

**AGENDA
WHITTIER CITY COUNCIL
WHITTIER REDEVELOPMENT AGENCY
WHITTIER UTILITY AUTHORITY
JOINT MEETING
CITY COUNCIL CHAMBER, 13230 PENN STREET
FEBRUARY 10, 2009, 6:30 P.M.**

As a courtesy to others attending this meeting, please turn off or place in silent mode all cell phones, pagers and other communication devices while in the Council Chamber. Thank you.

1. CALL TO ORDER:

2. ROLL CALL:

J. Greg Nordbak, Council Member
Cathy Warner, Council Member
Owen Newcomer, Council Member
Bob Henderson, Mayor Pro Tem
Joe Vinatieri, Mayor

3. PLEDGE OF ALLEGIANCE:

4. PRESENTATIONS:

4.A Proclamation - American Heart Association

4.B Shut Your Tap

5. ORAL COMMUNICATIONS: This is the time for the public to address the City Council, Redevelopment Agency or Utility Authority regarding any item of City, Agency or Authority business. Speakers must limit their comments to three minutes.

(NOTE: Pursuant to State law, the City Council, Redevelopment Agency, and Utility Authority cannot take action or express a consensus of approval or disapproval on any oral communications which do not appear on the printed agenda.)

6. CITY COUNCIL/REDEVELOPMENT AGENCY/UTILITY AUTHORITY JOINT CONSENT CALENDAR: All items on the Consent Calendar may be approved by a single motion followed by a roll call vote. If a Council Member, Agency Member or Utility Director wishes to discuss a Consent Calendar item, the item may be removed from the calendar at the request of any Council/Agency Member or Director.

- 6.A** It is recommended the City Council deny claims filed by David G. Hendershot, Mariela Zabala, California Asset Portfolio, Edmund and Kim Granados, Ben Goldman, and Cheryl L. Lento.
- 6.B** It is recommended the following actions be taken regarding minutes:
1. City Council, Agency Board and Board of Directors approve the Minutes of the Regular Meeting of January 13, 2009; and
 2. City Council approve the Minutes of the Adjourned Regular Meeting of January 20, 2009.
- 6.C** It is recommended the City Council adopt Resolution No. 8183 entitled, "A Resolution of the City Council of the City of Whittier, California, approving the Los Angeles Regional Interoperable Communications System (LA-RICS) Joint Powers Agreement (JPA)"; and authorize the City Manager to execute the Agreement.
- 6.D** It is recommended the City Council award the construction contract for the Pavement Surface Treatment on Various Streets Fiscal Year 2008-09 project and reject all other bids; approve the construction inspection contract for the project; and authorize the City Manager to execute the contracts.
- 6.E** It is recommended the City Council waive the informality in the bid documentation submitted by Reliable Floor Covering, Inc.; award the City Hall Carpet Replacement Project contract and reject all other bids; and authorize the City Manager to sign the contract.
- 6.F** It is recommended the City Council conduct second reading and adopt Ordinance No. 2918 entitled, "An Ordinance of the City Council of the City of Whittier, California amending Title 18 (Zoning) of the Whittier Municipal Code with the addition of Chapter 18.47 (Wireless Telecommunication Facilities on Public and Private Property) and amending Title 12 (Streets Sidewalks and Public Places) by adding Chapter 12.56 (Wireless Telecommunication Facilities within the Public Right-of-Way, relating to the development and regulation of wireless telecommunication facilities on public and private property in addition to the management of the public right-of-way." It is recommended the City Council authorize summary publication of the ordinance.
- 6.G** It is recommended the City Council conduct second reading and adopt Ordinance No. 2919 entitled, "An Ordinance of the City Council of the City of Whittier, California, to amend Chapter 18.44 (Adult Entertainment Establishments) (Case: Zoning Code Amendment 08-007)," to update adult entertainment business regulations. It is recommended the City Council authorize summary publication of the ordinance.

- 6.H** It is recommended the City Council conduct second reading and adopt Ordinance No. 2920 entitled, "An Ordinance of the City Council of the City of Whittier, California amending Title 18 (Zoning) of the Whittier Municipal Code by adding Chapter 18.99 entitled, "Parking Structure Development Standards and Design Guidelines" under Zoning Code Amendment 08-008."
- 6.I** It is recommended the City Council receive and file the Gateway Cities Council of Governments' 91/605/405 Major Corridor Study – January 2009 status report.
- 6.J** The Park and Recreation Commission recommends the City Council authorize staff to advertise for bids to install new playground equipment and resilient rubber surfacing at J.G. Whittier Park.
- 6.K** The Planning Commission recommends the City Council receive and file the 2007-2008 General Plan Annual Progress Report; and direct staff to forward a copy to the Governor's Office of Planning and Research and the State Department of Housing and Community Development.
- 6.L** It is recommended the City Council accept the work performed by Del Terra Construction, Inc. for the Greenway Trail construction project; and authorize the City Clerk to record the Notice of Completion.

Proposed Motion: I move that the Consent Calendar be approved as submitted, including awarding contracts to Roy Allan Slurry Seal, Inc. and Savannah Tech (Item 6.D) and Reliable Floor Covering, Inc. (Item 6.E); and that Resolution No. 8183 (Item 6.C) and Ordinances Nos. 2918 (Item 6.F); 2919 (Item 6.G); and 2920 (Item 6.H) be read by title only, further reading be waived, and they be declared adopted.

ROLL CALL

7. RECESS REDEVELOPMENT AGENCY AND UTILITY AUTHORITY MEETINGS:

8. BOARDS AND COMMISSIONS:

- 8.A** It is recommended the City Council consider whether to consolidate advisory boards.

Proposed Motion: I move to _____.

- 8.B** It is recommended the City Council consider filling a vacancy on the Planning Commission for a term ending July 1, 2010.

Proposed Motion: I move to _____.

9. STAFF REPORTS:

- 9.A** It is recommended the City Council consider appointing a Bus Stop Improvement Transit Subcommittee.

Proposed Motion: I move to _____.

- 9.B** It is recommended the City Council provide direction regarding the 2009 Independence Day Celebration.

Proposed Motion: I move to _____.

10. RECONVENE REDEVELOPMENT AGENCY AND UTILITY AUTHORITY IN JOINT SESSION WITH CITY COUNCIL:

11. COUNCIL/AGENCY MEMBER/DIRECTOR COMMENTS/CONFERENCE REPORTS:

12. ADJOURN UTILITY AUTHORITY MEETING:

- 13. CITY COUNCIL/REDEVELOPMENT AGENCY CLOSED SESSION:** It is recommended a Closed Session be held pursuant to:

13.A City Council - Government Code Section 54956.9(b) to discuss one case of potential litigation based on a letter received from Jack Carmichael on January 20, 2009 relating to property located at 13238 E. Whittier Boulevard.

13.B City Council/Redevelopment Agency – Government Code Section 54956.8 to discuss real property negotiations with RGH Holdings regarding price and terms of payment for properties located at 12423 and 12425 Whittier Boulevard; City/Agency negotiator: Jeffrey Collier.

NOTE: Mayor Vinatieri and Council Members Nordbak and Warner have conflicts of interest on Item 13.B. At a blind draw held on December 9, 2008, Mayor Vinatieri was drawn back into the discussions of the item; Council Members Nordbak and Warner will not participate in discussion due to the conflicts of interest.

- 13.C** City Council - Government Code Section 54957.6 to discuss labor negotiations between negotiator Stephen Helvey, and the Whittier City Employees' Association, the Whittier Police Officers' Association and unrepresented employees.
- 13.D** City Council - Government Code Section 54956.9(a) to discuss two cases of litigation:
1. Case No. 8WW00930, People of the State of California vs. Hugo Gutierrez and Carmen Gutierrez; and
 2. Case No. BS113401, Hugo Gutierrez vs. City of Whittier.
- 14. RECONVENE IN OPEN SESSION:**
- 15. CLOSED SESSION REPORT:**
- 16. ADJOURNMENT:**
- 17. NEXT MEETING:** Tuesday, February 24, 2009 at 6:30 p.m.

Disability-related aids or services are available to enable persons with a disability to participate in this meeting, consistent with the federal Americans with Disabilities Act of 1990. Assisted listening devices are available for individuals with hearing impairments at the Reception Desk in the downstairs lobby. Should you require special accommodations to participate in the meeting due to a disability, please contact the City Clerk at least 24 hours in advance of the meeting at 562/464-3330.

NOTE: On Saturdays prior to Whittier City Council Meetings, the entire Whittier City Council agenda package is available for review, upon request, at the reference desk in the Central Library (7344 Washington Avenue) and the Whittwood Branch Library (10537 Santa Gertrudes Avenue). The entire agenda package is also available in the City Clerk-Treasurer Department on Mondays prior to Whittier City Council Meetings. Any meeting related writings or documents provided to the majority of the City Council after distribution of the agenda package will be made available in the City Clerk-Treasurer Department, Whittier City Hall, 13230 Penn Street. Any person with questions regarding items on the agenda should contact the City Clerk-Treasurer Department at 562/464-3330.