

City Council Meeting Agenda Announcement

In-Person Public Comment is now Available

Speakers must limit their comments to three minutes. Please note, by order of the presiding officer, public comments minutes may be reduced if at their discretion a surplus of public speakers is present at the meeting.

View live open session meeting:

- On Cable, Channel 3
- Online: www.cityofwhittier.org/Streaming
- In person at City Hall, City Council Chamber
- Zoom (Details below)

Public Comment options:

- Email: ccd@cityofwhittier.org
- In-person for Closed and Open Session in the City Hall Council Chamber
- Zoom (Details below)

PLEASE ENSURE YOUR ZOOM SOFTWARE IS UPDATED TO PROVIDE LIVE COMMENTS

Live Public Comment for CLOSED SESSION: Login or call at 6:00 p.m. and raise your hand.

- Smart Phone App or Computer: <https://us02web.zoom.us/j/98640033144>
 - Use 'Raise Hand' feature.
- Phone Call-in: (669) 900-9128 Meeting ID: 986 4003 3144
 - Press *9 to 'Raise Hand' and then *6 to unmute yourself when prompted.

Live Public Comment for OPEN SESSION: Login or call at 6:30 p.m. and raise your hand.

- Smart Phone App or Computer: <https://us02web.zoom.us/j/95676597390>
 - Use 'Raise Hand' feature.
- Phone Call-in: (669) 900-9128 Meeting ID: 956 7659 7390
 - Press *9 to 'Raise Hand' and then *6 to unmute yourself when prompted.

Email: Please submit public comments at least one hour before the date of the meeting to ensure City Council members receive and have time to review them.

Americans with Disabilities Act

Disability-related services are available to enable persons with a disability to participate in this meeting, consistent with the Federal Americans with Disabilities Act of 1990. Spanish interpreters are also available. For information or to request services, please contact the City Clerk at least 24 hours in advance of the meeting at (562) 567-9850.

View recent public comments: <https://www.CityOfWhittier.org/PublicComments>

**AGENDA
WHITTIER CITY COUNCIL
WHITTIER REDEVELOPMENT SUCCESSOR AGENCY
WHITTIER UTILITY AUTHORITY
REGULAR JOINT MEETING
COUNCIL CHAMBER, 13230 PENN STREET
JULY 23, 2024, 6:00 PM**

1. CALL TO ORDER - CLOSED SESSION

2. PUBLIC COMMENT ON CLOSED SESSION

The public is invited to comment on any closed session item listed below.

3. CLOSED SESSION

3.A. Approval of Minutes - Closed Session

Approve the June 18, 2024 Special Meeting and the June 25, 2024 Regular Meeting Closed Session Minutes.

4. CALL TO ORDER - REGULAR SESSION

5. ROLL CALL

Joseph A. Vinatieri, Mayor
Cathy Warner, Mayor Pro Tem
Octavio Martinez, Council Member
Fernando Dutra, Council Member
Mary Ann Pacheco, Council Member

6. PLEDGE OF ALLEGIANCE

7. CLOSED SESSION REPORT

8. PRESENTATIONS

8.A. Whittier Beautification Awards

9. APPROVAL OF AGENDA

This is the time for the City Council/Boards of Directors to reorder the agenda, or delete items, or make changes to the Agenda.

10. PUBLIC COMMENTS

The public is invited to address City Council Members and Directors regarding any item of business listed on this agenda only.

Pursuant to State law, City Council Members and Directors cannot take action or express a consensus of approval or disapproval on any communications which do not appear on the printed agenda. City Council has adopted rules of decorum, which we encourage everyone to follow. It should be noted that City Council does not control the content of speech at public comment; however, members of the audience are welcome to exit the Chamber at any time.

Detailed instructions on how to provide public comments are provided on the Agenda Announcement Page.

11. CITY MANAGER REPORT

12. JOINT CONSENT CALENDAR

All items on the Consent Calendar may be approved by a single motion. If a Council Member or Director wishes to discuss a Consent Calendar item, the item may be removed from the calendar for individual consideration.

12.A. Waive Further Reading

Recommendation: After the City Clerk has read the title, waive full reading of all resolutions and ordinances on this agenda for adoption.

12.B. Approval of Minutes

Recommendation: Approve the June 18, 2024 Special Meeting and June 25, 2024 Regular Meeting Minutes.

12.C. Information Technology Renewals: Firewall Endpoint Protect, Water Department Business Continuity, and Storage Area Network

Recommendation: In conformance with Government Code Sections 6254(ab) and 6254.19, approve and authorize the City Manager to execute the following agreements and amendments as appropriate:

- 1) Three-year agreement for Firewall and Endpoint Protection for the City totaling \$673,495.
- 2) Three-year Water Department Business Continuity Project totaling \$144,612.
- 3) Five-year agreement for Storage Area Network totaling \$629,853; and adopt Resolution No. 2024-43, amending the 2024-25 Budget to appropriate \$30,000 towards the Storage Area Network Project.

12.D. Second Reading of Ordinance No. 3156 - Utility Users' Tax Low Income Exemption Qualification

Recommendation: Conduct the second reading and adopt Ordinance No. 3156, finding that the code amendment is exempt from review under the California Environmental Quality Act and amend Chapter 3.24 (Utilities Tax) to increase the income level to qualify for utility users' tax (UUT) exemptions for residential service users to \$62,400.

12.E. Second Reading of Ordinance No. 3158 - Administrative Citations for Graffiti

Recommendation: Conduct the second reading and adopt Ordinance No. 3158, adding Whittier Municipal Code Chapter 9.34 to prohibit the inscription of graffiti within the City and authorize the issuance of administrative citations to the parents and legal guardians of minor children who violate this prohibition.

12.F. Addendum to City Attorney Agreement

Recommendation: Approve Addendum No. 14 to the City Attorney Legal Service Agreement with Jones Mayer increasing the hourly rate for fees associated with special projects litigation, appellate litigation, and paralegal services; and adopt Resolution No. 2024-44, amending the Fiscal Year 2024-25 budget to appropriate additional funding for the city attorney legal services agreement.

12.G. 24-012 La Serna Drive North of Whittier Boulevard Rehab Project - Construction Change Order

Recommendation:

- 1) Adopt Resolution No. 2024-45 adding a supplemental appropriation of \$350,276 to the Fiscal Year 2024-25 Budget for Pavement Rehabilitation.
- 2) Approve and authorize a contract change order with R.J. Noble in an amount not to exceed \$350,276 on Villaverde Drive from Youngwood Drive to Mar Vista Street.

**12.H. King Taco Restaurant
Development Review No. DRP21-0097
Conditional Use Permit No. CUP21-0013**

11533 Whittier Boulevard (A.I.N. 8140-003-004, 005, 006, and 008)

Recommendation: Receive and file the Planning Commission action approving Resolution No. P.C. 2024-04, approving Development Review No. DRP21-0097 and Conditional Use Permit No. CUP21-0013, with amended conditions of approval, for the construction of a new restaurant building at 11533 Whittier Boulevard.

12.I. CalRecycle Grant Programs Management - Professional Services Agreement

Recommendation: Approve and authorize the City Manager to execute a professional services agreement with Nicholls Consulting, Inc. (NCI) to manage the California Department of Resources and Recycling (CalRecycle) Grant programs such as the Edible Food Recovery Program, Used Oil Recycling Program, and the Beverage Container Recycling Program in an amount not to exceed \$82,077 for one year with an option to extend an additional year.

12.J. Los Angeles County Flood Control District Transfer Agreement

Recommendation:

- 1) Approve the Transfer Agreement with Los Angeles County Flood Control District and authorize the City Manager to execute the Transfer Agreement on behalf of the City; and
- 2) Adopt Resolution No. 2024-46, amending the Fiscal Year 2024-25 Budget to accept special parcel tax funds from the Los Angeles County Flood Control District to fund Safe, Clean Water Program projects and activities.

12.K. Sewer Assessment User Fee - Fiscal Year 2024-2025

Recommendation: Approve the Engineer's Report of Sewer User Fees for Fiscal Year 2024-2025.

12.L. Request for Proposals for professional legislative advocacy services

Recommendation: Authorize the release of a Request for Proposals for professional legislative advocacy services.

12.M. Public Employee Pension Reform Act – 180-Day Waiting Period Waiver Request

Recommendation: Adopt Resolution No. 2024-47 to waive the Public Employee Pension Reform Act (PEPRA) 180-day waiting period to hire retired annuitant Michael Montoya for professional plan review and development project review-related duties on a limited basis.

13. PUBLIC HEARINGS

None.

14. STAFF REPORTS

14.A. Best Practices for City's Regulation of Short-Term Residential Rentals

Recommendation: Receive and file information regarding best practices for short-term rentals, and if appropriate, direct staff to draft a short-term rental ordinance, incorporating the City Council's directives.

15. COUNCIL MEMBER / DIRECTOR COMMENTS AND CONFERENCE REPORTS

16. ADJOURNMENT - In Memory of David O. Butler

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The agenda packet for regular meetings is available three days before the meeting on <http://www.cityofwhittier.org>. Materials distributed to the City Council within 72 hours of the City Council meeting are available for public inspection; please contact the City Clerk's Office.

Los servicios relacionados con la discapacidad están disponibles para permitir que las personas con discapacidad participen en esta reunión, de conformidad con la Ley Federal de Estadounidenses con Discapacidades de 1990. También hay intérpretes en español disponibles. Para obtener información o para solicitar servicios, comuníquese con el Secretario Municipal al menos 24 horas antes de la reunión al (562) 567-9850.

El paquete de la agenda para juntas regulares están disponible tres días antes de la reunión en www.cityofwhittier.org. Los materiales distribuidos al Concejo Municipal dentro de las 72 horas de la reunión del Concejo Municipal están disponibles para inspección pública; póngase al contacto con la Oficina de la Secretaria Municipal.

I hereby certify under penalty of perjury, under the laws of the State of California that the foregoing agenda was posted in accordance with the applicable legal requirements. Regular and Adjourned Regular meeting agendas may be amended up to 72 hours in advance of the meeting. Dated this 18th day of July 2024.

/s/ Rigoberto Garcia Jr., City Clerk