

**AGENDA
WHITTIER CITY COUNCIL
WHITTIER REDEVELOPMENT AGENCY
WHITTIER HOUSING AUTHORITY
WHITTIER PUBLIC FINANCING AUTHORITY
WHITTIER UTILITY AUTHORITY
JOINT MEETING
CITY HALL, 13230 PENN STREET
JULY 12, 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 HOUSING AUTHORITY, PUBLIC FINANCING AUTHORITY AND UTILITY AUTHORITY MEETINGS:**

 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 54956.9(b)(1) to discuss one case of potential litigation regarding compliance with the California Voting Rights Act based on a letter received June 17, 2011 from Goldstein, Demchak, Baller, Borgen & Dardarian, a Professional Corporation.
 - 5.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.
 - 5.C 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.
- NOTE:** Council Members Nordbak and Vinatieri may not participate in discussion on Item 5.C due to conflicts of interest.

- 5.D** 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 negotiators: Stephen Helvey and Jeffrey Collier:
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);
 3. Southern Pacific Transportation Co. SBE 872 19 254E PAR – AIN 8170-013-815 and AIN 8170-013-816;
 4. K. C. Properties – AIN 8140-032-011;
 5. Mure Corporation – AIN 8140-032-001; and
 6. State of California – AIN 8170-013-904.
- 5.E** City Council – Government Code Section 54957, City Manager evaluation.

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, Redevelopment Agency, Housing Authority, Public Financing Authority and Utility Authority for Tuesday, July 12, 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** Friends of the Library
- 11.B** Certificate of Commendation
Friends of the Library Volunteer Virginia Benson
- 11.C** Blue Star Presentations
John Carillo
Art Dominguez
Sandra Gamboa
Donny and Kathy Holmes
- 11.D** Certificates of Commendation
Erin Brown - Daily News Coach of the Year
William Cobau – Daily News Swimmer of the Year
Jessica Marsh – Daily News Swimmer of the Year
- 11.E** 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.

Proposed Motion: I move to _____.

13. ORAL COMMUNICATIONS: This is the time for the public to address the City Council, Redevelopment Agency or Authority Boards 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 Authorities 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/HOUSING AUTHORITY/PUBLIC FINANCING AUTHORITY/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 Benjamin Cruz, Brittney Foglia, Pamela M. Sepulveda, State Farm Insurance Co. for Guadalupe Barragan and Brian W. Ahern.

- 14.B** It is recommended the City Council receive and file the annual review of Conditional Use Permit CUP 09-007; and allow the Director of Community Development to complete the future yearly reviews of the CUP per Condition of Approval No. 52, for Bambooze Sushi and Brew House located at 6518-22 Greenleaf Avenue, Suites 17 and 18; (Owner: KMS Investment Inc.; Applicant: Carlos Fernandez).
- 14.C** It is recommended the City Council receive and file the following Planning Commission actions unless review is requested by a Council Member:
1. Approval of Conditional Use Permit CUP 98-013 (M-1) to allow for the operation of a 24-hour drive-thru service window at an existing restaurant located at 12320 Washington Boulevard; (Owner: Nationwide RP Corporation; Applicant: Del Taco, LLC).
 2. Approval of Conditional Use Permit CUP 99-07 (M-1) to allow for the 24-hour operation of both the dining room and drive-thru service window of an existing fast food restaurant located at 15266 Whittier Boulevard; (Owner: Graham Family Trust; Applicant: Del Taco, LLC).
- 14.D** It is recommended the City Council adopt Resolution No. 8395 entitled, "A Resolution of the City Council of the City of Whittier, California, amending the Fiscal Year 2011-2012 Budget to accept a donation from the Friends of the Whittier Public Library," in the amount of \$72,000 for Library services and programs.
- 14.E** It is recommended the City Council adopt Resolution No. 8396 entitled, "A Resolution of the City Council of the City of Whittier, California, amending the Fiscal Year 2011-12 Budget to become a member of California Healthy Eating and Communities Network, join the League of California Cities Healthy Eating, Active Living Cities Campaign and accept a sponsorship by Kaiser Permanente for the network annual dues," in the amount of \$250.

**City Council, Redevelopment Agency, Housing Authority,
Public Financing Authority and Utility Authority**

- 14.F** It is recommended the City Council, Agency Board and Authority Boards of Directors take actions regarding approval of Minutes:
1. Housing Authority and Public Financing Authority Boards approve the Minutes of the Regular Meeting of June 14, 2011; and
 2. City Council, Agency Board and Utility Authority Board approve the Minutes of the Regular Meeting of June 28, 2011.

- 14.G** It is recommended the City Council, Agency Board and Boards of Directors take the following actions regarding Administrative Authority:
1. City Council adopt Resolution No. 8397 entitled, "A Resolution of the City Council of the City of Whittier, California, authorizing an amendment to the Joint Exercise of Powers Agreement for the Whittier Public Financing Authority";
 2. Agency Board adopt Resolution No. WRA-11-11 entitled, "A Resolution of the Board of the Whittier Redevelopment Agency authorizing an amendment to the Joint Exercise of Powers Agreement for the Whittier Public Financing Authority"; and
 3. Redevelopment Agency, Utility Authority, Housing Authority and Public Financing Authority Boards of Directors approve agreements with Jeff Collier to serve as Deputy Director and ultimately Executive Director.

Proposed Motion: I move that the City Council, Agency Board and Authority Directors approve specified Consent Calendar items as submitted and that Resolution Nos. 8395 (Item 14.D), 8396 (Item 14.E), 8397 and WRA-11-11 (Item 14.G) be read by title only, further reading be waived, and they be declared adopted.

ROLL CALL

- 15. RECESS REDEVELOPMENT AGENCY, HOUSING AUTHORITY, PUBLIC FINANCING AUTHORITY 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 continued 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. The public hearing was continued from June 28, 2011. It is recommended the City Council consider taking 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 the Whittier Boulevard Corridor (including the area bounded between Lambert Road, Washington Boulevard and Santa Fe Springs), between Mar Vista Street 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 Street 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 Resolution Nos. 8398 and 8399 be read by title only, further reading be waived, and they be declared adopted; and that Ordinance Nos. 2973 and 2974 be read by title only, further reading be waived, and this be declared their first reading.

ROLL CALL

- 16.B** This is the date and time set and duly noticed for a public hearing to consider the recommendation of the Planning Commission to approve Zoning Code Amendment ZCA 11-003 and adopt an ordinance entitled, "An Ordinance of the City Council of the City of Whittier, California, amending Chapter 18.64.070 of the Whittier Municipal Code pertaining to the use of barbed wire citywide (Case No. Zoning Code Amendment 11-003; Applicant: City of Whittier)."

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

Proposed Motion: I move that Ordinance No. 2975 be read by title only, further reading be waived, and this be declared its first reading.

- 16.C** This is the date and time set and duly noticed for a public hearing to consider the recommendation of the Planning Commission to approve Municipal Code Amendment 11-002 and adopt an ordinance entitled, "An Ordinance of the City Council of the City of Whittier, California, approving Code Amendment 11-002 to amend Title 17 (Subdivisions) of the Whittier Municipal Code. (Applicant: City of Whittier)." It is recommended the City Council authorize staff to do a Summary Publication of the ordinance.

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

Proposed Motion: I move that Ordinance No. 2976 be read by title only, further reading be waived, and this be declared its first reading; and to authorize staff to do a Summary Publication of the ordinance.

- 16.D** This is the date and time set and duly noticed for a public hearing to consider the recommendation of the Planning Commission to approve Zoning Code Amendment ZCA 11-004 and adopt an ordinance entitled, "An Ordinance of the City Council of the City of Whittier, California, extending Ordinance 2955, extending the expiration date of certain sign permits and discretionary permits or entitlements approved by the City by an additional twelve months (Applicant: City of Whittier, Zoning Code Amendment No. ZCA11-004)."

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

Proposed Motion: I move that Ordinance No. 2977 be read by title only, further reading be waived, and this be declared its first reading.

17. STAFF REPORTS:

17.A It is recommended the City Council consider a location for the Centennial Clock; and provide direction to staff.

Proposed Motion: I move to _____.

17.B It is recommended the City Council approve a name for the new park at the Depot located at 7333 Greenleaf Avenue.

Proposed Motion: I move to _____.

18. RECONVENE REDEVELOPMENT AGENCY, HOUSING AUTHORITY, PUBLIC FINANCING AUTHORITY AND UTILITY AUTHORITY IN JOINT SESSION WITH CITY COUNCIL:

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

20. ADJOURNMENT:

21. NEXT MEETING: Tuesday, July 26, 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.