

**AGENDA  
WHITTIER CITY COUNCIL  
WHITTIER REDEVELOPMENT AGENCY  
WHITTIER UTILITY AUTHORITY  
JOINT MEETING  
CITY COUNCIL CHAMBER, 13230 PENN STREET  
OCTOBER 13, 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** Southern California Association of Governments
  - 4.B** Proclamation – Disabilities Awareness Month
  - 4.C** Social Services Volunteers – Lorena Duran – SKILLS Foundation
    - Patricia Holody – Whittier Meals on Wheels
    - Marjorie Farmer – Whittier Blind Center
- 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 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.)*

- 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 Carol Asquith, Daniel Douglass, Matthew Harris, Shawn O'Donnell, Beverly Prentiss, Victoria Rhodes, Gloria Shay, Joel Vidovich, and Arlie Ray Rosser.
- 6.B** It is recommended the City Council, Agency Board and Board of Directors take actions regarding Minutes:
1. City Council, Agency Board and Board of Directors approve the Minutes of the Regular Meetings of September 8, 2009 and September 22, 2009; and
  2. City Council approve the Minutes of the Adjourned Regular Meeting of September 15, 2009.
- 6.C** It is recommended the City Council introduce amended Ordinance No. 2936 entitled, "An Ordinance of the City Council of the City of Whittier, California repealing and replacing Chapter 5.40 (Massage Parlors) of Title 5 (Business Taxes, Licenses and Regulations) with Chapter 18.41 (Massage Establishment) of Title 18 (Zoning) of the Whittier Municipal Code regarding massage operators, establishments, technicians and employees."
- 6.D** It is recommended the City Council introduce Ordinance No. 2938 entitled, "An Ordinance of the City Council of the City of Whittier, California, approving Zoning Code Amendment No. 09-013 to amend Section 18.10.020(I) (Second Dwelling Units), Section 18.16.030(A)(2) (Development Standards [for the R-1 zone]) and amending Section 18.48.020 (Schedule of Parking Requirements [for second dwelling units] of the Whittier Zoning Code. (Applicant: City of Whittier)."
- 6.E** It is recommended the City Council approve the Public Improvement Agreement with the Whittier Area Community Church for the construction of public improvements along Villaverde Drive, Mar Vista Street and Colima Road; and authorize the City Manager to execute the necessary documents.

- 6.F** It is recommended the City Council adopt Resolution No. 8238 entitled, "A Resolution of the City Council of the City of Whittier, California, approving the application for grant funds from the Recreational Trails Program," to improve accessibility to the Greenway Trail by constructing a trailhead east of Mills Avenue immediately north of Lambert Road.
- 6.G** It is recommended the City Council approve a special event permit for the Whittier Uptown Association's Fall Antique Street Faire scheduled for Saturday, October 24, 2009 from 8:00 a.m. to 3:30 p.m.

Proposed Motion: I move that the Consent Calendar be approved as submitted; that Resolution No. 8238 (Item 6.F) be read by title only, further reading be waived, and it be declared adopted; and that Ordinance Nos. 2936 (Item 6.C) and 2938 (Item 6.D) be read by title only, further reading be waived, and this be declared their first reading.

#### ROLL CALL

**7. RECESS REDEVELOPMENT AGENCY AND UTILITY AUTHORITY MEETINGS:**

**8. PUBLIC HEARINGS:**

- 8.A** This is the date and time set and duly noticed for a de novo public hearing to consider the Planning Commission's recommendation to approve Conditional Use Permit CUP09-002 to allow the operation of a new medical marijuana dispensary located at 8116 Byron Road, Suite D; Owner: RLJ Investment Properties, LLC; Applicant: Dolores Enriquez D.B.A Seventh and Hope LLC. It is recommended the City Council direct staff to return an implementing resolution reflecting the City Council's consensus.

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

Proposed Motion: I move to direct staff to return an implementing resolution reflecting the City Council's consensus.

- 8.B** This is the date and time set and duly noticed for a public hearing to consider Zoning Code Amendment 09-014 amending the Whittier Municipal Code regarding regulations for improving traffic congestion and air quality in the City of Whittier as required under the Los Angeles County Congestion Management Plan. It is recommended the public hearing be continued to Tuesday, October 27, 2009 at 6:30 p.m.

Proposed Motion: I move that the public hearing be continued to Tuesday, October 27, 2009 at 6:30 p.m.

**9. STAFF REPORTS:**

- 9.A** It is recommended the City Council indicate whether reconsideration of Steve's BBQ Conditional Use Permit operating hours should be added to the City Council agenda.

Proposed Motion: I move to \_\_\_\_\_.

- 9.B** It is recommended that the City Council reconsider the City Council Member Agenda Request Policy.

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

- 12.A** City Council/Agency/Authority – Government Code Section 54957 to discuss the employment of the City Manager/Executive Director.

- 12.B** City Council/Authority – 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.

- 12.C** City Council – Government Code Section 54956.9(b) to discuss one case of potential litigation based on a petition dated September 20, 2009 received from residents of the 10300 block of Maybrook Avenue, relating to the removal of parkway trees.

- 12.D** Redevelopment Agency – Government Code Section 54956.8 to discuss real property negotiations with HDS Group regarding price and terms of payment for properties located at 16050 and 16110 Whittier Boulevard (Gables project); Agency negotiator: Stephen Helvey.
- 13. RECONVENE IN OPEN SESSION:**
- 14. CLOSED SESSION REPORT:**
- 15. ADJOURNMENT:**
- 16. NEXT MEETING:** Tuesday, October 27, 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.