

**MINUTES
WHITTIER CITY COUNCIL
WHITTIER REDEVELOPMENT AGENCY
WHITTIER UTILITY AUTHORITY
JOINT MEETING
CITY COUNCIL CHAMBER, 13230 PENN STREET
SEPTEMBER 13, 2011**

1. CALL TO ORDER:

The Whittier City Council met in regular session on September 13, 2011, in conjunction with the Whittier Redevelopment Agency and the Whittier Utility Authority. Mayor Warner called the joint meeting to order at 6:44 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:**

J. Greg Nordbak, Council Member/Agency
Member/Authority Director
Joe Vinatieri, Council Member/Agency
Member/Authority Director
Bob Henderson, Council Member/Agency
Member/Authority Director
Owen Newcomer, Mayor Pro Tem /Vice
Chair
Cathy Warner, Mayor/Chair

OTHER OFFICIALS PRESENT:

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

3. PLEDGE OF ALLEGIANCE:

Assistant City Manager Nancy Mendez led the Pledge of Allegiance.

4. PRESENTATIONS

Tom White, Chief of Staff for Assemblyman Charles Calderon, spoke regarding Assemblyman Calderon's effort to carry legislation for release of redevelopment funds for the development of the Nelles School property and said the Assemblyman continues to be supportive of the City's goal. Council Members thanked Mr. White and expressed appreciation for Assemblyman Calderon, Senator Calderon, Assemblyman Hagman and Lobbyist Tony Rice's efforts in support of the legislation.

4.A BLUE STAR PRESENTATIONS

Mayor Warner presented Blue Star flags, decals, and lapel pins to Whittier families in recognition of family members serving in the military:

Rosalba, Carlos, Levi, and Kaylah Perez, in recognition of their son, brother, and relative Christian Andrew Perez, a Private First-Class in the U.S. Army, currently serving in South Korea.

Cenobia, Sylvia, Marie, and Nancy Perez and other family members in honor of Louis Mayo Perez, Jr., their husband, son, brother and relative who was present at the meeting and is currently serving as a Private First-Class in the U.S. Army, assigned to the 578 Engineers in Pomona.

Benita Velazquez, Chan Jong, and Andy Valezquez, along with friends and Jenny Ball, in honor of Yosio Stacy Jong, their son, brother and friend serving in the U.S. Army in Iraq.

4.B ELKS CLUB SUMMER READING PROGRAM PROCLAMATION

Mayor Warner thanked the Whittier Elks Club for 20 years of support of the Library Children's Summer Reading Program party and for contributing and cooking 2,200 hot dogs and buns this year. She presented a Certificate of Commendation to Elk Members Mike Roche, Eric Boteilho, Sal Prisco, Bud Zerbe, and Ron Rideout.

Mr. Roche spoke regarding the Elks initial and ongoing participation in the Children's Summer Reading Program and invited everyone to join them in celebrating the Elks' 100th Anniversary this year.

4.C ASSISTANCE LEAGUE OF CALIFORNIA SUMMER READING PROGRAM PROCLAMATION

Mayor Warner presented Assistance League of California members Sharon Gibson and Ginny Ball with a Certificate of Commendation for the Assistance League's \$4,000 contribution to the Library Children's Summer Reading party.

Ms. Gibson spoke regarding the Assistance League's support of community events and encouraged everyone to send their children to the Summer Reading Program.

4.D CHAMBER OF COMMERCE REPORT

Ben Greer, GM Properties, President of the Whittier Area Chamber of Commerce Board of Directors, thanked the community for its support of the Hathaway Golf Classic conducted September 12, 2011; thanked the City and Uptown Association for hosting Wake-Up Whittier last month; and announced upcoming events: Wake-Up Whittier, October 21, 2011, and the Business Showcase, October 6, 2011.

OTHER PRESENTATIONS

Mayor Warner acknowledged that Rio Hondo College President Martinez was in the audience; and complimented the College on the *Whittier Daily News* article regarding its fire training center certification and on the fire program cadets who served at the Rose Hills 9/11 Event over the weekend.

Angela Acosta-Salazar, Rio Hondo College Trustee, provided an update on back-to-school activities; said the College is focusing on educational achievement in the assistance provided to students, is a military-friendly school; its South Whittier satellite location is in full operation and they expect their El Monte satellite location to open in a year.

5. APPROVAL OF AGENDA:

Chief Assistant City Manager Collier recommended the City Council move Consent Calendar Item 7.S to the report section of the agenda.

It was moved by Council Member Vinatieri, seconded by Council Member Henderson, and carried unanimously, to approve the agenda as presented, with the exception that Item 7.S will be moved to the report section of the agenda (Item 14.D).

6. ORAL COMMUNICATIONS

Victor Ledesma, Hispanic Outreach Taskforce (HOT), spoke regarding the formation of HOT, its activities in the City of Whittier, Positive Image Award Program and members' service on advisory committees to Rio Hondo College and the Police Chief. He thanked the City Council for its support.

Alex Tenario, HOT, thanked the City Council for its support of HOT and efforts to make Whittier a better community.

Ginny Ball, Whittier, invited the City Council to the Assistance League's Whittier Trail-A-Thon Walk, October 15, 2011, and announced this year they will be honoring Allen Zolnekoff for initiating the Greenway Trail Project.

George Pochigian, Whittier, said a memorial service will be held for Joe Marsico, September 17, 2011; people have been confused by the change in the City Council meeting time; the City should have a Police Commission comprised of civilians; and he opposed the Wednesday Farmer's Market being reduced by one hour per week and drilling for oil in the Whittier Hills.

Mayor Warner expressed her condolences to Ralph Marsico and his family in the loss of his father and noted that the Parking and Transportation Commission adjourned in memory of Joe Marsico.

Ralph Marsico, Whittier, presented copies of a flyer regarding a memorial service for his father, Joe Marsico, and said he will take care of his trolley and wants it to remain in the City.

Arthur Rock, Whittier, said Joe Marsico kept people honest.

Hassan Almasian, Whittier, said this year's increase in the water rates has made his bill almost three-times higher than it was last year; and that he was disappointed with Public Works staff explanation of the 19.38% increase.

7. CITY COUNCIL/REDEVELOPMENT AGENCY/UTILITY AUTHORITY JOINT CONSENT CALENDAR

Council Members Vinatieri and Henderson confirmed with City Attorney Jones that they could vote on Item 7.H since it was only procedural in nature, setting a public hearing.

Mayor Warner said she would recuse herself from Item 7.P because the subject property is within 500 feet of her business.

Council Member Vinatieri requested separate consideration of Item 7.J.

Mayor Pro Tem Newcomer requested separate consideration of Item 7.N.

Council Member Nordbak requested separate consideration of Item 7.U.

It was moved by Council Member Henderson, seconded by Council Member Vinatieri, and carried unanimously by roll call vote, with the exception of Mayor Warner's abstention on Item 7.P, to approve the Consent Calendar, with the exception of Items 7.J, 7.N, 7.S, and 7.U, including awarding contracts to CEED Security Services, Inc. (Item 7.V) and Mora's Equipment and Construction, Inc. (Item 7.W); and that Resolution Nos. 8407 (Item 7.F), 8408 (Item 7.G), 8409 (item 7.H), and WRA-11-13 and 8410 (Item 7.X); and 2979 (Item 7.K) be read by title only, further reading be waived, and they be declared adopted.

City Council

- 7.A** The City Council denied claims filed by Margaret Aloyan, Nancy Beck, Maria B. Campos, Alexis A. Guttilla, Amparo Hernandez, Liberty Mutual for Dora P. Ambrosine, Natalie Morris, Loretta Ventura, Family Festival Productions, Inc., Robert J. Hohne and Phillip Lopez.
- 7.B** The City Council accepted the offer of Right-of-Way Dedication and Drainage Easement Dedication along Pickering Avenue for property located at 12524 Philadelphia Street; and authorized the City Clerk-Treasurer to execute the Dedications.
- 7.C** The City Council accepted the work performed by F.S. Construction for the 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; and authorized the City Clerk-Treasurer to record the Notice of Completion.
- 7.D** The City Council approved the \$850,000 Settlement Agreement and Release with Del Terra Construction for construction of the Whittier Greenway Trail.
- 7.E** The City Council approved a three-year partnership agreement with the Whittier Union High School District to continue the School Resource Officer Program; and authorized the City Manager to execute the agreement.
- 7.F** The City Council adopted Resolution No. 8407 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, AMENDING THE FISCAL YEAR 2011-12 BUDGET RELATED TO SUPPLEMENTAL APPROPRIATIONS FOR THE OFFICE OF TRAFFIC SAFETY SELECTIVE ENFORCEMENT TRAFFIC PROGRAM GRANT," in the amount of \$100,000.

- 7.G** The City Council adopted Resolution No. 8408 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, APPROVING THE AMENDED JOINT POWERS AGREEMENT FORMING THE CALIFORNIA TRANSIT SYSTEMS JOINT POWERS AUTHORITY AND APPOINTING A NEW ALTERNATE DIRECTOR TO THE CALIFORNIA TRANSIT INSURANCE POOL (CALTIP) BOARD OF DIRECTORS."
- 7.H** The City Council approved the Whittier Uptown Association Annual Report; and adopted Resolution No. 8409 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT ASSESSMENTS WITHIN THE UPTOWN WHITTIER BUSINESS IMPROVEMENT AREA FOR CALENDAR YEAR 2012," setting October 11, 2011 for the public hearing at 6:30 p.m.
- 7.I** The City Council approved a special event permit and waived City fees in the amount of \$6,044.09 for the Whittier Community Foundation's 5K Fit for Life Race/Walk through Uptown beginning and ending at Joe Miller Field, scheduled for Saturday, October 29, 2011.
- 7.K** The City Council conducted second reading and adopted Ordinance No. 2979 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)," regarding Medical Marijuana Regulations.
- 7.L** The City Council received and filed a report on the Memorandum of Understanding (MOU) between the City of Whittier and Whittier College regarding Campus Safety Officers' authority.
- 7.M** The City Council received and filed a quarterly update on the remediation associated with the Omega Chemical Superfund site located at 12504 Whittier Boulevard.
- 7.O** The City Council approved an amendment to the Murphy Ranch Little League Lease Agreement to allocate funds in the amount of \$4,800 to defray landscape maintenance costs; and authorized the City Manager to execute the amendment.

- 7.P** The City Council received and filed the following Planning Commission action unless review is requested by a Council Member: approval of Conditional Use Permit Modification CUP85-11 (M-1) to allow a 24-hour operation drive-thru service window at an existing restaurant (d.b.a. McDonald's) located at 15000 Whittier Boulevard; Owner: McDonald's Corporation; Applicant: NLC Enterprises, Inc.
- 7.Q** The City Council approved a color change on the "Welcome Friends" Art in Public Places piece located at the Whittier Quad.
- 7.R** The City Council took the following actions regarding the Garden Gate Statue:
1. Approved funding the replacement of the statue stolen from the Garden Gate Art in Public Places Project located at Norwalk and Beverly Boulevards;
 2. Approved a Professional Services Agreement with Guy Angelo Wilson in the amount of \$17,400 for the art piece replacement; and
 3. Authorized the City Manager to execute the Agreement.
- 7.T** The City Council approved a lease agreement with Airtouch Cellular representing Verizon for the installation of a cellular antenna tower at Palm Park subject to zoning approval; and authorized the City Manager to execute the lease documents.

Utility Authority

- 7.V** The Board of Directors took the following actions regarding the Whittier Narrows Operable Unit and Well Fields, 331 N. Durfee Road; and Whittier Narrows Nature Preserve, 530 N. Durfee Road, South El Monte:
1. Awarded the security patrol contract in an amount not to exceed \$52,041;
 2. Rejected all other bids; and
 3. Authorized the Executive Director to sign the contract.
- 7.W** The Board of Directors took the following actions regarding 4128 San Gabriel River Parkway, Pico Rivera:
1. Awarded the construction contract in the amount of \$24,950 for the demolition of a single-family residence located at the property;
 2. Rejected all other bids; and
 3. Authorized the Executive Director to execute the contract.

City Council and Redevelopment Agency

- 7.X** The Agency Board and City Council took the following actions regarding Assembly Bill 26:
1. Agency Board adopted Resolution No. WRA-11-13 entitled, "A RESOLUTION OF THE BOARD OF THE WHITTIER REDEVELOPMENT AGENCY APPROVING A PRELIMINARY DRAFT OF AN INITIAL RECOGNIZED OBLIGATION PAYMENT SCHEDULE PURSUANT TO PART 1.8 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH"; and
 2. City Council adopted Resolution No. 8410 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, MAKING AN ELECTION IN CONNECTION WITH SERVING AS A SUCCESSOR AGENCY UNDER PART 1.85 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH."

City Council, Redevelopment Agency and Utility Authority

- 7.Y** The City Council, Agency Board and Board of Directors took the following actions regarding Minutes:
1. City Council, Agency Board and Board of Directors approved the Minutes of the Regular Meetings of July 12, July 26, and August 23, 2011; and
 2. City Council approved the Minutes of the Special Meeting of August 17, 2011.

7.J ZONING CODE AMENDMENT ZCA 11-003, BARBED WIRE ORDINANCE

It was moved by Council Member Henderson, seconded by Council Member Nordbak, and carried unanimously, to conduct the second reading of Ordinance No. 2975 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)" and waive further reading.

It was moved by Mayor Pro Tem Newcomer, seconded by Council Member Henderson, and carried by roll vote, with Council Members Nordbak and Vinatieri opposed, that Ordinance No. 2975 be adopted.

7.N BRANCH LIBRARY REMEDIATION BID PACKAGE

Mayor Pro Tem Newcomer said he requested separate consideration of the Branch Library remediation bid package, because he was concerned that the work may be considered a new contract; therefore, not be eligible for redevelopment funding which would require that a new funding source be identified. He requested the City Council bifurcate the issue.

City Attorney Jones said that Redevelopment Agency Counsel Markman has provided advice on this matter and said it is appropriate to proceed because, although there is some risk in proceeding with the project, the risk is minimal.

Following discussion, it was moved by Council Member Henderson, seconded by Council Member Vinatieri, and carried by roll call vote, with Mayor Pro Tem Newcomer opposed, to authorize staff to release a bid package for demolition, abatement, shoring and earthwork at the Branch Library and receive and file an update on the Branch Library Improvement and Expansion Project.

7.S EASTSIDE GOLD LINE PHASE II LIGHT RAIL UPDATE

(Please See Item 14.D, Page 11.)

7.U PARKING LOT LEASE TO RADISSON HOTEL (GREENLEAF HOTEL, INC.)

Agency Member Nordbak asked staff to advise if the lease with the Radisson Hotel for use of the Agency's parking lots allowed out-of-area transit vehicles to be parked over night.

Following discussion, it was moved by Agency Member Nordbak, seconded by Agency Member Henderson, and carried unanimously, to approve an amended and restated parking services agreement with the Greenleaf Hotel, Inc., and authorize the Executive Director to execute the agreement.

8. RECESS REDEVELOPMENT AGENCY AND UTILITY AUTHORITY MEETINGS:

Mayor Warner recessed the Redevelopment Agency and Utility Authority meetings at 7:46 p.m.

9.A PUBLIC HEARING – 2010-11 CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)

Chief Assistant City Manager Collier announced it was the date and time set and duly noticed for a public hearing to consider approval of the Consolidated Annual Performance and Evaluation Report (CAPER) for the period beginning July 1, 2010 and ending June 30, 2011 and recommended the City Council authorize the City Manager to submit the report, along with any public comments received, to the United States Department of Housing and Urban Development (HUD).

Mayor Warner opened the public hearing at 7:47 p.m.

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

It was moved by Mayor Pro Tem Newcomer, seconded by Council Member Henderson, and carried unanimously, to approve the CAPER and authorize the City Manager to submit the report to HUD with any public comments received.

10. RECESS CITY COUNCIL AND RECONVENE REDEVELOPMENT AGENCY MEETINGS:

Mayor Warner recessed the City Council meeting and reconvened the Redevelopment Agency meeting at 7:48 p.m.

11.A PUBLIC HEARING – REDEVELOPMENT FIVE-YEAR IMPLEMENTATION PLAN

Deputy Director Collier announced it was the date and time set for a public hearing relating to the Whittier Redevelopment Agency Five-Year Implementation Plan; however, due to the Supreme Court action relating to redevelopment, the action cannot be taken at this time; therefore, staff was recommending the Agency Board indefinitely postpone the public hearing and adoption of the Plan.

It was moved by Agency Member Henderson, seconded by Agency Member Nordbak, and carried unanimously, to indefinitely postpone the public hearing and adoption of the Five-Year Implementation Plan.

12. RECESS REDEVELOPMENT AGENCY AND RECONVENE CITY COUNCIL MEETINGS:

Mayor Warner recessed the Redevelopment Agency meeting and reconvened the City Council meeting at 7:49 p.m.

13.A CULTURAL ARTS COMMISSION VACANCY

The City Council concurred to interview Cultural Arts Commission applicants Theresa Garcia and Caroline Medrano on October 11, 2011, beginning at 5:45 p.m. for possible appointment to the vacancy on the Commission.

14.A LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE RESOLUTIONS

The City Council discussed six resolutions being presented at the League of California Cities Annual Conference and authorized its voting delegate, Mayor Pro Tem Newcomer, to take the following positions on behalf of the City: Alternative methods of meeting public notice requirements – support; tort reform – support; raising public awareness about bullied children – support; prison rape elimination act – neutral; replacement of death penalty with life imprisonment without parole – opposed. The City Council did not reach consensus on the sixth item relating to the City of Bell; therefore, instructed its voting delegate will remain neutral on the resolution.

14.B CITY COUNCIL/PLANNING COMMISSION VIDEO STREAMING AND CITYWIDE DOCUMENT IMAGING/MANAGEMENT SYSTEM

Following discussion, it was moved by Mayor Pro Tem Newcomer, seconded by Council Member Henderson, and carried unanimously, by roll call vote, to approve the purchase of a video streaming and document imaging/management system and related services, including 24/7 web streaming of City Channel 3, from SIRE Technologies in an amount not to exceed \$81,000, authorize the City Manager to execute the professional services agreement; and authorize the purchase of additional redundant network storage in an amount not to exceed \$44,000 from Insight Investments.

14.C NORWALK TRANSIT SERVICE REDUCTIONS

Following discussion, it was moved by Mayor Pro Tem Newcomer, seconded by Council Member Vinatieri, and carried unanimously to approve a temporary bus token subsidy program and direct staff to conduct outreach to passengers displaced by Norwalk Transit Systems' reduction in fixed-route bus service; and instruct staff to report back on the status of Federal funds being allocated to the City of Norwalk for operating transportation services on behalf of the City of Whittier and addressing long-term service options available in addition to the temporary remediation of this service change.

14.D EASTSIDE GOLD LINE PHASE II LIGHT RAIL UPDATE

(Continued from Item 7.S, see Page 9.)

15. RECESS CITY COUNCIL AND RECONVENE UTILITY AUTHORITY MEETINGS:

Mayor Warner recessed the City Council meeting and reconvened the Utility Authority meeting at 8:25 p.m.

16.A DESIGN OF PUMPING PLANT II REPLACEMENT AND STARLIGHT RESERVOIR FEASIBILITY STUDY

It was moved by Director Henderson, seconded by Vice Chair Newcomer, and carried unanimously, by roll call vote, to amend the professional services agreement with RBF Consulting for the design of a replacement for Pumping Plant II in the amount of \$60,064; award RBF Consulting the professional services agreement to evaluate the feasibility of constructing additional storage facilities at Starlight Reservoir in the amount of \$96,498; authorize the Executive Director to execute the amendment and agreement; and that Resolution No. WUA-11-06 entitled, "A RESOLUTION OF THE BOARD OF DIRECTORS OF THE WHITTIER UTILITY AUTHORITY AMENDING THE FISCAL YEAR 2011-12 BUDGET FOR ADDITIONAL FUNDS TO FUND THE PROFESSIONAL SERVICES AGREEMENT AMENDMENT FOR THE DESIGN OF PUMPING PLANT II, AND THE PROFESSIONAL SERVICES AGREEMENT TO EVALUATE THE FEASIBILITY OF CONSTRUCTING ADDITIONAL STORAGE FACILITIES AT STARLIGHT RESERVOIR," be read by title only, further reading be waived and it be declared adopted.

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

Mayor Warner reconvened the City Council and Redevelopment Agency meetings in joint session with the Utility Authority meeting at 8:28 p.m.

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

Council Member Nordbak requested staff follow-up on the service issue he and other residents are experiencing with the cable company not programming City Channel 3 on all the cable boxes installed in residences.

Council Member Vinatieri spoke regarding his trip to Sacramento on behalf of the City to meet with Assemblyman Calderon and be available to testify in support of the legislation to free redevelopment funds for development of the Nelles School property.

Council Member Henderson reported that at a City Council meeting held earlier that day, the City Council selected April Garbat to represent the City of Whittier on the Puente Hills Habitat Preservation Authority Citizens Technical Advisory Committee (CTAC).

Mayor Warner reported that she and other individuals representing the City attended the Los Angeles County Board of Supervisors Meeting on September 6, 2011, in support of redistricting Option A3; and that she was in Sacramento, September 8 and 9, 2011, to meet with Assemblyman Calderon and support legislation to free redevelopment funds for the Nelles School Project.

14.D EASTSIDE GOLD LINE PHASE II LIGHT RAIL UPDATE

(Continued from Page 11.)

Tham Nguyen, Eastside Gold Line Phase II Project Manager, provided an update on the project and responded to questions from Council Members.

19. ADJOURN UTILITY AUTHORITY MEETING:

Mayor Warner adjourned the Utility Authority meeting at 9:01 p.m.

Mayor Warner said the City Council meeting would be adjourned in memory of Marsha Antonelli, read biographical information regarding Mrs. Antonelli, expressed her condolences to her family, and reported that the Los Angeles County Board of Supervisors and State Senate also adjourned meetings in her memory. Other Council Members joined her in expressing her condolences in the passing of Mrs. Antonelli.

20. CITY COUNCIL/REDEVELOPMENT AGENCY CLOSED SESSION:

Chief Assistant City Manager Collier recommended the City Council and Redevelopment Agency conduct a Closed Session relating to:

- 20.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.
- 20.B** City Council – Government Code Section 54956.9(c) to discuss one case of potential litigation regarding receivership of property located at 8310 Comstock Avenue.

20.C 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.

20.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.

Mayor Warner recessed the joint meeting to Closed Session at 9:02 p.m.

21. RECONVENE IN OPEN SESSION:

Mayor Warner reconvened the joint meeting in Open Session with all Council/Agency Members present at 9:47 p.m.

22. CLOSED SESSION REPORT

City Attorney Jones reported that the City Council voted unanimously in Closed Session to authorize his office to proceed with filing for receivership of real property at 8310 Comstock Avenue (Item 20.B).

22.A 2011-13 BENEFIT AND SALARY ADJUSTMENTS

It was moved by Mayor Pro Tem Newcomer, seconded by Council Member Henderson, and carried unanimously, by roll call vote, to approve the Memorandum of Understanding (MOU) with the Whittier City Employee's Association (WCEA) for the period July 1, 2011 through June 30, 2013; approve benefit and salary adjustments for Miscellaneous Unrepresented Management and Confidential Employees; implement the benefit and salary adjustments for WCEA and Miscellaneous Unrepresented Management and Confidential Employees; and direct staff to return with applicable salary and benefit resolutions.

23. ADJOURNMENT:

Mayor Warner adjourned the meeting at 9:48 p.m. in memory of Marsha Antonelli.

Respectfully submitted,

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