

**MINUTES
WHITTIER CITY COUNCIL
WHITTIER REDEVELOPMENT AGENCY
ADJOURNED REGULAR MEETING
CITY HALL, 13230 PENN STREET
JUNE 16, 2009**

1. CALL TO ORDER:

The Whittier City Council met in adjourned regular session on June 16, 2009 in conjunction with the Whittier Redevelopment Agency. Mayor Henderson called the joint meeting to order at 7:00 p.m. in the Committee Room of Whittier City Hall, 13230 Penn Street, Whittier, California.

2. ROLL CALL:

**COUNCIL/AGENCY MEMBERS
PRESENT:**

Joe Vinatieri, Council/Agency Member
Cathy Warner, Council/Agency Member
Owen Newcomer, Council/Agency Member
Greg Nordbak, Mayor Pro Tem/Vice Chair
(7:05 p.m.)
Bob Henderson, Mayor/Chair

OTHER OFFICIALS PRESENT:

Stephen W. Helvey, City Manager/Executive
Director
Kathryn A. Marshall, City Clerk-Treasurer/
Secretary-Treasurer

3. ORAL COMMUNICATIONS:

None.

4. RECESS REDEVELOPMENT AGENCY MEETING:

8. CITY COUNCIL/REDEVELOPMENT AGENCY CLOSED SESSION:

City Manager Helvey recommended a Closed Session be held on the following matters:

- 8.A** City Council/Redevelopment Agency – Government Code Section 54956.8 to discuss real property negotiations with Fountainhead Pacific, LP, regarding price and terms of payment for properties located at 12540 Whittier Boulevard and 12549 Washington Boulevard; City/Agency negotiator: Stephen Helvey.

- 8.B** City Council – Government Code Section 54956.9(c) to discuss one case of potential litigation; City of Whittier vs. Federal Receiver Clark Kelso.
- 8.C** City Council - Government Code Section 54956.95 to discuss the claim of Christopher Quast vs. City of Whittier.
- 8.D** City Council – Government Code Section 54957.6 to discuss labor negotiations between negotiator Stephen Helvey, and the Whittier City Employees' Association and unrepresented employees.

Mayor Henderson adjourned the meeting to Closed Session at 7:01 p.m.

Mayor Pro Tem Nordbak joined the Closed Session at 7:05 p.m.

Mayor Henderson reconvened the meeting in Open Session at 7:42 p.m.

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NEW BUSINESS:

It was moved by Council Member Warner, seconded by Council Member Newcomer, and carried unanimously, to add to the agenda discussion of assuming responsibility for maintaining the Pio Pico State Park and make a finding the need to act on this item arose after the agenda was posted and cannot reasonably wait for the next meeting.

(See Item 5.B on Page 3.)

5.A PARKING AND TRANSPORTATION, PLANNING, AND SOCIAL SERVICES COMMISSIONS INTERVIEWS

City Manager Helvey left the meeting at 7:45 p.m.

The City Council interviewed Planning Commission applicants Charles Claver, Robert Apon, and Jeanette Fasone.

Mayor Henderson declared a recess at 8:32 p.m. He reconvened the meeting with all Council Members present at 8:35 p.m.

The City Council interviewed Parking and Transportation Commission applicants Victor Franco and Melik Kumjian, and Social Services Commission applicant Rene Licon.

City Manager Helvey returned to the meeting at 9:15 p.m.

It was moved by Council Member Newcomer, seconded by Council Member Warner, and carried unanimously, to appoint Rene Licon to the Social Services Commission for a four year term ending July 1, 2013.

It was moved by Council Member Vinatieri, seconded by Council Member Newcomer, and carried unanimously, to appoint Victor Franco to the Parking and Transportation Commission for a four term ending July 1, 2013.

Following discussion of the Planning Commission applicants, there was no consensus on an appointment; therefore, Mayor Henderson directed staff to re-advertise for applicants for the Planning Commission opening.

5.B PIO PICO STATE PARK

The City Council concurred to agendize discussion, at a future meeting, of options for keeping the Pio Pico State Park grounds maintained and the possibility of assuming responsibility for the Adobe and partnering with the County and cities to finance that effort; and authorized Mayor Pro Tem Nordbak to talk with local elected officials regarding the concept.

6. RECONVENE REDEVELOPMENT AGENCY MEETING IN JOINT SESSION WITH CITY COUNCIL:

7. COUNCIL/AGENCY MEMBER COMMENTS/CONFERENCE REPORTS:

8. CITY COUNCIL/REDEVELOPMENT AGENCY CLOSED SESSION:

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Mayor Henderson returned the meeting to Closed Session at 9:42 p.m.

9. RECONVENE IN OPEN SESSION:

Mayor Henderson reconvened the joint meeting in Open Session at 9:49 p.m.

10.A JUNE 9, 2009 CLOSED SESSION REPORT:

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

City Clerk-Treasurer Marshall reported that at the June 9, 2009 meeting, City Attorney Jones reported that the City Council had unanimously approved a Settlement Agreement with Mr. Gutierrez; however, that vote was not accurate. She advised that during the Closed Session on June 9, 2009, a motion was made by Council Member Newcomer, seconded by Council Member Vinatieri, and carried, with Council Member Warner dissenting, to approve the Settlement Agreement with Mr. Gutierrez in the matter of his pending litigation with the City of Whittier, and authorized the City Manager to execute the agreement subject to it being signed by Mr. Gutierrez.

10.B JUNE 16, 2009 CLOSED SESSION REPORT:

None.

11. ADJOURNMENT:

Mayor Henderson adjourned the joint meeting at 9:50 p.m.

Respectfully submitted,

Kathryn A. Marshall
City Clerk-Treasurer/
Secretary Treasurer