

**AGENDA
WHITTIER CITY COUNCIL
WHITTIER REDEVELOPMENT AGENCY
WHITTIER UTILITY AUTHORITY
JOINT MEETING
CITY COUNCIL CHAMBER, 13230 PENN STREET
NOVEMBER 22, 2011, 6:30 P.M.**

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

1. CALL TO ORDER:

2. ROLL CALL:

J. Greg Nordbak, Council Member
Joe Vinatieri, Council Member
Bob Henderson, Council Member
Owen Newcomer, Mayor Pro Tem
Cathy Warner, Mayor

3. PLEDGE OF ALLEGIANCE:

4. PRESENTATIONS:

4.A Chamber of Commerce Report

5. APPROVAL OF AGENDA: This is the time for the City Council/Boards of Directors to reorder the agenda to accommodate visitors, deal with issues early in the meeting, add or delete items, or make changes to the Consent Calendar.

Proposed Motion: I move to _____.

6. 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.)

- 7. 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.

City Council

- 7.A** It is recommended the City Council deny claims filed by William R. Bertrand, Loretta Chervenak, Mary R. Kennan, Francisco Moreno, Adan Osorio, Maritza Rodriguez, Mary Claire Stonich, Linda Eileen Monge, Kathy Rodriguez and Elissa Rubenstein.
- 7.B** It is recommended the City Council approve an agreement for software licensing with Microsoft in the annual amount of \$ 75,108.16; and authorize the City Manager to sign the agreement.
- 7.C** It is recommended the City Council receive and file the following Historic Resources Commission actions unless review is requested by a Council Member:
1. Approval of Certificate of Appropriateness 11-019 to replace and construct a new 145 square-foot front porch cover on an existing single-family residence located at 5838 Bright Avenue; Owner/Applicant: James Campbell.
 2. Approval of Certificate of Appropriateness 11-020 to remodel the exterior façade of an existing apartment building located at 6555 Washington Avenue in the Central Park Historic District; Owner: Washington Avenue, LLC; Applicant: Gregory Kachoeff.
- 7.D** It is recommended the City Council conduct second reading and adopt Ordinance No. 2982 entitled, "An Ordinance of the City Council of the City of Whittier, California, establishing election procedures relating to precinct ballots and polling places for the 2012 election."
- 7.E** It is recommended the City Council conduct second reading and adopt Ordinance No. 2983 entitled, "An Ordinance of the City Council of the City of Whittier, California, fixing rates and charges for water service furnished by the Whittier Utility Authority for Fiscal Year 2011-2012 and Fiscal Year 2012-2013."
- 7.F** It is recommended the City Council approve the Participation Agreement with the City of Glendora for the "Avoid the 100 DUI Campaign (East) – Los Angeles County" Regional Enforcement Grant Program; and authorize the Chief of Police to execute the agreement.

- 7.G** It is recommended the City Council take actions regarding the Santa Gertrudes Avenue at Lambert Road Traffic Signals Improvements project:
1. Award the Federal Project No. HSIPL-5111 (040) construction contract in the amount of \$258,943;
 2. Reject all other bids;
 3. Authorize the City Manager to execute the contract; and
 4. Adopt Resolution No. 8425 entitled, "A Resolution of the City Council of the City of Whittier, California, amending the Fiscal Year 2011-12 Budget for the expenditure of Santa Gertrudes Avenue and Lambert Road railroad grade crossing protection work," in the amount of \$330,043.
- 7.H** It is recommended the City Council accept the work performed by Doug Martin Contracting Co. for the Pavement Surface Treatment Program Fiscal Year 2010-11 for Area 2 for various streets located within Scott and Santa Gertrudes Avenues on the east, Lambert Road on the south, Gunn and Catalina Avenues on the west, and slightly north of Mar Vista Street; and authorize the City Clerk-Treasurer to record the Notice of Completion.
- 7.I** It is recommended the City Council award a construction contract in the amount of \$307,100 for demolition, abatement, shoring and earthwork for the Whittwood Branch Library located at 10537 Santa Gertrudes Avenue; and authorize the City Manager to execute the related documents.

City Council, Redevelopment Agency and Utility Authority

- 7.J** It is recommended the City Council, Agency Board and Board of Directors take the following actions regarding Minutes:
1. City Council, Agency Board and Board of Directors approve the Minutes of the Regular Meetings of October 11, 2011 and October 25, 2011;
 2. City Council approve the Minutes of the Special Meetings of October 11, 2011 and October 17, 2011; and the Adjourned Special Meeting of October 20, 2011.

Proposed Motion: I move that the City Council, Agency Board and Authority Directors approve specified Consent Calendar items as submitted including awarding construction contracts to Sully-Miller Contracting Co. (Item 7.G) and Miller Environmental, Inc. (Item 7.I); and that Resolution No. 8425 (Item 7.G); and Ordinance Nos. 2982 (Item 7.D) and 2983 (Item 7.E) be read by title only, further reading be waived, and they be declared adopted.

ROLL CALL

8. RECESS REDEVELOPMENT AGENCY AND UTILITY AUTHORITY MEETINGS:

9. STAFF REPORT:

9.A It is recommended the City Council approve a modification to the Whittier Uptown Association Ice Skating Rink Special Event Permit to allow banners and holiday decorations from December 9 to 17, 2011 on the south facing side of the 6718 Greenleaf Avenue building and the west facing side of the parking structure.

Proposed Motion: I move to approve staff's recommendation.

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

11. COUNCIL/AGENCY MEMBER/DIRECTOR COMMENTS AND 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 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.

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.

14. RECONVENE IN OPEN SESSION:

15. CLOSED SESSION REPORT:

16. ADJOURNMENT:

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 562/567-9850.

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 Senior Lounge at Parnell Park (15390 Lambert Road). 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 562/567-9850.