

**AGENDA
WHITTIER CITY COUNCIL
WHITTIER REDEVELOPMENT AGENCY
WHITTIER UTILITY AUTHORITY
WHITTIER HOUSING AUTHORITY
WHITTIER PUBLIC FINANCING AUTHORITY
JOINT MEETING
CITY COUNCIL CHAMBER, 13230 PENN STREET
JUNE 22, 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
Owen Newcomer, Council Member
Bob Henderson, Council Member
Cathy Warner, Mayor Pro Tem
J. Greg Nordbak, Mayor

3. PLEDGE OF ALLEGIANCE:

4. PRESENTATIONS:

4.A Assistance League of Whittier Donation

4.B Proclamation – Parks Director Jim Kurkowski

5. ORAL COMMUNICATIONS: This is the time for the public to address the City Council, Redevelopment Agency, Housing Authority, Public Financing Authority 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 Authorities 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/HOUSING AUTHORITY/PUBLIC FINANCING AUTHORITY/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 Authority 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 Lila Quan, Mercury Insurance Company, John M. Saltmeris, Daniel E. Douglass, Albert Salazar, Mario A. Hamilton, Patricia Becerra-Michel, and Rosalind Pelayo.
- 6.B** It is recommended the City Council, Agency Board and Authority Boards of Directors take the following actions regarding minutes:
1. Public Financing Authority and Housing Authority Boards of Directors approve the Minutes of the Regular Meetings of June 23, 2009 and May 8, 2010;
 2. City Council, Agency Board and Utility Authority Board of Directors approve the Minutes of the Regular Meeting of June 8, 2010; and
 3. City Council, Agency Board and Public Financing, Housing and Utility Authority Boards of Directors approve the Minutes of the Regular Meeting of June 16, 2010.
- 6.C** It is recommended the City Council approve a special event permit for the Whittier Community Foundation's 5K Fit for Life Race/Walk scheduled for Saturday, October 30, 2010, beginning and ending at Joe Miller Field.
- 6.D** It is recommended the City Council approve a renewal to an agreement with the City of Norwalk to participate in the Transportation Management Association effective July 1, 2010; and authorize the City Manager to execute the agreement.
- 6.E** It is recommended the City Council receive and file the final progress report on the Fiscal Year 2009-10 Work Plan.
- 6.F** It is recommended the City Council adopt Resolution No. 8295 entitled, "A Resolution of the City Council of the City of Whittier, California, approving an application to the State of California Proposition 84 Grant for Nature Education Facilities on the Whittier Greenway Trail."
- 6.G** It is recommended the City Council take actions regarding leases with Clearwire for telecommunications antennas:
1. Approve leasing space for the installation of a cellular antenna tower along the Whittier Greenway Trail at Oak Street;
 2. Approve leasing space for a ground cabinet at Lambert Road and Calmada Avenue; and
 3. Authorize the City Manager to execute the related documents.
- 6.H** It is recommended the Agency Board:
1. Adopt Resolution No. WRA-10-04 entitled, "A Resolution of the Board of the Whittier Redevelopment Agency approving a Replacement Housing Plan for 7306, 7316, 7318, and 7320 Comstock Avenue";

2. Approve the plans and specifications to demolish the “Comstock/Penn Site”; and
 3. Authorize the Secretary-Treasurer to advertise the project for asbestos abatement and demolition bids after completion of HUD required procedures.
- 6.I** It is recommended the City Council receive and file the following Historic Resources Commission action unless review is requested by a Council Member: approval of Certificate of Appropriateness 10-002 to modify the rear elevation and do interior remodeling to an existing single-family residence located at 6787 Worsham Drive; Applicant: Kenneth D. Arnold and Associates; Owners: Matthew and Rosa Pope.
- 6.J** It is recommended the City Council adopt Resolution No. 8296 entitled, “A Resolution of the City Council of the City of Whittier, California amending the Fiscal Year 2009-10 Budget to accept a donation from the Assistance League of Whittier,” in the amount of \$8,000 for library materials and programs.
- 6.K** It is recommended the Board of Directors take actions regarding the Water Main Replacement Program – La Cuarta Street project:
1. Award the construction contract;
 2. Reject all other bids;
 3. Authorize the Executive Director to sign the contract; and
 4. Adopt Resolution No. WUA-10-03 entitled, “A Resolution of the Board of Directors of the Whittier Utility Authority amending the 2009-10 Fiscal Year budget to fund Water Main Replacement Project – La Cuarta Street,” in the amount of \$450,000.
- 6.L** It is recommended the City Council accept the work performed by E. C. Construction for the Intersection Improvements on Mar Vista Street at California Avenue, Federal Project No. ESPL-5111(056); and authorize the City Clerk-Treasurer to file the Notice of Completion.
- 6.M** It is recommended the City Council receive and file the following Planning Commission action unless review is requested by a Council Member: approval of Conditional Use Permit CUP10-005 and Development Review DRP10-031 to allow the expansion of an existing telecommunication facility by installing four new wall mounted antennas and relocating four existing wall mounted antennas on an existing building located at 13615 Earlham Drive; Applicant: Michelle Felten on behalf of Verizon Wireless; Owner: Whittier College.

- 6.N** It is recommended the City Council approve a modification to the agreement with Marine Research Specialists to include a socio-economic study for processing the Environmental Impact Report for the proposed Whittier Main Mineral Extraction Project; and authorize the City Manager to execute the agreement.
- 6.O** It is recommended the Board of Directors approve the annual fee adjustments for Franchise Hauler Solid Waste Collection fees; and adopt Resolution No. WUA-10-04 entitled, "A Resolution of the Board of Directors of the Whittier Utility Authority establishing fees for the collection and disposal of refuse by franchise haulers in the City of Whittier," effective July 1, 2010.
- 6.P** It is recommended the City Council take actions relating to the Whittier Community Theatre Agreement:
1. Approve a five-year facility use agreement;
 2. Authorize the City Manager to execute the agreement;
 3. Approve continuing to waive fees related to hanging banners over Whittier Boulevard; and
 4. Approve replacement of the theatre directional signs to be purchased by WCT and waiving fees for installation.
- 6.Q** It is recommended the City Council approve the Addendum to the Agreement with MV Transportation to extend the current Dial-A-Ride contract for the City of Whittier/La Habra Heights service through June 30, 2012; and authorize the City Manager to execute the agreement.
- 6.R** It is recommended the City Council take actions regarding the Poured-In-Place Resilient Rubber Playground Surfacing Project at Parnell Park:
1. Approve the distribution of a "Request for Quotes" for the project;
 2. Adopt Resolution No. 8297 entitled, "A Resolution of the City Council of the City of Whittier, California, amending the Fiscal year 2009-2010 Budget to fund the Parnell Park Rubberized Surfacing Project," in the amount of \$100,000; and
 3. Authorize the City Manager to execute an agreement for construction.
- 6.S** It is recommended the City Council and Agency Board authorize the Mayor/Chair to execute the Lease, Option to Purchase and Settlement Agreement with Omega Chemical Site PRP Organized Group (OPOG) and Omega Chemical PRP Group, LLC (Omega LLC) related to the former Skateland property located at 12520 E. Whittier Boulevard.

Proposed Motion: I move that the Consent Calendar be approved as submitted including awarding a construction contract to A.R. Sarmiento (Item 6.K); and that Resolution Nos. 8295 (Item 6.F); 8296 (Item 6.J); 8297 (Item 6.R); WRA-10-04 (Item 6.H); WUA-10-03 (Item 6.K); and WUA-10-04 (Item 6.O) be read by title only, further reading be waived, and they be declared adopted.

ROLL CALL

7. RECESS HOUSING AUTHORITY MEETING:

8. JOINT PUBLIC HEARING:

- 8.A** This is the date and time set and duly noticed for a joint public hearing of the City Council, Public Financing Authority, Redevelopment Agency, and Utility Authority to consider the Fiscal Year 2010-11 Budget.

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

1. It is recommended the City Council adopt Resolution No. 8298 entitled, "A Resolution of the City Council of the City of Whittier, California, adopting a Budget for the Fiscal Year commencing July 1, 2010, and ending June 30, 2011"; and adopt Resolution No. 8299 entitled, "A Resolution of the City Council of the City of Whittier, California, approving and adopting the Annual Appropriations Limit for Fiscal Year 2010-11."
2. It is recommended the Agency Board adopt Resolution No. WRA-10-05 entitled, "A Resolution of the Board of Directors of the Whittier Redevelopment Agency adopting a Budget for the Fiscal Year commencing July 1, 2010, and ending June 30, 2011."
3. It is recommended the Public Financing Authority Board of Directors adopt Resolution No. WPFA-10-01 entitled, "A Resolution of the Board of Directors of the Whittier Public Financing Authority adopting a Budget for the Fiscal Year commencing July 1, 2010, and ending June 30, 2011."
4. It is recommended the Utility Authority Board of Directors adopt Resolution No. WUA-10-05 entitled, "A Resolution of the Board of Directors of the Whittier Utility Authority adopting a Budget for the Fiscal Year commencing July 1, 2010, and ending June 30, 2011."

Proposed Motion: I move that the City, Agency, and Utility and Public Financing Authority Budgets be adopted; and that Resolution Nos. 8298; 8299; WRA-10-05; WPFA-10-01, and WUA-10-05 be read by title only, further reading be waived, and they be declared adopted.

ROLL CALL

9. RECESS UTILITY AUTHORITY AND PUBLIC FINANCING AUTHORITY MEETINGS:

10. CITY COUNCIL/REDEVELOPMENT AGENCY BUDGET CONSENT CALENDAR:

10.A It is recommended the City Council renew an Agreement with the Whittier Area Chamber of Commerce for the period of July 1, 2010 to June 30, 2011; and authorize the City Manager to execute the Agreement.

10.B It is recommended the City Council authorize payment to New World Systems in the amount of \$148,355 for the annual system support and maintenance of the public safety computer system.

10.C The Park and Recreation Commission recommends the City Council approve the Facility Usage Policy as revised; and adopt Resolution No. 8300 entitled, "A Resolution of the City Council of the City of Whittier, California, fixing the fees and charges to be made pertaining to certain City programs and facilities."

10.D It is recommended the City Council and Agency Board take the following actions regarding the Local Economic Stimulus and Business Assistance Plan:

1. City Council adopt Resolution No. 8301 entitled, "A Resolution of the City Council of the City of Whittier, California, establishing temporary fee reductions for temporary banner sign permits and planning entitlements and building permit fees to expire on June 30, 2011";
2. City Council conduct first reading of Ordinance No. 2955 entitled, "An Ordinance of the City Council of the City of Whittier, California, temporarily amending zoning codes of the Whittier Municipal Code Chapter 18.76.080 (Temporary On-Premises Signs) pertaining to the time limitations for displaying temporary signs and Chapter 18.04.110 as it pertains to the period of validity-extensions-permits and other approvals (Applicant: City of Whittier, Zoning Code Amendments No. 09-009 and No. 09-010)"; and

3. Agency Board approve extending the Local Economic Stimulus and Business Assistance Fee subsidies for planning entitlements and building permits, effective July 1, 2010 through June 30, 2011.

10.E It is recommended the City Council and the Agency Board amend the City Manager's agreement and the Executive Director's agreement by converting contractual compensation to an hourly rate not to exceed 960 hours per fiscal year.

Proposed Motion: I move that the Budget Consent Calendar be approved as submitted and that Resolution Nos. 8300 (Item 10.C) and 8301 (Item 10.D) be read by title only, further reading be waived, and they be declared adopted; and that Ordinance No. 2955 (Item 6.D) be read by title only, further reading be waived, and this be declared its first reading.

ROLL CALL

11. RECESS REDEVELOPMENT AGENCY MEETING:

12. CITY COUNCIL STAFF REPORT:

12.A It is recommended the City Council receive and file an analysis of affordable housing opportunity sites; and provide direction to staff in prioritizing the sites.

Proposed Motion: I move to receive and file the analysis and direct staff to _____.

13. RECESS CITY COUNCIL AND RECONVENE UTILITY AUTHORITY:

14. UTILITY AUTHORITY STAFF REPORT:

14.A It is recommended the Board of Directors award the Professional Services Agreement to design a replacement for Pumping Plant II; and authorize the Executive Director to sign the agreement.

Proposed Motion: I move to award the Professional Services agreement to RBF Consulting; and authorize the Executive Director to execute the agreement.

ROLL CALL

15. RECESS UTILITY AUTHORITY AND RECONVENE REDEVELOPMENT AGENCY:

16. REDEVELOPMENT AGENCY STAFF REPORTS:

16.A It is recommended the Agency Board review the staff report and provide direction to staff regarding the use of project signs.

Proposed Motion: I move to direct staff to _____.

16.B It is recommended the Agency Board review the report, provide feedback and instruct staff to develop a Retailer Recruitment and Reward Program (3RP).

Proposed Motion: I move to direct staff to _____.

17. RECONVENE CITY COUNCIL, HOUSING AUTHORITY, PUBLIC FINANCING AUTHORITY, AND UTILITY AUTHORITY IN JOINT SESSION WITH REDEVELOPMENT AGENCY:

18. COUNCIL/AGENCY MEMBER/DIRECTOR COMMENTS AND CONFERENCE REPORTS:

19. ADJOURN HOUSING AUTHORITY, PUBLIC FINANCING AUTHORITY AND UTILITY AUTHORITY MEETINGS:

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

20.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.

20.B City Council - Government Code Section 54956.9(b) to discuss the claim of Jones vs. City of Whittier.

20.C City Council - Government Code Section 54957, City Manager employment.

20.D Redevelopment Agency – Government Code Section 54956.8 to discuss real property negotiations with Brandywine Homes, Warmington Residential, Agora Realty and Management, and/or Primestor Development, Inc. relating to price and terms of payment for property located at 12813 Bailey Street, 12802 Hadley Street, and 6541 to 6557 Comstock Avenue; Agency negotiator: Stephen Helvey

- 21. RECONVENE IN OPEN SESSION:**
- 22. CLOSED SESSION REPORT:**
- 23. ADJOURNMENT:**
- 24. NEXT MEETING:** Tuesday, July 27, 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.