

**AGENDA
WHITTIER CITY COUNCIL
WHITTIER REDEVELOPMENT AGENCY
WHITTIER UTILITY AUTHORITY
JOINT MEETING
CITY HALL, 13230 PENN STREET
AUGUST 9, 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. ADJOURN 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 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.B** City Council – Government Code Section 54956.9(c) 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.C** City Council - Government Code Section 54957.6 to discuss labor negotiations between negotiator Stephen Helvey and the Whittier City Employees’ Association and unrepresented employees.
 - 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. Mure Corporation – AIN 8140-032-001; and
5. State of California – AIN 8170-013-904.

- 5.E** 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.E due to conflicts of interest.

6. RECESS MEETING:

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 and Whittier Redevelopment Agency for Tuesday, August 9, 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 Blue Stars

Julie and Jorge Pedroza

Richard Perez and Kathy Muñoz

11.B Certificate of Commendation - Cub Scout Pack 337

11.C Chamber of Commerce Report

- 12. APPROVAL OF AGENDA:** This is the time for the City Council/Board 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 or Redevelopment Agency regarding any item of City or Agency 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 and Redevelopment Agency cannot take action or express a consensus of approval or disapproval on any oral communications which do not appear on the printed agenda.)

- 14. RECESS REDEVELOPMENT AGENCY MEETING:**

- 15. CITY COUNCIL 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 wishes to discuss a Consent Calendar item, the item may be removed from the calendar at the request of any Council Member.

15.A It is recommended the City Council deny claims filed by Oscar B. Barraza, Sr., Steven Ly, Yvonne Olmos, Rosa Aguilar, Alice Juarez, Oscar Rodriguez, Colleen (Lewis) Aguilar and Marlene Hernandez.

15.B It is recommended the City Council approve the minutes of the Special Meeting held July 27, 2011.

15.C It is recommended the City Council approve a professional services agreement with CWA AIA, Inc. in the amount of \$295,902 to provide construction documents and construction administration for the Whittwood Branch Library expansion and other improvements; and authorize the City Manager to execute the agreement.

15.D It is recommended the City Council adopt Ordinance No. 2978 entitled, "An Ordinance of the City Council of the City of Whittier, California, to comply with Part 1.9 of Division 24 of the California Health and Safety Code and taking certain actions in connection therewith to re-establish redevelopment."

- 15.E** It is recommended the City Council adopt Resolution No. 8404 entitled, “A Resolution of the City Council of the City of Whittier, California, authorizing the City Manager to execute an agreement establishing a Regional Alliance to comply with California Senate Bill X7-7, the Water Conservation Act of 2009 – 20% by 2020,” authorizing the City Manager or his designee to execute an agreement with other local water providers to establish a regional alliance.
- 15.F** It is recommended the City Council approve a blanket purchase order for Beacon Concrete in the amount of \$62,000 for Fiscal Year 2011-12 for annual curb, gutter and sidewalk repair and regular street patches.
- 15.G** It is recommended the City Council appoint Mayor Pro Tem Newcomer as the City’s voting delegate at the Annual League of California Cities Conference Business Meeting scheduled for Friday, September 23, 2011.
- 15.H** It is recommended the City Council adopt Resolution No. 8405 entitled “A Resolution of the City Council of the City of Whittier, California, approving Conditional Use Permit No. CUP11-002 to allow the operation of a new hookah bar establishment (d.b.a. Falak Hookah Lounge) with live entertainment located at 6518-22 Greenleaf Avenue, Suite Nos. 14 and 15 (Applicant: Umar Sohrab; Owner KMS Investment, Inc.).”
- 15.I** It is recommended the City Council take actions relating to the Whittier Boulevard Specific Plan:
1. Adopt Ordinance No. 2973 entitled “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
 2. Adopt Ordinance No. 2974 entitled “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).”

- 15.J** It is recommended the City Council approve a special event permit request from the Whittier Uptown Association to use the multi-deck parking structure on August 17, 2011 from 6:30 to 10:30 a.m. to host a Whittier Area Chamber of Commerce Wake-Up Whittier breakfast networking meeting.
- 15.K** It is recommended the City Council accept the work performed by Arc Accucon Construction, Inc. for construction of access ramps at various locations in the City; and authorize the City Clerk-Treasurer to record the Notice of Completion.
- 15.L** It is recommended the City Council accept the work performed by Mora's Equipment and Construction, Inc. for the Community Development Block Grant Target Area Central Library Americans with Disabilities (ADA) Ramp Improvement Project; and authorize the City Clerk-Treasurer to record the Notice of Completion.
- 15.M** It is recommended that the City Council receive and file the Fiscal Year 2010-11 Redevelopment and Housing Programs Activity Report.
- 15.N** The Parks, Recreation and Community Services Commission recommends the City Council take actions regarding Special Event Permits:
1. Approve a Permit for the Assistance League of Whittier to conduct a Greenway Trail-A-Thon Walk on Saturday, October 15, 2011; and
 2. Approve a Permit for the Whittier Community Foundation to conduct a "Paws 4 a Cause" 3K Walk/Run on the Greenway Trail on Saturday, September 24, 2011.
- 15.O** It is recommended the City Council take actions regarding the Parks Donation Acceptance Policy:
1. Approve revisions to the Parks, Recreation and Community Services Donation Acceptance Policy standardizing procedures and guidelines;
 2. Approve a policy waiver to accept a tree donation along the Greenway Trail dedicated to Allan Zolnekoff; and
 3. Approve acceptance of a bench donation in an Uptown Galleria in memory of Bill Bell.
- 15.P** The Parks, Recreation and Community Services Commission recommends the City Council approve the Affiliate Policy Update Report and proposed revisions to the Affiliate Youth Sports Policy.

- 15.Q** It is recommended the City Council take the following actions relating to City trees:
1. Affirm the removal of fifty-five mature Italian Stone Pines and one Aleppo Pine;
 2. Affirm the major crown reduction trimming and selective limb removal on an additional sixty-four Italian Stone Pines;
 3. Approve replacement of the fifty-six Italian Stone and Aleppo Pines;
 4. Award a contract for the tree removal in the amount of \$69,000, reject all other bids, and authorize the City Manager to execute the agreement; and
 5. Adopt Resolution No. 8406 entitled, "A Resolution of the City Council of the City of Whittier, California, amending the Fiscal Year 2011-12 Budget for the removal, replacement, trimming of the recommended Italian Stone and Aleppo Pines," in the amount of \$112,760.
- 15.R** It is recommended the City Council approve the Whittier Community Foundation's proposal for a Greenway Trail Fitness Project.

Proposed Motion: I move that the City Council approve specified Consent Calendar items as submitted, including awarding a contract to Leonard Chaidez Tree Service (Item 15.Q); and that Resolution Nos. 8404 (Item 15.E); 8405 (Item 15.H); and 8406 (Item 15.Q); and Ordinance Nos. 2973 and 2974 (Item 15.I); and 2978 (Item 15.D) be read by title only, further reading be waived, and they be declared adopted.

ROLL CALL

- 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 with the exception of the applicant/appellant. An applicant/appellant will have up to 20 minutes to present their case and up to an additional 10 minutes to make rebuttal comments at the conclusion of the public hearing. 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 a Historic Resources Commission recommendation to adopt a resolution entitled, "A Resolution of the City Council of the City of Whittier, California, finding that the building addressed as 7031 Newlin Avenue does not meet the eligibility criteria to be placed on the City's Local Official Register of Historic Resources as a Landmark Building under Certificate of Appropriateness 10-022. Assessor's Parcel No. 8139-026-006. (Applicant/Owner: Charina Holmes)."

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

Proposed Motion: I move that Resolution No. 8401 be read by title only, further reading be waived, and it be declared adopted.

ROLL CALL

- 16.B** This is the date and time set and duly noticed for a continued 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)." The public hearing was continued from July 12, 2011 and July 26, 2011.

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 Planning Commission recommendation to approve Zoning Code Amendment 11-006 to amend Chapter 18.04 (General Provisions and Chapter 18.45 (Medical Marijuana Regulations) of Title 18 (Zoning) of the Whittier Municipal Code and adopt an Ordinance entitled, "An Ordinance of the City Council of the City of Whittier, California, adding Section 18.04.092 of Chapter 18.04 and repealing and replacing Section 18.45.050 of Chapter 18.45 of Title 18 (Zoning) of the Whittier Municipal Code, relating to code violations (Applicant: City of Whittier)."

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

Proposed Motion: I move that Ordinance No. 2979 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 re-prioritize the list of future Underground Utility Districts considering the undergrounding of utilities northeast of the Greenway Trail bridges at Whittier Boulevard.

Proposed Motion: I move to _____.

17.B It is recommended the City Council select a resident to represent the City on the Citizens Technical Advisory Committee (CTAC) of the Puente Hills Habitat Preservation Authority for an unexpired term ending February 2013.

Proposed Motion: I move to _____.

17.C It is recommended the City Council consider Council meeting format and agenda order.

Proposed Motion: I move to _____.

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

Proposed Motion: I move to _____.

17.E It is recommended the City Council indicate whether to commit staff resources to study the potential for creating a dog park in Whittier.

Proposed Motion: I move to _____.

17.F 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 IN JOINT SESSION WITH CITY COUNCIL:

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

20. ADJOURNMENT:

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.