AGENDA WHITTIER CITY COUNCIL WHITTIER REDEVELOPMENT AGENCY WHITTIER UTILITY AUTHORITY JOINT MEETING COUNCIL CHAMBER, 13230 PENN STREE

CITY COUNCIL CHAMBER, 13230 PENN STREET APRIL 14, 2009, 7:00 P.M.

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

1. CALL TO ORDER:

2. ROLL CALL: J. Greg Nordbak, Council Member

Cathy Warner, Council Member Owen Newcomer, Council Member Bob Henderson, Mayor Pro Tem

Joe Vinatieri, Mayor

3. PLEDGE OF ALLEGIANCE:

4. 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. 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.)

- 5. RECESS REDEVELOPMENT AGENCY AND UTILITY AUTHORITY MEETINGS:
- 6. **ELECTION OF MAYOR:**
- 7. ELECTION OF MAYOR PRO TEM:
- 8. RECONVENE REDEVELOPMENT AGENCY AND UTILITY AUTHORITY IN JOINT SESSION WITH CITY COUNCIL:

- 9. 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 Utility 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.
 - **9.A** It is recommended the City Council deny claims filed by Jeff Adams, Allstate for Jacqueline Berzel, Mary F. Raymond, Adalbert A. Muller, Richard E. Horn, Matthew Ivantic, and Los Angeles County/Los Angeles County Flood Control District.
 - **9.B** It is recommended the City Council, Agency Board and Board of Directors approve the Minutes of the Regular Meeting of March 24, 2009.
 - **9.C** The Park and Recreation Commission recommends the City Council approve a facility fee waiver for the Los Angeles Homeless Services Authority in the amount of \$210, for use of City facilities for the Census Report homeless count.
 - 9.D It is recommended the City Council conduct second reading and adopt Ordinance No. 2924 entitled, "An Ordinance of the City Council of the City of Whittier, California, adding the potential funding of certain public improvements to the Redevelopment Plan for the Whittier Earthquake Recovery Redevelopment Project Area."
 - **9.E** It is recommended the City Council approve the Amendment to the Memorandum of Understanding with the Whittier Police Officers' Association; and authorize staff to implement the salary adjustments and present implementing resolutions to the City Council at a future meeting.
 - **9.F** It is recommended the City Council approve a Professional Services Agreement with Hogle-Ireland for a contract planner; and authorize the City Manager to execute the Agreement.
 - 9.G It is recommended the City Council waive the informality in the bid documentation submitted by JMJ Contractors, Inc.; award the construction contract to JMJ Contractors, Inc. for the Construction of Access Ramps at Various Locations project; reject all other bids; and authorize the City Manager to execute the contract.

- **9.H** It is recommended the City Council and Agency Board adopt the following resolutions for code enforcement within the City's major commercial corridors:
 - Resolution No. 8191 entitled, "A Resolution of the City Council of the City of Whittier, California, amending the Fiscal Year 2008-09 Budget to fund an additional Code Enforcement Officer assigned to the Whittier Redevelopment Agency"; and
 - Resolution No. WRA-09-04 entitled, "A Resolution of the Board of the Whittier Redevelopment Agency amending the Fiscal Year 2008-09 Budget for the purpose of funding Code Enforcement activities."
- 9.I It is recommended the City Council approve the Amendment to the Agreement to continue operations, maintenance and administration of Dial-A-Ride services with the City of La Habra Heights through June 30, 2009; authorize the City Manager to execute the Amendment; and authorize the City Manager to negotiate a new Agreement with the City of La Habra Heights effective July 1, 2009.
- 9.J It is recommended the City Council receive and file the following Planning Commission action unless review is requested by a Council Member: approval of Development Review DR08-1006 and Conditional Use Permit C08-010 to construct and operate a new 14,500 square-foot retail building; allow the on-site sale for off-site consumption of general alcoholic beverages (Type 21 license); and extend the hours of operation past 12:00 a.m. (midnight) daily for a full-service grocery store known as "Fresh & Easy" located at 13301 Whittier Boulevard; Owner: NMC Whittier II, LLC; Applicant: Hany Malak (McKently Malak Architects).

Proposed Motion:

I move that the Consent Calendar be approved as submitted and that Ordinance No. 2924 (Item 9.D) and Resolution Nos. 8191 and WRA-09-04 (Item 9.H) be read by title only, further reading be waived, and they be declared adopted.

ROLL CALL

10. RECESS REDEVELOPMENT AGENCY AND UTILITY AUTHORITY MEETINGS:

11. BOARDS AND COMMISSIONS:

11.A It is recommended the City Council consider appointments to annual vacancies occurring July 1st on the Cultural Arts Commission, Park and Recreation Commission, Parking and Transportation Commission, Planning Commission, and Social Services Commission.

Proposed Motion: I move to

12.	STAFF REPORTS:	
	12.A	It is recommended the City Council appoint an alternate representative to the Los Angeles County Sanitation Districts Board of Directors; consider changes in representatives to other local government associate organizations and Council Subcommittees; and sunset Subcommittees whose work is complete.
		Proposed Motion: I move to
	12.B	It is recommended the City Council indicate whether the Council should review the Medical Marijuana Ordinance.
		Proposed Motion: I move to
13.	RECO	ONVENE REDEVELOPMENT AGENCY AND UTILITY AUTHORITY IN

15. ADJOURN UTILITY AUTHORITY MEETING:

JOINT SESSION WITH CITY COUNCIL:

- **16. CITY COUNCIL/REDEVELOPMENT AGENCY JOINT CLOSED SESSION:** It is recommended a Closed Session be held pursuant to:
 - **16.A** Redevelopment Agency Government Code Section 54956.8 to discuss real property negotiations with HDS Group regarding price and terms of payment for properties located at 16050 and 16110 Whittier Boulevard (Gables project); Agency negotiator: Stephen Helvey.

COUNCIL/AGENCY MEMBER/DIRECTOR COMMENTS/CONFERENCE

- **16.B** City Council Government Code Section 54956.9(a) to discuss two cases of litigation:
 - 1. Case No. 8WW00930, People of the State of California vs. Hugo Gutierrez and Carmen Gutierrez; and
 - 2. Case No. BS113401, Hugo Gutierrez vs. City of Whittier.
- 17. RECONVENE IN OPEN SESSION:
- 18. CLOSED SESSION REPORT:
- 19. ADJOURNMENT:

14.

REPORTS:

20. NEXT MEETING: Tuesday, April 28, 2009 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 562/464-3330.

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 562/464-3330.