

**MINUTES
WHITTIER CITY COUNCIL
WHITTIER REDEVELOPMENT AGENCY
WHITTIER UTILITY AUTHORITY
JOINT MEETING
CITY COUNCIL CHAMBER, 13230 PENN STREET
JULY 27, 2010**

1. CALL TO ORDER:

The Whittier City Council met in regular session on July 27, 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
Bob Henderson, Council Member/Agency
Member/Authority Director
Cathy Warner, Mayor Pro Tem /Vice
Chair
J. Greg Nordbak, Mayor/Chair

**COUNCIL MEMBER/AGENCY
MEMBER/AUTHORITY
DIRECTOR ABSENT:**

Owen Newcomer, Council Member/Agency
Member/Authority Director

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
Kathryn A. Marshall, City Clerk-Treasurer/
Secretary-Treasurer (9:15 p.m.)

3. PLEDGE OF ALLEGIANCE:

Community Services Supervisor Ruri Pierre led the Pledge of Allegiance.

4.A BLUE STAR PRESENTATIONS

Mayor Nordbak and Mayor Pro Tem Warner presented a Blue Star pin, decal and flag to Elizabeth Garcia in recognition of her daughter Michelle Apodaca, currently stationed at Lackland Air Force Base in San Antonio, TX. Michelle is training in Special Forces and plans a career in forensics with the FBI.

Mayor Nordbak and Mayor Pro Tem Warner presented a Blue Star pin, decal and flag to Betty and Ralph Montgomery in recognition of their son Ryan, currently stationed at Lackland Air Force Base in San Antonio, TX. Ryan is assigned to the Air Force Special Services, which serves as the military police; and will be assigned to Ramstein Air Force Base in Germany.

Mayor Nordbak and Mayor Pro Tem Warner presented a Blue Star pin, decal and flag to Linda Johnson in recognition of her son Air Force Staff Sergeant Otis Sutton, currently serving in Afghanistan. Sgt. Sutton is assigned to the Unit 16 ACCS Air Combat Command Squadron, and has served three tours of duty in Iraq.

Mayor Nordbak said Blue Star banners would be hung on Whittier Boulevard in honor of Michelle, Ryan and Otis.

4.B PRESENTATIONS – BUSINESS OF THE MONTH CERTIFICATES

Mayor Nordbak presented a Business of the Month Certificate to Eric Langer, Store Team Leader at the Target store in the Whittwood Town Center. He said Target donates 5% of all sales to the community; and the store had received national recognition for being ethical and reputable.

Eric thanked Whittier citizens and shoppers for their support; he said the store has officially completed moving, and is ready to start selling fresh produce.

Mayor Nordbak presented a Business of the Month Certificate to Steve and Carol Denish, owners of Limeworks Speed Shop. He said Limeworks started business in 1994; the company develops a product line of hot rod parts; and they have participated in the City's Façade Loan Program.

Steve thanked the City Council for the recognition; and said participation in the Façade Loan Program has made the business more visible, in an art deco style.

4.C PRESENTATION – PARK AND RECREATION MONTH PROCLAMATION

Mayor Nordbak presented a Proclamation to Community Services Director Shields in recognition of Parks and Recreation Month, noting the recreation and cultural programs as well as the youth, dance and sports programs in the City. All Park and Recreation Commission Members introduced themselves; and thanked the City for the opportunity to serve the community.

4.D PRESENTATION – CERTIFICATE OF COMMENDATION

Mayor Nordbak presented a Certificate of Commendation to Ruri “Peanuts” Pierre, Community Services Supervisor, for her dedicated service to the City since 1982 with recreation and therapy programs for senior citizens; and her 36 years of service to the Special Olympics, where she is a charter member.

5. ORAL COMMUNICATIONS:

Joe Enriquez, 14081 Sunrise Drive, Whittier; thanked the City Council for supporting Whittier area churches; and prayed for the City Council and community.

Jose Ramos, CEO and founder of Welcome Home Vietnam Veterans Day; requested the City Council send a letter to the California legislature requesting funds for the Operation Welcome Home Program be reinstated, as originally approved by the legislature and Governor; and said the Program is to assist veterans when returning home from service.

Alex Ferguson, 6056 Havilland, Whittier; said this is the worst economy since the 1930’s; oil funds could help the State; not producing oil could force the need to buy it from our enemies; the City has a long history of oil extraction; and the City needs the revenue.

The following individuals spoke in opposition to the proposed Whittier Main Mineral Extraction Project, citing the following concerns: smell; explosion; fire, noise, damage to the landscape; proximity to schools; decline in property values; health hazards; air, water and land pollution; occupational injuries and illness; toxic chemicals; possible insufficient insurance; residential traffic; equipment; long-term and potential new contamination; catastrophic events; emissions; hazardous vapors; potential conflicts of interest; negative comments about the Whittier Hills Oil Watch (WHOW) Committee; drilling in the hills acquired by Proposition A; proposed road behind Lodosa Drive; lack of research; pipeline under Colima Road; and construction and traffic congestion.

Dan Duran, 8103 Catalina Avenue, Whittier
Shelly Myers, 5819 Newlin Avenue, Whittier
Elena Medellin, 14664 Mar Vista Street, Whittier
Roy McKee, Davista Drive, Whittier
John Young, Honolulu Terrace, Whittier
Faye Hill, 8170 Cielo Vista Drive, Whittier
Anthony Martinez, 8130 Michigan Avenue, Whittier
Fred Hawthorne, Franklin Avenue, Whittier
Lupe Sahagun, Bronte Drive, Whittier
Bebe Kevorkian, Colima Road, Whittier
Andrea Gordon, Turnbull Canyon, Hacienda Heights
George Poochigian, Whittier

Russell Casteñeda-Calleros; Rio Hondo College; thanked the City Council and staff for funding assistance and support for the "Go Rio" Program, designed to take single occupancy vehicles off the road, and encourage mass transit.

Robert Canales, Whittier; said mandates can be overturned with new elections; he is in favor of oil drilling if done lawfully; he believes there may be violations of Proposition A; and he has concerns about home land security.

Arthur Rock, Whittier; said Joe Marsico offered revenue from a private trolley operation; he believes City employees deserve a decent salary; and he said the City should choose wisely regarding oil drilling.

David Barraza, 15920 Haldane Street, Whittier; Whittier Area First Day Coalition; read a letter from Executive Director Ted Knoll and said this is the most difficult financial time since opening in 2001; in collaboration with Presbyterian Intercommunity Hospital they provide primary health care to homeless and transition residents; they opened the Keeping Families Together home on Newlin Avenue; and he encouraged the community to support non-profit agencies any way possible.

David Littlehales, Executive Director, Rio Hondo Temporary Home; thanked the City for its support; said the Home has served over 2,000 individuals from 800 families; in the past fiscal year eight Whittier families were served; he looks forward to continued support from the City; and he is working with the state regarding building issues.

Angelina Coe, Executive Director, Women's and Children's Crisis Shelter; thanked the City for its continued support; said this year they supported 285 women and children; the emergency shelter houses 31 individuals; and the transitional shelter houses three families.

Mark Sammit, La Rouche Political Action Committee; encouraged the City Council to endorse the Glass-Steagall resolution and separate Wall Street speculative banks from commercial banks.

Freddy Cornell, Linden LaRouche Committee; said he is looking for support for the Glass-Steagall resolution; he believes there will be another financial collapse by September; and he wants to meet with the City Council to discuss the issue.

Ginny Ball, Whittier; reported on the Chamber of Commerce Tasty Tuesday on July 27; announced the Wake-Up-Whittier networking breakfast on August 11 at Presbyterian Intercommunity Hospital; and the summer mixer on August 26 at Mission Court; she thanked the City Council for continued support of the First Day Coalition; announced the Assistance League Trail-A-Thon on October 9 on the Greenway Trail; said she has assisted a resident with plumbing and housing issues; and provided copies of letters between the homeowner and the plumber.

Mayor Nordbak recessed the meeting at 7:52 p.m. At 8:17 p.m. he reconvened the meeting with all Council Members present except Council Member Newcomer.

Jason Rozano; Whittier Uptown Association; invited the City Council, City staff, residents and business owners to the car show on Saturday, August 14.

Ralph Marsico, Whittier; said his father helped people not get their cars towed; he has done much with a trolley system; people need to help one another; and his father does not take any money for elections.

George Poochigian, Whittier; said people have the right to voice their opinions; not enough people vote; people do not want oil drilling and it is not needed; and the annual water reports were not disseminated to all the people paying for service.

Joe Marsico, Whittier; said Code Enforcement ruined his family and home two years ago; he has been living in his trolley; and he would like to see poor people come to the Council meetings.

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

Council Member Henderson declared a conflict of interest on Items 6.F and 6.G because the Rio Hondo Temporary Home and Women's and Children's Crisis Shelter are his clients, and recused himself from taking action on these items.

It was moved by Mayor Pro Tem/Vice Chair Warner, seconded by Council/Agency Member/Director Vinatieri and carried, by roll call vote, to approve the Consent Calendar, including awarding a contract to CEED Security Services, Inc. and that Ordinance No. 2955 and Resolution Nos. 8302 through 8307 be read by title only, further reading be waived, and they be declared adopted; and that Ordinance No. 2956 be read by title only, further reading be waived, and this be declared its first reading; with Council/Agency Member/Director Henderson recusing from voting on Items 6.F and 6.G; and Council/Agency Member/Director Newcomer absent.

- 6.A** The City Council denied claims filed by Elias Aguayo, Mercury Insurance Company, UPS Employees Federal Credit Union, Margaret Huber, Traveler's Insurance Company, Nicholas Martin, and Francisco Ruvalcaba.
- 6.B** The City Council, Agency Board and Board of Directors approved the Minutes of the Regular Meetings of June 22 and July 13, 2010.
- 6.C** The City Council conducted second reading and adopted 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)," as part of the City's Local Economic Stimulus and Business Assistance Plan.
- 6.D** The City Council received and filed the April through June 2010 Economic Development Quarterly Update Report.
- 6.E** The Agency Board approved the funding agreement with the Whittier Area First Day Coalition in the amount of \$242,192 to support its transitional housing program and related services for homeless persons in Whittier from July 1, 2010 through June 30, 2011; and authorized the Executive Director to execute the agreement.
- 6.F** The Agency Board approved the funding agreement with the Rio Hondo Temporary Home in the amount of \$50,000 to support its housing of homeless persons and families from Whittier from July 1, 2010 through June 30, 2011; and authorized the Executive Director to execute the agreement.
- 6.G** The Agency Board approved the funding agreement with the Women's and Children's Crisis Shelter in the amount of \$34,000 to support its housing of homeless, battered women and their families from July 1, 2010, through June 30, 2011; and authorized the Executive Director to execute the agreement.

- 6.H** The City Council adopted Resolution No. 8302 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA ADOPTING ITS EMERGENCY OPERATIONS PLAN (EOP)," to meet the requirements of the Energy Services Act and the California Master Mutual Aid Agreement.
- 6.I** The City Council rejected all First Avenue and Leffingwell Road public art proposals; and removed this location from the Art in Public Places Master Plan.
- 6.J** The City Council approved waiving facility usage fees for the Los Angeles Department of Children and Family Services in the amount of \$840 for Christmas activities at Parnell Park on December 18, 2010.
- 6.K** The City Council approved the special event permits for the Assistance League of Whittier Greenway Trail Walk-A-Thon on Saturday, October 9, 2010 from 8:00 a.m. to 11:30 a.m.; and the Whittier Community Foundation Paws-4-a-Cause on Saturday, September 25, 2010 from 9:00 a.m. to noon.
- 6.L** The City Council took the following actions regarding the SKILLS Foundation:
1. Approved an agreement for the City's participation in the SKILLS Foundation programs;
 2. Approved acceptance of a \$32,222 grant for the Club Orchard Dale After School Program and Friday Forum Dance Program;
 3. Authorized the City Manager to execute the Agreement; and
 4. Adopted Resolution No. 8303 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, AMENDING THE FISCAL YEAR 2010-11 BUDGET FOR AN ADDITIONAL \$32,222 FOR THE SKILLS FOUNDATION PROGRAMS."
- 6.M** The City Council accepted a donation from Southern California Edison via the Whittier Conservancy for the installation of an arbor structure at Palm Station on the Whittier Greenway Trail.
- 6.N** The City Council adopted Resolution No. 8304 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, APPROVING THE SUBMITTAL OF APPLICATIONS TO THE CALIFORNIA DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY FOR THE USED OIL PAYMENT PROGRAM AND RESCINDING RESOLUTION NO. 8284."

- 6.O** The City Council received and filed the following Historic Resources Commission action: Approval of Certificate of Appropriateness 10-004 to rehabilitate and modify the front elevation of an existing single-family residence, legalize a comprehensive window change-out; and construct a new 350 square-foot, detached, accessory living area to the rear of the property located at 6032 Milton Avenue; Owners: Fernando and Sonia Garcia; Applicant: Randall Dabbs, Randall Design & Builders, Inc.
- 6.P** The City Council approved the purchase of two new replacement Dial-A-Ride minivans and the purchase of one new additional Dial-A-Ride minivan to continue the operation of a tenth weekday shift using Proposition A and C Transit funds from Fiscal Year 2010-11.
- 6.Q** The City Council approved the special event permit request from the Whittier Uptown Association to hold its 10th Annual Uptown Whittier Car Show on Saturday, August 14, 2010 from 9:00 a.m. to 4:00 p.m.
- 6.R** The City Council accepted the work performed by Pardess Air Inc. for the Whittwood Branch Library Mechanical Equipment and Boiler Replacement Project; and authorized the City Clerk-Treasurer to file the Notice of Completion.
- 6.S** The City Council ratified the Sewer Service and Connection Agreement with Orange County Sanitation District for wastewater collection, treatment, and disposal for 10905 Valley Home Avenue.
- 6.T** The City Council approved an Amendment to the agreement extending professional services administration, coordination, implementation and general contractor services of the City's Minor Home Repair Grant (MHRG) Program for Fiscal Year 2010-11 with Veterans In Community Service, Inc.; and authorized the City Manager to execute the Amendment.
- 6.U** The City Council adopted Resolution No. 8305 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, SUPPORTING THE EXPANSION OF THE LOS ANGELES COUNTY RECYCLING MARKET DEVELOPMENT ZONE," to provide incentives and stimulate development of post-consumer and secondary materials for recyclables.
- 6.V** The Board of Directors awarded the contract to CEED Security Services, Inc., for the Well Field Security Patrol project in the amount of \$55,796; rejected all other bids; and authorized the Executive Director to sign the contract.

- 6.W** The City Council conducted first reading of Ordinance No. 2956 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, EXTENDING THE TERM OF A TEMPORARY OVERLAY ZONE FOR THE WHITTIER BOULEVARD SPECIFIC PLAN AREA" expiring February 5, 2011 unless extended for additional 180-day periods.
- 6.X** The City Council adopted Resolution No. 8306 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE INCORPORATED AREA OF THE CITY IN THE LOS ANGELES COUNTY ENERGY PROGRAM TO FINANCE DISTRIBUTED GENERATION RENEWABLE ENERGY SOURCES AND ENERGY AND WATER EFFICIENCY IMPROVEMENTS, APPROVING THE REPORT SETTING FORTH THE PARAMETERS OF THE REFERENCED PROGRAM AND CERTAIN MATTERS IN CONNECTION THEREWITH."
- 6.Y** The City Council received and filed the Fiscal Year 2010-11 Work Plan.
- 6.Z** The City Council received and filed the Gateway Cities Council of Governments' updates for April through July 2010.
- 6.AA** The City Council adopted Resolution No. 8307 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, AMENDING SALARY RESOLUTION NO. 8280," to establish new salary ranges for the positions of Director of Community Services and Park Manager, as approved in the adopted budget.

7. RECESS REDEVELOPMENT AGENCY AND UTILITY AUTHORITY MEETINGS:

Mayor Nordbak recessed the Redevelopment Agency and Utility Authority meetings at 8:28 p.m.

8.A PUBLIC HEARING – CONGESTION MANAGEMENT PROGRAM (CMP)

City Manager Helvey announced it was the date and time set and duly noticed for a public hearing to consider adoption of a resolution finding the City to be in conformance with the Congestion Management Program (CMP) and adopting the Congestion Management Program Local Development Report in accordance with Government Code Section 65089.

Mayor Nordbak opened the public hearing at 8:39 p.m.

There being no one wishing to testify before the City Council, it was moved by Council Member Henderson, seconded by Council Member Vinatieri, and carried, with Council Member Newcomer absent, to close the public hearing at 8:39 p.m.

It was moved by Council Member Henderson, seconded by Mayor Pro Tem Warner, and carried, by roll call vote, with Council Member Newcomer absent, that Resolution No. 8308 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089," be read by title only, further reading be waived, and it be declared adopted.

8.B PUBLIC HEARING – ZONING CODE AMENDMENT 10-001, CONDOMINIUM CONVERSIONS

City Manager Helvey announced it was 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 10-001 and adopt an ordinance entitled, "An Ordinance of the City Council of the City of Whittier, California, ordaining an amendment to Chapters 18.48 (Off-Street Parking) and 18.80 (Condominium Conversions) of the Whittier Municipal Code pertaining to the general conditions and development standards for condominium conversions. (Case No. Zoning Code Amendment 10-001; Applicant: City of Whittier)."

Mayor Nordbak opened the public hearing at 8:43 p.m.

There being no one wishing to testify before the City Council, it was moved by Council Member Henderson, seconded by Mayor Pro Tem Warner, and carried, with Council Member Newcomer absent, to close the public hearing at 8:43 p.m.

Following brief discussion, it was moved by Council Member Henderson, seconded by Mayor Pro Tem Warner, and carried, with Council Member Newcomer absent, to receive and file the report.

9.A BANNER FEE WAIVER

Following discussion, it was moved by Council Member Henderson, seconded by Council Member Vinatieri, and carried, with Council Member Newcomer absent, to make a finding and approve reducing the \$1,500 banner fee to the previous level of \$405 because the Whittier Historic Neighborhood Association provides a public service by keeping alive historic neighborhoods; provides public education about historic homes in Whittier; and is a non-profit organization.

10. RECESS CITY COUNCIL AND RECONVENE REDEVELOPMENT AGENCY MEETINGS:

Mayor Nordbak recessed the City Council and reconvened the Redevelopment Agency at 8:51 p.m.

11.A UPTOWN WHITTIER PARKING MANAGEMENT PLAN REPORT

Executive Director Helvey reported that Agency Member Newcomer requested the Uptown Whittier Parking Management Plan Report be removed from the Agenda in his absence if the consultant was asking for direction; and he said the item will be continued to the August 10, 2010 meeting.

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

Mayor Nordbak reconvened the City Council and Utility Authority meetings in joint session with the Redevelopment Agency at 8:52 p.m.

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

Council Member Vinatieri requested a letter signed by the Mayor be sent to State of California legislators requesting funding be reinstated for veterans returning home after their service. He also requested that forming an economic development subcommittee be agendaized for discussion at a future Council meeting, and he received concurrence from all other Council Members present.

Mayor Nordbak reported that he was elected Chair of the Los Angeles County Sanitation District.

14. ADJOURN REDEVELOPMENT AGENCY AND UTILITY AUTHORITY MEETINGS:

15. CITY COUNCIL CLOSED SESSION:

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

- 15.A** 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.

15.B Government Code Section 54956.8 to discuss real property negotiations with SFPP, L.P. regarding a franchise agreement and lease agreement for subterranean utilities entering the City of Whittier at approximately the intersection of Lambert Road and Gunn Avenue and exiting the City on Colima Road at the boundary of Los Angeles County; City negotiator: Stephen Helvey; Under negotiation: Price and terms of payment.

15.C Government Code Section 54956.8 to discuss real property negotiations with Integrated Consultants relating to price and terms of payment for property located at 12604 Whittier Boulevard; City negotiator: Stephen Helvey.

Mayor Nordbak adjourned the meeting to Closed Session at 9:12 p.m. with City Clerk-Treasurer Marshall replacing Assistant City Clerk-Treasurer Maiques.

16. RECONVENE IN OPEN SESSION:

Mayor Nordbak reconvened the meeting in Open Session at 10:10 p.m.

17. CLOSED SESSION REPORT:

None.

18. ADJOURNMENT: At 10:10 p.m., Mayor Nordbak adjourned the City Council meeting in memory of Shirley Carmichael and Louise Perry.

Respectfully submitted,

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