

**AGENDA
WHITTIER CITY COUNCIL
WHITTIER REDEVELOPMENT AGENCY
WHITTIER UTILITY AUTHORITY
JOINT MEETING
CITY COUNCIL CHAMBER, 13230 PENN STREET
JANUARY 26, 2010, 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 National Charity League

4.B Blue Star Presentations

Marjorie and Frank McCarty

Ken Cesak

Patti Knapp

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 Ruth I. Gilb, Michael C. Garrahan, Evelyn E. Palmer, Malissa Ortiz, Margarita Majeau, Martin and Laura Chacon, Alex F. Alvarez, Allstate Insurance and Cesar James.
- 6.B** It is recommended the City Council, Agency Board and Board of Directors approve the Minutes of the Regular Meeting of January 12, 2010.
- 6.C** It is recommended the City Council receive and file the October through December 2009 Economic Development Quarterly Update report.
- 6.D** It is recommended the City Council receive and file the First and Second Quarter Housing Programs Activity Report for Fiscal Year 2009-10.
- 6.E** It is recommended the City Council conduct second reading and adopt Ordinance No. 2946 entitled, "An Ordinance of the City Council of the City of Whittier, California, repealing and replacing Chapter 12.42 of Title 12 (Streets, Sidewalks, and Public Places), and repealing and replacing Section 10.48.070 of Chapter 10.48 of Title 10 (Vehicles and Traffic), relating to living in vehicles," addressing unlawful vehicle habitation on public property or open to public view.
- 6.F** It is recommended the City Council adopt Resolution No. 8262 entitled, "A Resolution of the City Council of the City of Whittier, California, amending the Fiscal Year 2009-10 Budget related to supplemental appropriations for the Recovery Justice Assistance Grant," in the amount of \$137,260.
- 6.G** It is recommended the City Council receive and file the Historic Resources Commission approval of Certificate of Appropriateness 09-018 to construct a 460 square-foot addition to the rear of an existing single-family residence, construct a 440 square-foot detached, two-car garage, and complete a comprehensive window change-out, for property located at 8316 Greenleaf Avenue; Owner: Arzumanyan Brothers, LLC; Applicant: OKS'N Associates, Inc.
- 6.H** It is recommended the City Council receive and file the Historic Resources Commission approval of Certificate of Appropriateness 09-016 to construct a 178 square-foot deck to the rear of the primary residence addressed as 6021 Painter Avenue; and legalize a previous comprehensive window change-out to the second unit located above the garage on the same property addressed as 6023 Painter Avenue; Owner: Strategic Acquisitions, Inc.; Applicant: Judith Cukier.

- 6.I** It is recommended the City Council award the construction contract in the amount of \$98,950 for the Painter Avenue Street Lighting Improvements from Hadley Street to Beverly Boulevard and Ramona Drive East of Painter Avenue Federal Project; reject all other bids; and authorize the City Manager to sign the contract.
- 6.J** It is recommended the City Council approve a change order in an amount not to exceed \$305,000 with Bureau Veritas North America, Inc. for inspection services for Police Facility construction; and authorize the City Manager to execute the Change Order.
- 6.K** It is recommended the City Council take actions regarding Highway Safety Improvement Program Supplement Project Nos. HSIPL-5111(043-045):
1. Adopt Resolution No. 8263 entitled, "A Resolution of the City Council of the City of Whittier, California, approving program supplements to the Local Agency-State Agreement for Highway Safety Improvement Program funded projects";
 2. Adopt Resolution No. 8264 entitled, "A Resolution of the City Council of the City of Whittier, California, adding a supplemental appropriation to the Fiscal Year 2009-10 Budget for the allocation of Highway Safety Improvement Program funds to various projects," in the amount of \$83,160; and
 3. Authorize the City Manager to execute the Program Supplement Agreements.
- 6.L** It is recommended the City Council approve the plans and specifications for the replacement of the City Hall windows; and authorize the City Clerk to advertise for construction bids.
- 6.M** It is recommended the City Council adopt Resolution No. 8265 entitled, "A Resolution of the City Council of the City of Whittier, California, amending the Fiscal Year 2009-2010 Budget to accept a donation from the National Charity League, Whittier Chapter," to the Community Services and Library Departments in the amount of \$6,100.
- 6.N** It is recommended the City Council receive and file the Gateway Cities Council of Governments' updates for December 2009 and January 2010.
- 6.O** It is recommended the City Council approve the Special Event Permit for the Shelter's Right Hand 5K Walk on Saturday April 24, 2010, starting and finishing at Central Park.

Proposed Motion: I move that the Consent Calendar be approved as submitted including awarding a construction contract to Christopher R. Morales (Item. 6.I); and that Ordinance No. 2946 (Item 6.E) and Resolution Nos. 8262 (Item 6.F); 8263 and 8264 (Item 6.K); and 8265 (Item 6.M) 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. BOARDS AND COMMISSIONS

8.A It is recommended the City Council consider filling a vacancy on the Parking and Transportation Commission for a term ending July 1, 2013.

Proposed Motion: I move to _____.

9. STAFF REPORTS:

9.A It is recommended the City Council approve the Professional Services Agreement for a fee not to exceed \$195,775 to assist staff in the update to the Whittier Boulevard Specific Plan; and authorize the City Manager to execute the agreement.

Proposed Motion: I move to approve the Professional Services Agreement with RBF Consulting for a fee not to exceed \$195,775; and authorize the City Manager to execute the agreement.

ROLL CALL

9.B It is recommended the City Council provide direction to staff regarding an Economic Stimulus Plan for properties within the Whittier Boulevard Specific Plan.

Proposed Motion: I move to direct staff to _____.

10. RECONVENE REDEVELOPMENT AGENCY AND UTILITY AUTHORITY IN JOINT SESSION WITH CITY COUNCIL:

11. COUNCIL/AGENCY MEMBER/DIRECTOR COMMENTS/CONFERENCE REPORTS:

12. ADJOURN UTILITY AUTHORITY MEETING:

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

13.A City Council – Government Code Section 54957.6 to discuss labor negotiations between negotiator Stephen Helvey, and the Whittier City Employees' Association, Whittier Police Officers Association, and unrepresented employees.

13.B City Council/Redevelopment Agency – Government Code Section 54956.8 to discuss real property negotiations with HDS Group, LLC regarding price and terms of payment for properties located at 12802 Hadley Street; 12813 Bailey Street; and 6541 to 6557 Comstock Avenue (Alpha Beta site); City/Agency negotiator: Stephen Helvey.

13.C City Council – Government Code Section 54956.9(b) 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.

13.D City Council – Government Code Section 54956.9(b) to discuss one case of potential litigation, Bureau Veritas North America, Inc. vs. City of Whittier, based on a conversation between Bureau Veritas North America, Inc. and Community Development Director Collier on January 21, 2010 regarding a change order for inspection services for the Police facility construction project.

14. RECONVENE IN OPEN SESSION:

15. CLOSED SESSION REPORT:

16. ADJOURNMENT:

17. NEXT MEETING: Tuesday, February 9, 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.