

**AGENDA
WHITTIER CITY COUNCIL
WHITTIER REDEVELOPMENT AGENCY
WHITTIER UTILITY AUTHORITY
JOINT MEETING
CITY COUNCIL CHAMBER, 13230 PENN STREET
FEBRUARY 22, 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 Recognition from the Los Angeles County Economic Development Corporation

4.B Blue Star Presentations

John and Sandy Melendrez

Jesus Perez and Socorro Gutierrez

Mary Romero

4.C Businesses of the Month

Whittier Area Chamber of Commerce

Whittier Uptown Association

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 Tina Hutton, Ruben Valverde, Sandra Alfonso, Georgina Sanchez, and Paul Alexander Hernandez.
- 6.B** It is recommended the City Council, Agency Board and Board of Directors approve the Minutes of the Regular Meetings of January 25 and February 8, 2011.
- 6.C** It is recommended the City Council approve a special event permit for the Walk 4 Life event sponsored by the Whittier Pregnancy Care Clinic on Saturday, March 5, 2011 from 8:30 to 10:00 a.m. beginning and ending at the Whittier Pregnancy Care Clinic, 16147 E. Whittier Boulevard.
- 6.D** It is recommended the City Council receive and file the Gateway Cities Council of Governments updates for February 2011.
- 6.E** It is recommended the City Council receive and file the following Historic Resources Commission actions unless review is requested by a Council Member:
1. Approval of Certificate of Appropriateness 10-020 to complete a comprehensive window replacement/repair and façade remodel to an existing single-family residence located at 11548 Beverly Boulevard; Owner: Lucero Asset Group; Applicant: Maria R. Pulido-Lucero.
 2. Approval of Certificate of Appropriateness 10-015 to complete a comprehensive window repair and window change-out to an existing single-family residence located at 13122 Oak Street; Owner: Simple Properties, LLC; Applicant: Wilson Ruiz, Gallant Realty, Inc.
- 6.F** It is recommended the City Council authorize staff to submit a grant application to the Department of Resources Recycling and Recovery (CalRecycle) for rubberized surfacing at several Whittier parks; and adopt Resolution No. 8353 entitled, "A Resolution of the City Council of the City of Whittier, California, for authorization to submit a grant application to the Department of Resources Recycling and Recovery (CalRecycle)," authorizing the Assistant City Manager to sign the grant application.

- 6.G** It is recommended the City Council approve the plans and specifications for the Community Development Block Grant (CDBG) funded Central Library Americans with Disabilities Act (ADA) Ramp improvements; and authorize the City Clerk to advertise the project for construction bids.
- 6.H** It is recommended the City Council approve extending the Tolling Agreement with the County of Los Angeles regarding alleged violations of water quality standards until March 12, 2013; and authorize the City Attorney to execute the extension.
- 6.I** It is recommended the City Council approve an agreement with Meyers Nave to provide legal assistance regarding the CEQA review document for the Whittier Hills Mineral Extraction Project; and authorize the City Manager to execute the agreement.

Proposed Motion: I move that the Consent Calendar be approved as submitted; and that Resolution No. 8353 (Item 6.F) be read by title only, further reading be waived, and it be declared adopted.

ROLL CALL

7. RECESS REDEVELOPMENT AGENCY AND UTILITY AUTHORITY MEETINGS:

8. PUBLIC HEARING:

- 8.A** This is the date and time set and duly noticed for a public hearing to consider the issuance of City of Whittier Health Facility Revenue Bonds (Presbyterian Intercommunity Hospital) Series 2011; and adopting a resolution entitled, "A Resolution of the City Council of the City of Whittier, California authorizing the issuance, sale and delivery of certain Revenue Bonds to finance certain health facilities for the benefit of Interhealth Corp., Presbyterian Intercommunity Hospital, Inc. and IHC Management Corp., and the execution and delivery of certain documents and certain other actions in connection therewith," in an amount not to exceed \$44,000,000.

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

Proposed Motion: I move that Resolution No. 8354 be read by title only, further reading be waived, and it be declared adopted.

ROLL CALL

9. STAFF REPORT:

- 9.A** It is recommended the City Council discuss the Municipal Code as it pertains to Outside Display; and provide feedback and direction to staff as appropriate.

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 JOINT 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.
- 13.D** City Council – Government Code Section 54957.6 to discuss labor negotiations between negotiator Stephen Helvey and the Whittier City Employees' Association and unrepresented employees.
- 13.E** City Council – Government Code Section 54957, City Manager evaluation.

- 13.F City Council - Government Code Section 54956.9(a) to discuss the claim of the Natural Resources Defense Council, Inc. et al. vs. the County of Los Angeles.
 - 13.G Government Code Section 54956.9(b)(1), to discuss one case of potential litigation relating to the design build concept relating to the Branch Library located at 10537 Santa Gertrudes Avenue.
 - 13.H City Council – Government Code Section 54956.8 to discuss real property negotiations with Delta Groups representing Verizon relating to price and terms of payment to lease property at 5703 Palm Avenue; City negotiator: Stephen Helvey.
 - 13.I City Council – Government Code Section 54956.9(b)(1) to discuss one case of potential litigation; the City is not specifically identifying the potential litigation to be discussed or the facts supporting this Closed Session item because to do so would jeopardize the City’s position.
- 14. **RECONVENE IN OPEN SESSION:**
 - 15. **CLOSED SESSION REPORT:**
 - 16. **ADJOURNMENT:**
 - 17. **NEXT MEETING:** Tuesday, March 8, 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.