

**AGENDA  
WHITTIER CITY COUNCIL  
WHITTIER REDEVELOPMENT AGENCY  
WHITTIER UTILITY AUTHORITY  
JOINT MEETING  
CITY HALL, 13230 PENN STREET  
JUNE 28, 2011, 6:30 P.M.**

1. **CALL TO ORDER:** **COMMITTEE ROOM**
2. **ROLL CALL:** J. Greg Nordbak, Council Member  
Joe Vinatieri, Council Member  
Bob Henderson, Council Member  
Owen Newcomer, Mayor Pro Tem  
Cathy Warner, Mayor
3. **RECESS UTILITY AUTHORITY MEETING:**
4. **ORAL COMMUNICATIONS - CLOSED SESSION ITEMS ONLY:** This is the time for the public to address the City Council or Redevelopment Agency regarding **Closed Session items only**. Oral communications on other items will be received when the meeting reconvenes in public session at 7:30 p.m. Speakers must limit their comments to three minutes.
5. **CITY COUNCIL/REDEVELOPMENT AGENCY CLOSED SESSION:** It is recommended a Closed Session be held pursuant to:
  - 5.A City Council – Government Code Section 54957(b) - Public Employee Appointment, Title: City Manager transitional appointment (Chief Assistant City Manager).
  - 5.B City Council – Government Code Section 54957.6 - Conference with Labor Negotiator, City Negotiator: Greg Nordbak; Unrepresented Employee: Assistant City Manager.
  - 5.C 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.
  - 5.D Redevelopment Agency – Government Code Section 54958.8 to discuss real property negotiations with Bright Properties, Ltd. regarding price and terms of payment for properties located at 15733 and 15801 Whittier Boulevard; Agency negotiators: Stephen Helvey and Jeffrey Collier.
6. **RECESS CITY COUNCIL AND REDEVELOPMENT AGENCY MEETINGS:**

**As a courtesy to others attending this meeting, please turn off or place in silent mode all cell phones and other communication devices while in the Council Chamber. Thank you.**

7. **RECONVENE IN THE COUNCIL CHAMBER AT 7:30 P.M.:** The joint meeting of the Whittier City Council, Whittier Redevelopment Agency and Whittier Utility Authority for Tuesday, June 28, 2011 is now reconvened in public session.
  
8. **ROLL CALL:**
  - J. Greg Nordbak, Council Member
  - Joe Vinatieri, Council Member
  - Bob Henderson, Council Member
  - Owen Newcomer, Mayor Pro Tem
  - Cathy Warner, Mayor
  
9. **CLOSED SESSION REPORT:**
  
10. **PLEDGE OF ALLEGIANCE:**
  
11. **PRESENTATIONS:**
  - 11.A Business of the Month – Collard Rose Optical Lab
  - 11.B Assistance League Donation
  - 11.C Miss Whittier/Miss Teen Whittier Court
  - 11.D Chamber of Commerce Report
  
12. **APPROVAL OF AGENDA:** This is the time for the City Council/Boards of Directors to reorder the agenda to accommodate visitors, deal with issues early in the meeting, add or delete items, or make changes to the Consent Calendar.
  
13. **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.)*

- 14. 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 Authority 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.

### **City Council**

- 14.A** It is recommended the City Council deny claims filed by Mary L. Leyva, Chris Crandall, Arlene Hernandez, Paige Lunsford, Infinity for Katrina Garcia, Leticia Martinez, and Sharolyn Sanchez for minor Halia Nobuko Sanchez.
- 14.B** It is recommended the City Council renew an agreement with the Whittier Area Chamber of Commerce for the period of July 1, 2011 to June 30, 2012; and authorize the City Manager to execute the Agreement.
- 14.C** It is recommended the City Council authorize payment in the amount of \$156,597 to New World Systems for annual system support and maintenance of the public safety computer system.
- 14.D** It is recommended that the City Council adopt Resolution No. 8389 entitled, "A Resolution of the City Council of the City of Whittier, California amending the Fiscal Year 2010-2011 Budget to accept a donation from the Assistance League of Whittier," in the amount of \$8,000 for Library materials and programs.
- 14.E** It is recommended the City Council accept the work performed by E.C. Construction Company for the Community Development Block Grant (CDBG) Target Area Pavement Surface Treatment at Bright Avenue project; and authorize the City Clerk-Treasurer to file the Notice of Completion.
- 14.F** It is recommended the City Council conduct second reading and adopt the following ordinances relating to solid waste, sewer and water services:
1. Ordinance No. 2970 entitled, "An Ordinance of the City Council of the City of Whittier, California, establishing fees for solid waste collection services provided by the City for Fiscal Year 2011-2012";
  2. Ordinance No. 2971 entitled, "An Ordinance of the City Council of the City of Whittier, California, establishing a fee schedule of the Sewer User Fee Program for the Fiscal Year 2011-2012"; and
  3. Ordinance No. 2972 entitled, "An Ordinance of the City Council of the City of Whittier, California, fixing rates and charges for water service furnished by the Whittier Utility Authority for Fiscal Year 2011-2012."

- 14.G** It is recommended the City Council award the construction contract in the amount of \$33,780 for construction of access ramps per the Accessibility Committee priority list including thirteen new ramps, five retrofit ramps, and associated sidewalk reconstruction in a neighborhood east of Scott Avenue and north of Lambert Road; reject all other bids; and authorize the City Manager to sign the contract.
- 14.H** It is recommended the City Council authorize acceptance of Federal Transit Administration Section 5317 grant funds; and adopt Resolution No. 8390 entitled, "A Resolution of the City Council of the City of Whittier, California, amending the Fiscal Year 2011-12 Budget to add the Federal Transportation Administration 5317 Grant revenue and costs into the Transportation Proposition A Transit account and authorizing the City Manager to execute the Out-of-City Taxi Memorandum of Understanding with Metro," adding \$20,000 in revenues and \$40,000 in expenditures, for the Taxi Voucher Program.
- 14.I** It is recommended the City Council authorize acceptance of Federal Transit Administration Section 5316 grant funds; and adopt Resolution No. 8391 entitled, "A Resolution of the City Council of the City of Whittier, California, amending the Fiscal Year 2011-12 Budget to add the Federal Transportation Administration 5316 Grant revenue and costs into the Transportation Proposition A Fund and authorizing the City Manager to execute the Bus Stop Improvement Memorandum of Understanding with Metro," adding \$540,000 in revenues and \$771,558 in expenditures.
- 14.J** It is recommended the City Council receive and file the Gateway Cities Council of Governments update for June 2011.
- 14.K** It is recommended the City Council adopt the City of Whittier Technology Master Plan; and authorize the City Manager to approve future updates.

**City Council Consent Calendar continued on Page 6**

**Redevelopment Agency**

- 14.L** It is recommended the Agency Board approve the agreement with the Whittier Area First Day Coalition in the amount of \$ 100,000 to support its transitional housing program and related services for homeless persons in Whittier from July 1, 2011 through June 30, 2012; and authorize the Executive Director to execute the agreement.

- 14.M** It is recommended the Agency Board approve the 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, 2011, through June 30, 2012; and authorize the Executive Director to execute the agreement.
- 14.N** It is recommended the Agency Board approve the agreement with The Whole Child (Rio Hondo Temporary Home) in the amount of \$50,000 to support its housing of homeless persons and families from Whittier from July 1, 2011 through June 30, 2012; and authorize the Executive Director to execute the agreement.
- 14.O** It is recommended the Agency Board receive and file an update on the Commercial Façade Loan Program.

#### **City Council and Redevelopment Agency**

- 14.P** It is recommended the City Council and Agency Board take the following actions regarding the Local Economic Stimulus and Business Assistance Plan:
1. City Council adopt Resolution No. 8392 entitled, "A Resolution of the City Council of the City of Whittier, California, extending temporary fee reductions for temporary banner sign permits and planning entitlements and building permit fees to expire on June 30, 2012"; and
  2. Agency Board approve extending the Local Economic Stimulus and Business Assistance Fee subsidies for Planning Entitlements and Building Permits, effective July 1, 2011 through June 30, 2012.

#### **City Council and Utility Authority**

- 14.Q** It is recommended the City Council and Board of Directors take actions regarding lease of water production rights in the Main San Gabriel Basin:
1. City Council adopt Resolution No. 8393 entitled, "A Resolution of the City Council of the City of Whittier, California, authorizing the lease of water production rights," finding that for Fiscal Year 2010-11, the City has 4,000 acre-feet of water production rights in the Main San Gabriel Basin that is surplus to the water needs of its consumers;
  2. City Council approve and authorize the City Manager or his designee to sign a water rights lease agreement with California Domestic Water Company, in substantially the form of the attached Watermaster approved standard form water rights lease agreement;
  3. City Council authorize the City Manager or his designee to enter into an agreement on behalf of the City of Whittier to lease 1,200 acre-feet of Fiscal Year 2011-12 Central Basin pumping rights from a party or parties to be determined at a cost not to exceed \$364 per acre-foot;

4. City Council direct staff to report back at mid-year on the status of water reserves and future outlook of water supply; and
5. Board of Directors concur with the above recommended City Council actions.

**City Council, Redevelopment Agency and Utility Authority**

- 14.R** It is recommended the City Council, Agency Board and Authority Board of Directors approve the Minutes of the Regular Meeting of June 14, 2011.

**City Council Consent Calendar continued from Page 4**

- 14.S** It is recommended the City Council take actions regarding the City Manager transitional appointment:
1. Consider the appointment of Jeff Collier as the Chief Assistant City Manager/City Manager;
  2. Approve an agreement with Jeff Collier as the Chief Assistant City Manager/City Manager; and
  3. Authorize the Mayor to execute related documents.

Proposed Motion: I move that the City Council, Agency Board and Authority Directors approve specified Consent Calendar items as submitted including awarding a construction contract to FS Construction (Item 14.G); that Resolution Nos. 8389 (Item 14.D), 8390 (Item 14.H), 8391 (Item 14.I), 8392 (Item 14.P), and 8393 (Item 14.Q), and Ordinance Nos. 2970 through 2972 (Item 14.F) be read by title only, further reading be waived, and they be declared adopted.

**ROLL CALL**

- 15. RECESS REDEVELOPMENT AGENCY AND UTILITY AUTHORITY MEETINGS:**

- 16. PUBLIC HEARINGS:** Anyone with an interest in the matter(s) scheduled for public hearing may speak during the hearings. A speaker's comments are limited to three minutes. If you challenge any part of the proposed action in court, you may be limited to raising only those issues you or someone else raised during the public hearing.

- 16.A** This is the date and time set and duly noticed for a public hearing to consider accepting the 2011 Recovery Act Edward Byrne Memorial Justice Assistance Grant.

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

Proposed Motion: I move to accept the 2011 Justice Assistance Grant.

### ROLL CALL

**16.B** This is the date and time set and duly noticed for a public hearing to consider the Planning Commission recommendation to approve the Supplemental Program Environmental Impact Report (SPEIR), General Plan Amendment 11-001, Zoning Code Amendment 11-001, and Specific Plan Amendment 11-001, relating to the Whittier Boulevard Specific Plan. It is recommended the City Council conduct and close the public hearing; and continue the public hearing to Tuesday, July 12, 2011 at 7:30 p.m. to consider actions on the following items:

1. "A Resolution of the City Council of the City of Whittier, California, certifying and adopting the final Supplemental Program Environmental Impact Report (SCH No. 2010091080) in addition to the Environmental Statements of Overriding Consideration prepared for the 2011 Whittier Boulevard Specific Plan (WBSP) update in conjunction with General Plan Amendment 11-001, Zone Change 11-001, and Specific Plan Amendment 11-001 (Applicant: City of Whittier)";
2. "A Resolution of the City Council of the City of Whittier, California, approving General Plan Amendment 11-001 to amend the existing land-use designations for sixty (60) properties (totaling approximately 18.44 acres) generally located along Whittier Boulevard Corridor (including the area bounded between Lambert Road, Washington Boulevard and Santa Fe Springs), between Mar Vista Avenue to west to the west and Calmada Avenue to the east to "Specific Plan" (Applicant: City of Whittier)";
3. "An Ordinance of the City Council of the City of Whittier, California, ordaining the adoption of Zone Change 11-001 to amend the existing zoning designations for sixty (60) properties (totaling approximately 18.44 acres) generally located along the Whittier Boulevard Corridor (including the area bounded between Lambert Road, Washington Boulevard and Santa Fe Springs), between Mar Vista Avenue to the west and Calmada Avenue to the east to "Whittier Boulevard Specific Plan (Applicant: City of Whittier)"; and
4. "An Ordinance of the City Council of the City of Whittier, California, repealing Ordinance No. 2858 which adopted the Whittier Boulevard Specific Plan on July 12, 2005 and adopting the new 2011 Whittier Boulevard Specific Plan (Update) in its entirety, Specific Plan Amendment 11-001 (Applicant: City of Whittier)."

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

Proposed Motion: I move that the public hearing be continued to Tuesday, July 12, 2011 at 7:30 p.m.

**17. BOARDS AND COMMISSIONS:**

**17.A** It is recommended the City Council consider appointments to the following positions:

1. Annual vacancies on the Board of Library Trustees, Cultural Arts Commission, Historic Resources Commission, Personnel Board, and Social Services Commission to four-year terms ending July 1, 2015;
2. Parking and Transportation Commission for an unexpired term ending July 1, 2012; and
3. Cultural Arts Commission for an unexpired term ending July 1, 2014.

Proposed Motion: I move to \_\_\_\_\_.

**18. STAFF REPORTS:**

**18.A** It is recommended the City Council continue the report regarding violations of the Subdivision Map Act and the Whittier Municipal Code against properties addressed as 16018 and 16024 Puesta Del Sol Drive to Tuesday, September 27, 2011.

Proposed Motion: I move to continue the report to September 27, 2011.

**18.B** It is recommended the City Council receive and file the Residential Historic Resources Survey Report; and provide direction to staff.

Proposed Motion: I move to receive and file the report and direct staff to \_\_\_\_\_.

**18.C** It is recommended the City Council adopt a resolution entitled, "A Resolution of the City Council of the City of Whittier, California, amending the 2011-12 Budget to account for a grant from the Los Angeles County Regional Park and Open Space District for the renovation of Laurel Park restroom facility," in the amount of \$150,000; and authorize the City Manager to execute related documents.

Proposed Motion: I move that Resolution No. 8394 be read by title only, further reading be waived, and it be declared adopted; and to authorize the City Manager to execute related documents.

**ROLL CALL**

19. **RECONVENE REDEVELOPMENT AGENCY AND UTILITY AUTHORITY IN JOINT SESSION WITH CITY COUNCIL:**
20. **COUNCIL/AGENCY MEMBER/DIRECTOR COMMENTS AND CONFERENCE REPORTS:**
21. **ADJOURNMENT:**
22. **NEXT MEETING:** Tuesday, July 12, 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 562/567-9850.**

**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 562/567-9850.