

**AGENDA
WHITTIER CITY COUNCIL
WHITTIER REDEVELOPMENT AGENCY
WHITTIER UTILITY AUTHORITY
JOINT MEETING
CITY COUNCIL CHAMBER, 13230 PENN STREET
FEBRUARY 8, 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 Fire Chief Freeman

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 Andrea Castillo, Gloria and Robert Ramos, Don J. Molter, Craig Hoss, State Farm Insurance for Francisco Chavez, Mercury Insurance for Clarine Smith Reed, and Erick Ramirez from Xtreme Tint.
- 6.B** It is recommended the City Council, Agency Board and Board of Directors approve the Minutes of the Regular Meeting of January 11, 2011.
- 6.C** It is recommended the City Council, Redevelopment Agency Board, and Utility Authority Board of Directors review and approve the 2011 Statement of Investment Policy.
- 6.D** The Parks, Recreation and Community Services Commission recommends the City Council approve the use of electric bicycles with speeds up to 15 mph on the Whittier Greenway Trail.
- 6.E** It is recommended the City Council conduct second reading and adopt Ordinance No. 2963 entitled, "An Ordinance of the City Council of the City of Whittier, California, amending Chapter 10.16 (Stopping, Standing and Parking) with the addition of Article IV (Uptown Whittier Park Once District) and amending Section 10.16.100 (Twenty Minute Parking), repealing Section 10.16.120 (Two Hour Parking) and adding a new Section 10.16.120 (Parking Time Unlimited for Metered Parking Areas) of Article II (Limited Parking) of Chapter 10.16 (Stopping, Standing and Parking) of Title 10 (Vehicles and Traffic) of the Whittier Municipal Code," and authorize staff to do a summary publication of the Ordinance.
- 6.F** The Cultural Arts Commission recommends the City Council approve Whittier College's request to utilize \$10,000 of the reserved Art In Public Places funds to be donated to the Whittier Community Foundation for the Police Memorial Project; and adopt Resolution No. 8343 entitled, "A Resolution of the City Council of the City of Whittier, California, amending the Fiscal Year 2010-2011 Budget to fund the request from Whittier College to support the Community Foundation's Police Memorial Project," in the amount of \$10,000.
- 6.G** The Parks, Recreation and Community Services Commission recommends the City Council approve a special event permit for the Autism Society of America, Whittier Chapter walk along the Greenway Trail on April 16, 2011.
- 6.H** It is recommended the City Council adopt Resolution No. 8344 entitled, "A Resolution of the City Council of the City of Whittier, California, appointing the authorized agents for the 2010 Emergency Operations Center Grant."

- 6.I** The Personnel Board recommends the City Council approve the amended class specification for the position of Police Communications Supervisor; and adopt Resolution No. 8345 entitled, "A Resolution of the City Council of the City of Whittier, California, amending Salary Resolution No. 8328," deleting the flexible classification of Police Communications Supervisor I/II to a combined classification of Police Communications Supervisor.
- 6.J** 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 No. CUP10-017 to allow the operation of a consumer product refurbishing, receiving and distribution center in an existing industrial building located at 12252 Whittier Boulevard; Applicant: Sohnen Enterprises, Inc.; Owner: L & P Property Management Company.
- 6.K** It is recommended the City Council receive and file a brief update on the police construction project.
- 6.L** It is recommended the Board of Directors accept the work performed by Best Drilling and Pump Company for the Rehabilitation of Well No. 16 project; and authorize the Secretary-Treasurer to file the Notice of Completion.
- 6.M** It is recommended the City Council approve the Special Event Permit request from the Bell Gardens Lions Club for its annual bike ride scheduled for Saturday, March 19, 2011, from 9:00 a.m. to 2:00 p.m.
- 6.N** It is recommended the City Council take actions regarding the Community Development Block Grant (CDBG) Target Area Surface Pavement Removal and Replacement on Bright Avenue project, between La Cuarta Street and Whittier Boulevard:
1. Award the construction contract in the amount of \$187,651.41;
 2. Reject all other bids;
 3. Adopt Resolution No. 8346 entitled, "A Resolution of the City Council of the City of Whittier, California, adding a supplemental appropriation to the Fiscal Year 2010-11 Budget for the expenditure of CDBG Target Area Pavement Removal and Replacement on Bright Avenue Project," in the amount of \$148,194; and
 4. Authorize the City Manager to execute the contract.
- 6.O** It is recommended the City Council adopt Resolution No. 8347 entitled, "A Resolution of the City Council of the City of Whittier, California, amending the Fiscal Year 2010-11 Budget to appropriate funds for the Professional Services Agreement with CWA AIA, Inc.," in the amount of \$126,816 for Whittwood Branch Library expansion and improvements.

- 6.P** It is recommended the City Council adopt Resolution No. 8348 entitled, “A Resolution of the City Council of the City of Whittier, California, rescinding Resolution No. 8341, and approving Conditional Use Permit Modification No. CUP10-006 (M-1) to allow the operation of a 24-hour restaurant with a 24-hour drive-thru service window for a new restaurant (D.B.A. McDonald’s) located at 8840 Painter Avenue (Applicant: Ware Malcomb; Owner: McDonalds Corp.)”
- 6.Q** It is recommended the City Council take actions regarding the Poured-in-Place Rubber Playground Surfacing Project at Palm Park:
1. Award the contract in the amount of \$108,000;
 2. Reject all other bids;
 3. Authorize the City Manager to execute the contract;
 4. Approve the purchase and installation of a Miracle Recreation Equipment Kids Choice Play System in the amount of \$20,844; and
 5. Adopt Resolution No. 8349 entitled, “A Resolution of the City Council of the City of Whittier, California, amending the Fiscal Year 2010-2011 Budget to fund the Palm Park Kids Choice Play System Project,” in the amount of \$20,844.
- 6.R** The Cultural Arts Commission recommends the City Council and Agency Board take the following actions regarding the Uptown Gallerias Art in Public Places Project:
1. City Council approve \$91,627 for the Project; adopt Resolution No. 8350 entitled, “A Resolution of the City Council of the City of Whittier, California, amending the Fiscal Year 2010-11 Budget for the Uptown Gallerias Art in Public Places Project,” in the amount of \$91,627; and authorize the City Manager to execute the Agreement.
 2. Agency Board authorize the use of Agency property located at 6724 and 6726 Greenleaf Avenue for one of the art pieces.
- 6.S** It is recommended the City Council approve Poured-In-Place Resilient Rubber Playground Surfacing Projects at Laurel and Central Parks; and adopt Resolution No. 8351 entitled, “A Resolution of the City Council of the City of Whittier, California, amending the Fiscal Year 2010 – 2011 Budget to fund the Central and Laurel Parks Poured-in-Place Resilient Rubber Playground Surfacing Project,” allocating \$47,375 in Designated Parkland funds.
- 6.T** The Planning Commission recommends the City Council receive and file the 2009-2010 General Plan Annual Progress Report; and direct staff to forward a copy to the Governor’s Office of Planning and Research and the State Department of Housing and Community Development.

- 6.U** It is recommended the Agency Board and City Council approve the following agreements; and authorize the Executive Director/City Manager to execute the agreements:
1. City/Agency loan agreement for Fiscal Year 2010-11 in an amount not to exceed \$200,000 for the Greenleaf Avenue/Uptown Whittier Redevelopment Project;
 2. City/Agency loan agreement for Fiscal Year 2010-11 in an amount not to exceed \$30,000 for the Whittier Boulevard Redevelopment Project; and
 3. City/Agency loan agreement for Fiscal Year 2010-11 in an amount not to exceed \$150,000 for the Commercial Corridor Redevelopment Project.
- 6.V** It is recommended the City Council and Agency Board approve the following agreements; and authorize the City Manager/Executive Director to execute the agreements:
1. City/Agency Agreement for Staff Support Services, Fiscal Year 2010-11 establishing compensation in an amount not to exceed \$135,161 for the Greenleaf Avenue/Uptown Whittier Redevelopment Project;
 2. City/Agency Agreement for Staff Support Services, Fiscal Year 2010-11 establishing compensation in an amount not to exceed \$135,161 for the Whittier Earthquake Recovery Redevelopment Project;
 3. City/Agency Agreement for Staff Support Services, Fiscal Year 2010-11 establishing compensation in an amount not to exceed \$306,280 for the Whittier Commercial Corridor Redevelopment Project; and
 4. City/Agency Agreement for Staff Support Services, Fiscal Year 2010-11 establishing compensation in an amount not to exceed \$132,659 for the Housing Assistance Program.
- 6.W** It is recommended the Agency Board take the following actions regarding the "Former Ricker Motors Demolition" Project:
1. Waive the informality in the bid documentation submitted by Moine Brothers and Sons (Moine);
 2. Award the demolition contract in the amount of \$5,500 for the site located at 12450 Whittier Boulevard;
 3. Reject all other bids; and
 4. Authorize the Executive Director to execute the contract.

Proposed Motion: I move that the Consent Calendar be approved as submitted including awarding construction contracts to EC Construction Co. (Item 6.N) and Fleming Environmental, Inc. (Item 6.Q); a demolition contract to Moine Brothers and Sons (Item 6.W); and that Resolution Nos. 8343 (Item 6.F); 8344 (Item 6.H); 8345 (Item 6.I); 8346 (Item 6.N); 8347 (Item 6.O); 8348 (Item 6.P); 8349 (Item 6.Q); 8350 (Item 6.R); and 8351 (Item 6.S); and Ordinance No. 2963 (Item 6.E) 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 reappointing eligible incumbent board and commission members to the Cultural Arts Commission, Historic Resources Commission, Parks, Recreation and Community Services Commission, Parking and Transportation Commission, and select two Council Meeting dates for advisory board interviews.

Proposed Motion: I move to _____.

9. CITY COUNCIL STAFF REPORTS:

9.A It is recommended the City Council approve a recommendation from the Greenway Trail Council Subcommittee regarding proper acknowledgement at the Palm Station arbor on the Whittier Greenway Trail, donated by Southern California Edison via the Whittier Conservancy.

Proposed Motion: I move to _____.

9.B It is recommended the City Council approve a name for the proposed park at the Depot; and adopt a resolution entitled, "A Resolution of the City Council of the City of Whittier, California, officially dedicating the _____ Park at 7333 Greenleaf Avenue."

Proposed Motion: I move to approve _____ as the name for the park; and that Resolution No. 8352 be read by title only, further reading be waived, and it be declared adopted.

ROLL CALL

- 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/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.
 - 13.B** City Council/Redevelopment Agency – Government Code Section 54956.8 to discuss real property negotiations with the listed property owners, regarding price and terms of payment; City/Agency negotiator: Stephen Helvey:
 1. Brookfield Homes – AIN 8170-013-904 (Nelles property);
 2. Mark Fels, Trustee, Fels Family Trust and Ronald Skale, Trustee Skale Trust – AIN 8170-026-006 (Altec Motors); and
 3. Southern Pacific Transportation Co. SBE 872 19 254E PAR – AIN 8170-013-815 and AIN 8170-013-816.
 - 13.C** City Council – Government Code Section 54956.9(a) to discuss one case of litigation; Case No. BS128995, Open Space Legal Defense Fund, a non-profit organization; Heriberto Diaz and Daniel Duran vs. City of Whittier, et al.
- 14. RECONVENE IN OPEN SESSION:**
- 15. CLOSED SESSION REPORT:**
- 16. ADJOURNMENT:**
- 17. NEXT MEETING:** Tuesday, February 22, 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.