

**AGENDA  
WHITTIER CITY COUNCIL  
WHITTIER REDEVELOPMENT AGENCY  
WHITTIER UTILITY AUTHORITY  
JOINT MEETING  
CITY COUNCIL CHAMBER, 13230 PENN STREET  
DECEMBER 8, 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** Assemblyman Curt Hagman
- 4.B** Miss Whittier and Court

**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 Daniella Escobar, Richard I. Levy, John A. Gonzalez, Rosemary Miller, James Hernandez, Helen F. Miller, Coast National Insurance Co., James Mramor, Yolanda S. Hope, Patrick Aranda, Helen L. Alexander, The Masonry Group California, Inc. and Nicholas J. Garcia.
- 6.B** It is recommended the City Council, Agency Board and Board of Directors approve the Minutes of the Regular Meetings of October 27, 2009; November 10, 2009; and November 24, 2009.
- 6.C** It is recommended the City Council receive and file the Gateway Cities Council of Governments' updates for October and November 2009.
- 6.D** It is recommended the City Council conduct second reading and adopt Ordinance No. 2940 entitled, "An Ordinance of the City Council of the City of Whittier, California, approving Zoning Code Amendment No. 09-015 to add Section 18.10.060 (Minimum Dwelling Unit Square-footage) to the Whittier Zoning Code and amend Chapter 18.06 (Definitions) to add Section 18.06.044 (Bedroom/Sleeping Area) of the Whittier Zoning Code. (Applicant: City of Whittier)."
- 6.E** It is recommended the City Council conduct second reading and 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."
- 6.F** It is recommended the Board of Directors approve the Professional Services Agreement with Golder Associates, Inc., to install eight soil gas monitoring probes at Savage Canyon Landfill for a fee not to exceed \$140,792; and authorize the Executive Director to execute the agreement.
- 6.G** It is recommended the City Council accept the work performed by All American Asphalt for the Byron/Rivera Road Overlay from Washington Boulevard to West City Limits Project; and authorize the City Clerk to record the Notice of Completion.
- 6.H** It is recommended the City Council approve the plans and specifications for intersection improvements on Mar Vista Street at California Avenue; and authorize the City Clerk to advertise for construction bids.

- 6.I** It is recommended the City Council take the following actions regarding water efficient landscaping:
1. Conduct second reading and adopt 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."
- 6.J** It is recommended the City Council adopt Resolution No. 8254 entitled, "A Resolution of the City Council of the City of Whittier, California, amending the Fiscal Year 2009-2010 Budget to accept a grant for the purpose of implementing programs to increase beverage container recycling opportunities," in the amount of \$22,873.
- 6.K** It is recommended the City Council approve the plans and specifications for the Painter Avenue Street Lighting Improvements Hadley Street to Beverly Boulevard and Ramona Drive east of Painter Avenue Project; and authorize the City Clerk to advertise for construction bids.
- 6.L** It is recommended the City Council approve the plans and specifications for the replacement of mechanical equipment and boiler for the air conditioning system at the Whittwood Branch Library; and authorize the City Clerk to advertise for construction bids.
- 6.M** It is recommended the City Council approve the plans and specifications for the following projects; and authorize the City Clerk to advertise the projects for construction bids:
1. Greenleaf Avenue Overlay and Class II Bike Lanes from Whittier Boulevard to south city limits,
  2. Mulberry/Slauson Resurfacing from east of Greenleaf Avenue to west city limits, and
  3. Greenleaf Avenue Slurry from La Cuarta Street to Whittier Boulevard.
- 6.N** The Cultural Arts Commission recommends the City Council approve the distribution of a revised "Request for Proposals" to public artists for the First Avenue and Leffingwell Road Art in Public Places project.
- 6.O** It is recommended the City Council conduct first reading of Ordinance No. 2943 entitled, "An Ordinance of the City Council of the City of Whittier, California, repealing and replacing Chapter 8.32 of Title 8 (Health and Safety) relating to noise disturbances"; and authorize staff to do a summary publication of the ordinance.

- 6.P** It is recommended the City Council adopt the following resolutions regarding Election to Receive First Tier Pass-Through Payments:
1. Resolution No. 8255 entitled, "A Resolution of the City Council of the City of Whittier, California, making an election pursuant to Health and Safety Code Section 33607.5 for the Whittier Commercial Corridor Redevelopment Project Area Added Territory";
  2. Resolution No. 8256 entitled, "A Resolution of the City Council of the City of Whittier, California making an election pursuant to Health and Safety Code Sections 33607.5 and 33607.7 for the Greenleaf Avenue Uptown Whittier Redevelopment Project Area"; and
  3. Resolution No. 8257 entitled, "A Resolution of the City Council of the City of Whittier, California, making an election pursuant to Health and Safety Code Sections 33607.5 and 33607.7 for the Whittier Boulevard Redevelopment Project Area."
- 6.Q** It is recommended the City Council approve the following purchases for the new Police facility:
1. Furniture systems and seating for offices, shared work spaces, conference rooms, emergency operations center, lobby, interview rooms, and jail control, from Associated Purchasing in the amount of \$556,725; and
  2. Records, armory, forensics, jail, and general storage systems from McMurray Stern, Inc. in the amount of \$180,578.

Proposed Motion: I move that the Consent Calendar be approved as submitted and that Ordinance Nos. 2940 (Item 6.D); 2941 (Item 6.E); and 2942 (Item 6.I) and Resolution Nos. 8253 (Item 6.I); 8254 (Item 6.J); and 8255, 8256, and 8257 (Item 6.P) be read by title only, further reading be waived, and they be declared adopted; and that Ordinance No. 2943 (Item 6.O) be read by title only, further reading be waived, and this be declared its first reading.

#### ROLL CALL

- 7. RECESS REDEVELOPMENT AGENCY AND UTILITY AUTHORITY MEETINGS:**
- 8. STAFF REPORTS:**
- 8.A** It is recommended the City Council discuss and provide staff with direction on the Ficus trees along Maybrook Avenue between Nearside Street and the cul-de-sac.

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

- 8.B** It is recommended the City Council adopt an Interim Urgency Ordinance entitled, "An Interim Urgency Ordinance of the City Council of the City of Whittier, California, declaring and imposing a citywide moratorium on the establishment and operation of medical marijuana dispensaries."

Proposed Motion: I move that Interim Urgency Ordinance No. 2944 be read by title only, further reading be waived, and it be declared adopted.

### ROLL CALL

- 8.C** The Park and Recreation Commission recommends the City Council receive and file the 2009 Park Needs Study.

Proposed Motion: I move to receive and file the 2009 Parks Needs Study.

- 8.D** It is recommended the City Council receive and file a Historic Resources Ordinance report.

Proposed Motion: I move to receive and file the Historic Resources Ordinance report.

- 8.E** It is recommended the City Council consider a location for the Centennial Clock.

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

- 8.F** It is recommended the City Council conduct first reading of an Ordinance entitled, "An Ordinance of the City Council of the City of Whittier, California, amending Whittier Municipal Code Section 2.54.060 relating to Campaign Finance Disclosure," to increase the threshold requiring campaign finance reports during the late reporting period.

Proposed Motion: I move that Ordinance No. 2945 be read by title only, further reading be waived, and this be declared its first reading.

- 8.G** It is recommended the City Council consider sunseting or extending the Santa Fe Springs Policing Contract, Uptown Association and Library subcommittees; and consider any other subcommittee changes deemed appropriate.

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

9. **RECONVENE REDEVELOPMENT AGENCY AND UTILITY AUTHORITY IN JOINT SESSION WITH CITY COUNCIL:**
10. **COUNCIL/AGENCY MEMBER/DIRECTOR COMMENTS/CONFERENCE REPORTS:**
11. **ADJOURN UTILITY AUTHORITY MEETING:**
12. **CITY COUNCIL/REDEVELOPMENT AGENCY CLOSED SESSION:** It is recommended a Closed Session be held pursuant to:
  - 12.A City Council - Government Code Section 54956.9(a) to discuss the claim of Avila vs. City of Whittier.
  - 12.B City Council – Government Code Section 54956.8 to discuss real property negotiations for acquisition of a perpetual easement along the Union Pacific Railroad (UPRR) right-of-way for the Greenway Trail from Mills to the eastern city limits at Valley Home; City negotiator: Stephen Helvey.
  - 12.C City Council – Government Code Section 54956.8 to discuss real property negotiations regarding lease agreements with Clearwire for antenna installations at Palm Park, located at 5703 Palm Avenue; and at the Whittier Boulevard greenbelt identified as Assessor Parcel Nos. 8130-004-900 through 8130-004-905; City negotiator: Stephen Helvey.
  - 12.D City Council - Government Code Section 54956.9(a) to discuss the claim of Boyd vs. City of Whittier.
  - 12.E City Council – Government Code Section 54956.9(c) to discuss one case of potential litigation regarding receivership of property located at 10905 Valley Home Avenue.
  - 12.F City Council/Redevelopment Agency – Government Code Section 54956.8 to discuss real property negotiations with HDS Group, LLC and Presbyterian Intercommunity Hospital regarding temporary parking lot improvements for properties located at 12802 Hadley Street; 12813 Bailey Street; and 6541 to 6557 Comstock Avenue (Alpha Beta site); City/Agency negotiator: Stephen Helvey.

**NOTE:** Mayor Pro Tem Nordbak and Council Member Vinatieri may not participate in discussion on Item 12.F due to conflicts of interest.

13. **RECONVENE IN OPEN SESSION:**
14. **CLOSED SESSION REPORT:**
15. **ADJOURNMENT:**
16. **NEXT MEETING:** Tuesday, January 12, 2010 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.