

**MINUTES
WHITTIER CITY COUNCIL
WHITTIER REDEVELOPMENT AGENCY
WHITTIER UTILITY AUTHORITY
JOINT MEETING
CITY COUNCIL CHAMBER, 13230 PENN STREET
NOVEMBER 9, 2010**

1. CALL TO ORDER:

The Whittier City Council met in regular session on November 9, 2010, in conjunction with the Whittier Redevelopment Agency and the Whittier Utility Authority. Mayor Nordbak called the joint meeting to order at 6:33 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
Owen Newcomer, 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

OTHER OFFICIALS PRESENT:

Stephen W. Helvey, City Manager/Executive
Director
Richard D. Jones, City Attorney/Authority
Counsel
Kathryn A. Marshall, City Clerk-Treasurer/
Secretary-Treasurer

3. PLEDGE OF ALLEGIANCE:

Dr. Forrest Stone led the Pledge of Allegiance.

4.A BLUE STAR PRESENTATIONS

Mayor Nordbak and Mayor Pro Tem Warner presented a Blue Star banner, window decal and lapel pins to Walter and Faith Canedo, and their friend Sandy, in recognition of their son Jonathan Canedo who is serving as a Staff Sergeant with the Army National Guard.

Mayor Nordbak and Mayor Pro Tem Warner presented a Blue Star banner, window decal and lapel pins to Margie Nuanes, and her children Valerie, Sharon and

Scott, in recognition of their son/brother Colonel Robert Nuanes who is serving as the Director of Warfighting Applications for the Air Force.

Mayor Nordbak and Mayor Pro Tem Warner presented a Blue Star banner, window decal and lapel pins to Jose, Alan, Erick and Bryan Molina, as well as to their wife/mother Herlinda Rangel who is a U.S. Navy E-6.

Mayor Nordbak and Mayor Pro Tem Warner presented a Blue Star banner, window decal and lapel pins to Bonnie and Jerry d'Eliso in honor of their son-in-law Michael R. Sands who is serving as a First Sergeant in the U.S. Army.

4.B COMMENDATION – LITA DUNCAN AND OFFICER RAY PALMER

Mayor Nordbak advised Certificates of Commendation had been prepared for Lita Duncan and Police Officer Palmer for their life-saving actions performing CPR on resident Dortha Boyd. YMCA Executive Director Scott Tiffany presented the certificate to Ms. Duncan and Interim Police Chief Piper presented the certificate to Officer Palmer. Los Angeles County Fire Department Battalion Chief David Wylie presented plaques to Ms. Duncan and Officer Palmer. Mrs. Boyd thanked Ms. Duncan and Officer Palmer for saving her life.

4.C BUSINESS OF THE MONTH CERTIFICATES – ORCHARDS FRESH FOODS AND RICK'S DRIVE IN & OUT

Mayor Nordbak and Mayor Pro Tem Warner presented Troy and Debbie Silva, owners of Orchard's Fresh Foods, with a Business of the Month certificate for their five years of operating their gourmet market. Mayor Nordbak complemented their assistance in the fundraising efforts with Presbyterian Intercommunity Hospital and the Boys & Girls Club of Whittier.

Mayor Nordbak and Mayor Pro Tem Warner presented Rick Tewes, owner of Rick's Drive In & Out, with a Business of the Month certificate recognizing his business which opened in 1973. Mayor Nordbak thanked Mr. Tewes for hosting numerous community Christmas events.

4.D. PROCLAMATION – DR. FORREST STONE

Mayor Nordbak and Mayor Pro Tem Warner presented Dr. Forrest Stone with a proclamation in honor of his retirement and in recognition of 23 years of community service as Senior Pastor of the College Avenue Church of the Nazarene.

4.E. LEAGUE OF CALIFORNIA CITIES HELEN PUTNAM HEALTH AND SAFETY AWARD – GREENWAY TRAIL

Kristine Guerrero, League of California Cities Los Angeles Division, presented the City Council with the League of California Cities' Helen Putnam Health and Wellness Award of Excellence for the Greenway Trail Project.

5. ORAL COMMUNICATIONS:

Jose Ramos, 6322 Bright, Whittier, presented a letter to the City Council on behalf of the Welcome Home Vietnam Veterans Day organization, and requested the City re-name its memorial honoring fallen veterans and add benches to the memorial.

Dominica, Cacia, and Corena, students at Broadoaks Children's School, invited the public to their Annual Holiday Auction November 19, 2010.

The following speakers expressed opposition or concerns relating to the proposed Whittier Main Mineral Extraction Project addressing these points: at least six significant environmental impacts cannot be mitigated; Whittier Hills Oil Watch (WHOW) supports the Open Space Legal Defense Fund's efforts to oppose the project in the courts; opponents will oppose this project at the ballot box; a town hall meeting has been scheduled to assist with preparation of written comments to the draft environmental impact report (DEIR); health risks from toxics will contaminate air quality and create land and water pollution; Matrix Oil Company has not agreed to the alternative proposals in the DEIR; the project cannot be configured to provide for the health and wellbeing of residents; a Matrix Oil Company's representative reflected a lack of regard for the loss of life at its Honolulu Terrance location; DEIR states cancer could be attributed to the project; the Penn Street alternative route will reduce parking already limited due to Penn Park and Whittier College overflow parking, will impact an estimated 530 residents, subject residents to additional truck traffic and its associated noise, could result in over four million extra miles of truck traffic in the Whittier Hills over the 70 year life of the project, and those residents experienced extra truck traffic relating to the church grading project which may have exceeded the Landfill's permit trip limit; desire a decision which is best for residents and the environment; the oil industry has negotiated exemptions from the federal Clean Air Act and Clean Water and are not subject to the Right to Know Act so they can withhold information; Harvard School study shows oil drilling has the highest fatality rate; if Penn Street alternative will be considered, do outreach to Penn Street residents and professors and students of Whittier College; and oil revenue would come at a high cost to the residents and environment, consider other ways to generate revenue.

Dan Duran, 8103 Catalina, Whittier, Whittier Hills Oil Watch (WHOW) President
Marta Maria Borbon, 5228 Glennon Drive, Whittier
Bob Florin, retired physician, Ladosa Drive, Whittier

Matt Berklehammer, also supported Sodexo employees' goal of improved wages and working conditions

Laura, 13802 Penn Street, Whittier

Sara Arndt, 13709 Penn Street, Whittier

Valorie Shatynski, 13726 Penn Street, Whittier

Cheryl, Penn Street, Whittier

Ron McKee, WHOW Vice President

Cynthia Velasquez, 13808 Penn Street, Whittier

David Barbee, 13705 Penn Street, Whittier

Milton Rudge, 12205 Norino Drive, Whittier

Juliana Regina, Whittier

Pat Almada, 7271 Canyon Crest Road, Whittier, also addressed traffic and parking problems on Penn Street and Canyon Drive created by events at Whittier College which prohibited residents from accessing their homes the past two Friday nights.

Fred Hawthorne, Franklin Street, Whittier

Olivia Hamud, 13622 Penn Street, Whittier

Mr. Dupar reported many housekeeping staff at Whittier College conducted a one-day strike in October protesting unfair labor practices by their employer Sodexo. He translated comments made by Felicitas, a five-year housekeeper at Whittier College, who requested community and College professors' support for their effort to improve wages and treatment by supervisors.

Albert Straite, 11020 El Arco Drive, Whittier, requested City code enforcement assistance with an unmaintained home at the northeast corner of Fairview and Scott.

Sandra Hahn, 6560 Greenleaf Avenue, Whittier, representing the Whittier Uptown Association and Christmas Parade Chair, announced the Grand Illumination December 4, 2010; Holiday Sonata December 4, 2010; and Christmas Parade December 11, 2010.

Larry Trujillo, Family Festival Productions, invited input from the City and public regarding improvements to the Uptown Association's weekly festival event.

Mike Taconi, President of Fix Uptown Now (FUN), thanked the City Council for considering an aggressive panhandling ordinance to improve the sense of safety in the Uptown area.

Ginny Ball, Whittier, Vice President of the Whittier Area Chamber of Commerce, announced upcoming events: Wake-up Whittier November 20, 2010; Good Scout Award November 11, 2010 honoring Joe and Bonnie Price and Debbie Baker; Activate Whittier Walking Club November 13, 2010; Presbyterian Intercommunity Hospital Senior Health Fair; Jazz Cabaret Series at Shannon Center; Cosmic Bowling Party November 17, 2010; Business Seminar co-sponsored by the City November 28, 2010; Tasty

Tuesday networking November 30, 2010. She congratulated the City on the opening of the new police station.

George Poochigian, Whittier, said he does not like the monthly City Council meeting schedule; the City does not operate as a democracy; the veterans' memorial is missing names; and the police memorial statue should include only Mike Lane's name because he was shot.

Ralph Marsico said Interim Police Chief Piper helped prevent the sale of his father's trolley, some of the tickets associated with the trolley should be voided, and that he anticipated a positive outcome from the hearing scheduled for the following week.

Joe Marsico, Whittier, reported his experience having his trolley impounded and his efforts to arrange a hearing on the tickets associated with the trolley.

13. CLOSED SESSION:

Mayor Nordbak announced that Closed Session items would be considered next.

City Manager Helvey advised there were eight items scheduled for discussion but there was no need for discussion on item 13.E. He confirmed Mayor Nordbak may have a conflict with a portion of item 13.A.

Mayor Nordbak adjourned the meeting to Closed Session at 8:15 p.m.

13.A City Council – Government Code Section 54957.6 to discuss labor negotiations between negotiator Stephen Helvey and the Whittier City Employees' Association and unrepresented employees.

NOTE: Mayor Nordbak may have a potential conflict of interest on the represented employee group and may not participate in full discussion on Item 13.A.

13.B 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.

NOTE: Council Member Henderson may have a potential conflict of interest on part of Item 13.B and may not participate in full discussion of the item.

13.C City Council - Government Code Section 54956.9(a) to discuss the claim of Chapin vs. City of Whittier.

- 13.D** City Council/Redevelopment Agency - Government Code Section 54956.8 to discuss real property negotiations with Heritage Housing Partners relating to price and terms of payment for property identified as AINs 8141-008-905; 8141-008-907; 8141-008-912; and 8141-008-913; City/Agency negotiator: Stephen Helvey.
- 13.E** 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.F** City Council – Government Code Section 54956.9(c) to discuss one case of potential litigation regarding receivership of properties located at 7230, 7232 and 7234 Greenleaf Avenue.
- 13.G** City Council – Government Code Section 54956.9(c) to discuss one case of potential litigation regarding receivership of property located at 13989 Summit Drive.
- 13.H** City Council – Government Code Section 54956.9(c) to discuss one case of potential litigation regarding receivership of property located at 14002 Summit Drive.
- 13.I** City Council – Government Code Section 54957, City Manager evaluation.

Mayor Nordbak reconvened the meeting in Public Session at 8:58 p.m.

15. CLOSED SESSION REPORT

City Manager Helvey reported that the City Council gave staff direction on item 13.C and continued the remaining items for discussion later in the meeting.

(Continued on pages 11 and 15.)

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

City Manager Helvey advised changes were necessary to item 6.J, Palm Park Rubber Playground Surfacing, because federal funds were being used necessitating a minimum three week period between advertising the project and the bid opening, therefore, the mandatory pre-bid meeting date would change to November 30, 2010 and the bid opening would occur on December 21, 2010.

Mayor Pro Tem Warner requested separate consideration of Items 6.D and 6.V.

Council Member Vinatieri advised he would recuse himself from item 6.G because he did not participate in the public hearing on the matter. He confirmed with City Attorney Jones that because he is a member of the Whittier Uptown Business Improvement District and pays an assessment, he should not vote on item 6.M and advised he would recuse himself from that item also.

City Attorney Jones advised Council Members Vinatieri and Henderson had a very remote interest in item 6.L.

Council Member Henderson recused himself from item 6.M because of his business interest.

Council Member Vinatieri requested separate consideration of items 6.H and 6.I.

It was moved by Council/Agency Member/Director Newcomer, seconded by Mayor Pro Tem/Vice Chair Warner, and carried by roll call vote with Council Member Vinatieri abstaining on item 6.G, to approve the Consent Calendar with the exception of items 6D, 6H, 6I, 6.M, and 6.V, and that Resolution Nos. 8323 (Item 6.G); 8326 (Item 6.P); 8327 (Item 6.Q); 8328 and 8329 (Item 6.S); and WUA-10-10 (Item 6.C) be read by title only, further reading be waived, and they be declared adopted.

- 6.A** The City Council denied claims filed by Yolanda Webb, Jorge Dominguez, Francisco J. Chavez, Rosario V. Vega, Tiffanie Otero, Patrick Delgado, Richard A. Miller, Patricia Corral, and Mercury Insurance for Juan Acevedo, Isidro Torres, Mark Hix, Julie Blaiser, Jeanette Benson, Irene Ramona Rodriguez, Anthony Corral, and Kevin Madison.
- 6.B** The City Council, Agency Board and Board of Directors approved the Minutes of the Regular Meetings of October 12 and October 26, 2010.
- 6.C** The Board of Directors adopted Resolution No. WUA-10-10 entitled, "A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WHITTIER UTILITY AUTHORITY AMENDING SECTION 14 (AUTHORITY CONFLICT OF INTEREST CODE) OF RESOLUTION WUA-02-01 TO PROVIDE FOR THE AUTOMATIC ADOPTION OF CHANGES MADE TO THE CITY OF WHITTIER CONFLICT OF INTEREST CODE."
- 6.E** The City Council approved a professional services agreement with Nixon-Peabody LLP in an amount not to exceed \$20,000 for legal services; and authorized the City Manager to execute the agreement.
- 6.F** The City Council received and filed the Gateway Cities Council of Governments' update for July through September 2010.

- 6.G** The City Council adopted Resolution No. 8323 entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, DENYING CONDITIONAL USE PERMIT MODIFICATION NO. C99-005 (M-1) TO ALLOW THE SALE OF BEER AND WINE FOR OFF-SITE CONSUMPTION (D.B.A. WALGREENS) LOCATED AT 8201 GREENLEAF AVENUE (APPLICANT AND OWNER: WALGREENS CORPORATION).”
- 6.J** The City Council approved the specifications for the Palm Park Rubber Playground Surfacing Project; and authorized the City Clerk-Treasurer to advertise for bids.
- 6.K** The City Council approved the plans and specifications for the Joe Miller Field Restroom Project; and authorized the City Clerk-Treasurer to advertise for bids.
- 6.L** The City Council approved the Special Event Permit request for the Whittier Uptown Association 2010 Holiday Sonata on Saturday, December 4, 2010 from 5:00 p.m. to 9:00 p.m.; and the Uptown Whittier Christmas Parade on Saturday, December 11, 2010 from 10:00 a.m. to 12:00 p.m.
- 6.N** The City Council approved the Encroachment License for ExxonMobil Oil Corporation to install two groundwater monitoring wells in the 10700 block of Beverly Boulevard; and authorized the Mayor to execute the Encroachment License.
- 6.O** The City Council accepted the work performed by Steiny and Company, Inc. for the Traffic Signal Improvements for the intersection of Santa Gertrudes Avenue at Starbuck Street, Federal Project No. ESPL-5111(049); and authorized the City Clerk-Treasurer to record the Notice of Completion.
- 6.P** The City Council adopted Resolution No. 8326 entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, RESCINDING CONFLICTING PORTIONS OF RESOLUTION NO. 4649, REMOVING CERTAIN VEHICULAR TRAFFIC RESTRICTIONS RELATING TO STREET PARKING ON GREENLEAF AVENUE BETWEEN LA CUARTA STREET AND MULBERRY DRIVE.”
- 6.Q** The City Council adopted Resolution No. 8327 entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, ESTABLISHING STOP SIGNS AT THE INTERSECTION OF BAILEY STREET AND FRIENDS AVENUE.”

- 6.R** The Board of Directors took the following actions regarding the renewal of water division leases:
1. Approved renewing leases for radio equipment and antenna spaces at Reservoirs #5 and #12;
 2. Approved renewing one lease for growing nursery stock at Pumping Plant 2 (4128 San Gabriel Parkway, Pico Rivera); and
 3. Authorized the Executive Director to execute the lease agreements: American Red Cross-Rio Hondo Chapter, Central Basin Municipal Water District, City of Downey Fire Department, City of Santa Fe Springs, Rio Hondo Amateur Radio Club, and Whittier City School District.
- 6.S** The City Council:
1. Approved the Memorandum of Understanding with the Whittier City Employees' Association (WCEA) for the period of July 1, 2010 through June 30, 2011;
 2. Adopted Resolution No. 8328 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, TO RESCIND RESOLUTION NO. 8280 AND ADOPT A NEW 2010-2011 SALARY RESOLUTION"; reflecting floating holiday changes for WCEA and unrepresented employees; and
 3. Adopted Resolution No. 8329 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, TO RESCIND RESOLUTION NO. 8173 AND TO SET FORTH CERTAIN LEAVE AND COMPENSATION BENEFITS FOR MANAGEMENT AND CONFIDENTIAL EMPLOYEES," reflecting changes to job titles and removal of Accrued Compensable Leave Conversion.
- 6.T** The City Council approved the specifications for the Palm Park Aquatic Center Pool Re-plastering Project; and authorized the City Clerk-Treasurer to advertise for bids.
- 6.U** The City Council received and filed the following Planning Commission action: approval of Conditional Use Permit Modification No. 10-006(M-1) to allow for the operation of a 24-hour restaurant with a 24-hour drive-thru service window for a new (reconstructed) restaurant (D.B.A. McDonald's); located at 8840 Painter Avenue; Applicant: Ware Malcomb; Owner: McDonalds Corp.

6.D AGGRESSIVE SOLICITATION ORDINANCE

Following discussion it was moved by Mayor Pro Tem Warner, seconded by Council Member Newcomer, and carried unanimously by roll call vote, that Ordinance No. 2959 entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, ADDING CHAPTER 9.60 TO TITLE 9 (PUBLIC PEACE,

MORALS AND WELFARE) OF THE WHITTIER MUNICIPAL CODE, RELATING TO AGGRESSIVE SOLICITATION” be read by title only, further reading be waived and it be declared adopted.

6.H SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS “BUSINESS FRIENDLY PRINCIPLES” AND SOUTHERN CALIFORNIA ECONOMIC GROWTH STRATEGY

At the discussion conclusion, Council Member Vinatieri requested staff provide a written summary of how the City’s practices reflect Business Friendly Principle Four – Attractiveness to Business Investment.

It was moved by Council Member Vinatieri, seconded by Mayor Pro Tem Warner, and carried unanimously by roll call vote, that Resolution No. 8324 entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, IN SUPPORT OF “BUSINESS FRIENDLY PRINCIPLES” AS PART OF SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS’ DEVELOPMENT OF A SOUTHERN CALIFORNIA ECONOMIC GROWTH STRATEGY” be read by title only, further reading be waived, and it be declared adopted.

6.I SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS COMPASS BLUEPRINT DEMONSTRATION PROJECT – WASHINGTON BOULEVARD ALIGNMENT FOR THE PROPOSED GOLD LINE LIGHT RAIL TRANSIT CORRIDOR

Following discussion it was moved by Council Member Vinatieri, seconded by Council Member Newcomer, and carried unanimously by roll call vote, that Resolution No. 8325 entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, SUPPORTING AND AUTHORIZING AN APPLICATION FOR THE 2010-11 DEMONSTRATION PROJECT AS PART OF THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS’ COMPASS BLUEPRINT PROGRAM” for the Washington Boulevard Gold Line Transit Corridor Study be read by title only, further reading be waived and it be declared adopted; and authorize the City Manager to execute all necessary documents.

6.M WHITTIER UPTOWN ASSOCIATION ANNUAL AGREEMENT

Council Members Henderson and Vinatieri announced they were recusing themselves from voting on the matter because they had businesses in the Uptown Whittier Business Improvement District.

It was moved by Mayor Pro Tem Warner, seconded by Council Member Newcomer, and carried by roll call vote with Council Members Henderson and Vinatieri abstaining, to approve the administrative agreement with the Whittier Uptown

Association for Calendar year 2011 and authorize the City Manager to sign the agreement.

6.V POLICE CONSTRUCTION UPDATE

Following a brief report and discussion, it was moved by Council Member Henderson, seconded by Mayor Pro Tem Warner, and carried unanimously, to receive and file an update on the Police Construction Project.

7. RECESS REDEVELOPMENT AGENCY AND UTILITY AUTHORITY MEETINGS:

Mayor Nordbak recessed the Redevelopment Agency and Utility Authority meetings at 9:21 p.m.

15. CLOSED SESSION REPORT – CONTINUED

City Manager Helvey corrected his previous report; advised that item 13.B, not 13.C, had been discussed during the Closed Session; and said as a result item 15.A would be acted on later in the meeting.

8.A PUBLIC HEARING – ZONING CODE AMENDMENT 10-003, SIGN CONSTRUCTION AND PLACEMENT REQUIREMENTS

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 adopt an ordinance approving Zoning Code Amendment 10-003 relating to sign regulations for institutional uses. He recommended the City Council authorize staff to do a summary publication of the ordinance.

Assistant City Manager Collier reported that this matter arose due to a request from Whittier Area Community Church for new signage not permitted under the City's sign regulations for institutional uses; the request was brought to the City Council resulting in direction to staff to prepare an amendment to the Sign Code; staff developed a proposed amendment to permit temporary signage for institutional uses in residential zones and wall and monument signs for those uses in the single family residential zone, noting the sign regulations for institutional uses in multiple family and non-residential zones already have more flexibility. He advised staff developed a tiered approach to the signage permitted, based on type of street the use faces, so that the larger the street the larger the signage permitted due to the speed of traffic and character of the streets. He responded to questions from Council Members and advised the ordinance would only change regulations for institutional uses in residential zones; the major change would be permitting organizations to have banners to promote on-site special events; it permits electronic readerboards in single family residential areas; the "reasonable person" test is the measurement for excessive glare; banners would require a permit; the outreach notification regarding the proposed sign ordinance

undertaken at the Planning Commission's request included the Whittier Conservancy even though the regulations do not apply to them; a letter with concerns about the proposed ordinance was received from the Whittier Conservancy; and organizations which post signs in other than English characters will also need English language signs for public safety purposes.

City Attorney Jones concurred that for public safety purpose signage must include English if the business name is presented in some form other than English characters.

Mayor Nordbak opened the public hearing at 9:32 p.m.

Milton Rudge, 12205 Norino Drive, opposed adding flexibility to the sign regulations in residential areas; said signs will be outdated due to social networking outreach and the use of global positioning systems (GPS), readerboards and other signs will only be read the first time someone passes them then they become blight in a neighborhood, and they should remain prohibited to maintain the beauty of neighborhoods.

Mayor Nordbak noted that Mr. Rudge had emailed the City Council.

Paul Narro, 6031 Haviland Avenue, Whittier, spoke on behalf of the College Avenue Church of the Nazarene, 8221 College Avenue, supported the proposed ordinance to allow institutions more flexibility to use signs to communicate with the community regarding activities and events offered, and said the ordinance provides sufficient guidelines, such as a limited posting period, to prohibit signs from being permanent.

Richard Cisneros, 9233 Coachman, Whittier Christian Church, 6355 Greenleaf Avenue, Whittier, supported the ordinance; said he participated in the Uptown Specific Plan development and Mr. Polyzoides considered institutions major stakeholders in the community; even with internet communication there is a need for tangible communication to inform constituents; the flexibility of readerboards will help churches with multiple congregations where multiple monument signs are impractical; different forms of signs reach walkers vs. people in vehicles; he trained as an architect and believes the ordinance applied with a sense of restraint, will meet the need for visual communication scaled to the neighborhood.

City Clerk-Treasurer Marshall reported that the City received a letter from the Whittier Art Gallery & Association expressing interest in more flexible regulations.

There being no one else wish to testify before the City Council, it was moved by Council Member Newcomer, seconded by Council Member Vinatieri, and carried unanimously to the close the public hearing.

Assistant City Manager Collier addressed issues raised by Council Members and advised the Whittier Conservancy expressed concern the ordinance create a special class of use, not “use zoning”, but advised the amendment does not change the permitted uses and there are other special sign regulations already in place for other specific groups; reviewed controls the ordinance contains for readerboard signs; advised that, at the Planning Commission’s request, staff did extensive search on the regulation of light spill and only found one agency with antiquated regulations; confirmed Table 6, which was referenced in the report, was missing and provided Council Members with the page of current freestanding sign regulations; and reviewed the current banner regulations which will apply to institutional uses.

City Attorney Jones confirmed the proposed ordinance does not create special use zoning.

Council Member Henderson expressed concern with readerboards getting out of control and changing the character of the buildings due to factors such as glare and the brightness of signage; said the report does not provide examples of permitted readerboards; and requested information on where Council Members could see examples of how the proposed ordinance would be applied. He received City Council concurred to continue action on the ordinance until the next meeting so staff could provide information on sample readerboards.

Mayor Nordbak said he does not support permitting readerboards to operate 24 hours per day, seven days a week, and asked staff to look at restricting that aspect when the ordinance is brought back to the City Council. The City Attorney confirmed the code could limit the operation of signs based on time, place and manner provisions.

Council Member Newcomer requested a cap on the size of the signs permitted. Assistant City Manager Collier suggested a 120 square foot limit on an arterial street.

It was moved by Council Member Henderson, seconded by Council Member Newcomer, and carried unanimously, to study the issues discussed, that staff provide examples of readerboards, and to continue the public hearing to December 14, 2010.

9.A ECONOMIC DEVELOPMENT QUARTERLY UPDATE REPORT

City Manager Helvey recommended the City Council receive and file the July through September 2010 Economic Development Quarterly Update Report; advised the City was again nominated as one of six finalists in the “population over 60,000” category of “Most Business Friendly City Award” by the Los Angeles Economic Development Corporation (LAEDC); and presented the City’s one minute LAEDC Eddy Award video.

Council Member Vinatieri said he wanted the Community Development Department's Workplan Whittier Boulevard Specific Plan goal to include targeting redevelopment of the area along Whittier Boulevard from Nelles east to Washington Boulevard.

Following discussion, it was moved by Council Member Newcomer, seconded by Council Member Warner, and carried unanimously, to receive and file the July through September 2010 Economic Development Quarterly Update Report.

9.B CITY COUNCIL SUBCOMMITTEES EXTENSIONS

In response to an inquiry, City Attorney Jones advised the City Council could extend the sunset dates of its subcommittees for up to a year, depending on the time required to complete the specific task assigned.

Following discussion, it was moved by Council Member Henderson, seconded by Council Member Vinatieri, and carried unanimously, to extend the following City Council Subcommittee sunset dates: Eastside Gold Line Phase II Transit to November 2011; Library to January 2012; Santa Fe Springs Policing Contract to December 2011; and Uptown Association to December 2011.

9.C FIVE POINTS CAR WASH

Following discussion it was moved by Council Member Henderson, seconded by Council Member Vinatieri, and carried unanimously, pursuant to staff's report, to authorize the Director of Community Development to make a finding that Urban West Ventures' proposed re-use of the Five Points Car Wash at 12604 Whittier Boulevard/ 8016 Santa Fe Springs Road as a car wash is supportive of the uses conditionally permitted for the Workplace District under the Whittier Boulevard Specific Plan Section 4.2.1(b)(1).

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

Mayor Nordbak reconvened the Redevelopment Agency and Utility Authority meetings in joint session with the City Council at 10:32 p.m.

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

Council Member Vinatieri expressed interest in considering Mr. Ramos' request regarding the memorial's name and Council Member Henderson and Mayor Nordbak concurred to consider the request next year.

Council Member Vinatieri reported attending the Railvolution Symposium in Portland, Oregon, regarding lightrail services; said he attended meetings and toured transit-oriented developments; and explained the City paid the registration fee and he paid the transportation and hotel costs.

Council Member Newcomer requested the City Council resume conducting study sessions beginning in January; and requested staff contact Whittier College regarding the traffic problems raised during Oral Communications.

Mayor Nordbak also requested staff look into the Friday night parking issue relating to the College.

12. ADJOURN UTILITY AUTHORITY MEETING:

15.A FAIR POLITICAL PRACTICES COMMISSION (FPPC) AGREEMENT

It was moved by Council Member Newcomer, seconded by Mayor Pro Tem Warner, and carried by roll call vote with Council Member Henderson abstaining, to approve a professional services agreement with Nielsen, Merksamer, Parrinello, Mueller & Naylor, LLP in an amount not to exceed \$10,000 to advise the City Council on a Fair Political Practices Commission (FPPC) question that has been raised; and authorize the City Manager to execute the agreement.

Council Member Henderson abstained from voting because the FPPC issue related to him.

13. CITY COUNCIL/REDEVELOPMENT AGENCY CLOSED SESSION:

(See pages 6 and 11.)

City Manager Helvey recommended the City Council and Redevelopment Agency meet in Closed Session to consider items A, C, D, and F-I as item B was previously discussed and staff was removing item E from discussion.

Mayor Nordbak adjourned the joint meeting back into Closed Session at 10:48 p.m.

Mayor Nordbak left the meeting at 12:30 a.m. on November 10, 2010 due to a conflict of interest with a portion of item 13.A.

14. RECONVENE IN OPEN SESSION:

Mayor Pro Tem Warner reconvened the joint meeting in Open Session at 12:44 a.m. on November 10, 2010.

15.A FAIR POLITICAL PRACTICES COMMISSION (FPPC) AGREEMENT

(See page 15.)

16. ADJOURNMENT:

Mayor Pro Tem Warner adjourned the joint meeting at 12:44 a.m. on November 10, 2010.

Respectfully submitted,

Kathryn A. Marshall
City Clerk-Treasurer/
Secretary-Treasurer