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

CITY COUNCIL CHAMBER, 13230 PENN STREET FEBRUARY 9, 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. 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.)

- 5. 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.
 - **5.A** It is recommended the City Council deny claims filed by Yvette Espinosa, Susan Toddy Garza, Edmund Dennis Tafoya, Marilyn Lopez, and Phillip Lance Lovoy.
 - **5.B** It is recommended the City Council, Agency Board and Board of Directors approve the Minutes of the Regular Meeting of January 26, 2010.

- 5.C It is recommended the City Council receive and file the following Planning Commission action unless review is requested by a Council Member: approval of Conditional Use Permit No. CUP09-011 to allow the on-site sale of beer and wine under a Type 41 license for an existing restaurant d.b.a. "Greenleaf Café", located at 7203 Greenleaf Avenue, Unit A; Applicant: George Castillo; Owner: Tsai Family Trust.
- **5.D** It is recommended the City Council approve the plans and specifications for the Phase I Bus Stop Improvement Plan; and authorize the City Clerk to advertise for construction bids.
- **5.E** It is recommended the City Council approve an Agreement with the Whittier City School District to transfer ownership of the recreation building on the Lydia Jackson School campus to the District; and authorize the Mayor to execute the Agreement.
- **5.F** It is recommended the Board of Directors approve the plans and specifications for the Rehabilitation of Well 16 Project located at the Nature Preserve, 530 N. Durfee Avenue; and authorize the City Clerk to advertise the project for construction bids.
- **5.G** It is recommended the City Council award the contract for the Whittwood Branch Library Mechanical Equipment and Boiler Replacement Project; reject all other bids; and authorize the City Manager to sign the contract.
- 5.H It is recommended the Board of Directors accept the work performed by Pavement Coatings Company for the Alley Pavement Rehabilitation in Areas 2, 3, 4 & 5 Project; and authorize the Secretary-Treasurer to record the Notice of Completion.
- 5.I It is recommended the City Council adopt the following resolutions relating to the Hazard Elimination Safety and Safe Route to School-Supplemental Agreements for Local Agency-State Agreements for the In-Roadway Crosswalk Warning Lights at Various Locations and Mills Avenue Sidewalk and Access Ramp Projects:
 - Resolution No. 8266 entitled, "A Resolution of the City Council of the City of Whittier, California, approving Program Supplements to the Local Agency-State Agreement for Hazard Elimination Safety and Safe Route to School Funded Projects"; and
 - 2. Resolution No. 8267 entitled, "A Resolution of the City Council of the City of Whittier, California, adding a supplemental appropriation to the Fiscal Year 2009-10 Budget for the allocation of Hazard Elimination Safety and Safe Route to School Funds to various projects," in the amount of \$772,000.

- 5.J It is recommended the City Council approve the specifications for the Community Development Block Grant Target Area Pavement Surface Treatment at Redman Avenue Project; and authorize staff to advertise the project for construction bids.
- **5.K** It is recommended the City Council approve extending the Tolling Agreement with the County of Los Angeles regarding alleged violations of water quality standards until March 12, 2011; and authorize the City Attorney to execute the extension.

Proposed Motion: I move that the Consent Calendar be approved as

submitted including awarding a contract to Pardess Air, Inc. (Item 6.G); and that Resolution Nos. 8266 and 8267 (Item 6.I) be read by title only, further reading be waived, and they be declared adopted.

ROLL CALL

6. RECESS REDEVELOPMENT AGENCY AND UTILITY AUTHORITY MEETINGS:

7. PUBLIC HEARINGS:

7.A 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 09-017 and adopt an ordinance entitled, "An Ordinance of the City Council of the City of Whittier, California, amending Title 18 (Zoning) of the Whittier Municipal Code pertaining to the regulation and development of emergency shelters. (Zoning Code Amendment 09-017 - City of Whittier)."

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

Proposed Motion: I move that Ordinance No. 2948 be read by title only.

further reading be waived, and this be declared its

first reading.

7.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 09-019 and adopt an ordinance entitled, "An Ordinance of the City Council of the City of Whittier, California, approving Zoning Code Amendment No. 09-019 to amend Chapter 18.09 (Open Space) and Chapter 18.47 (Wireless Telecommunications Facilities on Public and Private Property) of the Whittier Zoning Code. (Applicant: City of Whittier)."

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

Proposed Motion: I move that Ordinance No. 2949 be read by title only,

further reading be waived, and this be declared its

first reading.

7.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 Zoning Code Amendment 09-018 and adopt an ordinance entitled, "An Ordinance of the City Council of the City of Whittier, California, approving Zoning Code Amendment No. 09-018 to amend Section 18.10.020(I) (Secondary Dwelling Units) and amending Section 18.48.020 (Schedule of Parking Requirements [for secondary dwelling units]) of the Whittier Zoning Code. (Applicant: City of Whittier)."

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

Proposed Motion: I move that Ordinance No. 2950 be read by title only,

further reading be waived, and this be declared its

first reading.

8. BOARDS AND COMMISSIONS:

- **8.A** It is recommended the City Council take actions relating to various board and commission appointment issues:
 - Consider the reappointment of eligible incumbent board and commission members to the Board of Library Trustees, Cultural Arts Commission, Park and Recreation Commission, Parking and Transportation Commission, Personnel Board, Planning Commission, and Social Services Commission to terms ending July 1, 2014; and set two meeting dates for interviews for new candidates for July 1st appointments; and
 - 2. Consider filling a vacancy on the Planning Commission for an unexpired term ending July 1, 2013; and, if applicants are selected to be interviewed, provide direction on when interviews will be held.

Proposed Motion:	I move to	
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9. STAFF REPORTS:

9.A	It is	recommended	the	City	Council	provide	direction	regarding	the
	eastb	oound bus stop a	at Phi	iladelp	ohia Stree	et and Co	mstock Av	venue.	

Proposed Motion:	I move to

9.B	It is recommended the City Council direct staff regarding proceeding the evaluation of selected homes on Earlham Drive and Penn Streethe potential formation of a historic district.			
	Proposed Motion:	I move to		
9.C	 an economic stimu 1. Adopt an Urge City Council of overlay zone for a six-month economic Area; and 2. Conduct first re City Council of overlay zone for a six-month economic a six-month economic a six-month economic 	I the City Council take the following actions relating to lus plan for the Whittier Boulevard Specific Plan area: ncy Ordinance entitled, "An Urgency Ordinance of the the City of Whittier, California, adopting a temporary responsive the Whittier Boulevard Specific Plan Area"; approving a stimulus for the Whittier Boulevard Specific Plan area adding of an ordinance entitled, "An Ordinance of the the City of Whittier, California, adopting a temporary responsive the Whittier Boulevard Specific Plan Area," approving a stimulus for the Whittier Boulevard Specific Plan area ability for Council to extend the life of the ordinance in ments, as necessary.		
	Proposed Motion:	I move that Urgency Ordinance No. 2951 be read by title only, further reading be waived, and it be declared adopted; and that Ordinance No. 2952 be read by title only, further reading be waived, and this be declared its first reading.		
		ROLL CALL		
9.D		d the City Council consider the banner fee discound by Hillcrest Congregational Church.		
	Proposed Motion:	I move to		
9.E		I the City Council consider a request from the Uniteduse City owned meeting rooms for Census staff training		
	Proposed Motion:	I move to		
9.F	It is recommended	the City Council adopt the following resolutions relating		

to Parking District Nos. 1 and 2 Parking Fees:

1. Resolution No. 8268 entitled, "A Resolution of the City Council of the City of Whittier, California, establishing parking fees and regulations for City-owned parking structure and repealing conflicting portions of Resolution No. 7889";

- Resolution No. 8269 entitled, "A Resolution of the City Council of the City of Whittier, California, establishing parking fees and regulations for City owned or leased parking lots and facilities and repealing conflicting portions of Resolution No. 7178";
- 3. Resolution No. 8270 entitled, "A Resolution of the City Council of the City of Whittier, California, amending the Fiscal Year 2009-2010 Budget of the multi-deck parking structure (Parking District No. 1)," in the amount of \$14,800; and
- 4. Resolution No. 8271 entitled, "A Resolution of the City Council of the City of Whittier, California, amending the Fiscal Year 2009-2010 Budget for city owned or leased parking lots and facilities (Parking District No. 2)," in the amount of \$15,200.

Proposed Motion: I move that Resolution Nos. 8268 through 8271 be read by title only, further reading be waived, and they 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 AND UTILITY AUTHORITY MEETINGS:
- **13. CITY COUNCIL CLOSED SESSION:** It is recommended a Closed Session be held pursuant to:
 - **13.A** City Council Government Code Section 54956.9(a) to discuss the claim of the Natural Resources Defense Council, Inc. et al. vs. the County of Los Angeles.
 - 13.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.
 - 13.C 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.

- 14. RECONVENE IN OPEN SESSION:
- 15. CLOSED SESSION REPORT:
- 16. ADJOURNMENT:
- **17. NEXT MEETING:** Tuesday, February 23, 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.