

**MINUTES
WHITTIER CITY COUNCIL
WHITTIER REDEVELOPMENT AGENCY
WHITTIER UTILITY AUTHORITY
JOINT MEETING
CITY COUNCIL CHAMBER, 13230 PENN STREET
MAY 25, 2010, 6:30**

1. CALL TO ORDER:

The Whittier City Council met in regular session on May 25, 2010, in conjunction with the Whittier Redevelopment Agency and the Whittier Utility Authority. Mayor Nordbak called the joint meeting to order at 6:32 p.m. in the Council Chamber of Whittier City Hall, 13230 Penn Street, Whittier, California.

2. ROLL CALL:

**COUNCIL MEMBERS/AGENCY
MEMBERS/AUTHORITY
DIRECTORS PRESENT:**

Joe Vinatieri, Council Member/Agency
Member/Authority Director
Owen Newcomer, Council Member/Agency
Member/Authority Director
Bob Henderson, Council Member/Agency
Member/Authority Director
Cathy Warner, Mayor Pro Tem /Vice
Chair
J. Greg Nordbak, Mayor/Chair

OTHER OFFICIALS PRESENT:

Stephen W. Helvey, City Manager/
Executive Director
Richard D. Jones, City Attorney/Authority
Counsel
Toni Maiques, Assistant City Clerk-
Treasurer/Assistant Secretary-Treasurer

3. PLEDGE OF ALLEGIANCE:

Council Member Vinatieri led the Pledge of Allegiance.

**4.A PRESENTATION – CHURCH OF LATTER DAY SAINTS – HELPING HANDS
DAY**

Mayor Nordbak recognized the Whittier Stake of the Church of Latter Day Saints for the statewide Mormon Helping Hands Day of Service on May 8; and their work to beautify Pio Pico, Palm and Founders Parks.

4.B PRESENTATION – SERVE WEEKEND RECOGNITION

Mayor Nordbak and Mayor Pro Tem Warner recognized Pastor Colleen Marks, Whittier Area Community Church, and representatives from various area churches, for their participation in Serve Weekend, volunteering for home visits, maintenance projects, and collections for needy residents.

5. ORAL COMMUNICATIONS:

Geoff Nelson, Whittier Presbyterian Church, 13750 Walnut Street, Whittier; said the Greenway Trail is a blessing for the community; he demonstrated his attire for bike riding; encouraged people to be courteous on the trail; and he prayed for the community and City Council.

Richard Krieger, Goodhue Street; said bus service needs to be extended to midnight or 1:00 a.m. and brought to the Uptown area or East Whittier; and suggested a movie theatre at the vacant Board Ford and McAllister Cadillac sites on Whittier Boulevard.

Christina Zavadsky, Ocean View Avenue, Whittier; spoke in opposition to the proposed oil drilling in the hills; said the hills are for enjoyment; she does not want the smell of oil fields or heavy trucks on streets; and said the drilling is not good for the City or the citizens.

Steve Zavadsky, Ocean View Avenue, Whittier; said the City Council has always done what is best for its citizens; and said do not leave oil drilling as its legacy.

Fred Hawthorne, Franklin Street, Whittier; said he is opposed to oil drilling in the hills; eliminating funds for children's programs will put the burden on the parents to pay for the programs; he asked the City to bear the brunt of budget cutbacks; and he believes the City Council members should give up their monthly stipend and benefits to help balance the budget.

John Young, Honolulu Terrace, Whittier; thanked the Council for doing the due diligence for the mineral extraction project; said it was the five-year anniversary of the Honolulu Terrace explosion; and said the City has helped make improvements.

Gary Curtis, 12447 Carinthia, Whittier; said he supported the Parking and Transportation Commission recommendation to relocate the bus stop located at Philadelphia and Comstock.

Mona Quiros, Valley Home, Whittier; announced the Whittier Cultural Arts Foundation 6th Annual Showcase Event on June 6th at the Ruth B. Shannon Center; invited the City Council and community to come and support the arts; and said the proceeds benefit local schools.

Javier Jiminez, Setá Fine Dining owner; said he opposed moving the bus stop to Bright and Philadelphia; the area is going through a revitalization with fine dining establishments; said the City should think about the long term effects of moving the bus stop; he believes moving the bus stop is the best solution; and eliminating parking spots is detrimental to businesses in that area.

Andrea Gordon; Hacienda Heights; said she is concerned about the proposed oil drilling in the hills and the impact it will have on the environment; and Whittier supported preservation long before it was fashionable.

Graham Ridley, Norwalk Transit; said the problems with the bus stop in front of the Uptown Gym are behavioral and can be handled by law enforcement and public safety; moving a bus stop does not always solve a problem; and he said consider the transit community as part of the community moving through the community.

Mike Shatinsky, Penn Street, Whittier; said he supports moving the Philadelphia/Comstock bus stop to an alternate location; and he supports the Parking and Transportation Commission recommendation.

Arthur Rock, Whittier; said he was impressed by the letter by Council Member Henderson and Robert Canales to the Whittier Daily News; said the City is facing a challenge in balancing the budget; said citizens expect high standards; and the City must push hard to accomplish its goals.

Roy Lattamire, Calmada, Whittier; said the Uptown Gym had been involved in city wellness programs; the bus stop causes problems for the gym every day with loitering and harassment of clients; and Setá has a three layer parking structure.

Steve Garcia, 8211 Calmada Avenue, Whittier; thanked the City Council for listening to residents and their concerns about the bus stop at Philadelphia and Comstock and having due process; he believes it will have less impact in front of a parking lot; and he supported the Parking and Transportation Commission recommendation.

Steve Scott, Whittier Uptown Gym, Whittier; said the owner of the gym is asking for respect; and to restore the dignity of the building and the glory of what the gym represents.

Anthony Wilson, Valley View and Telegraph, Whittier; said he opened a new business inside the Uptown Gym; he can only have one sign for his business; and he is concerned about visibility with the bus stop in front of the gym.

Richard Gill, Uptown Gym owner, Whittier; thanked the City Council for listening to his concerns about the bus stop in front of his business; believes it is a good idea to move it in front of the parking lot on Bright Avenue; and said he supported the Parking and Transportation Commission recommendation.

George Poochigian, Whittier; said the City needs Commissioners and people to participate; said there are no guarantees with the proposed oil drilling; he believes the City should have a Memorial Day program; and people who fought for the country need respect.

Virginia Ball, Whittier Area Chamber of Commerce, Whittier; announced the Chamber Legislative Committee meeting on May 26 at the Chamber; Wake Up Whittier networking breakfast on June 9 at SASSFA; and the State of the City address on June 24 at the Radisson Hotel.

Ralph Marsico, Whittier; said he thinks about how his family got cheated off the ballot for the April election because of insufficient signatures; he thinks it was due to the subject matter of his campaign; and he believes voting should be promoted at high schools.

Joe Marsico, Whittier; said he had submitted documents regarding transportation issues on Friday to the City Clerk to send to the Council Members; said he cannot get tapes at City Hall of Council meetings; he believes eliminating trolley cars was a mistake; and there is too much apathy.

6. CITY COUNCIL/REDEVELOPMENT AGENCY/UTILITY AUTHORITY JOINT CONSENT CALENDAR:

It was moved by Council/Agency Member/Director Henderson, seconded by Council/Agency Member/Director Warner and carried unanimously, by roll call vote, to approve the Consent Calendar as submitted and that Ordinance Nos. 2953 and 2954 be read by title only, further reading be waived, and they be declared adopted.

6.A The City Council denied claims filed by Yolanda Erickson and Susan Perez.

6.B The following actions were taken regarding Minutes:

1. City Council, Agency Board and Board of Directors approved the Minutes of the Regular Meeting of April 27, 2010 and the Adjourned Regular Meeting of May 8, 2010; and
2. City Council approved the Minutes of the Adjourned Regular Meeting of May 10, 2010.

- 6.C** The City Council accepted the completed Parnell Park Zoo Barn Project from the Whittier Host Lions Club; and in appreciation permitted the Club to place their seal on the barn.
- 6.D** The City Council received and filed the following Historic Resources Commission action: approval of Certificate of Appropriateness 09-023 to restore the front elevation and construct a new 376 square-foot addition to the rear of an existing single-family residence located at 5533 Acacia Avenue; Owners: Steve and Yolanda Stahl; Applicant: FDC & Associates.
- 6.E** The City Council took the following actions regarding Development Impact Fees:
1. Conducted second reading and adopted Ordinance No. 2953 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, APPROVING A DEVELOPMENT IMPACT FEE REPORT AND MASTER FACILITIES PLAN, AND AMENDING TITLE 3 (REVENUE AND FINANCE) WITH THE ADDITION OF CHAPTER 3.48 TO THE WHITTIER MUNICIPAL CODE TO ESTABLISH A DEVELOPMENT IMPACT FEE PROGRAM AND ADOPTING NECESSARY FINDINGS FOR THE ESTABLISHMENT OF DEVELOPMENT IMPACT FEES TO FINANCE PUBLIC IMPROVEMENTS, FACILITIES AND PARK LAND ACQUISITION"; and
 2. Conducted second reading and adopted Ordinance No. 2954 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, AMENDING SECTION 17.17.070 (AMOUNT OF FEE IN LIEU OF LAND DEDICATION) APPROVING AND ADDING SECTION 17.17.075 (APPEAL OF IN LIEU FEE CALCULATION) TO CHAPTER 17.16 (PARK AND LAND FEES DEDICATION) OF TITLE 17 (SUBDIVISIONS) OF THE WHITTIER MUNICIPAL CODE TO PROVIDE AN ALTERNATIVE FEE CALCULATION AND AN APPEALS PROCESS FOR PARK LAND FEES."
- 6.F** The City Council authorized out of state travel for Lt. Bryan Ellis to the FBI Academy training program in Quantico, Virginia.
- 6.G** The City Council approved an amendment to an agreement with Community Conservancy International (CCI) to perform an objective, independent review of the proposed Mineral Extraction project on City-owned open space property; and authorized the City Manager to execute the agreement.

6.H The City Council approved a consulting agreement with Esther Feldman & Associates to represent the City on matters dealing with City-owned property purchased with Proposition A funds; make minor changes as necessary; and authorized the City Manager to execute the agreement.

7. RECESS REDEVELOPMENT AGENCY AND UTILITY AUTHORITY MEETINGS:

Mayor Nordbak recessed the Redevelopment Agency and Utility Authority meetings at 7:29 p.m.

8.A PUBLIC HEARING – 2010 RECOVERY ACT EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT

City Manager Helvey announced it was the date and time set and duly noticed for a public hearing to consider accepting the 2010 Recovery Act Edward Byrne Memorial Justice Assistance Grant.

Mayor Nordbak opened the public hearing at 7:30 p.m.

There being no speakers wishing to address the City Council, it was moved by Council Member Newcomer, seconded by Council Member Henderson, and carried, to close the public hearing at 7:30 p.m.

It was moved by Council Member Warner, seconded by Council Member Newcomer, and carried unanimously, to accept the 2010 Recovery Act Edward Byrne Memorial Justice Assistance Grant.

9.A RELOCATION OF EASTBOUND BUS STOP ON PHILADELPHIA STREET EAST OF COMSTOCK AVENUE

Following discussion, it was moved by Council Member Henderson, seconded by Council Member Warner, and carried, with Council Member Newcomer dissenting, to direct staff to undertake the process to eliminate the bus stop located at Philadelphia Street and Comstock Avenue, including notifying the residents.

9.B DEVELOPMENT STANDARDS FOR INSTITUTIONAL SIGNAGE

Following discussion, it was moved by Council Member Henderson, seconded by Council Member Warner, and carried unanimously, to direct staff to proceed to conduct further research; process the issue through the Planning Commission; and return with a code amendment addressing specific standards for institutional signage.

9.C 2010-11 PROPOSED BUDGET

Following discussion, there was City Council consensus to schedule a budget study session on Wednesday, June 16, 2010 at 5:00 p.m.

BOARD AND COMMISSION APPOINTMENTS

Mayor Nordbak announced the City Council had appointed Douglas Staine to the Personnel Board; and the Council would be appointing two members to the Board of Library Trustees at the June 8, 2010 City Council meeting.

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

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

Council Member Vinatieri reported he and Council Member Newcomer, as the Eastside Gold Line subcommittee, had a meeting and discussed bringing the Line into the City; said the project is currently quiet during the EIR process; and the City is looking forward to a transit oriented development near the terminus location.

12. ADJOURN UTILITY AUTHORITY MEETING:

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

City Manager Helvey recommended the City Council and Redevelopment Agency conduct a Closed Session pursuant to:

13.A City Council – Government Code Section 54956.8 to discuss real property negotiations with SFPP, L.P. regarding a franchise agreement for use of the public right-of-way for underground pipelines through East Whittier residential neighborhoods; City negotiator: Stephen Helvey; Under negotiation: Renewal.

13.B City Council/Redevelopment Agency – Government Code Section 54956.8 to discuss real property negotiations with the State of California regarding price and terms of payment relating to AIN 8170-013-904; City/Agency negotiator: Stephen Helvey.

13.C 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.D City Council/Redevelopment Agency – Government Code Section 54956.8 to discuss real property negotiations with First Christian Church of Whittier regarding price and terms of payment for property located at 6355 Greenleaf Avenue; City/Agency negotiator: Stephen Helvey.

Mayor Nordbak adjourned the joint meeting to Closed Session at 8:53 p.m.

14. RECONVENE IN OPEN SESSION:

Mayor Nordbak reconvened the joint meeting in Open Session at 9:38 p.m.

15. CLOSED SESSION REPORT:

None

CONFERENCE REPORT:

Community Development Director Collier reported on the International Convention of Shopping Centers (ICSC) in Las Vegas, NV.

16. ADJOURNMENT:

Mayor Nordbak adjourned the joint meeting at 9:55 p.m.

Respectfully submitted,

Toni Maiques
Assistant City Clerk-Treasurer/
Assistant Secretary-Treasurer