

**AGENDA
WHITTIER CITY COUNCIL
WHITTIER REDEVELOPMENT AGENCY
WHITTIER UTILITY AUTHORITY
JOINT MEETING
CITY COUNCIL CHAMBER, 13230 PENN STREET
JANUARY 11, 2011, 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 La Serna Water Polo CIF Champions

4.B Dr. Ted Martinez, Jr. – Rio Hondo College Update

4.C Blue Star Presentations

Piedad Ordorica, Jay Weinschenker and Susie Ordorica-Rubio

Bob and Chris Velasco

Benita Velazquez

- 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 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 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 Monica Ramirez, Omar Ramos, Dennis Jenkins, David Gomez, Victoria Lynn Basulto, Ana Xulu and Ivan Kovalchuck.
- 6.B** It is recommended the City Council, Agency Board and Board of Directors approve the Minutes of the Regular Meetings of November 9 and December 28, 2010.
- 6.C** It is recommended the City Council authorize the purchase, in the amount of \$54,875, of four multi-function devices (MFDs) to replace the units currently in use in Community Development, Public Works, Controllers/Human Resources and in the City Hall mail/copy room.
- 6.D** It is recommended the City Council approve the plans and specifications for the Community Development Block Grant Target Area Pavement Removal and Replacement on Bright Avenue, between La Cuarta Street and Whittier Boulevard; and authorize staff to advertise the project for construction bids.
- 6.E** It is recommended the City Council take the following actions regarding the Santa Gertrudes Avenue at Lambert Road Traffic Signal Modification:
1. Authorize staff to reimburse the Union Pacific Railroad for the cost of relocation and replacement of railroad grade crossing protection equipment in conjunction with street widening and traffic signal improvements;
 2. Authorize the City Manager to execute the agreement with the Union Pacific Railroad Company;
 3. Approve the plans and specifications for Santa Gertrudes Avenue at Lambert Road Traffic Signal Modification, Federal Project No. HSIPL-5111 (040); and
 4. Authorize the City Clerk-Treasurer to advertise for construction bids.
- 6.F** It is recommended the City Council award the contract for the Joe Miller Field Restroom Project at Friends Park in the amount of \$208,000; reject all other bids; and authorize the City Manager to execute the contract.

- 6.G** It is recommended the City Council conduct second reading and adopt Ordinance No. 2960 entitled, “An Ordinance of the City Council of the City of Whittier, California, amending Chapter 18.76 (Sign Construction and Placement Requirements) of the Whittier Municipal Code pertaining to Zoning Code provisions for institutional use signage. (Case No. Zoning Code Amendment 10-003; Applicant: City of Whittier).”
- 6.H** It is recommended the City Council conduct second reading and adopt Ordinance No. 2961 entitled “An Ordinance of the City Council of the City of Whittier, California, amending Title 15 of the Whittier Municipal Code, adopting by reference the 2010 California Building Code, the 2010 California Residential Code, and the 2010 California Green Building Standards Code with errata and amendments thereto,” to update various provisions of the Whittier Municipal in accordance with the procedures identified in California Government Code Title 5, Division 1, Part 1 (Building Standards Bulletin 99-01).
- 6.I** It is recommended the City Council approve the special event permit for Shelter’s Right Hand 5K Fitness Walk on Saturday, April 30, 2011 starting and finishing at Central Park; and related fees to be waived in the amount of \$83.
- 6.J** It is recommended the City Council appoint Shelley Andros to the Citizens Technical Advisory Committee (CTAC) of the Puente Hills Landfill Native Habitat Preservation Authority for a four-year term ending February 2015.

Proposed Motion: I move that the Consent Calendar be approved as submitted, including awarding a construction contract to Brej Construction (Item 6.F); and that Ordinance Nos. 2960 (Item 6.G) and 2961 (Item 6.H) 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. PUBLIC HEARINGS:

8.A This is the date and time set and duly noticed for a de novo public hearing to consider an appeal of the Conditions of Approval for Conditional Use Permit Modification No. CUP10-006 (M-1) relating to the operation of a 24-hour restaurant with a 24-hour drive-thru service window for a new restaurant (d.b.a. McDonald's) at the property addressed as 8840 Painter Avenue. (Appellant: Kori Seki, Area Construction Manager, Southern California Region, McDonald's USA, LLC; Applicant: Ware Malcomb; Owner: McDonalds Corp.). It is recommended the City Council direct staff to return with a resolution reflecting the Council's consensus.

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

Proposed Motion: I move to direct staff to return with a resolution reflecting the Council's consensus.

8.B This is the date and time set and duly noticed for a de novo public hearing to consider a review of the Planning Commission's action to approve Conditional Use Permit Modification No. CUP91-13 (M-1) to upgrade an existing beer and wine license (Type 41) to a general alcohol license (Type 47) for on-site consumption, to extend the hours of operation until 2:00 a.m., and to allow live entertainment for an existing restaurant d.b.a. "Uptown Mexican Cafe" located at 7040-7044 Greenleaf Avenue. (Applicant: Humberto and Diane Rojo; Property Owners: Akarakian Theaters Inc.). It is recommended the City Council direct staff to return with a resolution reflecting the Council's consensus.

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

Proposed Motion: I move to direct staff to return with a resolution reflecting the Council's consensus.

9. STAFF REPORT:

9.A It is recommended the City Council conceptually approve expansion and other improvements for the Whittwood Branch Library.

Proposed Motion: I move to _____.

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

11. COUNCIL/AGENCY MEMBER/DIRECTOR COMMENTS AND 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 54956.9(b) to discuss the claim of Webb vs. City of Whittier.

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

13.C City Council - Government Code Section 54956.8 to discuss real property negotiations with Stewart Winkler DBA UW Ventures relating to price and terms of payment for property located on the Greenway Trail (APN 8165-010-901) at 12604 Whittier Boulevard; City/Agency negotiator: Stephen Helvey.

13.D City Council – Government Code Section 54956.9(c) to discuss one case of litigation; Case No. VS021241, City of Whittier vs. Southland Display Company, Inc., Village Inn, LLC and Does 1-25.

13.E City Council - Government Code Section 54956.9(a) to discuss one case of litigation; Case No. 8WW00930, People of the State of California vs. Hugo Gutierrez and Carmen Gutierrez.

13.F City Council/Redevelopment Agency - Government Code Section 54956.8 to discuss real property negotiations with LINC Community Development Corporation relating to price and terms of payment for property located at 12524 Philadelphia Street; City/Agency negotiator: Stephen Helvey.

14. RECONVENE IN OPEN SESSION:

15. CLOSED SESSION REPORT:

16. ADJOURNMENT:

17. NEXT MEETING: Tuesday, January 25, 2011 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.