

**AGENDA
WHITTIER CITY COUNCIL
WHITTIER REDEVELOPMENT AGENCY
WHITTIER UTILITY AUTHORITY
JOINT MEETING
CITY COUNCIL CHAMBER, 13230 PENN STREET
NOVEMBER 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:**
 - 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 Gold Star Presentations**
 - Ann Marie Manning
 - Helen Dandini
- 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 Rosalie Alegre, James and Lena Daily, Keith Williams, and Del Terra Construction Services.
- 6.B** It is recommended the City Council approve the Special Event Permit request for the Whittier Uptown Association 2009 Holiday Events—Grand Illumination on December 4, Christmas Parade on December 12, and Holiday Sonata on December 19.
- 6.C** It is recommended the City Council adopt Resolution No. 8247 entitled, “A Resolution of the City Council of the City of Whittier, California, amending the Fiscal Year 2009-2010 Budget to accept an Energy Efficiency and Conservation Block Grant from the United States Department of Energy,” in the amount of \$768,300.
- 6.D** It is recommended the City Council adopt Resolution No. 8248 entitled, “A Resolution of the City Council of the City of Whittier, California, approving the application for grant funds for the installation of bikeways on various streets.”
- 6.E** It is recommended the City Council approve an encroachment license agreement with the Friendly Hills Property Owners Association to renovate signs at various locations in the public right-of-way; and authorize the Mayor to sign the Agreement.
- 6.F** It is recommended the City Council conduct second reading and adopt Ordinance No. 2939 entitled, “An Ordinance of the City Council of the City of Whittier, California, to add Chapter 18.67 (Transportation Demand Management) to the Whittier Municipal Code which includes regulations for improving traffic congestion and air quality in the City of Whittier as required under the Los Angeles County Congestion Management Plan. (Zoning Code Amendment 09-014 – City of Whittier).”

Proposed Motion: I move that the Consent Calendar be approved as submitted and that Resolution Nos. 8247 (Item 6.C) and 8248 (Item 6.D); and Ordinance No. 2939 (Item 6.F) 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. PUBLIC HEARINGS:

- 8.A** This is the date and time set and duly noticed for a public hearing to consider adopting a resolution entitled, "A Resolution of the City Council of the City of Whittier, California, approving Conditional Use Permit No. C02-018(M-3) to allow modifications to the hours of operation for restaurant operation and allowable hours for live entertainment for the property located at 7007 Greenleaf Avenue, Suite 101. (Owner: Donald J. Lomont, Applicant: Steve Hernandez, Steve's BBQ)."

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

Proposed Motion: I move that Resolution No. 8249 be read by title only, further reading be waived, and it be declared adopted.

ROLL CALL

- 8.B** This is the date and time set and duly noticed for a public hearing to consider the recommendation of the Planning Commission to approve Zoning Code Amendment 09-015 and adopt an ordinance entitled, "An Ordinance of the City Council of the City of Whittier, California, approving Zoning Code Amendment No. 09-015 to add Chapter 18.10.060 (Minimum Dwelling Unit Square-footage) to the Whittier Zoning Code and amend Section 18.06 (Definitions) to add Section 18.06.044 (Bedroom/Sleeping Area) of the Whittier Zoning Code. (Applicant: City of Whittier)."

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

Proposed Motion: I move that Ordinance No. 2940 be read by title only, further reading be waived, and this be declared its first reading.

9. BOARDS AND COMMISSIONS:

- 9.A** The Parking and Transportation Commission recommends the City Council approve the new street name signage; and approve a policy on the methodology to sell the existing blue porcelain street name signs. It is further recommended the City Council discuss and provide staff with direction on street name signage in the Uptown Specific Plan area, City historical districts, and private streets.

Proposed Motion: I move to approve new street name signage; approve a policy for selling existing blue porcelain street signs; and direct staff to _____ regarding signage in the Uptown Specific Plan area, City historical districts and private streets.

10. STAFF REPORTS:

10.A It is recommended the City Council take the following actions relating to conduct of the 2010 General Municipal Election:

1. Adopt Resolution No. 8250 entitled, "A Resolution of the City Council of the City of Whittier, California, calling for the holding of a General Municipal Election on Tuesday, April 13, 2010, for the election of certain officers of the City as required by provisions of the City Charter";
2. Adopt Resolution No. 8251 entitled, "A Resolution of the City Council of the City of Whittier, California, requesting the Board of Supervisors of the County of Los Angeles to render specified services to the City relating to the conduct of a General Municipal Election to be held in the City on Tuesday, April 13, 2010";
3. Adopt Resolution No. 8252 entitled, "A Resolution of the City Council of the City of Whittier, California, adopting regulations for candidates for elective office pertaining to Candidates Statements submitted to the voters at an election to be held on Tuesday, April 13, 2010";
4. Adopt Ordinance No. 2941 entitled, "An Ordinance of the City Council of the City of Whittier, California, establishing election procedures relating to precinct ballots and polling places for the 2010 election"; and
5. Select Martin & Chapman Co. as the City's election supplier for 2010 and authorize the City Manager to execute an agreement with the contractor.

Proposed Motion: I move that Resolution Nos. 8250 through 8252 be read by title only, further reading be waived, and they be declared adopted; Ordinance No. 2941 be read by title only, further reading be waived, and this be declared its first reading; and to select Martin & Chapman Co. as the City's election supplier for 2010 and authorize the City Manager to execute the agreement.

ROLL CALL

- 10.B** It is recommended the City Council consider adding study of a potential Earlham historic district to the City's 2009-10 work plan.

Proposed Motion: I move to _____.

- 10.C** It is recommended the City Council consider appointing an Eastside Gold Line Phase II Transit Subcommittee.

Proposed Motion: I move to appoint _____ and _____
to an Eastside Gold Line Phase II Transit Subcommittee.

- 10.D** It is recommended the City Council take the following actions regarding water efficient landscaping:

1. Conduct first reading of Ordinance No. 2942 entitled, "An Ordinance of the City Council of the City of Whittier, California, adding Chapter 13.43 to Title 13 of the Municipal Code establishing requirements for water efficient landscaping"; and
2. Adopt Resolution No. 8253 entitled, "A Resolution of the City Council of the City of Whittier, California, adopting the Water Efficient Landscape Manual."

Proposed Motion: I move that Ordinance No.2942 be read by title only, further reading be waived, and this be declared its first reading; and that Resolution No. 8253 be read by title only, further reading be waived, and it be declared adopted.

ROLL CALL

- 11. RECONVENE REDEVELOPMENT AGENCY AND UTILITY AUTHORITY IN JOINT SESSION WITH CITY COUNCIL**
- 12. COUNCIL/AGENCY MEMBER/DIRECTOR COMMENTS/CONFERENCE REPORTS:**
- 13. ADJOURN UTILITY AUTHORITY MEETING:**
- 14. CITY COUNCIL/REDEVELOPMENT AGENCY CLOSED SESSION:** It is recommended a Closed Session be held pursuant to:
 - 14.A** City Council – Government Code Section 54956.9(a) to discuss the case of Warner vs. City of Whittier, Case Number WH 09S00838.

- 14.B** City Council – Government Code Section 54956.9(c) to discuss one case of potential litigation; the City is not specifically identifying the potential litigation to be discussed or the facts supporting this Closed Session item because to do so would jeopardize the City’s position.
- 14.C** Potential litigation and/or property negotiations regarding 14359 Whittier Boulevard:
1. City Council – Government Code Section 54956.9(c) to discuss one case of potential litigation; City of Whittier vs. Gonzalez-Mejia Properties, Inc.
 2. City Council/Redevelopment Agency – Government Code Section 54956.8 to discuss real property negotiations with TMG Properties, Inc., regarding terms of payment relating to the Owner Participation Agreement for property located at 14359 Whittier Boulevard (Whittier Mitsubishi); Agency negotiator: Stephen Helvey.
- 14.D** City Council/Redevelopment Agency – Government Code Section 54956.8 to discuss real property negotiations with Centerfire LLC and Bright Properties, Ltd. regarding price and terms of payment for properties located at 15733 and 15801 Whittier Blvd; City/Agency negotiator: Stephen Helvey.
- NOTE:** Mayor Pro Tem Nordbak and Council Member Vinatieri will not participate in discussion on Item 14.D due to conflicts of interest.
- 14.E** City Council – Government Code Section 54957 to discuss the employment of the City Manager.

15. RECONVENE IN OPEN SESSION:

16. CLOSED SESSION REPORT:

17. ADJOURNMENT:

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.