

**AGENDA
WHITTIER CITY COUNCIL
WHITTIER REDEVELOPMENT AGENCY
WHITTIER UTILITY AUTHORITY
JOINT MEETING
CITY COUNCIL CHAMBER, 13230 PENN STREET
SEPTEMBER 22, 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:**
 - Joe Vinatieri, Council Member
 - Cathy Warner, Council Member
 - Owen Newcomer, Council Member
 - J. Greg Nordbak, Mayor Pro Tem
 - Bob Henderson, Mayor
- 3. PLEDGE OF ALLEGIANCE:**
- 4. PRESENTATIONS:**
 - 4.A** Blue Star Presentations
 - Connie Moore
 - Irene and Henry Valdivia
 - Angelina Segura-Wylie
 - Alice Martinez
 - Melissa Esquivel
 - 4.B** Preparedness Proclamation Month – American Red Cross
- 5. CLOSED SESSION REPORT – SEPTEMBER 8, 2009**
- 6. 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 except for public hearing matters. Public hearing comments will be received during the hearings. 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.)

- 7. 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.
- 7.A** It is recommended the City Council deny claims filed by Fabiola Hernandez, Michael and Esmeralda Levant, Jose Alfredo Recinos, and Victoria G. Salas.
- 7.B** It is recommended the City Council approve the Minutes of the Adjourned Regular Meeting of September 8, 2009.
- 7.C** It is recommended the Board of Directors approve contract specifications for Alley Pavement Rehabilitation in Areas 2, 3, 4 & 5 located throughout the City; and authorize the Secretary-Treasurer to advertise for bids.
- 7.D** It is recommended the City Council receive and file the following Historic Resources Commission action unless review is requested by a Council Member prior to the review deadline: approval of Certificate of Appropriateness 09-006 to demolish an addition to a duplex that was constructed without permits; comprehensively replace second story duplex windows; and construct a new four-car garage for property located at 6524 Bright Avenue; Owners: Robert and Mary Hohne; Applicant: Patrick Hart.
- 7.E** It is recommended the Agency Board approve the funding agreement with the Whittier Area First Day Coalition in the amount of \$204,392 to support its transitional housing program and related services for homeless persons in Whittier from July 1, 2009 through June 30, 2010; and authorize the Executive Director to execute the agreement.
- 7.F** It is recommended the Agency Board approve the Amended and Restated Parking Services Agreement with Greenleaf Hotel, Inc. for parking services at the Radisson Hotel, in the amount of \$12,000 per year, from July 1, 2009 through June 30, 2011; and authorize the Executive Director to execute the agreement.
- 7.G** It is recommended the City Council receive and file the Local Economic Stimulus and Business Assistance Plan update.

- 7.H** It is recommended the Agency Board approve the funding agreement with the Rio Hondo Temporary Home in the amount of \$50,000 to support its housing of homeless persons and families from Whittier from July 1, 2009 through June 30, 2010; and authorize the Executive Director to execute the agreement.
- 7.I** It is recommended the Agency Board approve the funding agreement with the Women's and Children's Crisis Shelter in the amount of \$34,000 to support its housing of homeless, battered women and their families from July 1, 2009, through June 30, 2010; and authorize the Executive Director to execute the agreement.
- 7.J** It is recommended the City Council approve the Whittier Uptown Association Annual Report; adopt Resolution No. 8235 entitled, "A Resolution of the City Council of the City of Whittier, California, declaring its intention to levy and collect assessments within the Uptown Whittier Business Improvement Area for Calendar Year 2010"; and set October 27, 2009 for the public hearing.
- 7.K** It is recommended the City Council adopt Resolution No. 8236 entitled, "A Resolution of the City Council of the City of Whittier, California, approving Conditional Use Permit No. CUP09-007 to allow the on-site sale of beer and wine under a Type 41 Alcohol License, extended hours of operation and live entertainment for a new restaurant (d.b.a. Bambooze) located at 6518-22 Greenleaf Avenue, Suite 17 and 18 (Applicant: Carlos Fernandez; Owners: KMS Investment, Inc.)."
- 7.L** It is recommended the Agency Board approve a Professional Services Agreement in an amount not to exceed \$45,000 for consulting services to conduct a market analysis associated with the redevelopment of the Fred C. Nelles Youth Correctional Facility.
- 7.M** It is recommended the City Council receive and file the Fiscal Year 2008-09 Whittier Public Library Annual Report.

Proposed Motion: I move that the Consent Calendar be approved as submitted, including approving a Professional Services Agreement with CB Richard Ellis (Item 7.L); and that Resolution Nos. 8235 (Item 7.J) and 8236 (Item 7.K) be read by title only, further reading be waived, and they be declared adopted.

ROLL CALL

8. RECESS REDEVELOPMENT AGENCY MEETING:

9. UTILITY AUTHORITY PUBLIC HEARING:

9.A This is the date and time set and duly noticed for a Utility Authority public hearing to consider the financing of improvements by means of the issuance of Water Revenue Bonds, 2009 Series A (the "Bonds") in an amount not-to-exceed \$10,000,000. The improvements to be financed with the proceeds of the Bonds include, but are not limited to, the replacement of water mains throughout the City. It is recommended the City Council and Authority Board of Directors take the following actions regarding the Whittier Utility Authority Water Revenue Bonds:

1. Authority Board conduct a public hearing;
2. Authority Board adopt Resolution No. WUA-09-06 entitled, "A Resolution of the Board of Directors of the Whittier Utility Authority authorizing the issuance of not to exceed \$10,000,000 principal amount of its Whittier Utility Authority Water Revenue Bonds, 2009 Series A, approving an Indenture of Trust, a Bond Purchase Agreement and a Preliminary Official Statement, authorizing and directing the execution thereof and authorizing actions related thereto"; and
3. City Council adopt Resolution No. 8237 entitled, "A Resolution of the City Council of the City of Whittier, California, approving the issuance and sale by the Whittier Utility Authority of not to exceed \$10,000,000 principal amount of its Whittier Utility Authority Water Revenue Bonds, 2009 Series A, and authorizing and directing the execution thereof and authorizing actions related thereto."

Proposed Motion: I move that the public hearing be closed.

Proposed Motion: I move that Resolution Nos. WUA-09-06 and 8237 be read by title only, further reading be waived, and they be declared adopted.

ROLL CALL

10. RECESS UTILITY AUTHORITY MEETING:

11. CITY COUNCIL PUBLIC HEARING:

11.A This is the date and time set and duly noticed for a public hearing to consider approval of the Consolidated Annual Performance and Evaluation Report (CAPER) for the period beginning July 1, 2008 and ending June 30, 2009. It is recommended the City Council authorize the City Manager to submit the report, along with any public comments received, to the United States Department of Housing and Urban Development (HUD).

Proposed Motion: I move that the public hearing be closed.

Proposed Motion: I move to approve the CAPER and authorize the City Manager to submit the report to HUD with any public comments received.

12. STAFF REPORTS:

12.A It is recommended the City Council receive and file a six-month review and direct staff to return in one year for a follow-up review for Conditional Use Permit C02-018(M-3); Applicant: Steven L. Hernandez (D.B.A. Steve's BBQ); Owner: Lomont Properties, LLC.

Proposed Motion: I move to receive and file the six-month review and direct staff to return in one year for a follow-up review for Conditional Use Permit C02-018(M-3).

12.B It is recommended the City Council indicate whether the Council should consider pursuing relinquishment of portions of Whittier Boulevard from CalTrans.

Proposed Motion: I move to _____.

12.C It is recommended the City Council approve the following purchases and services for the new police facility:

1. Communication Center consoles from Russ Bassett Corporation in the amount of \$144,786;
2. Radio system workstation upgrade, microwave relocation, and communications antennas from ComSerCo in the amount of \$130,311;
3. 911 Public Safety Answering Point System (PSAP) from Verizon in the amount of \$272,351; and
4. Logging voice recorder system relocation by Goserco, Inc. in the amount of \$5,175.

Proposed Motion: I move to approve the purchases and services for the new police facility.

ROLL CALL

- 13. RECONVENE REDEVELOPMENT AGENCY AND UTILITY AUTHORITY IN JOINT SESSION WITH CITY COUNCIL:**
- 14. COUNCIL/AGENCY MEMBER/DIRECTOR COMMENTS/CONFERENCE REPORTS:**
- 15. ADJOURN REDEVELOPMENT AGENCY AND UTILITY AUTHORITY MEETINGS:**
- 16. CITY COUNCIL CLOSED SESSION:** It is recommended a Closed Session be held pursuant to:
 - 16.A** City Council – Government Code Section 54956.8 to discuss real property negotiations with Kris von Hoetendorff, Anthem Telecommunications, relating to price and terms of payment relating to a proposal to market City-owned properties throughout the City for cellular location sites; City negotiator: Stephen Helvey.
 - 16.B** City Council – Government Code Section 54956.9(c) to discuss one case of potential litigation; City of Whittier vs. Gonzalez-Mejia Properties, Inc.
 - 16.C** City Council – Government Code Section 54956.8 to discuss real property negotiations with Chuck Gillies, Salvation Army, relating to price and terms of payment, for a portion of the Greenway Trail property adjacent to 7926 Pickering Avenue, AIN #8141-021-900; City negotiator: Stephen Helvey.
 - 16.D** City Council - Government Code Section 54956.9(a) to discuss one case of litigation; Hitt vs. City of Whittier.
 - 16.E** City Council – Government Code Section 54956.9(b) to discuss the claim of Jones vs. City of Whittier.
- 17. RECONVENE IN OPEN SESSION:**
- 18. CLOSED SESSION REPORT:**
- 19. ADJOURNMENT:**
- 20. NEXT MEETING:** Tuesday, October 13, 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.