slap at the judiciary, the rule of law and violates their own creed to obey the law.

In the meantime, Mt Sac will file an appeal of the injunction to the Court of Appeals. The time for Mt Sac to file an appeal will expire on July 13, 2015. This will give them the time to put a full court press on state lawmakers, to pass a bill that will invalidate the 40 year old zoning law of the City of Walnut, without full hearings, input from the public, and hidden so far in the bill, that many lawmakers will not even know what they are voting on.

Instead of following the law, even when it goes against them, Mt Sac wants to change the law so it can unilaterally build whatever it wants and kill the zoning laws of the City of Walnut that have applied to Mt Sac for the at least the last 40 years at the same time. Mt Sac views itself as "above the law" and if they can convince state lawmakers to invalidate Walnut's zoning laws, Mt Sac will have an unfettered path to ignore the concerns of the City of Walnut.

The City of Walnut should prepare a letter for mailing to each state lawmaker making them aware of their opposition to any attempt by Mt Sac to attack, diminish or invalidate our local zoning laws. This is a direct attack on local governance. If Mt Sac can do this to the City of Walnut, other public entities, who disagree with city zoning in the future, will do the same thing, using Mt Sac as precedent. Local governance will come under attack everywhere.

As determined by Judge Lavin:

"As stated in the City's zoning codes, the restrictions on land for properties zoned RPD, which includes the Mt. San Antonio's campus, is to encourage the "appropriate and desirable use of land which is sufficiently unique in its physical characteristics and other circumstances to warrant special methods of development." Walnut City Code §25-88. If the project is permitted to go forward, Plaintiff and the community will lose their interest in the enforcement of the City's zoning codes and in the orderly development of their community."

Shared with Timberline > Neighborhoods > in General

THANK 6

REPLY 3



★ John, Kim, Amy, and 3 others thanked Mansfield

Lynn Glover from Near Walnut City Hall

1 year

Mansfield, I hope the Mt. SAC Task Force will obviate the need for speculation and misinformation about the situation. The first meeting was held last nite, the second will be at 5:30 PM on Tuesday, ... [View more](#)

Thank Flag

Ross thanked Lynn



Mansfield Collins from Timberline

1 year

Lynn, in a meeting now but I will followup with my response later this evening.

Thank Flag

Lynn thanked Mansfield



Mansfield Collins from Timberline

8 days

Lynn, I think the task force is great and myself and others asked for one over 8 months ago. The creation of the task force is just one of the ideas that have come out of many meetings of UWT over the ... [View more](#)

Thank Flag

Ross, Lynn, and Larry thanked Mansfield

SaveWalnut



A non-profit organization fighting to protect and improve the quality of life for Walnut residents

[Home](#) [About Us](#) [The Threats](#) [In The News](#) [Register](#) [Donate](#) [Resources](#) [FAQ](#) [Contact Us](#)

The Threats

Mt. SAC's GROWTH

Mt SAC has mushroomed into the biggest community college in the nation. Currently, it has 65,000 students (per the Mt. SAC 2012 Master plan). Based on their own projected growth to 80,000, by 2025, air pollution and traffic congestion will increase by at least 27%!

This growth is entirely within the rural, residential community of the City of Walnut with only 30,000 residents!

By comparison the average community college in the State of California has 15,000 students. Citrus College has less than 15,000 students enrolled.

The City of Walnut has had to carry the brunt of Mt. SAC's growth resulting in excessive traffic, pollution, noise, and increase in crime over the last decade.

Mt. SAC's growth is no longer sustainable unless the residents of Walnut agree to further sacrifice their quality of life for future years of more traffic congestion, air pollution and higher crime.

SOLAR POWER GENERATING PLANT

"The 2.4 Megawatt plant will utilize stationary photovoltaic cells set at a 10 degree angle, located on an 11 acre parcel west of Grand Ave (at Temple). Site development includes environmental mitigation, slope stabilization, landscape, fencing, a reclaimed water irrigation system, and a 1400 foot duct bank to bring power from the plant to the campus main point of entry." (Mt. SAC special meeting of the Board of trustees dated February 7, 2015).

Initial and current planning and environmental review is being done without involvement of local residents and city officials despite the proposed Retail - Solar uses being less than 75 feet away from a housing neighborhood.

This will have an immediate negative impact on the adjoining Willows community that is within yards of this project. Further, to create a 9.9 acre building pad, some 70 feet above street level, there is grossly insufficient earth fill on site to build it. According to the preliminary grading plan, 261,000 cubic yards of imported earth material will be required. This massive import of earth fill at one of the busiest intersections in Walnut, requiring dangerous earth movers at street crossings or on-road dump trucks, may exceed City street weight limits.

Additionally, development of this parcel would also unnecessarily disrupt the visual continuity of naturally vegetated hillsides that continue from Amar Road south along

Grand Avenue.

The parcel is zoned by the city of Walnut as Residential Planned Development which would likely render Mt. SAC's Retail and Solar development inconsistent with City zoning.

The project is funded partially (\$1,900,000) by measure RR although there was no mention of such in the Bond measure approved by taxpayers in 2008.

ATHLETIC COMPLEX EAST (STADIUM)

There are plans to demolish the current stadium and build a new stadium 2 1/2 times the original size to house a minimum 11,000 seats expandable to 20,000 seats!

This is contrary to disclosures in the Mt. SAC Master Plans, which indicated the work to be performed included deferred maintenance on eastern bleachers, new bleachers, restroom renovation, a press box and a new field house. However, a recent construction contract for the Athletic Education Building now appears to be performing site grading for this building in such a way to prematurely provide parking and support facilities for a totally new stadium complex not previously disclosed in any environmental documents!

Mt. SAC has already shaved the 80-foot hill north of the stadium containing California Walnut Woodlands groves! There will be earthen banks up 30 feet high over undisturbed fields, which will block views of Snow Creek residents who reside no more than 50 feet away. Further, there are significant aesthetic impacts associated with the removal of the 80-foot hill and its walnut groves immediately north of the stadium, which is substantially inconsistent with the City of Walnut's scenic route designation of Temple Avenue.

United Walnut's investigations now reveal that collective recent grading activities connect with massive earth moving operations to export a large volume of soil for relocating the Fire Training Academy, and ultimately to provide space for parking and support facilities for a fully new and expanded (not renovated) stadium, not previously disclosed in any environmental documents.

Per Gary Nellesen Facilities Director at the Mt. SAC oversight committee meeting dated November 6, 2014, in addition to hosting Olympic trials, the stadium will be designed to hold concerts to generate funds for Mt. SAC!

A stadium of this size and for the dual purpose of sports and concerts could have severe impact on streets, traffic, noise and potential criminal activity! The stadium project is funded by measure RR in the amount of \$64 million, even though there was no mention of a massive new stadium project in the Bond approved by taxpayers in 2008.

FIRE TRAINING ACADEMY

The new location of the Fire Training Academy site south of the current athletic fields extends to Grand Avenue. In this case, the academy would be within a few hundred feet of residences in the Snow Creek area; however Mt. SAC did not contact nearby residents to advise them of the proposed relocation of this facility.

The Fire Training Academy operations involve:

- Fire related exercises within a proposed training tower at temperatures from 1,200 degrees to 2,300 degrees Fahrenheit
- Transport of hazardous materials generated on site to offsite disposal areas
- Operations resulting in visible fire and smoke
- Spread of odors and solid and liquid droplets to offsite areas

The facility will be constructed to meet local, state and federal standards, but the fact remains that this conflicts with the close by urban environment.

The fire training tower, which is the focus of many training activities, will be 40 feet tall, 22 feet wide, and 73 feet long, and will have an imposing presence on the surrounding community, especially during fire training.

The grading of the Fire Training Academy site involved excavating and transporting around 263,000 cubic yards of earth fill from the hill immediately north of the Hilmer Lodge Stadium to the proposed Fire Training Academy site.

The site is about 40 feet high and as close as 50 feet to residences, and was prepared without any contact with the community, and without any evidence that biological evaluations and permits have been completed and documented. Funding for this project is from measure RR in the amount of \$6,185,999.

PARKING STRUCTURE

This massive concrete structure would rise over 40 feet in elevation next to the Timberline community, and eliminate the buffer with Mt. SAC, which exists today in the form of the current surface parking lots.

By placing two stories of the parking structure below ground as is being proposed, the college has created a security and public safety issue for both students and the surrounding community that hasn't existed before. Underground parking cannot be patrolled with the same degree of visual clarity as the open-space, surface parking area that exists today.

The campus area is zoned Residential Planned Development, which apparently does not allow parking garage structures unless specific City application is made and permit conditions can be met. This non-classroom facility is within 125 feet of residential communities.

According to Appendix B in the Mt. SAC 2008 Supplemental Environmental Impact Report (EIR), for the campus-wide Facilities Master Plan, the suggested possible parking structure needs around 900 spaces to meet the very highest parking demand that occurs a few weeks a year at the beginning of the semesters when students enroll, or attempt to obtain classes or drop/change classes.

The peak demand drops off quickly, and the college should consider simply absorbing this short-term peak rather than basing parking needs on circumstances that occur only a few weeks a year. These extreme parking peaks can be contrasted with significantly underutilized parking lots 3 to 4 months a year during vacations and periods of limited enrollment, and lower needs on Fridays resulting apparently from limited class schedules.

The huge difference between peak demand and underutilized parking justifies aggressive study of practical alternatives.

Facilities Master Plan planning and environmental review documents all recommend exploring the use of Cal Poly Pomona parking facilities through the use of a joint campus shuttle service. The documents estimated a 5% reduction in parking needs (around 500 spaces) if students have access to offsite parking facilities, or are involved in online classes or attend classes at offsite locations during the busiest part of the day.

The 2013 Subsequent Program EIR for the campus-wide Facilities Master Plan notes that the space for the future Athletic Education Building could be used for 1,000 student parking spaces immediately, and possibly about 500 spaces in the long-term.

Funding \$57,988,259 for the Parking Structure is from measure RR. There was no mention of a Parking Structure in the Bond that was passed in 2008.

FOOD COURT

Mt. SAC has started the construction of state of the art Food Court located center of campus to keep students on campus all day. They have contracted with the French vendor Sodexo to provide "gourmet food".

This project will have a significant impact on Walnut small businesses surrounding the

campus that currently serve the student population.

Funding for this \$14,775,401 project is also from measure RR and was not mentioned in the Bond that was passed in 2008.



Measure RR Campaign Contributions

Name	Street Address	City	State	Zip	Amount
Mt. SAC Associated Students	1100 North Grand Avenue	Walnut	CA	91789	150,000
Industry Manufacturers Council	15651 Stafford Street	City of Industry	CA	91744	100,000
Mt. SAC Foundation	1100 North Grand Avenue	Walnut	CA	91789	100,000
Mt. SAC Auxiliary Services	1100 North Grand Avenue	Walnut	CA	91789	45,000
Bovis Lend Lease, Inc.	800 West 6th Street, Suite 1250	Los Angeles	CA	90017	40,000
RBC Capital Markets Corporation	777 South Figueroa Street, Suite 800	Los Angeles	CA	90017	30,000
Mt. San Antonio College Faculty Association Political Action Fund	1100 North Grand Avenue	Walnut	CA	91789	25,000
The Hill Partnership, Inc.	115 22nd Street	Newport Beach	CA	92663	20,000
HMC Architects	3546 Concours Street	Ontario	CA	91764	20,000
The Vinewood Company	1854 Vinewood Street	La Verne	CA	91750	20,000
E. J. De La Rosa & Co., Inc.	10866 Wilshire Boulevard, Suite 1650	Los Angeles	CA	90024	10,000
Marlene Imirzian & Associates, LLC	8906 North Central Avenue	Phoenix	AZ	85020	10,000
P2S Engineering, Inc.	5000 East Spring Street, 8th Floor	Long Beach	CA	90815	10,000
Jimmy Collings, Nu-Age Development, Inc.	3940 Prospect Avenue, Suite A	Yorba Linda	CA	92886	10,000
Stradling, Yocca, Carlson & Rauth	660 Newport Center Drive, Suite 1600	Newport Beach	CA	92660	10,000
Chevron Corporation	324 West El Segundo Boulevard	El Segundo	CA	90245	5,000
Citigroup Payment Services	3800 Citigroup Center Drive, G-3-4	Tampa	FL	33610	5,000
MHP Structural Engineers	4500 East Pacific Coast Highway, Suite 100	Long Beach	CA	90804	5,000
Strata Information Group, Inc.	3935 Harney Street, Suite 203	San Diego	CA	92110	4,000
Imran Salim and Shannon Page-Salim	23592 Verrazanno Bay	Monarch Beach	CA	92629	3,000
Converse Consultants	222 East Huntington Drive, Suite 211	Monrovia	CA	91016	3,000
MVE Institutional, Inc.	1900 Main Street, 8th Floor	Irvine	CA	92614	2,500
Sharon Suarez, Orbach, Huff & Suarez LLP	1901 Avenue of the Stars, Suite 575	Los Angeles	CA	90067	2,500
Moore Flooring	5497 Vine Street	Chino	CA	91710	2,000
DCGA Engineers, Inc.	4750 East Ontario Mills Parkway	Ontario	CA	91764	2,000
Integrated Design Services, Inc.	1 Peters Canyon Road, Suite 140	Irvine	CA	92606	2,000
Pace of California School Employees Association (CSEA 651)	555 Capitol Mall, Suite 1425	Sacramento	CA	95814	1,500
Pace of California School Employees Association (CSEA 262)	555 Capitol Mall, Suite 1425	Sacramento	CA	95814	1,500
H2 Environmental Consulting Services, Inc.	12188 Central Avenue, Suite 286	Chino	CA	91710	1,500
BP & Associates	3 Peters Canyon Road, Suite 100	Irvine	CA	92606	1,500
R. M. Byrd and Associates, Inc.	1047 West 6th Street, Suite A	Ontario	CA	91762	1,500
Dr. David K. Hall	1329 Calle Cecilia	San Dimas	CA	91773	1,000
Quantum Power	583 East Bonita Avenue, Suite C	San Dimas	CA	91773	1,000
Douglas A. Campbell and Regula F. Campbell	980 Via Tranquila	Santa Barbara	CA	93110	1,000
tBP/Architecture	2300 Newport Boulevard	Newport Beach	CA	92663	1,000

Measure RR Campaign Contributions

David and Kim Benicki, Construction Inspection Inc.	4 Falcon Ridge Drive	Pomona	CA	91766	1,000
CS & Associates, Inc.	5770 Hannum Avenue	Culver City	CA	90230	1,000
Travor and Virginia Mason, Ironwood Inspections	11521 Norgate Circle	Corona	CA	92880	1,000
Janus Corporation	2025 Tandem Way	Norco	CA	92860	1,000
Mark R. Smith, Smith, Ltd.	8510 Fox Hills Avenue	Buena Park	CA	90621	1,000
Mike and Verna Schmidt, Top-Line Builders	19160 Rockmen Street	Lake Elsinore	CA	92530	1,000
Deidre T. Vail and Joseph S. Vail	20110 Landaluce Lane	Walnut	CA	91789	867
Philip Taylor	160 East Parkdale Drive, Unit 236	San Bernardino	CA	92414	500
Kishimoto Architects, Inc.	3002 Dow Avenue, Suite 106	Tustin	CA	92780	500
Gene J. Noji and Audrey Yamagata-Noji	1918 West Meadowbrook Drive	Santa Ana	CA	92704	500
John S. Nixon and Mary C. Nixon	139 Marketview	Irvine	CA	92602	500
Virginia R. Burley	6005 Kirkwood Avenue	Alta Loma	CA	91737	500
Jack Miyamoto H. R. Consulting, Inc.	1494 Eagle Glenn	Escondido	CA	92029	300
Friends of Manuel Baca	439 North Platina Drive	Diamond Bar	CA	91765	250
Currier & Hudson A. P. C.	P. O. Box 13110	El Cajon	CA	92022	250
Steven Fader Architects	3780 Wilshire Boulevard, Suite 1010	Los Angeles	CA	90010	250
Michael D. Gregoryk	612 McKenna Street	Claremont	CA	91711	200
Murakami Family Trust	2711 East Maureen Street	West Covina	CA	91792	200
John A. Alvarez and Theresa M. Alvarez	1942 South Gaydon Avenue	San Gabriel	CA	92776	150
Larry L. Redinger	23999 Gold Nugget Avenue	Diamond Bar	CA	92765	125
Charles W. Bader and Rosanne M. Bader	1050 Hillcrest Drive	Pomona	CA	91768	100
Kim Leiloni Nguyen	13171 Saint Andrews Drive #154D	Seal Beach	CA	90740	100
Richard Morley	1995 Molino Avenue #302	Signal Hill	CA	90755	100
LeAnn Garrett	1745 Spruce View Drive	Phillips Ranch	CA	91766	100
Michael K. Tanaka	1637 Avenida Entrada	San Dimas	CA	91773	100
Lila Belinski dba DDSS Consulting	142 South Pintado Drive	Diamond Bar	CA	91765	100
Cheryl D. Jamison	2437 Pauline Street	West Covina	CA	91792	100
Christine A. Zukowski and Mark W. Kay	1829 East Merced Avenue	West Covina	CA	91791	100
Diana Casteel	14654 Hiddenspring Circle	Chino Hills	CA	91709	100
Lynda Hoggan	2521 Electric Avenue	Upland	CA	91784	100
William E. Roman and Elizabeth Roman	221 Comorant Drive	Ontario	CA	91762	100