

**MINUTES  
WHITTIER CITY COUNCIL  
WHITTIER REDEVELOPMENT AGENCY  
WHITTIER UTILITY AUTHORITY  
JOINT MEETING  
CITY COUNCIL CHAMBER, 13230 PENN STREET  
JUNE 8, 2010**

**1. CALL TO ORDER:**

The Whittier City Council met in regular session on June 8, 2010, in conjunction with the Whittier Redevelopment Agency and the Whittier Utility Authority. Mayor Nordbak called the joint meeting to order at 6:32 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:**

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

**COUNCIL MEMBER/AGENCY  
MEMBERS/AUTHORITY  
DIRECTOR ABSENT:**

Bob Henderson, Council Member/Agency  
Member/Authority Director

**OTHER OFFICIALS PRESENT:**

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

**3. PLEDGE OF ALLEGIANCE:**

City Attorney Jones led the Pledge of Allegiance.

**4.A BLUE STAR PRESENTATIONS**

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#### **4.B PROCLAMATION – PRESBYTERIAN INTERCOMMUNITY HOSPITAL, NATIONAL COMMUNITY BENEFIT EXCELLENCE AWARD**

Mayor Nordbak presented Presbyterian Intercommunity Hospital (PIH) President Jim West with a proclamation commending PIH for receiving the National Community Benefit Excellence Award for its health site clinic partnership with Whittier First Day.

Drew Sones, Chairman of the PIH Board of Directors, thanked the City Council for the recognition, affirmed the hospital's commitment to all members of the Whittier community, and reviewed highlights of the hospital's building program.

Ted Knoll, Whittier First Day, thanked PIH for its partnership and recognized Judy Stockman, who had the vision for the clinic. Ms. Stockman introduced staff involved in the clinic: Donna Gones, Veronica King, Bobbie Gonzales, and Vanessa Ivy.

#### **ANNOUNCEMENT:**

Angela Acosta Salazar, Rio Hondo College Board President, invited the public to a community meeting on June 9, 2010; thanked the community for supporting bond measures and reviewed the resulting construction projects; thanked Council Member Warner for her assistance with the Health Occupational Center Project; and said the College has been able to retain its staff and faculty in spite of the economy.

#### **4.C CERTIFICATE OF APPRECIATION – KELLER WILLIAMS REALTY – RENEW, ENERGIZE, DONATE (R.E.D.) DAY**

Mayor Nordbak presented Dave Culwell and Carrie Rackham with a Certificate of Appreciation for Keller Williams Realty's work in cleaning up businesses in the Uptown Area through the Renew, Energize, and Donate (R.E.D.) Day Program on May 13, 2010.

#### **4.A BLUE STAR PRESENTATIONS**

Mayor Nordbak and Mayor Pro Tem Warner presented Howard and Letta Johnson, grandparents of Jeremy Johnson an Airman in the US Air Force, and Jeremy's parents Brad and Evelyn Johnson and brother Adam with a Blue Star banner, decal and lapel pins; and noted Howard and Letta received a two-star banner because their grandson Ryan was previously recognized in the Blue Star Program. Mayor Nordbak stated banners recognizing Blue Star Program military personnel are hung along Whittier Boulevard.

Mayor Nordbak and Mayor Pro Tem Warner presented Jeff Butler with a Blue Star flag, decal and lapel pin in honor of his son, Jake, a Private First Class in the Army.

#### **4.D PROCLAMATION – BOY SCOUTS OF AMERICA 100-YEAR ANNIVERSARY**

Mayor Nordbak, Mayor Pro Tem Warner, and Council Member Vinatieri presented Boy Scouts of America, Rio Hondo District Chairman Roger Reynolds with a Proclamation honoring the 100<sup>th</sup> Anniversary of the Boy Scouts of America.

#### **5. ORAL COMMUNICATIONS:**

Benjamin Reed, Catholic Rainbow Outreach Pastor, prayed for the City Council and community.

Jesus Ramirez, Whittier, asked the City Council to stop drilling in the Whittier hills in recognition of sacred lands of Native American Tonba Tribe and said he wants the community's leaders to hold to ideals and protect the hills rather than pursuing income.

Lorraine Lasonics spoke regarding a plumbing problem she experienced and said she believed the company she contacted to repair her sink, Mr. Rooter, trapped her into re-piping the entire residence when she only needed a sink repair.

John Young, Honolulu Terrace, Whittier, said he, his neighbors, and people in Sycamore Canyon have experienced the smell and emissions of the oil production by Matrix on Honolulu Terrace for decades and contact with Matrix Oil and the City's oil manager had provided no relief; spoke regarding the potential carcinogenic and other health impacts from exposure to the emissions; said that the cost to the community of expanding oil production in Whittier is greater than the benefit which would be received, and opposed expansion of oil drilling in Whittier.

Joe Marsico, Whittier, said he lost his family when he lost his home; spoke regarding his encounters with law enforcement, the courts, his financial condition and health.

Sebastian and Carlos, Rio Hondo College students, announced they are participating in the Fringe Festival in Scotland, have paid their transportation costs, and are seeking donations for other expenses associated with the trip.

Lupe Sahagun, Bronte Drive, Whittier, spoke regarding the effort the City and community had to preserve the Whittier hills as open space and a habitat for endangered species; spoke regarding the potential toxic impact pursuing oil operations in the hills could cause to wildlife and ground water; cited a recent oil spill in the Gulf as evidence of the unsafe state of the oil industry; and provided Council Members with a list of websites available to become educated about the industry.

Andrea Gordon, Turnbull Canyon Road, Hacienda Heights, said she works in Whittier and is concerned with the danger of oil drilling in the Whittier hills based on a pipeline exploding in Texas and burning too hot to fight the fire; said the potential for illness and contamination with the project is high, therefore, she asked the City Council to continue to protect the hills by stopping the drilling project.

George Poochigian, Whittier, noted that the Boy Scouts organization started in England; said he saw Council Member Vinatieri at the Rose Hills Memorial Day Event; said people may be deterred from applying for Commissions if the City Council reappoints the same people to open positions; and protested the City proposing to increase sewer, water, and solid waste fees.

At Mayor Nordbak's request, City Manager Helvey reviewed some of the proposed utility rate increases which will be considered at a future public hearing.

Judy Ball, Whittier, representing the Whittier Area Chamber of Commerce, announced upcoming events: Wake-Up Whittier at SASSFA June 9, 2010; State of the City at the Radisson June 24, 2010; Tasty Tuesday at Posada Whittier June 20, 2010; and the Hathaway Golf Tournament September 13, 2010.

Ralph Marsico, Whittier, displayed a bag of parking tickets, said the Police should not target him and his father, and asked that the City help him out because they want to be legal.

Matt Berkelhammer, Whittier, said it was the 50<sup>th</sup> day since the oil spill occurred in the Gulf of Mexico; cited statistics regarding a variety of gas and oil-related incidents which had caused death or serious injury; said he is concerned with the proposal to put a pipeline through the City; and announced a community meeting on the proposed oil drilling in the Whittier hills.

Mayor Nordbak announced that the July 13, 2010, Council meeting will not be held due to lack of a quorum; therefore, the utility rate hearing scheduled for that night will be continued to another date.

**6. CITY COUNCIL/REDEVELOPMENT AGENCY/UTILITY AUTHORITY JOINT CONSENT CALENDAR:**

It was moved by Mayor Pro Tem Warner and seconded by Council Member Vinatieri to approve the Consent Calendar as submitted, including approval of an agreement with Civica Software and that Resolution No. 8291 be read by title only, further reading be waived, and it be declared adopted.

City Manager Helvey requested that Item 6.J, Resolution No. 8291, be amended to reduce the appropriation of transportation funds to \$10,000.

Mayor Pro Tem Warner and Council Member Vinatieri amended the motion to include adoption of the resolution as amended. The motion carried by roll call vote with Council Member Henderson absent.

- 6.A** The City Council denied claims filed by Art Araiza, Victor R. Flores, Randy Robinson, and Marilyn Lasley.
- 6.B** The following actions were taken regarding Minutes:
  - 1. City Council, Agency Board and Board of Directors approved the Minutes of the Regular Meetings of May 11 and May 25, 2010; and
  - 2. City Council approved the Minutes of the Adjourned Regular Meeting of May 24, 2010.
- 6.C** The City Council renewed an agreement with Azteca Landscape in the amount of \$279,000 for maintenance of landscape, hardscape and irrigation systems throughout the City for Fiscal Year 2010-11; and authorized the City Manager to execute the addendum.
- 6.D** The City Council renewed an agreement with Tropical Creations in the amount of \$119,797 for maintenance of landscape and irrigation systems on the Greenway Trail for Fiscal Year 2010-11; and authorized the City Manager to execute the addendum.
- 6.E** The City Council approved an agreement in the amount of \$3,325 per month with Rice/Englander & Associates for state legislative advocacy for the period July 1, 2010 through June 30, 2012; and authorized the City Manager to execute the agreement.
- 6.F** The Board of Directors approved a professional services agreement with Ball Janik LLP to provide legislative advocacy support for Fiscal Year 2010-11 for a fee not to exceed \$47,880 plus expenses; and authorized the Executive Director to execute the agreement.
- 6.G** The City Council designated the *Whittier Daily News* as the official newspaper for the publication of legal notices or other matters for Fiscal Year 2010-11.
- 6.H** The City Council approved an agreement with the County of Los Angeles Department of Animal Care and Control to perform animal control functions in the City for the period July 1, 2010 through June 30, 2014; and authorized the City Manager to execute the agreement.

- 6.I** The City Council accepted the work performed by Nobest, Inc. for the Community Development Block Grant (CDBG) Target Area Pavement Surface Treatment at Redman Avenue; and authorized the City Clerk-Treasurer to file the Notice of Completion.
- 6.J** The City Council approved a professional services agreement with Civica Software in the amount of \$50,710 to 1) upgrade the City's website to a content management system, 2) design the new website, and 3) provide ongoing maintenance and website hosting; authorized the City Manager to execute the agreement.; and adopted Resolution No. 8291 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, AMENDING THE FISCAL YEAR 2009-10 BUDGET TO FUND E-COMMERCE WEB DESIGN SERVICES" as amended.

**7. RECESS REDEVELOPMENT AGENCY AND UTILITY AUTHORITY:**

Mayor Nordbak recessed the Redevelopment Agency and Utility Authority meetings at 7:30 p.m.

**8.A PUBLIC HEARING – FOXLEY DRIVE STREET LIGHTING ASSESSMENT DISTRICT NO. 01-91 FY10-11 ASSESSMENT**

City Manager Helvey announced it was the date and time set and duly noticed for a public hearing to consider the levy and collection of assessments for the Foxley Drive Street Lighting Assessment District No. 01-91, between Santa Fe Springs Road and Villa Drive, and adopt a resolution confirming the diagram and assessment, and approving the Engineer's Report.

Mayor Nordbak opened the public hearing at 7:31 p.m.

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

It was moved by Council Member Newcomer, seconded by Mayor Pro Tem Warner, and carried by roll call vote, with Council Member Henderson absent, to accept the Fiscal Year 2010-11 Engineer's Report on Street Lighting Assessment District No. 01-91, and that Resolution No. 8292 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, CONFIRMING DIAGRAM AND ASSESSMENT OF FY 2010-11 FOR FOXLEY DRIVE STREET LIGHTING ASSESSMENT DISTRICT NO. 01-91" be read by title only, further reading be waived, and it be declared adopted.

## **8.B PUBLIC HEARING –PARKING DISTRICT NO. 1 FY10-11 BUDGET**

City Manager Helvey announced it was the date and time set and duly noticed for a public hearing to consider Uptown Parking District No. 1 Budget for Fiscal Year 2010-11 and adopt a resolution confirming the City assessment for the multi-deck parking structure.

Public Works Director Pelser responded to questions from Council Members relating to security for the parking structure raised during the Uptown Parking Study tours and by Presbyterian Intercommunity Hospital due to its regular use of the facility for employee parking, and addressed improvements made such as a more visible parking attendant, restroom cleaning, new lighting, uniforms for parking attendants, and use of the buddy-system by employees.

Mayor Pro Tem Warner requested periodic updates on parking structure security issues in the City Manager's Newsletter.

Mayor Nordbak opened the public hearing at 7:38 p.m.

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

It was moved by Mayor Pro Tem Warner, seconded by Council Member Newcomer, and carried by roll call vote, with Council Member Henderson absent, to approve Parking District No. 1 Budget for Fiscal Year 2010-11 and that Resolution No. 8293 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, CONFIRMING THE CITY ASSESSMENT FOR THE FISCAL YEAR 2010-11 FOR WHITTIER UPTOWN PARKING DISTRICT NO. 1 (MULTI-DECK)," be read by title only, further reading be waived, and it be declared adopted.

## **8.C PUBLIC HEARING – PARKING DISTRICT NO. 2 FY10-11 BUDGET**

City Manager Helvey announced it was the date and time set and duly noticed for a public hearing to consider the Uptown Parking District No. 2 Budget for Fiscal Year 2010-11 and adopt a resolution determining the necessity for the assessments and adopting the annual report.

Mayor Nordbak opened the public hearing at 7:39 p.m.

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

It was moved by Council Member Vinatieri, seconded by Mayor Pro Tem Warner, and carried by roll call vote, with Council Member Henderson absent, to approve the Uptown Parking District No. 2 Budget for Fiscal Year 2010-11 and that Resolution No. 8294 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, FOR DETERMINING CONVENIENCE AND NECESSITY, ADOPTING ANNUAL REPORT AND ORDERING ASSESSMENTS TO BE LEVIED – WHITTIER UPTOWN PARKING DISTRICT NO. 2," be read by title only, further reading be waived, and it be declared adopted.

**9. BOARD OF LIBRARY TRUSTEES' APPOINTMENTS**

It was moved by Council Member Newcomer, seconded by Mayor Pro Tem Warner and carried, with Council Member Henderson absent, to appoint Lisa Dabbs to the Board of Library Trustees for a partial term ending July 1, 2012, and appoint Lynne Mook to a full four-year term on the Board of Library Trustees for a term ending July 1, 2014.

**10. RECONVENE REDEVELOPMENT AGENCY AND UTILITY AUTHORITY MEETINGS IN JOINT SESSION WITH CITY COUNCIL:**

Mayor Nordbak reconvened the Redevelopment Agency and Utility Authority meetings in Joint Session with the City Council at 7:44 p.m.

**11. COUNCIL/AGENCY MEMBER/DIRECTOR COMMENTS AND CONFERENCE REPORTS:**

Council Member Newcomer said a protest regarding the proposed removal of trees on Whittier Boulevard near Santa Gertrudes was received in an incorrect format and after the deadline, but requested the City Council acknowledge the request and waive the irregularities to allow the matter to be heard by the Commission. There was no City Council consensus to allow the protest to go forward.

Mayor Nordbak announced that the July 13, 2010 City Council meeting would not be held and that the utility rate hearing scheduled for that date would be continued to August 10, 2010.

**12. ADJOURN REDEVELOPMENT AGENCY AND UTILITY AUTHORITY MEETINGS**



**13. CITY COUNCIL CLOSED SESSION:**

City Manager Helvey recommended the City Council conduct the following Closed Sessions:

**13.A** Government Code Section 54956.8 to discuss real property negotiations with Clearwire relating to price and terms of payment for the lease of space for the installation of a cellular antenna tower along the Whittier Greenway Trail at Oak Street, AIN #8165-010-901; City negotiator: Stephen Helvey.

**13.B** 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.

Mayor Nordbak adjourned the meeting to Closed Session at 7:55 p.m.

**14. RECONVENE IN OPEN SESSION:**

Mayor Nordbak reconvened the meeting in Open Session at 8:39 p.m.

**15. CLOSED SESSION REPORT:**

None.

**16. ADJOURNMENT**

Mayor Nordbak adjourned the City Council, Redevelopment Agency, and Utility Authority meetings to Wednesday, June 16, 2010 at 5:00 p.m., and adjourned the City Council meeting in memory of Regina Phelan and Glen Kelly.

Respectfully submitted,

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