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

CITY COUNCIL CHAMBER, 13230 PENN STREET JANUARY 12, 2010, 6:30 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:** Joe Vinatieri, Council Member

Cathy Warner, Council Member Owen Newcomer, Council Member J. Greg Nordbak, Mayor Pro Tem

Bob Henderson, Mayor

- 3. PLEDGE OF ALLEGIANCE:
- 4. PRESENTATIONS:
  - **4.A** Whittier Conservancy and Southern California Edison
  - **4.B** Activate Whittier
- 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.)

6. 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.

- 6.A It is recommended the City Council deny claims filed by Tom J. Uraine, Francisco Salazar, Victor Payes, Randy Grisham, Fernando C. Morales, Paragon Subrogation Services, Inc., Ernest Escobedo, John Littlefield, Margaret A. Huber, Marco Lozano, Tigran Anayak Babayan, and Davit Babayan.
- 6.B It is recommended the City Council, Agency Board and Board of Directors approve the Minutes of the Regular Meetings of December 8, 2009 and December 22, 2009.
- 6.C It is recommended the City Council conduct second reading and adopt Ordinance No. 2943 entitled, "An Ordinance of the City Council of the City of Whittier, California, repealing and replacing Chapter 8.32 of Title 8 (Health and Safety) relating to noise disturbances"; and authorize staff to do a summary publication of the ordinance.
- 6.D It is recommended the City Council conduct second reading and adopt Ordinance No. 2945 entitled, "An Ordinance of the City Council of the City of Whittier, California, amending Whittier Municipal Code Section 2.54.060 relating to Campaign Finance Disclosure," to increase the threshold requiring campaign finance reports during the late reporting period.
- 6.E It is recommended the City Council conduct first reading of Ordinance No. 2946 entitled, "An Ordinance of the City Council of the City of Whittier, California, repealing and replacing Chapter 12.42 of Title 12 (Streets, Sidewalks, and Public Places), and repealing and replacing Section 10.48.070 of Chapter 10.48 of Title 10 (Vehicles and Traffic), relating to living in vehicles," addressing unlawful vehicle habitation on public property or open to public view.
- 6.F It is recommended the City Council approve funding additional expenses for the Sister City Committee; and adopt Resolution No. 8258 entitled, "A Resolution of the City Council of the City of Whittier, California, amending the Fiscal Year 2009-10 budget for the Sister City Committee," in the amount of \$1,300.

- 6.G It is recommended the City Council take actions regarding the Santa Gertrudes Avenue at Starbuck Street Traffic Signal Installation, Federal Project No. ESPL-5111 (049):
  - 1. Approve the Project plans and specifications;
  - 2. Authorize the City Clerk to advertise for construction bids; and
  - Adopt Resolution No. 8259 entitled, "A Resolution of the City Council of the City of Whittier, California, rescinding Resolution No. 4440, removing a certain vehicular traffic restriction relating to street parking on Santa Gertrudes Avenue at Starbuck Street."
- **6.H** It is recommended the City Council accept the Irrevocable Offer of Right-of-Way Dedication for Assessor Parcel Number 8168-019-006, located at 12546 Lambert Road, for Brown Family Trust and Allen Rossi; and authorize the City Clerk to execute the Dedication.
- 6.I It is recommended the City Council receive and file the Fiscal Year 2009-10 Work Plan update.
- 6.J It is recommended the City Council reappoint Dave Cowardin to the Citizens Technical Advisory Committee (CTAC) of the Puente Hills Landfill Native Habitat Preservation Authority for a four-year term.
- **6.K** It is recommended the City Council receive and file the Park Needs and Other Public Facility Improvements Report.
- 6.L It is recommended that City Council allow the United States Census Bureau to use some City building space at no cost from time to time between March 19 and April 19, 2010.
- 6.M It is recommended the City Council approve a lease with Clearwire for the installation of a wireless facility on the Whittier Boulevard Greenbelt near Redman Avenue and Dorland Street subject to zoning approval; and authorize the City Manager to execute the lease documents.

Proposed Motion:

I move that the Consent Calendar be approved as submitted and that Ordinance Nos. 2943 (Item 6.C) and 2945 (Item 6.D); and Resolution Nos. 8258 (Item 6.F) and 8259 (Item 6.G) be read by title only, further reading be waived, and they be declared adopted; and that Ordinance No. 2946 (Item 6.E) be read by title only, further reading be waived, and this be declared its first reading.

**ROLL CALL** 

# 7. RECESS REDEVELOPMENT AGENCY AND UTILITY AUTHORITY MEETINGS:

# 8. PUBLIC HEARING:

**8.A** This is the date and time set and duly noticed for a public hearing to consider adopting an Urgency Ordinance entitled, "An Urgency Ordinance of the City Council of the City of Whittier, California, extending a citywide moratorium on the establishment and operation of medical marijuana dispensaries for a period of ten (10) months and fifteen (15) days." The moratorium was established on December 8, 2009 by adoption of Interim Urgency Ordinance No. 2944.

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

Proposed Motion: I move that Urgency Ordinance No. 2947 be read by

title only, further reading be waived, and it be

declared adopted.

## **ROLL CALL**

## 9. STAFF REPORTS:

**9.A** It is recommended the City Council approve the Whittier Community Foundation's recommendation for the Whittier Police Memorial Statue.

Proposed Motion: I move to approve the Whittier Community

Foundation's recommendation for the Whittier Police

Memorial Statue.

**9.B** It is recommended the City Council deny a request to remove or relocate the eastbound bus stop at Philadelphia Street and Comstock Avenue.

Proposed Motion: I move to deny a request to remove or relocate the

eastbound bus stop at Philadelphia Street and

Comstock Avenue.

**9.C** It is recommended the City Council direct staff regarding proceeding with the evaluation of selected homes on Earlham Drive and Penn Street for the potential formation of a historic district.

Proposed Motion: I move to direct staff to

9.D	It is recommended the City Council consider and provide direction
	regarding the Gateway Cities Council of Governments Amended SR-91/I
	605/I-405 Major Corridor Study Implementation Agreement.

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

**9.E** It is recommended the City Council discuss allowing recreational vehicle (RV) camping at the Whittier Elks Lodge located at 13620 Whittier Boulevard; and provide direction to staff.

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

**9.F** It is recommended the City Council adopt a resolution entitled, "A Resolution of the City Council of the City of Whittier, California, in support of the Local Taxpayer, Public Safety, and Transportation Act of 2010," to prohibit the State of California from taking, borrowing or diverting various local taxes.

Proposed Motion: I move that Resolution No. 8260 be read by title only,

further reading be waived, and it be declared adopted.

### ROLL CALL

**9.G** It is recommended the City Council adopt a resolution entitled, "A Resolution of the City Council of the City of Whittier, California, amending the Fiscal Year 2009-10 Budget to fund Whittier Greenway Trail landscaping and drainage improvements," in the amount of \$41,000 from Greenway Trail Proposition C Funds.

Proposed Motion: I move that Resolution No. 8261 be read by title only,

further reading be waived, and it be declared adopted.

### ROLL CALL

- 10. RECONVENE REDEVELOPMENT AGENCY AND UTILITY AUTHORITY IN JOINT SESSION WITH CITY COUNCIL:
- 11. COUNCIL/AGENCY MEMBER/DIRECTOR COMMENTS/CONFERENCE REPORTS:
- 12. ADJOURN REDEVELOPMENT AGENCY MEETING:
- **13. CITY COUNCIL/UTILITY AUTHORITY CLOSED SESSION:** It is recommended a Closed Session be held pursuant to:

- **13.A** City Council Government Code Section 54957.6 to discuss labor negotiations between negotiator Stephen Helvey, and the Whittier City Employees' Association, Whittier Police Officers Association, and unrepresented employees.
- **13.B** City Council/Utility Authority Government Code Section 54956.8 to discuss real property negotiations with Matrix Oil Company regarding terms of payment for lease of properties identified as Assessor Parcel Nos. (APN's) 8137-021-902; 8137-021-907; 8289-007-909; and 8289-021-904; City/Authority negotiator Stephen Helvey.
- 14. RECONVENE IN OPEN SESSION:
- 15. CLOSED SESSION REPORT:
- 16. ADJOURNMENT:
- **17. NEXT MEETING:** Tuesday, January 26, 2010 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.