

City Council Meeting Agenda Announcement

On March 12, 2020, Governor Newsom issued Executive Order No. N-25-20, which allows Council Members to attend City Council meetings telephonically. Please be advised that some, or all, Whittier City Council Members may attend this meeting telephonically.

Consistent with mandates of Executive Order No. N-29-20, a physical location from which members of the public may observe the meeting or offer public comment will not be made available. City Hall will not be open to the public for this meeting; however viewing and public comment options are provided below.

View live open session meeting remotely:

- On Cable, Channel 3
- Online: www.cityofwhittier.org

Public Comment/Question options:

- Email: ccd@cityofwhittier.org
- Voicemail: (562) 567-9856
- Facebook: <https://www.facebook.com/whittiercitygov/>

Please submit public comments and questions at least one hour before the start of the meeting to ensure City Council members receive them in time to view them.

**AGENDA
WHITTIER CITY COUNCIL
WHITTIER REDEVELOPMENT SUCCESSOR AGENCY
WHITTIER UTILITY AUTHORITY
REGULAR JOINT MEETING
COUNCIL CHAMBER, 13230 PENN STREET
MARCH 24, 2020, 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

Approve the February 25, 2020 Closed Session meeting minutes.

3.B. Conference with Legal Counsel – Anticipated Litigation, significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2):
One Case

3.C. Conference with Labor Negotiators pursuant to Government Code Section 54957.6
Agency Negotiator: Brian Saeki
Represented and Unrepresented Employee: Whittier City Employees' Association, Whittier Police Officers' Association and unrepresented employees

3.D. Conference with Legal Counsel – Anticipated Litigation, initiation of litigation pursuant to Government Code Section 54956.9(d)(4):
Two Cases - (Orange County Catholic Worker v. Orange County; Case No. 8:18-CV-000155 and LA Alliance for Human Rights, et al, vs. City of Los Angeles, et al; Case No. CV 20-02291-DOC)

3.E. Conference with Real Property Negotiators pursuant to Government Code Section 54956.8

City Negotiator: Brian Saeki

Under Negotiation: Price and Terms.

Property Negotiator(s): City of Whittier, Lee & Associates, CEC Properties LLC, and Owners

Property: 12100 Bailey Street, Whittier

Property: 5913 Esperanza Avenue, Whittier

Property: 12000 Washington Boulevard, Whittier

Property: 7926 Pickering Avenue, Whittier

Property: 8155 Byron Road, Whittier

Property: 12087 Whittier Boulevard, Whittier

Property: 3900 Baybar Road, Pico Rivera & City of Industry

Property: 10040 Kratt Lane, Whittier

Property: 10044 Kratt Lane, Pico Rivera

4. CALL TO ORDER - REGULAR SESSION

5. ROLL CALL

Joseph A. Vinatieri, Mayor

Fernando Dutra, Mayor Pro Tem

Henry Bouchot, Council Member

Cathy Warner, Council Member

Josué Alvarado, Council Member

6. PLEDGE OF ALLEGIANCE

7. CLOSED SESSION REPORT

8. PRESENTATIONS

8.A. Chamber of Commerce Monthly Update

9. APPROVAL OF AGENDA

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

10. PUBLIC COMMENTS

The public is invited to address the City Council, Redevelopment Successor Agency or Utility Authority regarding any item of business or any matter within the bodies subject matter jurisdiction. Consistent with Executive Order No. N-29-20 public comments can be made via:

- Email: ccd@cityofwhittier.org
- Voicemail: (562) 567-9856
- Facebook: <https://www.facebook.com/whittiercitygov/>

Please submit public comments and questions at least one hour before the start of the meeting to ensure City Council members receive them in time to view them.

Pursuant to State law, the City Council, Successor Agency, and Utility Authority cannot take action or express a consensus of approval or disapproval on any communications which do not appear on the printed agenda.

11. CITY COUNCIL/REDEVELOPMENT SUCCESSOR AGENCY/UTILITY AUTHORITY JOINT CONSENT CALENDAR

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

11.A. Waive Further Reading

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

11.B. Approval of Minutes

Recommendation: Approve the February 25, 2020 Regular Meeting minutes.

11.C. Ratification of Emergency Declaration due to COVID19

Recommendation: Ratify the emergency declaration and continue the resolution for another 21 days by adopting Resolution No. 2020-15 confirming existence of a local emergency.

11.D. Whittier Greenway Trail Lighting Project – Award of Contract

Recommendation:

- 1) Award the construction contract to California Professional Engineering of La Puente, California, in the amount of \$355,678 for the Whittier Greenway Trail Lighting Project;
- 2) Reject all other bids; and
- 3) Authorize the City Manager to sign the contract on behalf of the City.

11.E. Road Maintenance and Rehabilitation Program (SB-1) Fiscal Year 2020-21 Funding Resolution 2020-14

Recommendation:

- 1) Amend the Five-Year Pavement Capital Street Maintenance Program Plan to include Colima Road Rehabilitation Project in year four of the Five-Year Capital Street Maintenance Program Fiscal Year 2020-21; and
- 2) Adopt Resolution No. 2020-14 approving the proposed project in Fiscal Year 2020-21 funded by Senate Bill 1: The Road Repair and Accountability Act of 2017.

11.F. County Cooperative Agreement - Traffic Signal Synchronization Project Agreement Amendment No.1 (A08-035)

Recommendation: Authorize the City Manager to sign an amendment to a City and County Cooperative Agreement for the County's Traffic Signal Synchronization Program (TSSP).

11.G. Year 2 Pavement Program - Russell Street and Various Locations - Notice Inviting Bids

Recommendation:

- 1) Determine the project is Categorically Exempt pursuant to Section 15301, Class 1(b) of California Environmental Quality Act guidelines (Existing Facilities);
- 2) Approve Plans and Specifications for Russell Street and Various Locations Project; and
- 3) Authorize the City Clerk to advertise for construction bids.

12. PUBLIC HEARINGS

None

13. STAFF REPORTS

13.A. Meal Services for Seniors and Homeless Services during COVID-19 Event

Recommendation: Provide direction to staff on a County-funded temporary supplemental senior meal delivery program for up to 150 seniors, as well as addressing homelessness, in light of Governor's Executive Order 32-20 providing additional funding to the continuums of care.

13.B. Temporary Moratorium on Evicting Tenants

Recommendation: Adopt Urgency Ordinance No. 3115 relating to a temporary moratorium on evicting tenants and declaring the ordinance to be an emergency measure to take effect immediately upon adoption.

13.C. 2020-2025 HUD Consolidated Plan and related items

Recommendation: Receive and file a report regarding the 2020-2025 U.S. Department of Housing and Urban Development Consolidated Plan, Annual Action Plan, and Analysis of Impediments to Fair Housing Choice; and provide input to staff.

14. COUNCIL MEMBER/AGENCY DIRECTOR/UTILITY AUTHORITY DIRECTOR COMMENTS AND CONFERENCE REPORTS

15. ADJOURNMENT

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.

The agenda packet is available three days before the meeting in the City Clerk Department at City Hall (13230 Penn Street), Whittier Central Library (7344 Washington Avenue) and the East Whittier Branch Library (10537 Santa Gertrudes Avenue). Additionally, the agenda packet can be viewed on the City's website. Materials distributed to the City Council within 72 hours of the City Council meeting are available for public inspection in 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 está disponible tres días antes de la reunión en el Departamento de la Secretaria Municipal en el ayuntamiento (13230 Penn Street), Biblioteca Central de Whittier (7344 Washington Avenue) y Biblioteca sucursal del este de Whittier (10537 Santa Gertrudes Avenue). Además, el paquete de la agenda se puede ver en el sitio web de la Ciudad. Los materiales distribuidos al Concejo Municipal dentro de las 72 horas de la reunión del Concejo Municipal están disponibles para inspección pública en 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 20th day of March 2020.

/s/ Rigoberto Garcia, City Clerk



Agenda Report

City Council

Date: March 24, 2020

To: Brian Saeki, City Manager

From: Rigoberto Garcia, City Clerk

Subject: Approval of Minutes

RECOMMENDATION

Approve the February 25, 2020 Regular Meeting minutes.

DISCUSSION

Staff prepared draft minutes and hereby submits the minutes for Council's approval

FISCAL IMPACT

There is no fiscal impact associated with this report.

ATTACHMENTS

A. February 25, 2020 Regular Meeting minutes

**MINUTES
WHITTIER CITY COUNCIL
WHITTIER REDEVELOPMENT SUCCESSOR AGENCY
WHITTIER UTILITY AUTHORITY
REGULAR JOINT MEETING
COUNCIL CHAMBER, 13230 PENN STREET
FEBRUARY 25, 2020, 6:00 PM**

1. CALL TO ORDER - CLOSED SESSION

The Whittier City Council met in Closed Session on February 25, 2020. Mayor Pro Tem Dutra called the meeting to order at 6:09 p.m. in the Administration Conference Room of Whittier City Hall, 13230 Penn Street, Whittier, CA 90602. Mayor Vinatieri absent.

2. PUBLIC COMMENT ON CLOSED SESSION

None.

3. CLOSED SESSION

3.A. Approval of Minutes

Approve the January 6, 14 and 28, 2020 Closed Session meeting minutes.

3.B. Conference with Legal Counsel – Existing Litigation pursuant to Government Code Section 54956.9(d)(1)

Manuel Duron Lujan v. City of Whittier et al, Court Case No. 2:19-CV-00065

3.C. Conference with Real Property Negotiators pursuant to Government Code Section 54956.8

Property: APN 8139-015-902 (6724 Greenleaf Ave) and 8139-015-901 (6826 Greenleaf Ave.)

City Negotiator: Brian Saeki

Property Negotiator: Joseph Sapp

Under Negotiation: Price and Terms

3.D. Conference with Legal Counsel – Anticipated Litigation pursuant to Government Code Section 54956.9(d)(1)

One item

4. CALL TO ORDER - REGULAR SESSION

Mayor Pro Tem Dutra called the Regular Session to order at 6:40 p.m. in the Council Chamber of Whittier City Hall, 13230 Penn Street, Whittier, CA 90602.

5. ROLL CALL

PRESENT: Fernando Dutra, Mayor Pro Tem
Henry Bouchot, Council Member
Cathy Warner, Council Member
Josué Alvarado, Council Member

ABSENT: Joseph A. Vinatieri, Mayor

STAFF PRESENT:

Brian Saeki, City Manager
Dick Jones, City Attorney
Shannon DeLong, Assistant City Manager
Rigoberto Garcia, Jr., City Clerk
Kyle Cason, Public Works Director
Katie Galvin-Šurbatović, Business Development Manager

6. PLEDGE OF ALLEGIANCE

Calvin Chong, Student Mayor, led the Pledge of Allegiance.

7. CLOSED SESSION REPORT

City Attorney Jones indicated that there was no reportable action taken.

8. PRESENTATIONS

8.A. Students in Government Day - La Serna High School

Mayor Pro Tem Dutra gave a brief discussion of the 6th Annual Students in Government Day.

Calvin Chong, Student Mayor, described his experience with the City Clerk Department.

Ann Fitzgerald and Lorrie Collin, La Serna High School, thanked the City Council for allowing the students to visit City Hall.

Council Members encouraged students to continue with civil engagement.

8.B. Chamber of Commerce Monthly Update

Carol Crosby thanked the Council for attending the Silver Shield Awards Banquet and discussed support of Measure W.

8.C. March 3, 2020 General Municipal Election Information

City Clerk Garcia presented updates on the Whitter Vote mobile application, Flex Vote Center at the Central Library, canvass schedule, and voting statistics.

9. APPROVAL OF AGENDA

MOTION

Council Member Alvarado moved and Council Member Bouchot seconded a motion to approve the agenda as presented. The motion carried 4-0-1, Mayor Vinatieri absent.

10. PUBLIC COMMENTS

Mike Smith discussed the bids for extension of Greenway Trail and left turn signals on Lambert Road and thanked staff for cleaning Parnell Park.

Monica Piedra, Shelter's Right Hand, thanked Council and first responders who support the shelter. Promoted the 24th annual stepping against domestic violence 5k walk, which will take place on April 25, 2020 at Central Park.

Monica Sena discussed state policies involving taxes, population, diversity, and renewable energy.

Albert Straight discussed frustrations with disposing of florescent lights and hazardous waste.

John Bynan, United Nations Association, promoted Earth Day and its significance and discussed climate change.

Gwen Woirhaye, Whittier Conservancy, discussed the contents of "The Preservationist" magazine.

Helen Rahder, Whittier Conservancy, discussed the article on William Henry Harrison featured in "The Preservationist," Art in Public Places, and Measure W.

Michael Kachoeff, Modern Shaman Restaurant, discussed parking in Uptown Whittier and expressed support for parking passes.

Socorro Esparza, Sargent's Sporting Goods, discussed lack of parking in Uptown Whittier.

Jordan Ortega asked the Council about status of homelessness issue, Parnell Park reopening date, and services being provided to homeless individuals and service-resistant individuals.

Francine O'Gremsky discussed homeless and Proposition 47.

Betty Thorpe discussed frustrations with the Police Department regarding the investigation of her daughter's death, Meagan Ortega.

Joseph Estrada, Megan's Helping Hands Foundation, discussed helping homeless and encouraging the Police Department to look into Meagan Ortega's death.

Tom Burr discussed issues at Leffingwell Park and outdated signage at the YMCA.

Olivia Rios, Whittier Uptown Association, discussed issues with parking caused by construction on Comstock.

11. CITY COUNCIL/REDEVELOPMENT SUCCESSOR AGENCY/UTILITY AUTHORITY JOINT CONSENT CALENDAR

MOTION

Council Member Alvarado moved and Council Member Warner seconded a motion to approve the consent calendar. The question was called and the motion carried 4-0-1, Mayor Vinatieri absent.

The Consent Calendar consisted of the following items:

11.A. Waive Further Reading

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

11.B. Approval of Minutes

Recommendation: Approve the January 6, 2020 Special Meeting minutes; January 14 and 28, 2020 Regular Meeting minutes; and the January 28, 2020 Special Meeting minutes.

11.C. Second Reading of Ordinance No. 3112 - Municipal Code Conforming Updates

Recommendation: Conduct second reading and adopt Ordinance No. 3112 amending various sections of the Municipal Code to address gender-neutral language, remove obsolete provisions, and update City position titles.

11.D. Second Reading of Ordinance No. 3113 - Camping and Storage

Recommendation: Conduct second reading and adopt Ordinance No. 3113 amending Municipal Code Chapter 12.42 related to camping and storage of personal property in public areas.

**11.E. Conditional Use Permit No. CUP16-001(M-1)
12559 Lambert Road (D.B.A. G&M Oil)**

Recommendation: Adopt Resolution No. 2020-07 determining the environmental impacts associated with the project are adequately addressed under a previously adopted mitigated negative declaration and mitigation monitoring program approved for Conditional Use Permit No. CUP16-001 and approving Conditional Use Permit No. CUP16-001(M-1) to permit the on-site sale of beer and wine for off-site consumption in conjunction with the operation of a convenience market and self-service gasoline station (G&M Oil) located at 12559 Lambert Road

**11.F. Conditional Use Permit No. CUP19-0003
14005 Whittier Boulevard (D.B.A. Shell)**

Recommendation: Adopt Resolution No. 2020-08 determining the project is categorically exempt from the California Environmental Quality Act under Section 15301 (existing facilities) and approving Conditional Use Permit No. CUP19-0003 to permit the on-site sale of beer and wine for off-site consumption for an existing convenience market and self-service gasoline station (Shell) located at 14005 Whittier Boulevard.

11.G. California State Library Grant

Recommendation: Adopt Resolution No. 2020-09 amending the Fiscal Year 2019-20 Budget to accept a grant from the California State Library in the amount of \$10,000 for the California State Library Grant, "Who-Kulele?" YOU-Kulele! Grant.

11.H. National Pollution Discharge Elimination System (NPDES) - MS4 Program and Fats, Oils and Grease Control Program

Recommendation: Authorize the City Manager/Executive Director to extend the professional services agreement with John L. Hunter and Associates to assist the City with MS4 Permit compliance and implementing the Fats, Oils and Grease (FOG) control program for an additional year for a not-to-exceed amount of \$137,525.

12. PUBLIC HEARINGS

None.

13. STAFF REPORTS

13.A. Uptown Whittier Parking Structure - Additional Mitigation Measures for Uptown Whittier Businesses

Recommendation: Adopt Resolution No. 2020-10 adopting mitigation measures for the Uptown Whittier Parking Structure project by approving Uptown Whittier Businesses immediately impacted by construction permits for parking at the multi-deck parking structure.

Business Development Manager Galvin-Šurbatović presented the staff report.

Director of Public Works Cason answered questions regarding temporary parking structures, businesses affected by construction, time limits for parking, fees for parking, patron parking, parking meters, street parking, and signage plan in Uptown.

The Council deliberated.

MOTION

Council Member Warner moved and Council Member Alvarado seconded a motion to adopt Resolution No. 2020-10 adopting mitigation measures for the Uptown Whittier Parking Structure project by approving Uptown Whittier Businesses immediately impacted by construction permits for parking at the multi-deck parking structure. The question was called and the motion carried 4-0-1, Mayor Vinatieri absent.

14. COUNCIL MEMBER/AGENCY DIRECTOR/UTILITY AUTHORITY DIRECTOR COMMENTS AND CONFERENCE REPORTS

Council Member Warner congratulated the Whittier Police Department and Chamber of Commerce for another successful Silver Shield Banquet, thanked staff for participating in Students in Government Day, and encouraged everyone to vote.

Council Member Alvarado reminded residents to vote in upcoming March 3, 2020 election either by mail or at voting centers.

Council Member Bouchot attended the Silver Shield Banquet and encouraged City staff to seek opportunities to support Police Officers and other first responders. He further discussed drug abuse comments of homeless individuals and invited residents to the upcoming Metro Board Meeting on at 10:00 a.m. on Thursday, February 27, 2020.

Mayor Pro Tem Dutra encouraged residents to vote and discussed attending the Silver Shield Banquet and visiting Los Nietos School District.

15. ADJOURNMENT

Mayor Pro Tem Dutra adjourned the meeting in memory of Robert R. Ehlers at 8:31 p.m.

Approved and adopted by the City Council of the City of Whittier on March 24, 2020.

JOSEPH A. VINATIERI, Mayor

ATTEST:

RIGOBERTO GARCIA JR., City Clerk
(seal)



Agenda Report

City Council

Date: March 24, 2020

To: Brian Saeki, City Manager

From: Shannon DeLong, Assistant City Manager

Subject: Ratification of Declaration of Local Emergency due to COVID19

RECOMMENDATION

Ratify the emergency declaration and continue the resolution for another 21 days by adopting Resolution No. 2020-15 confirming existence of a local emergency.

BACKGROUND

On March 17, 2020, the City Manager declared a local state of emergency due to the state and nationwide impacts of the novel coronavirus COVID19. The City's Emergency Powers were enacted through Ordinance No. 2309 and contained in Whittier Municipal Code Chapter 2.44. The code requires the City Council's ratification of a declaration of emergency within 7 days of the City Manager's declaration.

DISCUSSION

The attached resolution ratifies the City Manager's declaration of emergency and extends that declaration for the maximum 21 days per extension. It also increases the City Manager's signature authority from \$50,000 to \$100,000 for the general operation of City contracts and services not covered under Section 2450.5(a)(6) of Ordinance No. 2309.

FISCAL IMPACT

There is no fiscal impact to the extension of the emergency proclamation, which may allow the City to submit for reimbursement expenses for costs related to the response to the emergency.

ATTACHMENTS

- A. City Manager Declaration
- B. Resolution No. 2020-15

**RESOLUTION NO. 2020-13
RESOLUTION PROCLAIMING EXISTENCE OF A LOCAL EMERGENCY**

WHEREAS, Chapter 2.44 of the City of Whittier’s Municipal Code empowers the City Manager to proclaim the existence or threatened existence of a local emergency when said city is affected or likely to be affected by a public calamity and the City Council is not in session; and

WHEREAS, said City Manager does hereby find:

That conditions of extreme peril to the safety of persons and property have arisen within said city, caused by novel coronavirus known as COVID 19, and subsequent State and Federal Declarations of Emergency; commencing on or about the 1st day of March, 2020; and

That the City Council of the City of Whittier is not in session (and cannot immediately be called into session);

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists throughout the City of Whittier; and

IT IS HEREBY FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency the powers, functions, and duties of the emergency organization of this city shall be those prescribed by state law, by ordinances, and resolutions of this city and approved by the City Council on September 20, 1983.

IT IS FURTHER PROCLAIMED AND ORDERED that said local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of Whittier, State of California.*

Dated: March 17, 2020

Director of Emergency Services

ATTEST: [Signature]

City of Whittier
[Signature]
BRIAN SAEKI

* Section 8630 of the Government Code provides: "...The governing body shall review, at least every 21 days until such local emergency is terminated, the need for continuing the local emergency and shall proclaim the termination of such local emergency at the earliest possible date that conditions warrant."

RESOLUTION NO. 2020-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, CONFIRMING EXISTENCE OF A LOCAL EMERGENCY

RECITALS

- A. Ordinance No. 2309 of the City of Whittier empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when said city is affected or likely to be affected by a public calamity and the City Council is not in session, subject to ratification by the City Council within seven days.
- B. Conditions of extreme peril to the safety of persons and property have arisen within said city, caused by novel coronavirus known as COVID 19, and subsequent State and Federal Declarations of Emergency; commencing on or about the 1st day of March, 2020.
- C. On March 17, 2020, the City Council of the City of Whittier was not in session and could not immediately be called into session prompting the Director of Emergency Services to proclaim and order the existence of a local emergency through the passage of Resolution No. 2020-13.
- D. City Council does hereby find that the aforesaid conditions of extreme peril did warrant and necessitate the proclamation of the existence of a local emergency.
- E. Whereas Section 2450.5(a)(6) of Ordinance No. 2309 empowers the Director of Emergency Services to obtain vital supplies, services and other properties related to the proclaimed local emergency.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED:

SECTION 1. The above recitals are true and correct and are a substantial part of this resolution.

SECTION 2. That said local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of Whittier, State of California.

SECTION 3. That due to the nature of COVID 19, and in anticipation of reduced meetings and/or staff availability, the City Council finds it beneficial and necessary to temporarily increase the Director of Emergency Services purchasing authority from \$50,000 to \$100,000 for the general operation of City contracts and services not covered under Section 2450.5(a)(6) of Ordinance No. 2309. The temporary increase shall be in effect until the City Council deems the local emergency terminated.

SECTION 4. The City Clerk shall certify to the passage and adoption hereof.

APPROVED AND ADOPTED this 24th day of March 2020.

JOSEPH A. VINATIERI, Mayor

ATTEST:

RIGOBERTO GARCIA JR., City Clerk
(seal)



Agenda Report

City Council

Date: March 24, 2020

To: Brian Saeki, City Manager

From: Kyle Cason, Director of Public Works
Virginia Santana, Interim Director of Parks, Recreation and Community Services
Michelle Chapman, Senior Civil Engineer
Alfredo Hernandez, Civil Engineering Assistant

Subject: Whittier Greenway Trail Lighting Project – Award of Contract

RECOMMENDATION

- 1) Award the construction contract to California Professional Engineering of La Puente, California, in the amount of \$355,678 for the Whittier Greenway Trail Lighting Project;
- 2) Reject all other bids; and
- 3) Authorize the City Manager to sign the contract on behalf of the City.

BACKGROUND

On September 25, 2018, the City Council adopted Resolution No. 8995 approving applications for specific grant funds for Whittier Parks and Greenway Trail. One of the projects was to install lighting between Hadley Street and Pickering Avenue. The total funding for the Greenway Trail Lighting Project is \$450,000.

The City entered into a Professional Service Agreement with KOA Corporation in February 2019 to prepare lighting plans and specifications for the Whittier Greenway Trail Lighting project.

On June 25, 2019, the City Council chose the option of installing individual solar light poles that each have their own solar panel system.

On January 28, 2020, the City Council authorized the City Clerk to advertise for construction bids.

DISCUSSION

On February 27, 2020, the City received 12 bids ranging from \$355,678 to \$557,057. The Engineer's estimate for construction is \$370,000.

California Professional Engineering was the lowest responsible bidder at \$355,678. They have a current and active license according to the Contractors State License Board and correctly filed documents with the Department of Industrial Relations pursuant to Senate Bill 854.

Agenda Item No. 11.D.

FISCAL IMPACT

Sufficient funds are available in the Subventions and Grants Fund's GWT Lighting account (268-22-950-922 685164) to fund the construction phase of this project.

ATTACHMENTS

- A. Analysis of Bid Results
- B. Agreement

WHITTIER GREENWAY TRAIL LIGHTING
 FOR THE CITY OF WHITTIER
 LOS ANGELES COUNTY, CALIFORNIA

Item	Quantity	Unit	Description	Engineer's Estimate		California Professional Engineering, Inc.		International Line Builder's, Inc.		Elecnor Beico Electric, Inc.	
				Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
1	1	LS	Mobilization/Demobilization and Cleanup	\$ 30,000.00	\$ 30,000.00	\$ 6,000.00	\$ 6,000.00	\$ 16,000.00	\$ 16,000.00	\$ 10,000.00	\$ 10,000.00
2	1	LS	Construction Survey & Monumentation	\$ 5,000.00	\$ 5,000.00	\$ 15,000.00	\$ 15,000.00	\$ 14,607.00	\$ 14,607.00	\$ 5,700.00	\$ 5,700.00
3	1	LS	Traffic Control	\$ 5,000.00	\$ 5,000.00	\$ 4,000.00	\$ 4,000.00	\$ 2,500.00	\$ 2,500.00	\$ 4,000.00	\$ 4,000.00
4	54	EA	Type III, Lighting Standard, Luminaire, Foundation, Solar Panel, Battery, Controller complete per plans	\$ 5,000.00	\$ 270,000.00	\$ 5,888.00	\$ 317,952.00	\$ 5,925.00	\$ 319,950.00	\$ 6,200.00	\$ 334,800.00
5	2	EA	Type IV, Lighting Standard, Luminaire, Foundation, Solar Panel, Battery, Controller complete per plans	\$ 5,000.00	\$ 10,000.00	\$ 5,888.00	\$ 11,776.00	\$ 5,925.00	\$ 11,850.00	\$ 6,200.00	\$ 12,400.00
6	19	EA	House-side Shield	\$ 100.00	\$ 1,900.00	\$ 50.00	\$ 950.00	\$ 30.00	\$ 570.00	\$ 100.00	\$ 1,900.00
GRAND TOTAL				\$	\$ 321,900.00	\$	\$ 355,678.00	\$	\$ 365,477.00	\$	\$ 365,800.00

Item	Quantity	Unit	Description	Select Electric, Inc.		PTM General Engineering Services, Inc.		Power Design Electric, Inc.	
				Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
1	1	LS	Mobilization/Demobilization and Cleanup	\$ 20,702.00	\$ 20,702.00	\$ 9,257.00	\$ 9,257.00	\$ 46,000.00	\$ 46,000.00
2	1	LS	Construction Survey & Monumentation	\$ 2,500.00	\$ 2,500.00	\$ 2,000.00	\$ 2,000.00	\$ 11,029.00	\$ 11,029.00
3	1	LS	Traffic Control	\$ 1,500.00	\$ 1,500.00	\$ 10,000.00	\$ 10,000.00	\$ 7,927.00	\$ 7,927.00
4	54	EA	Type III, Lighting Standard, Luminaire, Foundation, Solar Panel, Battery, Controller complete per plans	\$ 6,277.00	\$ 338,958.00	\$ 9,500.00	\$ 513,000.00	\$ 7,193.00	\$ 388,422.00
5	2	EA	Type IV, Lighting Standard, Luminaire, Foundation, Solar Panel, Battery, Controller complete per plans	\$ 6,277.00	\$ 12,554.00	\$ 9,500.00	\$ 19,000.00	\$ 7,388.00	\$ 14,796.00
6	19	EA	House-side Shield	\$ 32.00	\$ 608.00	\$ 200.00	\$ 3,800.00	\$ 320.00	\$ 6,080.00
GRAND TOTAL				\$	\$ 376,822.00	\$	\$ 557,057.00	\$	\$ 474,254.00

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WHITTIER GREENWAY TRAIL LIGHTING
FOR THE CITY OF WHITTIER
LOS ANGELES COUNTY, CALIFORNIA

Item	Quantity	Unit	Description	Calpromax Engineering, Inc.		P and A Electrical Contractors		Alfaro Communications Construction, Inc.	
				Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
1	1	LS	Mobilization/Demobilization and Cleanup	\$ 23,000.00	\$ 23,000.00	\$ 50,232.38	\$ 50,232.38	\$ 6,500.00	\$ 6,500.00
2	1	LS	Construction Survey & Monumentation	\$ 4,200.00	\$ 4,200.00	\$ 5,625.00	\$ 5,625.00	\$ 5,000.00	\$ 5,000.00
3	1	LS	Traffic Control	\$ 7,200.00	\$ 7,200.00	\$ 3,180.00	\$ 3,180.00	\$ 2,000.00	\$ 2,000.00
4	54	EA	Type III, Lighting Standard, Luminaire, Foundation, Solar Panel, Battery, Controller complete per plans	\$ 6,800.00	\$ 367,200.00	\$ 5,714.44	\$ 308,579.76	\$ 7,400.00	\$ 399,600.00
5	2	EA	Type IV, Lighting Standard, Luminaire, Foundation, Solar Panel, Battery, Controller complete per plans	\$ 7,200.00	\$ 14,400.00	-	-	\$ 7,600.00	\$ 15,200.00
6	19	EA	House-side Shield	\$ 200.00	\$ 3,800.00	-	-	\$ 216.00	\$ 4,104.00
GRAND TOTAL				\$	\$ 419,800.00	\$	\$ 367,617.14	\$	\$ 432,404.00

Item	Quantity	Unit	Description	Comet Electric, Inc.		VT Electric, Inc.		Green Giant Landscape, Inc.	
				Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
1	1	LS	Mobilization/Demobilization and Cleanup	\$ 47,335.00	\$ 47,335.00	\$ 6,619.00	\$ 6,619.00	\$ 40,000.00	\$ 40,000.00
2	1	LS	Construction Survey & Monumentation	\$ 5,510.00	\$ 5,510.00	\$ 9,382.00	\$ 9,382.00	\$ 5,000.00	\$ 5,000.00
3	1	LS	Traffic Control	\$ 4,677.00	\$ 4,677.00	\$ 1,316.00	\$ 1,316.00	\$ 5,000.00	\$ 5,000.00
4	54	EA	Type III, Lighting Standard, Luminaire, Foundation, Solar Panel, Battery, Controller complete per plans	\$ 6,697.00	\$ 361,638.00	\$ 7,366.00	\$ 397,764.00	\$ 8,330.00	\$ 449,820.00
5	2	EA	Type IV, Lighting Standard, Luminaire, Foundation, Solar Panel, Battery, Controller complete per plans	\$ 6,697.00	\$ 13,394.00	\$ 7,366.00	\$ 14,732.00	\$ 8,330.00	\$ 16,660.00
6	19	EA	House-side Shield	\$ 285.00	\$ 5,415.00	\$ 65.00	\$ 1,235.00	\$ 200.00	\$ 3,800.00
GRAND TOTAL				\$	\$ 437,969.00	\$	\$ 431,048.00	\$	\$ 520,280.00

AGREEMENT

The following agreement is made and entered into, in duplicate, as of the date executed by the City Clerk and the City Manager, by and between California Professional Engineering, Inc. (Contractor) and the City of Whittier, California (City).

Pursuant to Notice Inviting Sealed Bids or Proposals, bids were received, publicly opened, and declared on the date specified in said notice.

CITY accepted the bid of the Contractor in the amount of Three Hundred Fifty Five Thousand, Six Hundred Seventy Eight Dollars (\$355,678).

CITY has authorized the City Clerk and the City Manager to enter into a written contract with Contractor for furnishing labor, tools, equipment, and material for the:

**WHITTIER GREENWAY TRAIL LIGHTING PROJECT
In The City Of Whittier
Los Angeles County, California**

NOW, THEREFORE, in consideration of the mutual covenants herein contained, it is agreed:

1. DESCRIPTION OF WORK: The work consists of installing solar lighting system along the segment of the Whittier Greenway Trail between Hadley Street to Pickering Avenue in accordance with the project specifications as specified hereinafter for the City of Whittier, Los Angeles County, State of California, and in accordance with the Standard Specifications for Public Works Construction (The Greenbook), 2018 Edition. Contractor shall furnish all necessary labor, tools, materials, appliances, and equipment to complete the project. Contractor required to pull both a Park and Public Works Department permit from the City of Whittier.

PLANS: WHITTIER GREENWAY TRAIL LIGHTING PROJECT 5 sheets

2. INCORPORATED DOCUMENTS TO BE CONSIDERED COMPLEMENTARY:
The aforesaid specifications and the attached plans are incorporated herein by reference thereto and made a part hereof with like force and effect as if all of said documents were set forth in full herein. Said documents, the Notice Inviting Bids attached hereto, together with this written agreement, shall constitute the contract between the parties. This contract is intended to require a complete and finished piece of work and anything necessary to complete the work properly and in accordance with the law and lawful governmental regulations shall be performed by the Contractor whether set out specifically in the contract or not. Should it be ascertained that any inconsistency exists between the aforesaid documents and this written agreement, the provisions of this written agreement shall control.

3. TERMS OF CONTRACT: The undersigned bidder agrees to execute the contract within ten (10) working days after receipt of Notice of Award of the contract or upon notice by the City. The Contractor shall order all necessary materials within ten (10) calendar days after date of execution of the contract.

The Contractor shall also furnish the Engineer with statements from the vendors that the orders for the materials and equipment required for this contract have been received and accepted by said vendors within fifteen (15) days from and after date of execution of the contract. Said statements shall give the dates that the materials and equipment will be shipped.

The Contractor shall start work after receiving all materials necessary to complete the described work and a Notice to Proceed from the Engineer. The Contractor shall complete all work within forty (40) working days after the date set forth to start work in the Notice to Proceed. The bidder agrees further to the assessment of liquidated damages in the amount of \$1,900.00 for each calendar day the work remains incomplete beyond the expiration of the completion date. City may deduct the amount thereof from any money due or that may become due the Contractor under this contract. Progress payments made after the scheduled date of completion shall not constitute a waiver of liquidated damages.

4. INSURANCE: The Contractor shall not commence work under this contract until he/she has obtained all insurance required hereunder from a surety company or companies acceptable to CITY nor shall the Contractor allow any subcontractor to commence work on his/her subcontract until all insurance required of the subcontractor has been obtained. The Contractor shall take out and maintain at all times during the life of this contract the following policies of insurance:

Workers' Compensation Insurance: Before beginning work, the Contractor shall furnish to the Engineer a certificate of insurance as proof that he/she has taken out full compensation insurance for all persons whom he/she may employ directly or through subcontractors in carrying out the work specified herein, in accordance with the laws of the State of California. Such insurance shall have statutory limits and employer's liability insurance's with limits of not less than \$1,000,000 and shall be maintained in full force and effect during the period covered by this contract.

In accordance with the provisions of Section 3700 of the California Labor Code, every contractor shall secure the payment of compensation to his/her employees. Contractor, prior to commencing work, shall sign and file with the City a certification as follows:

"I am aware of the provisions of Section 3700 of the Labor Code which require every employer to be insured against liability for worker's compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of work of this contract."

Liability Insurance: The minimum limits of Liability Insurance as specified in Section 7-3 of the Standard Specifications for Public Works Construction are hereby revised as follows:

The contractor shall maintain insurance at least according to the following:

1. Workers' Compensation insurance with statutory limits and employer's liability insurance with limits of not less than \$1,000,000.
2. Commercial General Liability with a combined single limit of not less than \$1,000,000 per occurrence, and general aggregate of not less than \$2,000,000. Such insurance shall:
 - a. Include products and completed operations liability, owners and contractor protective, blanket contractual liability, and personal injury liability.
 - b. Name the CITY as additional insured;
 - c. Be primary for all purposes;
 - d. Contain standard cross liability provisions.
3. Automobile liability insurance with limits not less than \$1,000,000 per occurrence, and with a general aggregate of not less than \$2,000,000.

Such insurance shall be issued by a company or companies, authorized to transact business in the State of California. Such insurance shall include coverage for owned, hired, and non-owned automobiles.

Such insurance shall be issued by a surety company or companies authorized to transact business in the State of California.

The contractor shall:

1. Furnish a properly-executed certificate of insurance, which certificate shall clearly evidence all coverage required above and provide that such insurance shall not be terminated nor expire except on thirty (30) calendar days prior written notice to the CITY;
2. Maintain such insurance from the time work first commences until completion of work under this agreement.
3. Replace such certificate for policies expiring prior to completion of work under this agreement.
4. Shall save, keep, and hold harmless CITY, the City of Whittier, its employees, officers, volunteers and agents from all damages, costs or expenses in law or equity that may at any time arise or be set up because of damages to property, or of personal injury, received by reason of or in the course of performing work, which may be occasioned by any willful or negligent act or omission by the contractor, any of the contractor's

employees, officers, agents and volunteers or any subcontractor. CITY will not be liable for any accident, loss, or damage to the work prior to its completion and acceptance.

- a. The policy of insurance provided for shall contain an endorsement which:
 - (1) Waives all right of subrogation against all persons and entities specified in subparagraph 4.2 (b) hereof to be listed as additional insureds in the policy of insurance provided for by reason of any claim arising out of or connected with the operations of Contractor or any subcontractor in performing the work provided for herein;
 - (2) Provides it shall not be canceled or altered without thirty (30) calendar days written notice thereof given to CITY by registered mail.
- b. The Contractor shall at the time of the execution of the contract present the original policies of insurance required or present a certificate of the insurance company, showing the issuance of such insurance, and the additional insureds and other provisions required herein.

5. PREVAILING WAGE: Notice is hereby given that in accordance with the provisions of California Labor Code, Division 2, Part 7, Chapter 1, Articles 1 and 2, the Contractor is required to pay not less than the general prevailing rate of per diem wages for work of a similar character in locality in which the public work is performed, and not less than the general prevailing rate of per diem wages for holiday and overtime work. In that regard, the Director of the Department of Industrial Relations of the State of California is required to and has determined such general prevailing rates of per diem wages. Copies of such prevailing rates of per diem wages are on file in the office of the City Clerk of the CITY, 13230 Penn St. Whittier, California, and are available to any interested party on request. CITY also shall cause a copy of such determinations to be posted at the job site.

The Contractor shall forfeit, as penalty to CITY, two hundred fifty dollars (\$250.00) for each laborer, workman, or mechanic employed for each calendar day or portion thereof, if such laborer, workman, or mechanic is paid less than the general prevailing rate of wages hereinbefore stipulated for any work done under the attached contract, by him/her or by any subcontractor under him/her, in violation of the provisions of said Labor Code.

6. APPRENTICESHIP EMPLOYMENT: In accordance with the provisions of Section 1777.5 of the Labor Code as amended by Chapter 971, Statutes of 1939, and in accordance with the regulations of the California Apprenticeship Council, properly indentured apprentices may be employed in the prosecution of the work.

Attention is directed to the provisions in Sections 1777.5 and 1777.6 of the Labor Code concerning the employment of apprentices by the Contractor or any subcontractor under him/her.

Section 1777.5 as amended, requires the Contractor or subcontractor employing tradesmen in any apprenticeable occupation to apply to the joint apprenticeship committee nearest the site of the public works project and which administers the apprenticeship program in that trade for a certificate of approval. The certificate will also fix the ratio of apprentices to journeymen that will be used in the performance of the contract. The ratio of apprentices to journeymen in such cases shall not be less than one to five except:

- a. When unemployment in the area of coverage by the joint apprenticeship committee has exceeded an average of 15 percent in the 90 calendar days prior to the request for certificate, or
- b. When the number of apprentices in training in the area exceeds a ratio of one to five, or
- c. When the trade can show that it is replacing at least 1/30 of its membership through apprenticeship training on an annual basis statewide or locally, or
- d. When the Contractor provides evidence that he/she employs registered apprentices on all of his/her contracts on an annual average of not less than one apprentice to eight journeymen.

The Contractor is required to make contribution to funds established for the administration of apprenticeship programs if he/she employs registered apprentices or journeymen in any apprenticeable trade on such contracts and if other contractors on the public works site are making such contributions.

The Contractor and subcontractor under him/her shall comply with the requirements of Sections 1777.5 and 1777.6 in the employment of apprentices.

Information relative to apprenticeship standards, wage schedules, and other requirements may be obtained from the Director of Industrial Relations, ex-officio the Administrator of Apprenticeship, San Francisco, California, or from the Division of Apprenticeship Standards and its branch offices.

7. LEGAL HOURS OF WORK: Eight (8) hours of labor shall constitute a legal day's work for all workmen employed in the execution of this contract, and the Contractor and any subcontractor under him/her shall comply with and be governed by the laws of the State of California having to do with working hours set forth in Division 2, Part 7, Chapter 1, Article 3 of the Labor Code of the State of California as amended.

The Contractor shall forfeit, as penalty to CITY, two hundred fifty dollars (\$250.00) for each laborer, workman, or mechanic employed in the execution of

the contract, by him/her or any subcontractor under him/her, upon any of the work hereinbefore mentioned, for each calendar day during which said laborer, workman, or mechanic is required or permitted to labor more than eight (8) hours in violation of said Labor Code.

8. TRAVEL AND SUBSISTENCE PAY: Contractor agrees to pay travel and subsistence pay to each workman needed to execute the work required by this contract as such travel and subsistence payments are defined in the applicable collective bargaining agreements filed in accordance with Labor Code Section 1773.8.
9. CONTRACTOR'S LIABILITY: The CITY, its officers, agents and employees shall not be answerable or accountable in any manner for any loss or damage that may happen to the work or any part thereof, or for any of the materials or other things used or employed in performing the work; or for injury or damage to any person or persons, either workmen, employees of the Contractor or his/her subcontractors or the public, or for damage to adjoining or other property from any cause whatsoever arising out of or in connection with the performance of the work. The Contractor shall be responsible for any damage or injury to any person or property resulting from defects or obstructions or from any cause whatsoever, except the sole negligence or willful misconduct of CITY, the City, its employees, servants, or independent contractors who are directly responsible to CITY during the progress of the work or at any time before its completion and final acceptance.

The Contractor will indemnify CITY against and will hold and save CITY harmless from any and all actions, claims, damages to persons or property, penalties, obligations, or liabilities that may be asserted or claimed by any person, firm, entity, corporation, political subdivision, or other organization arising out of or in connection with the work, operation, or activities of the Contractor, his/her agents, employees, subcontractors, or invitees provided for herein, whether or not there is concurrent passive or active negligence on the part of CITY, but excluding such actions, claims, damages to persons or property, penalties, obligations, or liabilities arising from the sole negligence or willful misconduct of CITY, the City, its employees, servants, or independent contractors who are directly responsible to CITY or the City of Whittier, and in connection therewith:

- a. The Contractor will defend any action or actions filed in connection with any of said claims, damages, penalties, obligation, or liabilities and will pay all costs and expenses, including attorney's fees incurred in connection therewith.
- b. The Contractor will promptly pay any judgment rendered against the Contractor or CITY covering such claims, damages, penalties, obligations, and liabilities arising out of or in connection with such work, operations, or activities of the Contractor hereunder, and the Contractor agrees to save and hold CITY harmless therefrom.

- c. In the event CITY, without fault, is made a party to any action or proceeding filed or prosecuted against the Contractor for damages or other claims arising out of or in connection with the work, operation, or activities of the Contractor hereunder, the Contractor agrees to pay to CITY any and all costs and expenses incurred by CITY in such action or proceeding together with reasonable attorneys' fees.

So much of the money due to the Contractor under and by virtue of the contract as shall be considered necessary by CITY may be retained by CITY until disposition has been made of such actions or claims for damage as aforesaid.

10. NON-DISCRIMINATION: No discrimination shall be made in the employment of persons upon public works because of the race, nationality, age, color, or religion of such persons, and every contractor for public works violating this section is subject to all the penalties imposed for a violation of Division 2, Part 7, Chapter 1 of the Labor Code in accordance with the provisions of Section 1730 of said Code.
11. CONTRACT PRICE AND PAYMENT: CITY shall pay to the Contractor for furnishing labor, tools and material and doing the prescribed work the unit prices set forth in accordance with Contractor's Proposal dated February 27, 2020.
12. BUSINESS LICENSE: Contractor shall obtain a City Business License from the City of Whittier. The contract will not be executed until the Contractor obtains such license from the Business License Office at City Hall, 13230 Penn Street, Whittier California (562) 567-9850.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be duly executed with all the formalities required by law on the respective dates set forth opposite their signatures.

CONTRACTOR:

State of California

Contractor's License No. 793907

DIR # 1000377609

California Professional Engineering, Inc
Name of Company

Expiration Date: _____

Authorized signature

Contractor's Business Phone:

Print Name and Title

Emergency Phone where Contractor can
be reached at any time:

Date

CITY OF WHITTIER:

BRIAN SAEKI, City Manager

ATTEST:

RIGOBERTO GARCIA, JR., City Clerk

APPROVED AS TO FORM:

RICHARD D. JONES, City Attorney

Date



Agenda Report

City Council

Date: March 24, 2020

To: Brian Saeki, City Manager

From: Kyle Cason, Director of Public Works
Michelle Chapman, Senior Civil Engineer
Isaac Bravo, Civil Engineering Assistant

Subject: Road Maintenance and Rehabilitation Program (SB-1) Fiscal Year 2020-21
Funding Resolution 2020-14

RECOMMENDATION

- 1) Amend the Five-Year Pavement Capital Street Maintenance Program Plan to include Colima Road Rehabilitation Project in year four of the Five-Year Capital Street Maintenance Program Fiscal Year 2020-21; and
- 2) Adopt Resolution No. 2020-14 approving the proposed project in Fiscal Year 2020-21 funded by Senate Bill 1: The Road Repair and Accountability Act of 2017.

BACKGROUND

On April 28, 2017, the Road Repair and Accountability Act of 2017 was signed into law to provide funding for transportation infrastructure. This bill increased gas fuel tax, and vehicle registration fees to establish the funds known as the Road Maintenance and Rehabilitation Account (RMRA) or SB-1 Funds for roadway rehabilitation projects. The bill also provided an inflationary adjustment to tax rates in future years.

On February 13, 2018, the City Council received and filed the Five-Year Pavement Capital Street Maintenance Improvement Program Plan which includes Fiscal Year 2017-18 through Fiscal Year 2021-22. As part of the program, several streets were identified and categorized based on their Pavement Condition Index (PCI).

The City has completed construction of year one (Fiscal Year 2017-18) of the Pavement Program which included Valley Home Avenue and smaller collector roads in the vicinity. Year two (Fiscal Year 2018-19) included Russell Street from Whittier Boulevard to Valley Home Avenue and additional collector roads in the vicinity. Year two of the program is expected to begin construction in June of 2020 after the completed construction of Suburban Water's waterline replacement project in the project vicinity. Year three (Fiscal Year 2019-20) will include Janine Drive and surrounding collector roads in the vicinity. The advertisement for construction for year three improvements is anticipated for late 2020.

The City is required to annually submit a resolution approving a list of street improvements that will use RMRA funding including the street limits, work schedule and estimated useful life.

DISCUSSION

Currently, year four (Fiscal Year 20-21) of the program is planned to address deficiencies identified at Virginia Avenue and surrounding vicinity, and Washington Avenue and surrounding vicinity. Due to the number of roadway patch repairs conducted by City crews annually on Colima Road, and after review of the roadway in StreetSaver, it is recommended that the City Council adopt the Colima Road Rehabilitation Project into year four of the Pavement Program and address Virginia Avenue and Washington Avenue projects in future fiscal years due to limited SB-1 funding.

The Colima Road Rehabilitation project will resurface or reconstruct Colima Road between Mar Vista Street and Lambert Road. The total project cost is estimated at \$3.5 million dollars. The estimate includes design and construction costs. The remaining project funding can be supplemented with either future RMRA funding or other local transportation funding.

The anticipated 2020-21 RMRA funds the City projects to receive is \$1,438,511, and with adoption of the resolution would fund the Colima Road Rehabilitation project, consisting of approximately 1.5 miles of roadway (Attachment A).

FISCAL IMPACT

The projected revenues of \$1,438,511 will be deposited into the Road and Rehabilitation Funds local account (271-30-321-000 321020) to help fund the project in Fiscal Year 2020-21. Additional funds to supplement the cost of the project will include Measure R, Measure M, and Gas Tax.

ATTACHMENTS

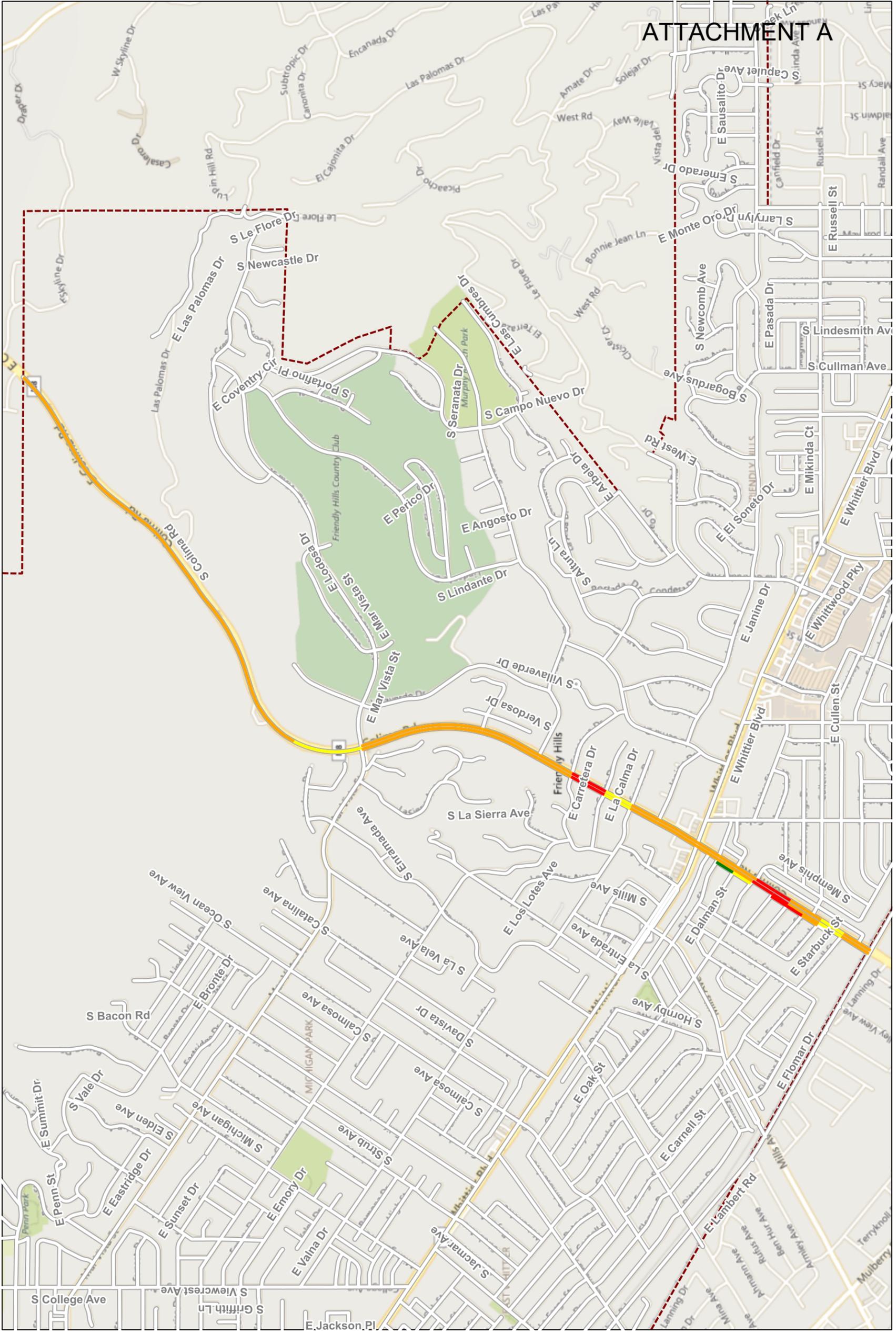
- A. Colima Road Pavement Condition Index Map
- B. Resolution No. 2020-14



City of Whittier

Current PCI Condition

Printed: 3/11/2020



ATTACHMENT A

Feature Legend

- Category I - Very Good
- Category II - Good (Load)
- Category III - Good (Load)
- Category IV - Poor
- Category V - Very Poor

RESOLUTION NO. 2020-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, APPROVING THE PROPOSED PROJECT IN FISCAL YEAR 2020-21 FUNDED BY SENATE BILL 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

RECITALS

- A. Senate Bill 1 (SB-1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the California Legislature and signed into law by the Governor in April 2017 to address the significant multi-modal transportation funding shortfalls statewide.
- B. SB-1 includes accountability and transparency provisions that will ensure the residents of our City are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year.
- C. The City must adopt, by resolution, a list of projects proposed to receive fiscal year funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB-1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement.
- D. The City will receive an estimated \$1,438,511 in RMRA funding in Fiscal Year 2020-21 from SB-1.
- E. This is the fourth year in which the City is receiving SB-1 funding, which will enable the City to continue essential road maintenance and rehabilitation projects, safety improvements, repairing and replacing aging bridges, and increasing access and mobility options for the traveling public that would not otherwise be possible without SB-1.
- F. The City has undergone a robust public process to ensure public input into our community's transportation priorities/the project list.
- G. The City used a Pavement Management System to develop the SB-1 Project list to ensure revenues are being used on the most high-priority and cost effective projects that also meet the communities priorities for transportation investment.
- H. The funding from SB-1 will help the City maintain and rehabilitate 1 road throughout the City this year and similar projects into the future.

- I. The 2018 California Statewide Local Streets and Roads Needs Assessment found that the City streets and roads are in an “at-risk” condition and this revenue will help us increase the overall quality of our road system and over the next decade will bring our streets and roads into a “good” condition.
- J. The SB-1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, DOES RESOLVE AS FOLLOWS:

SECTION 1. The above recitals are true and correct and are a substantial part of this resolution.

SECTION 2. The following list of proposed projects will be funded in part or solely with Fiscal Year 2020-2021 Road Maintenance and Rehabilitation Account Revenues:

Description	Location	Estimated Useful Life	Anticipated Project Start	Anticipated Project Close
Colima Road Rehabilitation	Colima Road from Mar Vista Street to Lambert Road	15-20 Years	January 2021	January 2022

SECTION 3. The City Clerk shall certify to the passage and adoption hereof.

APPROVED AND ADOPTED this 24th day of March 2020.

 JOSEPH A. VINATIERI, Mayor

ATTEST:

 RIGOBERTO GARCIA JR., City Clerk
 (seal)



Agenda Report

Date: March 24, 2020

To: Brian Saeki, City Manager

From: Kyle Cason, Director of Public Works
Michelle Chapman, Senior Civil Engineer
Isaac Bravo, Civil Engineering Assistant

Subject: County Cooperative Agreement - Traffic Signal Synchronization Project Agreement Amendment No.1 (A08-035)

RECOMMENDATION

Authorize the City Manager to sign an amendment to a City and County Cooperative Agreement for the County's Traffic Signal Synchronization Program (TSSP).

BACKGROUND

In 2008, the City of Whittier and the County of Los Angeles entered into a cooperative agreement (A08-035) to memorialize the respective responsibilities, rights, and obligations between the City and County for TSSP projects. At the time of the cooperative agreement, two TSSP projects were active: Colima Road, from Mar Vista to Lambert Road, and Painter Avenue from Hadley Street to Mystic Street.

The intent of TSSP projects is to improve regionally important arterial roadways by upgrading and modernizing traffic control signals and updating traffic signal timing.

DISCUSSION

Amendment No. 1 to the agreement redefines the list of arterials within the City that are part of the program and updates contact information. The amendment includes the following regionally significant arterials:

- Beverly Boulevard, from Pioneer Boulevard to Pickering Avenue
- Leffingwell Road from Scott Avenue to Valley Home Avenue
- Mulberry Drive from Santa Fe Springs Road to Scott Avenue
- Mills Avenue from Lambert Road to Whittier Boulevard
- Norwalk Boulevard from Beverly Boulevard to Lock Lomond Drive
- Whittier Boulevard from 605 Freeway to Valley Home Avenue.

FISCAL IMPACT

There is no fiscal impact associated with the incorporation of Amendment No. 1.

ATTACHMENTS

A. Amendment No. 1

Agenda Item No. 11.F.



MARK PESTRELLA, Director

COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

CITY OF WHITTIER

FEB 20 2020

DEPT. OF PUBLIC WORKS

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE

REFER TO FILE: T-6

February 13, 2020

Mr. Kyle Cason
Director of Public Works
City of Whittier
13230 East Penn Street
Whittier, CA 90602

Dear Mr. Cason:

CITY OF WHITTIER – COUNTY COOPERATIVE AGREEMENT AMENDMENT NO. 1 TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM

Enclosed are two originals of Amendment No. 1 to the cooperative agreement that established the City of Whittier's participation in the County's Traffic Signal Synchronization Program. This amendment updates the list of arterials within the City that are part of the program and updates contact information. Nothing in this amendment will alter the current roles and responsibilities of the County and City in operating and maintaining the traffic signals and signal systems within their respective jurisdictions.

If the amendment is satisfactory, please present it to your duly authorized City officials for approval. Upon approval, please return the two originals of the amendment to us for further action. After final approval by the County's Director of Public Works, we will return the fully executed City copy.

Mr. Kyle Cason
February 13, 2020
Page 2

If you have any questions, please contact Ms. Irene Chia, Traffic Safety and Mobility Division, at (626) 300-4722 or ichia@pw.lacounty.gov.

Very truly yours,

MARK PESTRELLA
Director of Public Works



PHIL K. DOUDAR
Assistant Director

IC:sv

P:\TSM\Pub\TRF2\AGRMNTS\COOP AGRMT\WHIT\TSSP\DRIFT\WHIT TRANS.DOCX

Enc.

cc: Los Angeles County Metropolitan Transportation Authority (Steven Gota)

AMENDMENT NO. 1 TO AGREEMENT

This AMENDMENT made and entered into by and between the CITY OF WHITTIER, a municipal corporation in Los Angeles County, hereinafter referred to as CITY, and LOS ANGELES COUNTY, a political subdivision of the State of California (hereinafter referred to as COUNTY):

WITNESSETH

WHEREAS, CITY and COUNTY previously executed an agreement on March 13, 2008, to memorialize their understanding regarding their relative rights, obligations, and duties with respect to COUNTY'S Traffic Signal Synchronization Program (hereinafter referred to as TSSP); and

WHEREAS, CITY and COUNTY desire to amend the agreement to provide for an expansion of the existing TSSP.

NOW THEREFORE, in consideration of the mutual benefits to be derived by CITY and COUNTY and of the promises herein contained, the agreement is hereby amended as follows:

(3) IT IS MUTUALLY UNDERSTOOD AND AGREED AS FOLLOWS:

- a. The terms and provision of the previously executed agreement regarding the CITY'S and COUNTY'S roles and responsibilities in operating the TSSP shall remain in full force and effect other than the provisions set forth herein below.
- b. **ARTERIALS** is hereby redefined to include Colima Road from Mar Vista Street to Lambert Road, Painter Avenue from Hadley Street to Mystic Street, **Beverly Boulevard from Pioneer Boulevard to Pickering Avenue, Leffingwell Road from Scott Avenue to Valley Home Avenue, Mulberry Drive from Santa Fe Springs Road to Scott Avenue, Mills Avenue from Lambert Road to Whittier Boulevard, Washington Boulevard from Home Depot to Whittier Boulevard, Norwalk Boulevard from Beverly Boulevard to Loch Lomond Drive, Whittier Boulevard from 605 Freeway to Valley Home Avenue.**
- c. Any correspondence, communication, or contact concerning this AMENDMENT shall be directed to the following:

CITY: Mr. Kyle Cason
Director of Public Works
City of Whittier
13230 East Penn Street
Whittier, CA 90602

COUNTY: Ms. Emiko Thompson
Assistant Deputy Director
Los Angeles County Public Works
Traffic Safety and Mobility Division
P.O. Box 1460
Alhambra, CA 91802-1460

IN WITNESS WHEREOF, the parties hereto have caused this AMENDMENT to be executed by their respective officers, duly authorized by the CITY OF WHITTIER on _____, 2020, and by the COUNTY OF LOS ANGELES Director of Public Works on _____, 2020.

COUNTY OF LOS ANGELES

By _____
Director of Public Works

APPROVED AS TO FORM:

MARY C. WICKHAM
County Counsel

By _____
Deputy

CITY OF WHITTIER

By _____
City Manager

ATTEST:

By _____
City Clerk

APPROVED AS TO FORM:

By _____
City Attorney



Agenda Report

City Council

Date: March 24, 2020

To: Brian Saeki, City Manager

From: Kyle Cason, Director of Public Works
Michelle Chapman, Senior Civil Engineer
Helen Gonzalez, Engineering Technician

Subject: Year 2 Pavement Program - Russell Street and Various Locations - Notice Inviting Bids

RECOMMENDATION

- 1) Determine the project is Categorically Exempt pursuant to Section 15301, Class 1(b) of California Environmental Quality Act guidelines (Existing Facilities);
- 2) Approve Plans and Specifications for Russell Street and Various Locations Project; and
- 3) Authorize the City Clerk to advertise for construction bids.

BACKGROUND

On April 28, 2017, the Road Repair and Accountability Act of 2017 was signed into law to address deferred maintenance on the state highway system and the local streets and roads system. This bill increased gas fuel tax and vehicle registration fees to establish the funds known as the Road Maintenance and Rehabilitation Account (RMRA) or SB-1 Funds for roadway rehabilitation projects. The bill also provided an inflationary adjustment to tax rates in future years.

On February 13, 2018, the City Council received and filed the Five-Year Pavement Capital Street Maintenance Improvement Program Plan, which includes Fiscal Year 2017-18 through Fiscal Year 2021-22. As part of the program, several streets were identified and categorized based on their Pavement Condition Index (PCI).

The City has completed construction of the Year 1 Pavement Program, which included Valley Home Avenue and smaller collector roads in the vicinity.

DISCUSSION

Year 2 Pavement Program includes Russell Street from Whittier Boulevard to Valley Home Avenue and additional neighborhood roads in the vicinity. The project will consist of repaving, slurry sealing, removal and replacement of curb and gutter, adjusting of manholes, and re-striping.

An estimated construction timeline is provided in the notice inviting bids as well as below to allow City Council to select a contractor and appropriate necessary funds by May 26, 2020.

Estimated Construction Timeline	
Release Notice Inviting Bids	March 27, 2020
Bids Due	April 30, 2020
City Council Award of Contract	May 26, 2020

The Plans and Specifications are complete and the project is ready to be advertised for construction bids. Plans and Specification are available in the Mayor's Office and Public Works Department (Attachment A).

FISCAL IMPACT

There is minimal fiscal impact associated with advertisement of the Notice Inviting Bids and evaluation of bids.

ATTACHMENT

A. Plans and Specifications available for download.

**PLANS AND SPECIFICATIONS for
Year 2 Pavement Program – Russell St. and Various
Locations Notice Inviting Bids**

Available online for public disclosure at:
<https://www.cityofwhittier.org/government/city-clerk/rfps-bids>

Parties interested in bidding must obtain an un-watermarked version from PlanWell.



Agenda Report

Date: March 24, 2020

To: Brian Saeki, City Manager

From: Shannon DeLong, Assistant City Manager
Virginia Santana, Interim Director, Parks, Recreation & Community Services
Katie Galvin-Surbatovic, Business Development Manager

Subject: Meal Services for Seniors and Homeless Services during COVID-19 Event

RECOMMENDATION

Provide direction to staff on a County-funded temporary supplemental senior meal delivery program for up to 150 seniors, as well as addressing homelessness, in light of Governor's Executive Order 32-20 providing additional funding to the continuums of care.

BACKGROUND

In late 2019, a novel coronavirus, (referred to as coronavirus 19, or COVID19), emerged and, despite worldwide efforts, began spreading to countries around the globe. On March 4, 2020, an outbreak was declared in the County of Los Angeles. That same day, California Governor Gavin Newsom declared a state of emergency with regard to the outbreak. On March 11, 2020, the World Health Organization (WHO) labeled the outbreak a global pandemic. On March 13, 2020, President Trump similarly declared a state of emergency. Most recently on March 17, 2020, City Manager Saeki declared a local state of emergency, which the Council is to asked to ratify in a separate item on the agenda for March 24, 2020.

Since the declaration of a County health emergency, public health advice has focused on handwashing, self-isolation of individuals who are sick or vulnerable to transmission, and social distancing of all healthy individuals, including a prohibition on gatherings of more than 10 individuals, a closure of nearly all public facilities, and limiting restaurants to take-out, drive-through, and delivery service only. Many nonprofit and community based organizations have scaled back or discontinued their social safety net services. In some cases, this has left a significant service gap for vulnerable segments of the population.

DISCUSSION

Meal Service

While school districts are closed, most have continued providing take-home meal service for children. Senior congregate meals traditionally served daily at the Uptown Senior center were suspended as of March 16, 2020, and Southeast Area Social

Services Authority (SASSFA) is now delivering those frozen meals directly to clients. The Whittier Meals on Wheels Board reported to staff on Thursday that while some individual volunteers have temporarily withdrawn from service due to health concerns, there are other local volunteer organizations capable of stepping in to continue delivery to their Whittier clients.

Recently, Los Angeles County Supervisor Hahn reached out to City staff to coordinate a supplementary program wherein new seniors (ages 60 or older), up to 150 in total, could be eligible for either a daily meal delivery or weekly food delivery (to be determined) from a local restaurant, if the City can supply staff and vehicles to pick up the meals, deliver them to new clients, and conduct age verification during the first delivery. If Whittier follows the Meals on Wheels model of 10 meals per route, 3.5 hours per shift, we would need approximately 15 staff members to conduct up to 150 stops throughout the City. Staff from the Supervisor's office have indicated reimbursement would be provided to the City for both the cost of meals and the cost of staff.

Homeless Services

Governor Gavin Newsom's Executive Order No. 32-20, released on March 18, 2020, was accompanied by a conference call explaining the new funding resources being allocated to address homelessness. Leading the call were Cal OES, Governor's Office, the California Business, Consumer Services, and Housing Agency, and the California Department of Social Services. An award letter and standard agreement will be sent out to agencies who already receive this kind of funding. It appears most of the funds will be for continuums of care (in Whittier's case, that would be the Los Angeles Homeless Services Authority, or LAHSA), but additional written guidance would be released on Monday, March 23, 2020. A majority of the funding identified in the Executive Order is not associated with funding streams currently allocated to the City, but staff will continue to research the opportunities and will provide the guidance as soon as it becomes available.

The City has received notice that the contracted Crisis Beds at Whittier First Day will be temporarily limited to three beds due to isolation requirements. Whittier First Day will continue to operate and have also indicated they can operate an additional shelter site should one becomes available.

With regard to actions taken in other cities, Los Angeles Mayor Garcetti has announced that the City is working to add an additional 1,600 emergency shelter beds in 13 Los Angeles City recreational centers by the end of last week (week of March 16, 2020) and the City is working to scale up to 6,000 additional beds in cooperation with the American Red Cross over the coming weeks. In the City of Long Beach, all existing services for people experiencing homelessness remain open as of March 19, 2020, and the City's multi-service center has expanded operational hours to all day long, without closing for lunch. Other cities with their own continuum of care are trying to push out additional sanitizers and information on handwashing and virus transmission reduction; reserving motel rooms that might help protect some of the more vulnerable individuals (e.g.:

immune compromised or elderly), whether they are currently unsheltered, or are currently in congregate shelter programs where transmission risk might be higher; and installing handwashing stations in public areas.

FISCAL IMPACT

If City staff delivers up to 150 meals per day, the anticipated cost would be \$3,675 per week. The office of Los Angeles County Supervisor Janice Hahn indicated reimbursements would be provided to the City for the costs incurred.

ATTACHMENTS

A. Governor Newsom Executive Order No. 32-20

EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-32-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS despite sustained efforts, the virus continues to spread and is impacting nearly all sectors of California; and

WHEREAS in the past two years, the State of California has allocated \$1.15 billion to local partners through the Homeless Emergency Aid Program and the Homeless Housing, Assistance, and Prevention Program, funding intended to provide for a variety of programs and facilities aimed at combatting homelessness; and

WHEREAS on March 17, 2020, I signed Senate Bill 89, emergency legislation that authorizes \$500 million in immediately available funding to help California fight COVID-19 for any purpose related to the March 4, 2020 proclamation of a State of Emergency, including to support local governments to protect the health and safety of homeless populations, reduce the spread of COVID-19 in homeless populations, and provide safe beds for people experiencing homelessness; and

WHEREAS the emergency of COVID-19 necessitates a more focused approach, including emergency protective measures to bring unsheltered Californians safely indoors, expand shelter capacity, maintain health and sanitation standards and institute medically indicated interventions, and add new isolation and quarantine capacity to California's shelter and housing inventory to slow the spread of the pandemic; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567 and 8571, do hereby issue the following order to become effective immediately:

IT IS HEREBY ORDERED THAT:

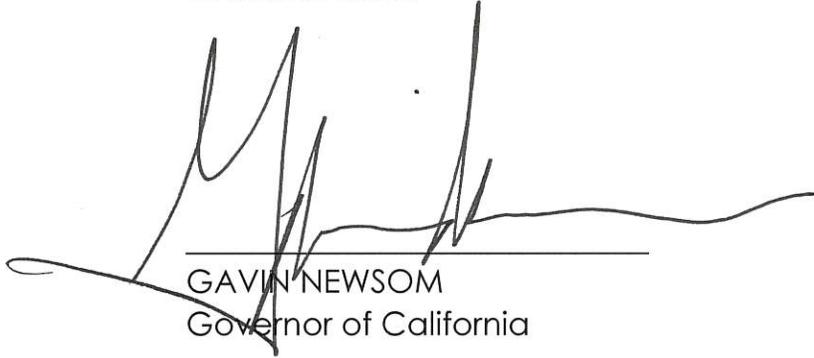
- 1) To the limited extent that any part of Health & Safety Code section 50214, subdivision (a), restricts a local jurisdiction from expending Homeless Emergency Aid Program funds on preparing for and addressing the impacts of the COVID-19 pandemic on homeless individuals, including through implementing guidance from the Department of Public Health on hand and respiratory hygiene and protective congregate living protocols, and providing isolation and quarantine capacity, that part is suspended.

- 2) To the limited extent that any part of Health & Safety Code section 50219, subdivision (c), restricts a local jurisdiction from expending Homeless Housing, Assistance, and Prevention Program funds on preparing for and addressing the impacts of the COVID-19 pandemic on homeless individuals, including through expanding shelter and housing services and capacity, that part is suspended.
- 3) Division 13 (commencing with section 21000) of the Public Resources Code and regulations adopted pursuant to that Division are suspended for any project using Homeless Emergency Aid Program funds, Homeless Housing, Assistance, and Prevention Program funds, or funds appropriated in Senate Bill 89, signed on March 17, 2020.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 18th day of March 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State



Agenda Report

City Council

Date: March 24, 2020
To: Brian Saeki, City Manager
From: Richard Adams, Assistant City Attorney
Subject: Temporary Moratorium on Evicting Tenants

RECOMMENDATION

Adopt Urgency Ordinance No. 3115 relating to a temporary moratorium on evicting tenants and declaring the ordinance to be an emergency measure to take effect immediately upon adoption.

BACKGROUND

As the global COVID-19 emergency persists, the economic impacts of the federal and state orders to prevent the spread of the virus such as social distancing, school closures, and restaurant and bar closures has left many city business and individuals unable to pay their rent.

On March 16, 2020, the Governor issued Executive Order N-28-20. The order suspends any state law that would preempt or otherwise restrict the city's exercise of its police power to impose substantive limitations on evictions based on nonpayment of rent resulting from the impacts of COVID-19.

Under the ordinance, both commercial and residential tenants who provide documentation to their landlord within thirty (30) days of their rent due date, that they are unable to pay all or a portion of their rent, due to substantial financial hardships resulting from COVID-19 may not be evicted during the pendency of the Governor's Order N-28-20 or an extension thereof.

Urgency Ordinances

Urgency ordinances that are necessary for the immediate preservation of the public peace, health or safety, must contain a declaration of the facts constituting the urgency, and must be passed by a four-fifths vote of the city council per Government Code Section 36937. Urgency ordinances go into effective immediately upon adoption per California Government Code Section 36934. The proposed ordinance contains the required findings.

Moratorium on Evictions and Deferral of Rent Payments

The attached ordinance would apply to both commercial and residential tenants who are unable to pay rent during the term of the ordinance due to financial impacts of COVID-

Agenda Item No. 13.B.

19. To be protected from eviction by the ordinance, tenants would need to notify their landlords and provide documentation evidencing their inability to pay all or portion of their rent during the effective dates of the ordinance are due to COVID-19 impacts. Tenants would also be required to pay whatever part of the rent they were able.

Landlords would not be permitted to begin eviction proceeding against tenants who qualify during the term of the ordinance, nor would Landlords be able to charge late fees to eligible tenants. However, tenants will still be legally responsible for paying all rent due within four months after the expiration of the ordinance.

DISCUSSION

The attached ordinance provides a qualified tenant with 120 days after the expiration of the moratorium to pay all rent that became due and was not paid during the moratorium period. The Executive Order does not address the issue of when the back rent needs to be paid. The City of Sacramento has an ordinance which has a 120 day pay-back period, while the City of Burbank adopted an ordinance that provided the tenants with a 160 day pay-back period. The City of Los Angeles, with two proclamations from the Mayor, provided residential tenants with a 160 day pay-back period and commercial tenants with a 90 day pay-back period. The Whittier City Council may establish a pay-back period that is appropriate in consideration of the interests of both the landlords and the tenants.

FISCAL IMPACT

There is no identified fiscal impact associated with this action other than minimal costs to publish the ordinance.

ATTACHMENTS

A. Urgency Ordinance No. 3115

ORDINANCE NO. 3115

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, RELATING TO A TEMPORARY MORATORIUM ON EVICTING TENANTS AND DECLARING THE ORDINANCE TO BE AN EMERGENCY MEASURE TO TAKE EFFECT IMMEDIATELY UPON ADOPTION

RECITALS

- A. On March 4, 2020, the Governor declared a State of Emergency in California due to the threat of Coronavirus Disease 2019 (“COVID-19”). On March 16, 2020, the County of Los Angeles Department of Public Health issued a Health Officer Order regarding COVID-19. Due to directives from federal, state, and local health officials, residents have been advised to avoid public gatherings and stay at home to prevent the spread of this disease.
- B. On March 16, 2020, the Governor issued Executive Order N-28-20. The order suspends any state law that would preempt or otherwise restrict the city’s exercise of its police power to impose substantive limitations on evictions based on nonpayment of rent resulting from the impacts of COVID-19.
- C. On March 17, 2020, the City Manager declared a local state of emergency in the City of Whittier due to the COVID-19 pandemic.
- D. On March 17, 2020, the City Manager declared a local state of emergency in the City of Whittier due to the COVID-19 pandemic.
- E. On March 19, 2020, both the County of Los Angeles Department of Public Health and the Governor of the State of California issued “Stay at Home” directives that preclude the operation of a variety of businesses deemed nonessential.
- F. The city has been impacted by the health crisis of this global pandemic. Sporting events, concerts, plays, and conferences have been cancelled. School closures have occurred and may continue. Employees have been advised to work at home. As a result, restaurant and retail business have significantly declined and workers have been impacted by lost wages and layoffs. Parents have had to miss work to care for home-bound school-age children. As the virus spreads, workers may have to stay home for extended periods.

- G. Many tenants have experienced sudden income loss, and further income impacts are anticipated. The loss of wages caused by the effects of COVID-19 may impact tenants' ability to pay rent when due, leaving tenants vulnerable to eviction.
- H. Providing tenants with a short-term protection from eviction due to the inability to pay rent will help avoid increasing the homeless population and stabilize the rental housing market by reducing displacement.
- I. During this state of emergency, and in the interests of protecting the public health and preventing transmission of the coronavirus, it is essential to avoid unnecessary displacement of tenants. Prohibiting evictions on a temporary basis is needed until the spread of the virus can be minimized and the emergency restrictions lifted.
- J. Nothing in this ordinance waives a tenant's obligations to pay back rent owed once this ordinance is no longer effective.
- K. The City Council has the authority to adopt this ordinance pursuant to its authority under California Constitution Art XI, section 7, and pursuant to the Governor's Order N-28-20.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WHITTIER, CALIFORNIA, DOES ORDAIN AS FOLLOWS:

SECTION 1. This Ordinance is exempt from the California Environmental Quality Act (CEQA), since there is no possibility that this Ordinance will have any significant effect on the environment pursuant to Section 15061 (b) (3) of the State CEQA Guidelines (Title 14 of the California Code of regulations).

SECTION 2. Moratorium on evictions due to nonpayment of rent during the COVID-19 emergency.

- A. This Section 1 remains in effect until the expiration of the Governor's Executive Order N-28-20 (May 30, 2020), unless extended by the Governor, at which point this Ordinance shall continue for said extension period.
- B. This ordinance applies to all residential and commercial tenants within the City of Whittier.
- C. No landlord shall endeavor to evict a tenant for nonpayment of rent if the tenant, in accordance with this Section 1, demonstrates that the inability to pay rent is due to the Coronavirus Disease 2019 (COVID-19), the state of emergency

regarding COVID-19, or following government-recommended COVID-19 precautions.

D. As used in this Section 1, “covered reason for delayed payment” means a tenant’s loss of income due to any of the following: (a) tenant was sick with COVID-19 or caring for a household or family member who is sick with COVID-19; (b) tenant experienced a lay-off, loss of hours, substantial decrease in business income caused by a reduction in the opening hours or consumer demand, or other income reduction resulting from COVID-19 or the state of emergency; (c) tenant’s compliance with a recommendation from a government agency to stay home, self-quarantine, or avoid congregating with others during the state of emergency; (d) tenant’s need to miss work to care for a home-bound school-age child; and (e) tenant’s extraordinary medical cost resulting from COVID-19 related medical expenses.

E. To take advantage of the protections afforded under this ordinance, a tenant must do all the following:

- a. Notify the landlord in writing on or before the day rent is due that the tenant has a covered reason for delayed payment;
- b. Provide the landlord with verifiable documentation to support the assertion of a covered reason for delayed payment within thirty (30) days of the day the rent is due; and
- c. Pay the full amount of rent otherwise due, less the amount of the change in funds available due to a covered reason for delayed payment.

F. If a tenant complies with the requirements of this ordinance, a landlord shall not serve a notice pursuant to California Code of Civil Procedure sections 1161 or 1162, file or prosecute an unlawful detainer action based on a three-day pay or quit notice, or otherwise endeavor to evict the tenant for nonpayment of rent, and this Ordinance shall be an affirmative defense to any such eviction action.

G. Nothing in this ordinance relieves the tenant of liability for the unpaid rent after expiration of this ordinance.

SECTION 3. 120-Day Repayment Period. Tenants who were afforded eviction protection under Section 1 of this ordinance shall have up to 120 days after the expiration of the Governor’s Executive Order N-28-20, including any extensions, to pay their landlord all unpaid rent. During that 120-day period, the protections against eviction found in Section 1 of this ordinance apply for such tenants, and provided the tenant pays all rent due by this deadline, shall not be liable for payment of any late fees or penalties for the delay in payment.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Whittier hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

SECTION 5. Emergency Declaration/Effective Date. The city council declares this ordinance to be an emergency measure, to take effect immediately upon adoption pursuant to California Government Code section 36934.

The facts constituting the emergency are as follows: The directives from health officials to contain the spread of COVID-19 has resulted in loss of business, furloughs, loss of wages, and lack of work for employees. To protect the public health, safety, and welfare, the city must act to prevent eviction of tenants who are unable to pay rent due to wage losses caused by the effects of COVID-19. An emergency measure is necessary to protect tenants from eviction for a temporary period.

SECTION 6. The Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in the official newspaper within 15 days after its adoption. This Ordinance shall become effective immediately upon adoption.

APPROVED AND ADOPTED this 24th day of March 2020.

JOSEPH A. VINATIERI, Mayor

ATTEST:

RIGOBERTO GARCIA JR., City Clerk



Agenda Report

City Council

Date: March 24, 2020

To: Brian Saeki, City Manager

From: Conal McNamara, Director of Community Development
Ben Pongetti, Development Project Manager

Subject: 2020-2025 HUD Consolidated Plan and related items

RECOMMENDATION

Receive and file a report regarding the 2020-2025 U.S. Department of Housing and Urban Development Consolidated Plan, Annual Action Plan, and Analysis of Impediments to Fair Housing Choice; and provide input to staff.

BACKGROUND

Whittier is a U.S. Housing and Urban Development (HUD) entitlement City and under current Federal formulas is automatically eligible to receive Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) funds. These two HUD grant programs will provide \$752,926 in CDBG and \$345,446 in HOME funds to the City in 2020-21. These amounts are close to the annual figures the City received in the last three years. Generally, the two funding sources can be used to provide an array of projects and services that either assist low-income persons, address an urgent need, and/or arrest blight in deteriorated neighborhoods.

The objective of the CDBG program is to improve communities by providing decent housing, a suitable living environment, and expanding economic opportunities for low-income people. Funds may be used for a wide variety of activities including, but not limited to, housing preservation, public services, economic development, and capital improvements to infrastructure or public facilities.

The HOME program is designed to assist local governments in providing decent, safe, and affordable housing to low-income people. Unlike CDBG, the HOME program must be used exclusively for affordable housing activities including: homeowner rehabilitation, homebuyer assistance, rental housing, and tenant based rental assistance.

HUD requires each state and local government receiving Federal housing and community development funds to prepare a five-year Consolidated Plan. The purpose of the Consolidated Plan is to identify and integrate housing, economic, human, and community development needs into a comprehensive plan so that community living can be enhanced. The Consolidated Plan must be made available to the public for a 30-day review period prior to its submittal to HUD. The current schedule calls for the draft Consolidated Plan to be available to the public from April 11, 2020 to May 12, 2020.

DISCUSSION

CONSOLIDATED PLAN

The Consolidated Plan is a five-year planning document and serves as the official application for CDBG and HOME funds. The Consolidated Plan is prepared and formatted using HUD's Integrated Disbursement and Information System (IDIS). As a result, the document has all the required components, but has less than perfect flow and format. Pursuant to HUD regulations, the Consolidated Plan includes the following sections: Executive Summary, Needs Assessment, Housing Market Analysis, Strategic Plan, and Annual Action Plan. Other separately adopted, but component, parts of the Consolidated Plan include the Citizen Participation Plan and Analysis of Impediments to Fair Housing Choice that are summarized below.

The Needs Assessment section of the Consolidated Plan analyzes the housing assistance needs of very-low, low, and moderate-income households as well as the homeless and special needs populations. The section on the current housing market includes an analysis of the supply, demand, condition, and cost of the City's housing stock. The Strategic Plan identifies a specific course of action utilizing human, community, physical, environmental, and economic resources to address community needs. Resources are discussed in both the Strategic Plan and Annual Action Plan. The Annual Action Plan provides specific information regarding the resources and activities the City will undertake to address priority needs and specific objectives during a 12-month period. A new Annual Action Plan for each upcoming fiscal year is adopted every year, typically in May.

ANNUAL ACTION PLAN

The Action Plan will list all annual projects by activity, funding source, and funding amount.

The formula for spending CDBG funds is as follows:

- Program Administration - A maximum of 20%, which the City uses for CDBG Administration and Planning Fair Housing through the Housing Rights Center.
- Public Services - A maximum of 15% can be spent on public services, which the City has typically used \$48,250 for Southeast Area Social Service Funding Authority (SASSFA) and Whittier Area First Day or Salvation Army's homeless programs, with the balance for graffiti abatement.
- Low-Income - Of the total entitlement dollars, 70% of the funding must be used to benefit low-income residents. The other 30% may be used for blight elimination or urgent need activities as defined by the Federal regulations
- In Whittier, funding has also historically been used for four housing rehabilitation programs, code enforcement, infrastructure and public facility improvements.

The formula for spending HOME funds is as follows:

- Program Administration - A maximum of 10% can be spent on administration.
- CHDO - The City is required to allocate 15% for a Community Housing Development Organization ("CHDO"). A CHDO is a specially recognized non-profit that has been certified by the City to complete a housing project to serve low-income residents. The latest example is LINC's Mosaic Gardens project, a 21-unit affordable apartment complex constructed at Pickering and Philadelphia. The City has lost portions of the CHDO allocation as no new project was identified prior to HUD's funding deadline.
- Participating Jurisdictions (PJs) must match 25% of the total HOME funds drawn down for project costs. In Whittier, there is no additional match requirement anticipated for the next several year due to prior year expenditures on the Hoover Hotel and Mosaic Gardens projects, which count as a match.

HOME funds have typically been allocated to the housing rehabilitation loan program and a larger scale multi-family type project that has not yet been selected.

The HOME program has required timeframes for activities built into the statute and the regulations. These timeframes help to ensure that the Federal funds allocated to this program are drawn down and spent. PJs, such as Whittier, must commit and spend allocated funds within certain timeframes or stand to lose HOME funds. PJs have 24 months to enter into written agreements with developers, owners, contactors, sub-recipients, state recipients and CHDOs to commit HOME monies. PJs have five years to expend HOME funds.

CITIZEN PARTICIPATION

Federal regulations require the City to have a Citizen Participation Plan. The Citizen Participation Plan requires the City to hold a public hearing and comment period prior to approval of formal reports submitted to HUD.

The City has conducted the following citizen participation activities for the Consolidated Plan and AI. An online survey was distributed on February 28, 2020 and available through March 12, 2020. A letter announcing the survey and other schedule dates was posted to the City Website, posted in front of City Hall, circulated on the City's social media outlets, and e-mailed to 119 stakeholders, including City Council, Boards and Commissions, local nonprofit social service providers, advocacy groups, surrounding jurisdictions, and 25 "community news" e-mail addresses of those interested parties previously requesting "community news" notification via the City's e-mail notification system. A total of 74 Consolidated Plan Surveys were completed and a total of 30 AI Surveys were completed, the results of which are summarized in Attachments A and B, respectively. A public workshop was also available on March 11, 2020.

Generally, the Consolidated Plan survey results indicate that the City's history of expenditures generally align with the identified needs, which include the following items ranked as high priorities: housing rehabilitation; first time homebuyer; affordable housing; street, alley and sidewalk improvements; graffiti, trash, and debris removal; cleanup of abandoned lots and buildings; anti-crime, youth activities, and mental health assistance; park and recreation improvements; homeless shelters and services; substance abuse services and counseling; and domestic violence services and counseling. The survey also afforded participants the opportunity for open-ended comments at the end. Most of the comments, which can be reviewed in the attachment, reiterate the survey results summarize above.

Other anticipated participation opportunities will include a public notice in the Whittier Daily News on April 10, 2020 announcing the anticipated May 12, 2020 public hearing and the 30-day availability of the Draft Consolidated Plan AI from April 11, 2020 to May 12, 2020.

ANALYSIS OF IMPEDIMENTS

In accordance with 24 Code of Federal Regulations (CFR) Part 570.601, the City must identify impediments to fair and equal housing opportunities and certify that the City will engage in fair housing planning. The Analysis of Impediments addresses this requirement. The AI should be updated every five years (24 CFR Part 91), reflecting the changes in the community since the preparation of the last AI, which was approved in October 2014.

Fair housing is a condition in which individuals of similar income levels in the same housing market have like ranges of choice available to them regardless of race, color, ancestry, national origin, religion, sex, disability, marital status, familial status, or any other arbitrary factor. The AI provides an overview of laws, regulations, conditions or other possible obstacles that may affect an individual or household's access to housing. The AI will include an impediments and recommendations section to delineate how the City can address identified impediments.

FISCAL IMPACT

There is no fiscal impact to receive and file this report and provide input to staff. CDBG and HOME funds are annual grants from HUD for the City to utilize in the manner prescribed by HUD. In addition to specially funded activities, some of the funds are used in conjunction with City General Funds to fund City administrative costs and other City programs such as code enforcement and graffiti abatement. It is anticipated that a completed Consolidated Plan, AI, and Annual Action Plan will be before the City Council on May 12, 2020. Approving those documents would appropriate HUD funds.

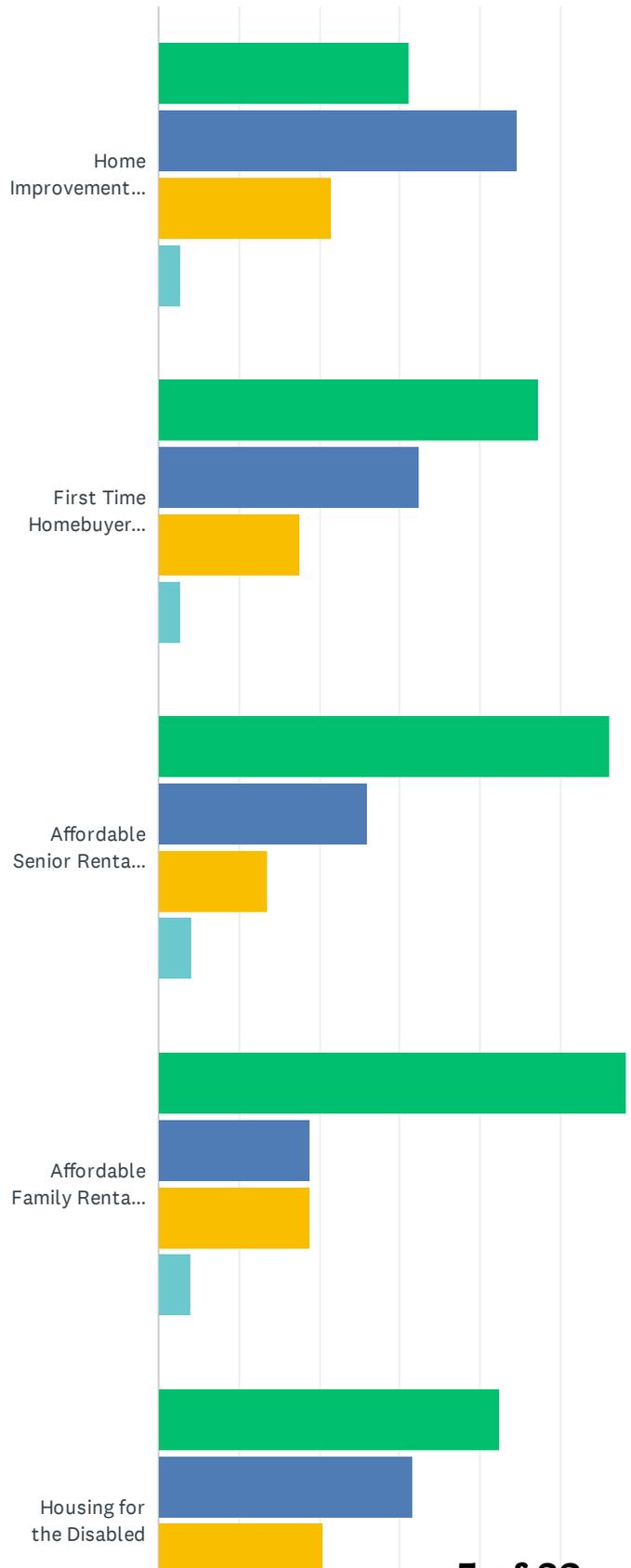
ATTACHMENTS

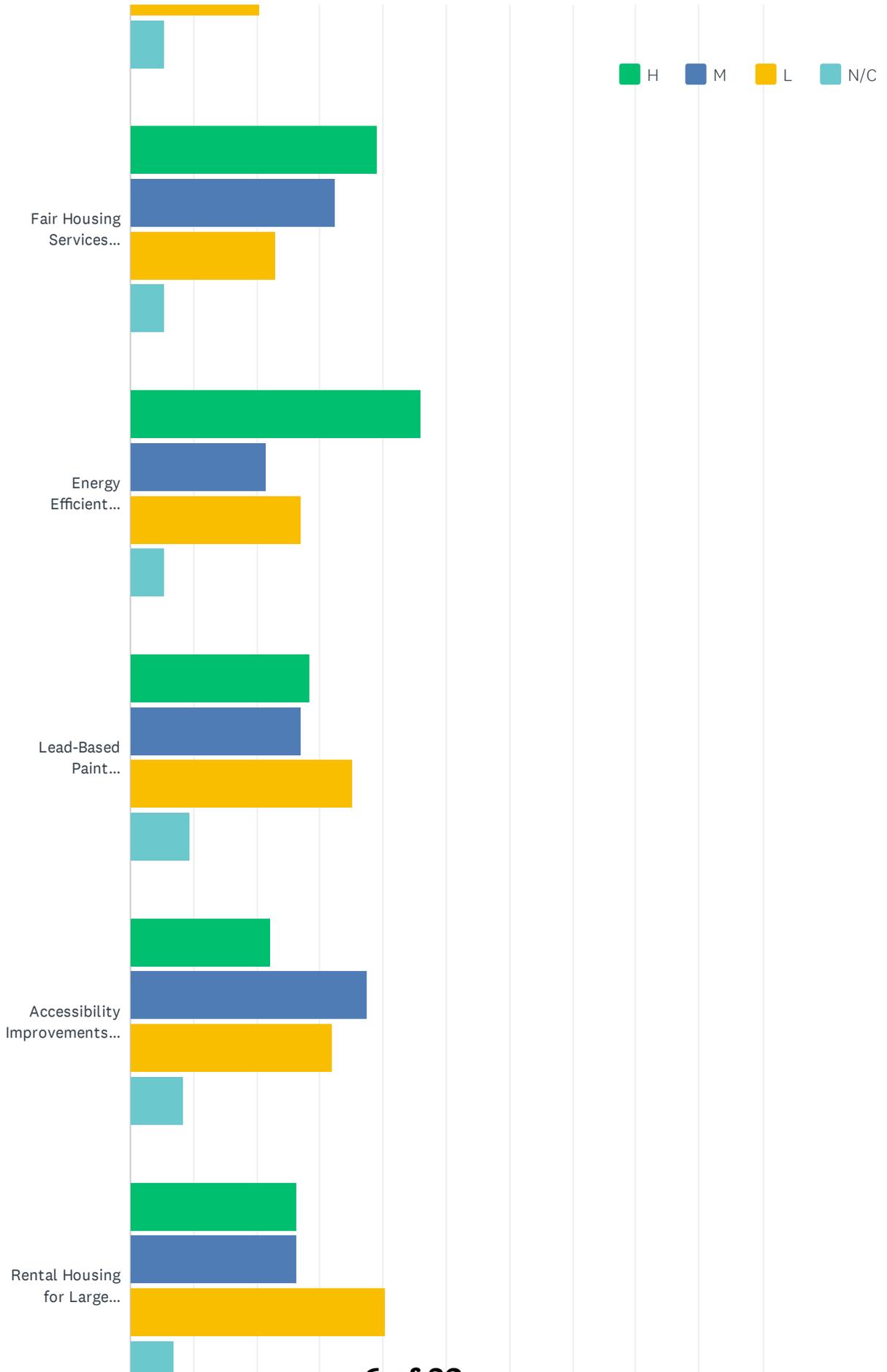
- A. Consolidated Plan Survey Results
- B. Analysis of Impediments Survey Results.

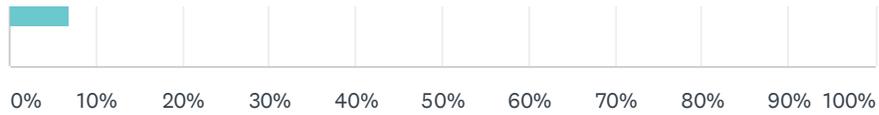
Q1 Housing

Answered: 74 Skipped: 0

H M L N/C







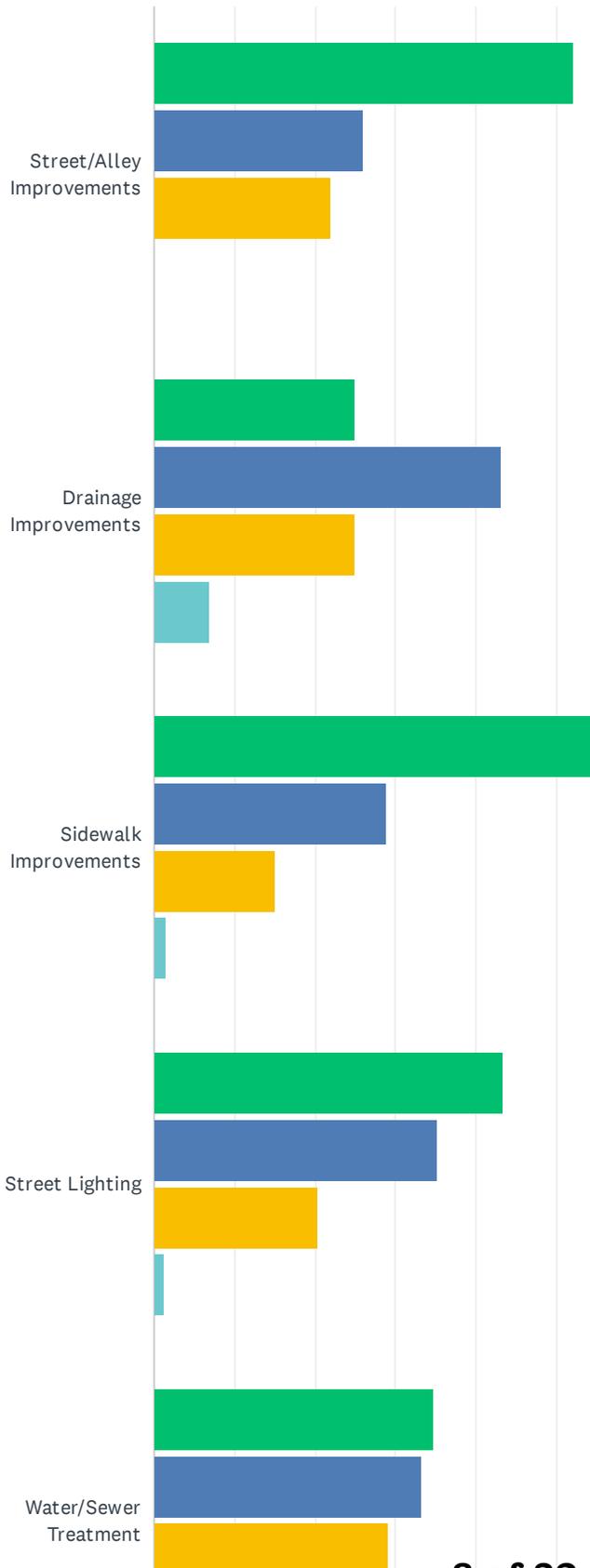
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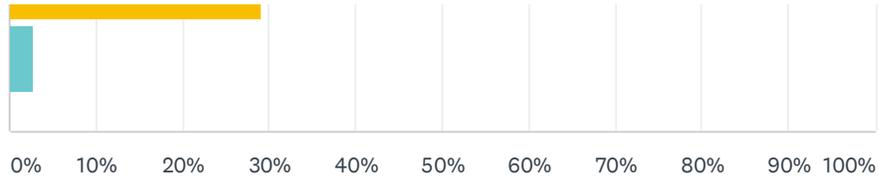
	H	M	L	N/C	TOTAL RESPONDENTS
Home Improvement Programs	31.08% 23	44.59% 33	21.62% 16	2.70% 2	74
First Time Homebuyer Assistance	47.30% 35	32.43% 24	17.57% 13	2.70% 2	74
Affordable Senior Rental Housing	56.16% 41	26.03% 19	13.70% 10	4.11% 3	73
Affordable Family Rental Housing	58.11% 43	18.92% 14	18.92% 14	4.05% 3	74
Housing for the Disabled	42.47% 31	31.51% 23	20.55% 15	5.48% 4	73
Fair Housing Services (landlord/tenant rights)	39.19% 29	32.43% 24	22.97% 17	5.41% 4	74
Energy Efficient Improvements	45.95% 34	21.62% 16	27.03% 20	5.41% 4	74
Lead-Based Paint Testing/Removal	28.38% 21	27.03% 20	35.14% 26	9.46% 7	74
Accessibility Improvements (ADA)	22.22% 16	37.50% 27	31.94% 23	8.33% 6	72
Rental Housing for Large Families	26.39% 19	26.39% 19	40.28% 29	6.94% 5	72

Q2 Infrastructure

Answered: 74 Skipped: 0

H M L N/C



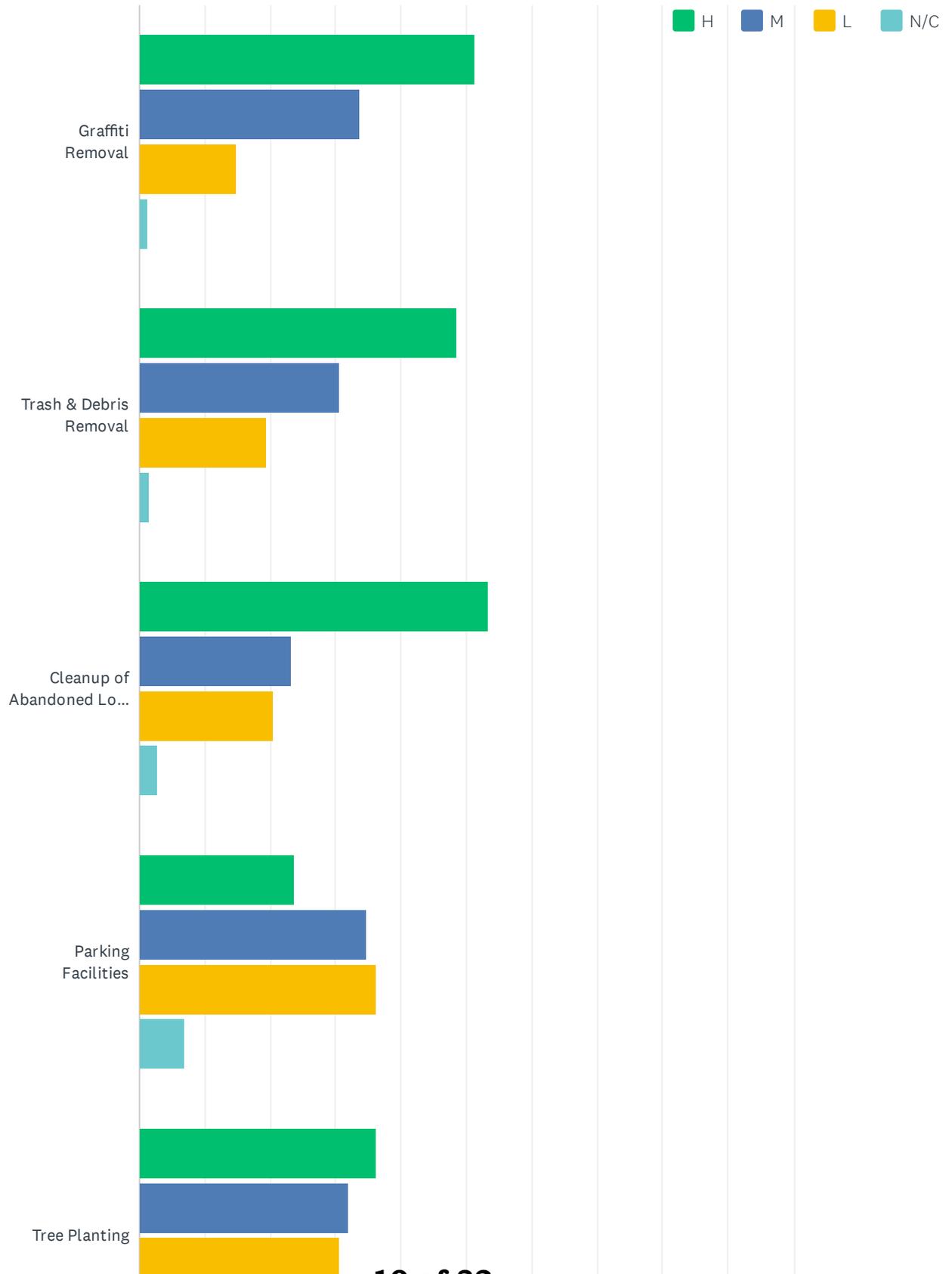


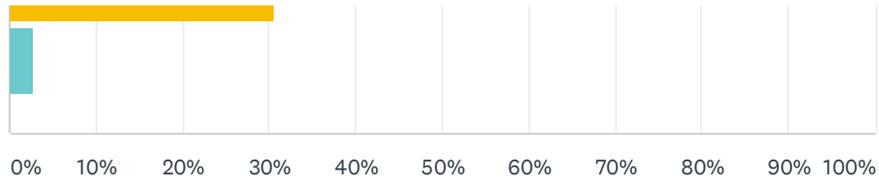
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	H	M	L	N/C	TOTAL RESPONDENTS
Street/Alley Improvements	52.05% 38	26.03% 19	21.92% 16	0.00% 0	73
Drainage Improvements	25.00% 18	43.06% 31	25.00% 18	6.94% 5	72
Sidewalk Improvements	54.79% 40	28.77% 21	15.07% 11	1.37% 1	73
Street Lighting	43.24% 32	35.14% 26	20.27% 15	1.35% 1	74
Water/Sewer Treatment	34.72% 25	33.33% 24	29.17% 21	2.78% 2	72

Q3 Neighborhood Services

Answered: 74 Skipped: 0





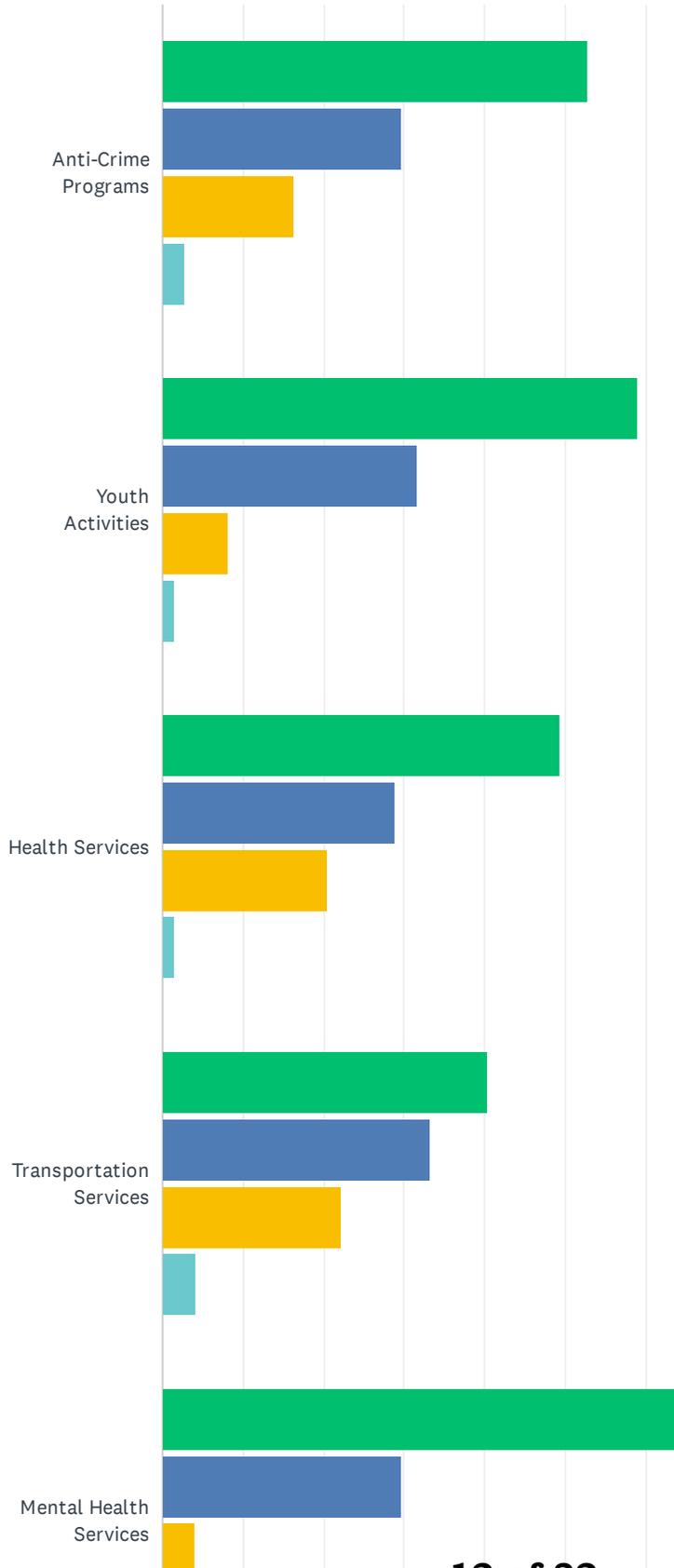
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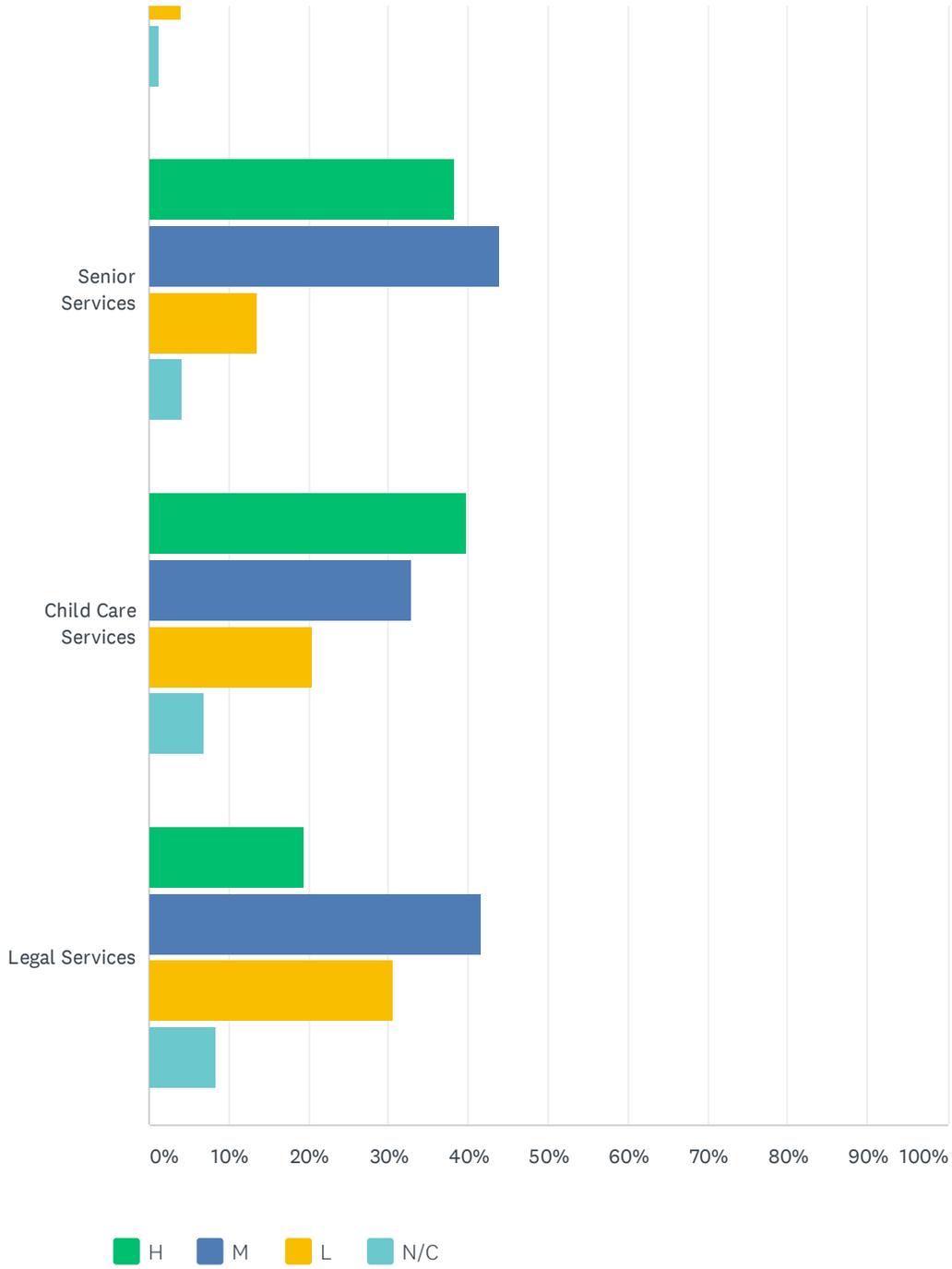
	H	M	L	N/C	TOTAL RESPONDENTS
Graffiti Removal	51.35% 38	33.78% 25	14.86% 11	1.35% 1	74
Trash & Debris Removal	48.61% 35	30.56% 22	19.44% 14	1.39% 1	72
Cleanup of Abandoned Lots and Buildings	53.42% 39	23.29% 17	20.55% 15	2.74% 2	73
Parking Facilities	23.61% 17	34.72% 25	36.11% 26	6.94% 5	72
Tree Planting	36.11% 26	31.94% 23	30.56% 22	2.78% 2	72

Q4 Community Services

Answered: 74 Skipped: 0

H M L N/C



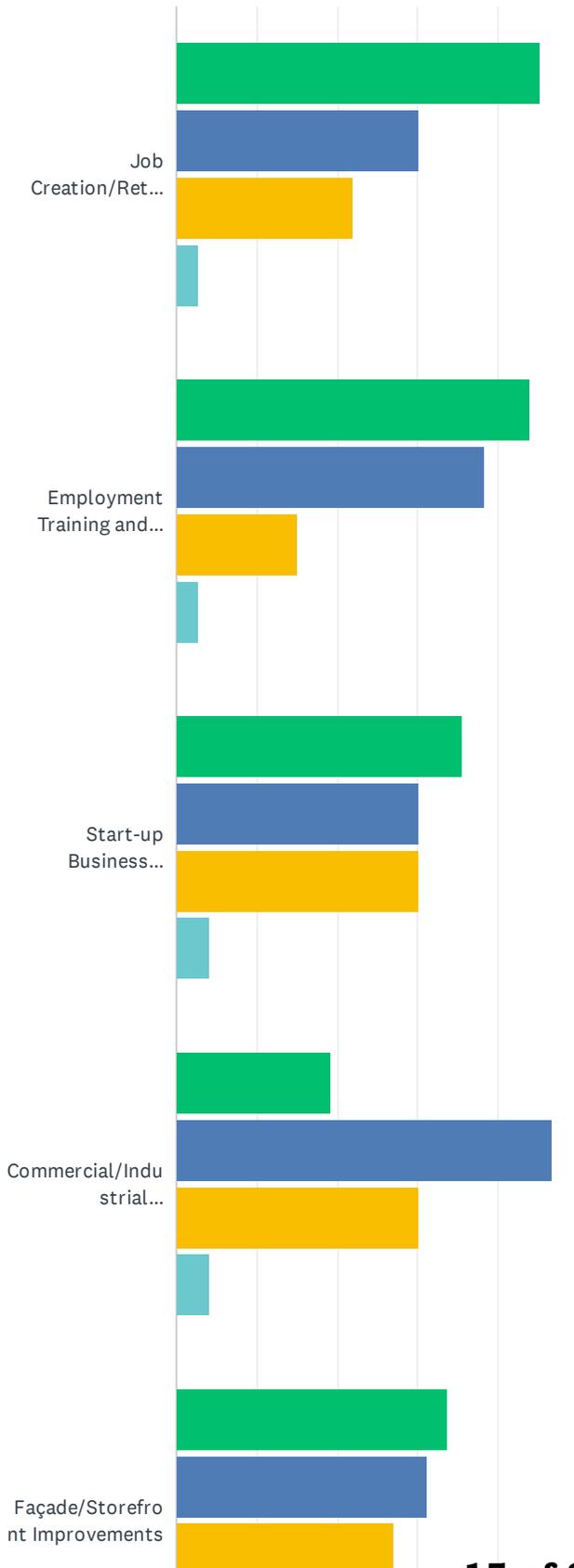


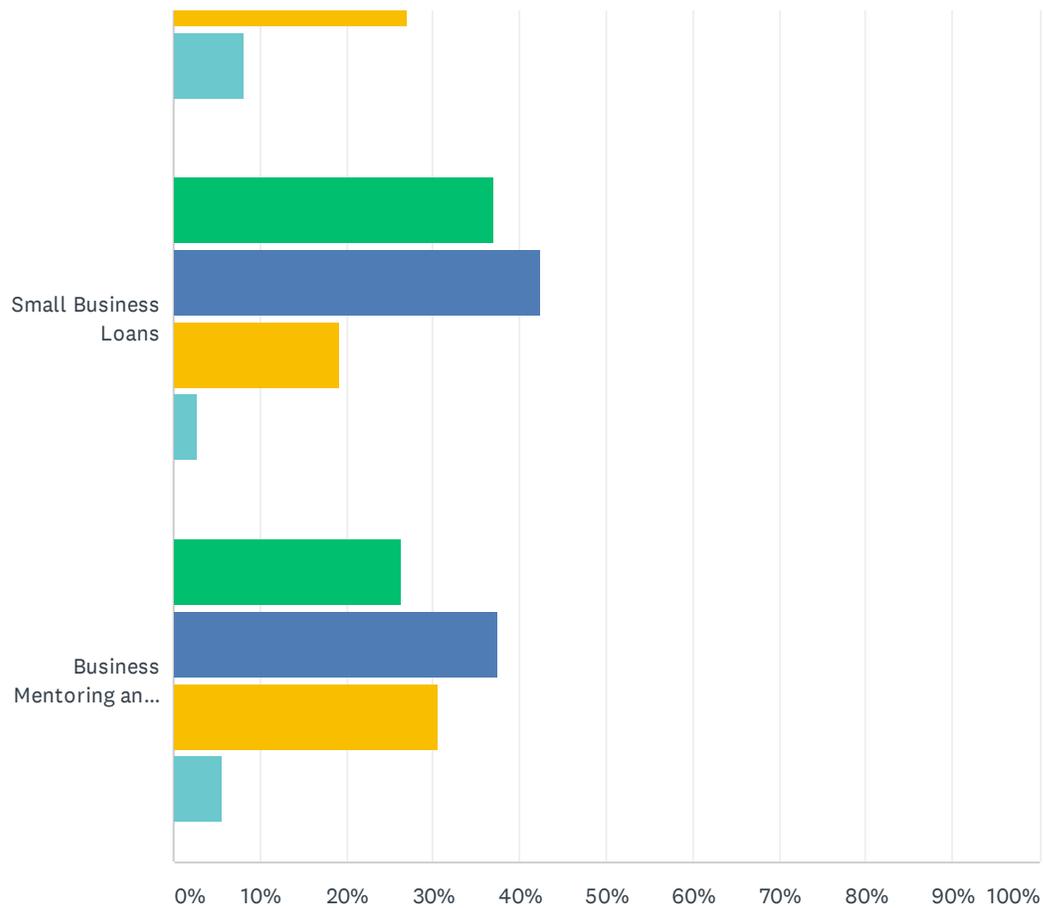
	H	M	L	N/C	TOTAL RESPONDENTS
Anti-Crime Programs	52.70% 39	29.73% 22	16.22% 12	2.70% 2	74
Youth Activities	58.90% 43	31.51% 23	8.22% 6	1.37% 1	73
Health Services	49.32% 36	28.77% 21	20.55% 15	1.37% 1	73
Transportation Services	40.28% 29	33.33% 24	22.22% 16	4.17% 3	72
Mental Health Services	64.86% 48	29.73% 22	4.05% 3	1.35% 1	74
Senior Services	38.36% 28	43.84% 32	13.70% 10	4.11% 3	73
Child Care Services	39.73% 29	32.88% 24	20.55% 15	6.85% 5	73
Legal Services	19.44% 14	41.67% 30	30.56% 22	8.33% 6	72

Q5 Businesses and Jobs

Answered: 74 Skipped: 0

H M L N/C





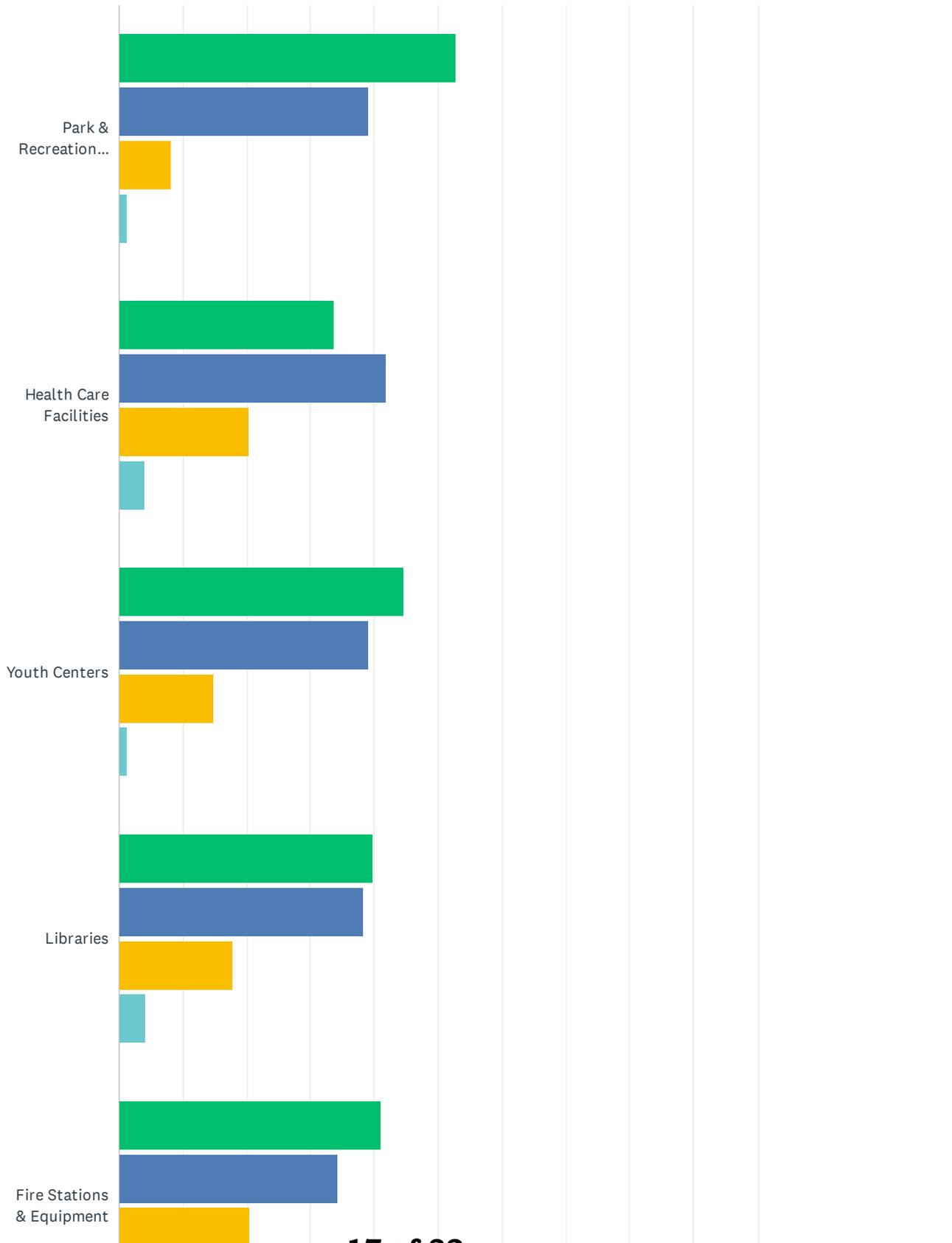
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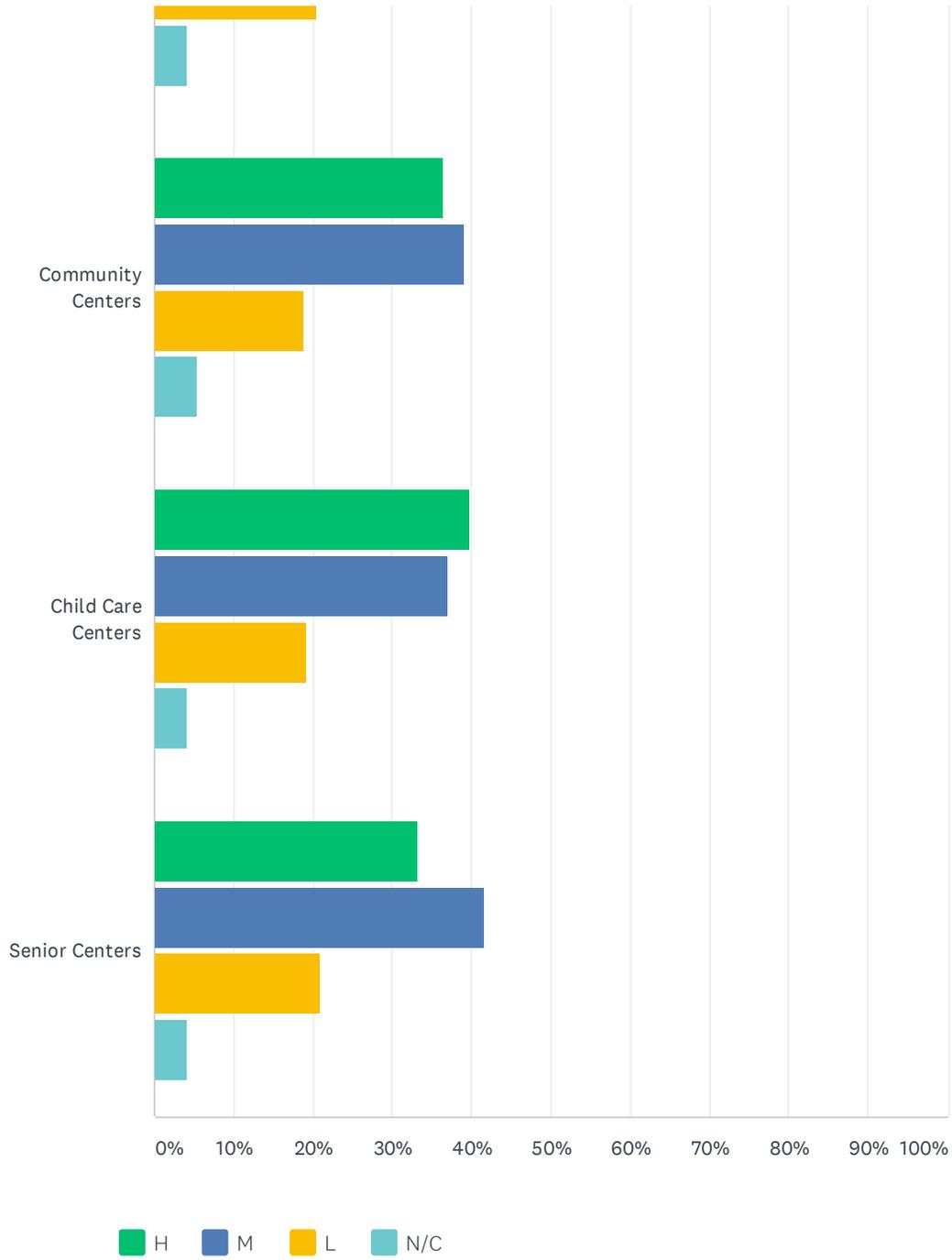
	H	M	L	N/C	TOTAL RESPONDENTS
Job Creation/Retention Programs	45.21% 33	30.14% 22	21.92% 16	2.74% 2	73
Employment Training and Career Counseling	43.84% 32	38.36% 28	15.07% 11	2.74% 2	73
Start-up Business Financial Assistance	35.62% 26	30.14% 22	30.14% 22	4.11% 3	73
Commercial/Industrial Rehabilitation	19.18% 14	46.58% 34	30.14% 22	4.11% 3	73
Façade/Storefront Improvements	33.78% 25	31.08% 23	27.03% 20	8.11% 6	74
Small Business Loans	36.99% 27	42.47% 31	19.18% 14	2.74% 2	73
Business Mentoring and Counseling	26.39% 19	37.50% 27	30.56% 22	5.56% 4	72

Q6 Community Facilities

Answered: 74 Skipped: 0

H M L N/C



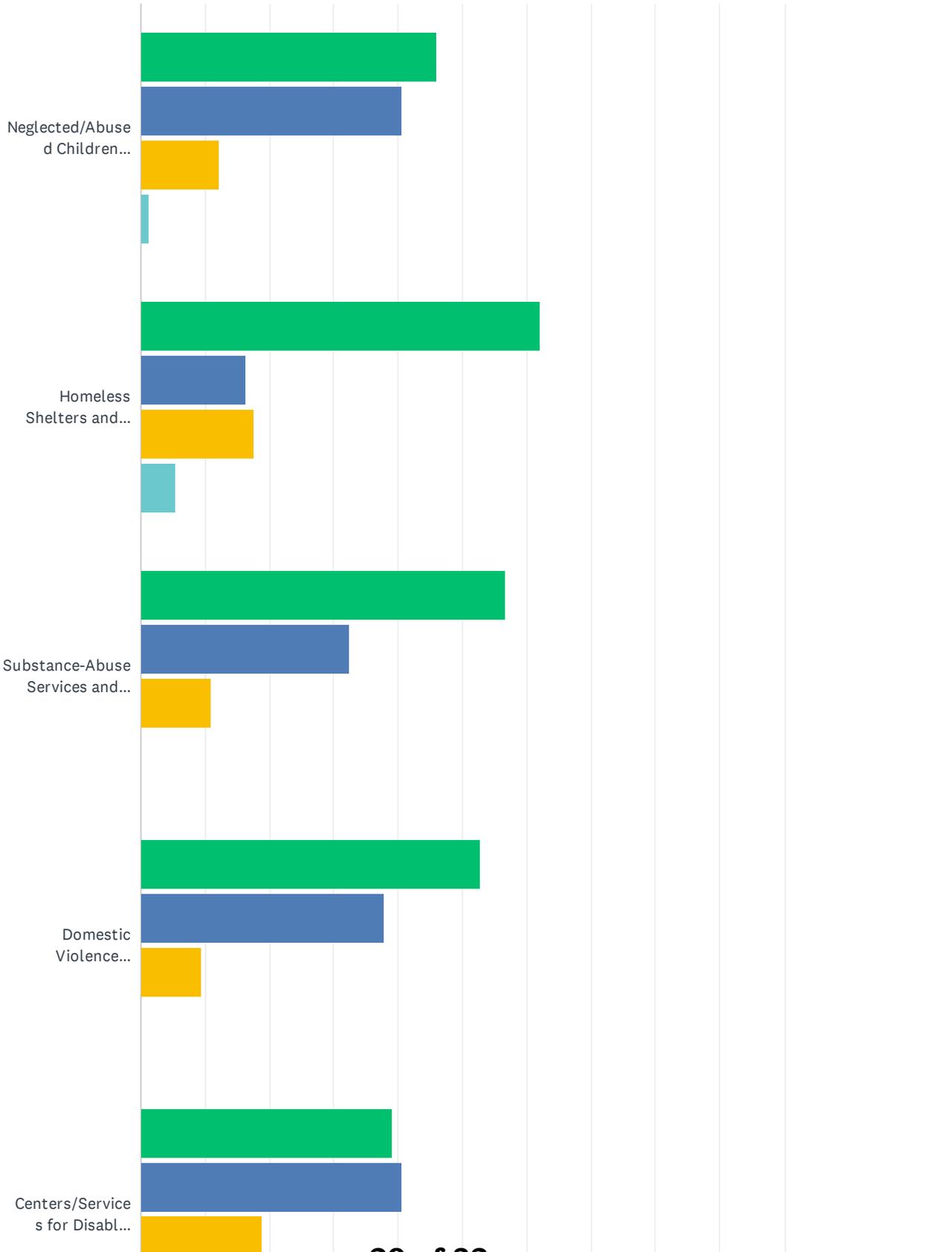


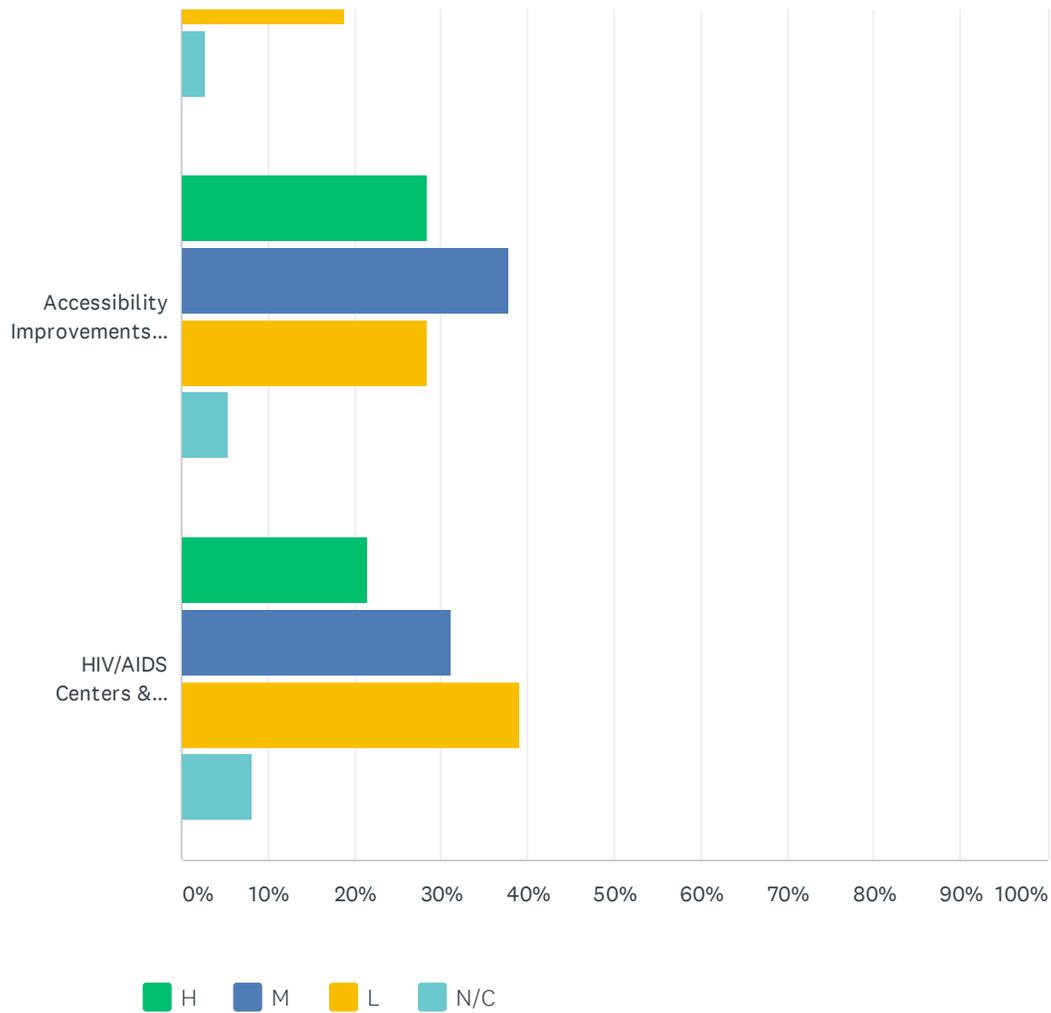
	H	M	L	N/C	TOTAL RESPONDENTS
Park & Recreation Facilities	52.70% 39	39.19% 29	8.11% 6	1.35% 1	74
Health Care Facilities	33.78% 25	41.89% 31	20.27% 15	4.05% 3	74
Youth Centers	44.59% 33	39.19% 29	14.86% 11	1.35% 1	74
Libraries	39.73% 29	38.36% 28	17.81% 13	4.11% 3	73
Fire Stations & Equipment	41.10% 30	34.25% 25	20.55% 15	4.11% 3	73
Community Centers	36.49% 27	39.19% 29	18.92% 14	5.41% 4	74
Child Care Centers	39.73% 29	36.99% 27	19.18% 14	4.11% 3	73
Senior Centers	33.33% 24	41.67% 30	20.83% 15	4.17% 3	72

Q7 Special Needs Services

Answered: 74 Skipped: 0

H M L N/C





	H	M	L	N/C	TOTAL RESPONDENTS
Neglected/Abused Children Center/Services	45.95% 34	40.54% 30	12.16% 9	1.35% 1	74
Homeless Shelters and/or Services	62.16% 46	16.22% 12	17.57% 13	5.41% 4	74
Substance-Abuse Services and Counseling	56.76% 42	32.43% 24	10.81% 8	0.00% 0	74
Domestic Violence Services and Counseling	52.70% 39	37.84% 28	9.46% 7	0.00% 0	74
Centers/Services for Disabled Persons	39.19% 29	40.54% 30	18.92% 14	2.70% 2	74
Accessibility Improvements (ADA)	28.38% 21	37.84% 28	28.38% 21	5.41% 4	74
HIV/AIDS Centers & Services	21.62% 16	31.08% 23	39.19% 29	8.11% 6	74

Q8 The City of Whittier will like to hear from you. Please provide comments here.

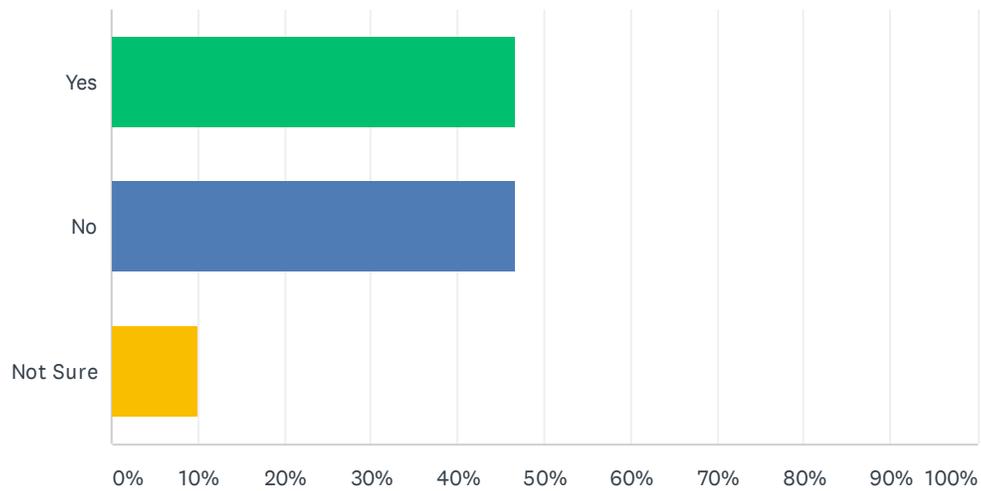
Answered: 31 Skipped: 43

#	RESPONSES	DATE
1	The mentally ill homeless need to be arrested, removed from the streets.	3/11/2020 12:54 PM
2	Petty Crime on the streets continues blatantly because there are no repercussions and punishment.	3/10/2020 10:32 PM
3	No shelter in Whittier!	3/9/2020 3:18 AM
4	Highest needs: permanent supportive house for homeless, youth playing fields, improved street lighting, green micro transit and shared parking as outlined in Uptown Specific Plan, affordable housing, temporary homeless shelters with wrap around services.	3/8/2020 3:35 PM
5	BUILD MORE HOUSING	3/7/2020 1:56 PM
6	Please place the highest priority on programs that will assist people experiencing homelessness with housing and support services in the City of Whittier.	3/7/2020 1:20 PM
7	More affordable housing is imperative!	3/6/2020 6:39 PM
8	1. ADU pilot program. There are so many people that would benefit from an increased availability of rental properties. There are also lots of properties in Whittier that would be suitable for this. 2. Permanent Supportive Housing. Whittier needs more permanently affordable supportive housing. We need to be going after HHH money + Cap-and-Trade funds and working with affordable housing developers. LAHSA has said time and time again, that this type of housing is effective. 3. Affordable housing + public transit. As Whittier begins to plan for the Gold Line, we also need to start thinking about building affordable housing along the line. We also need to start planning for sustainable ways for folks who live in Whittier to reach the Gold Line besides driving. There are many people who live in Whittier and work in downtown, including myself. Maybe a shuttle? 4. Foster care programs. I have heard many horror stories in recent years about the need for foster families in Whittier. My 11 year old neighbor recently committed suicide after being placed with a family in Burbank and Ubering to East Whittier schools every day. We need to do more to support these children in our community. 5. Uptown Whittier revitalization. What are the best practices for revitalizing a historic, walkable shopping area? Look to other LA County cities. Did they invest in small businesses? Give permit breaks? 6. Investing in the arts. As a young person, I know the City has so many talented artists of various mediums who grew up here/live here. I would love to see a nonprofit arts hub (see ArtShare LA) - a space where people can have gallery openings, shows, craft nights (see Renegade Craft Fair), etc.	3/6/2020 4:49 PM
9	Place less focus on always increasing tax base and take care of the problems we already have, such as homelessness and affordable housing. We have used property opportunities that could have been used for this for increasing tax base with shopping centers that have to compete with online shopping. We cannot solve homelessness and affordable housing with the same kind of approach. Yes, local business is important, as is city income, but stop passing opportunities to use what land we have That can be used for today's problems.	3/6/2020 2:11 PM
10	Please do take this survey into consideration and not be a empty to do item	3/5/2020 12:43 PM
11	Big need for supportive services for developmentally disabled adults--libraries are being called on to fill the need. Same issue for homeless adults. Also need shower facilities for homeless. I would like to see the Careforce One van return.	3/3/2020 5:01 PM
12	Public input is extremely important. Please continue to be transparent and communicate continuous with the community.	3/3/2020 7:54 AM
13	Build parking structures-get cars off of Greenleaf Ave between Penn St and Hadley St. Eliminate left or right turns at Greenleaf and Philadelphia. Enforce traffic laws in Uptown: ticket U turns into angled parking, drivers using cellphones, cars with dark tint in front windows. Build a group of tiny homes for homeless persons (100 sq ft ish). Less talk and more action. Acknowledge that homeless persons are citizens of our city with equal rights to rich people.	3/3/2020 2:53 AM
14	Stop selling out to developers. No more luxury housing projects without affordable housing.	3/2/2020 10:17 PM
15	City needs to address property owners inadequate property upkeep, inoperable vehicles and city sidewalk clearances. Bring quality businesses including restaurants back, limit motels, and cheap bargain type stores.	3/2/2020 9:06 PM
16	Do a better job of holding homeowners to keep up their homes. dilapidated homes Should not	3/2/2020 5:29 PM

	be given years, no repeat offenders allowed	
17	The city needs to focus on using the block grants and funds current projects that are occurring throughout the city: Homelessness, Parks and Recreation.	3/2/2020 4:04 PM
18	My wife and I arrived in June, and it's become obvious to us that we need to up our efforts on tackling the issues surrounding homelessness. So much effort goes into getting people off the streets, and so little effort into keeping them from going back. We must have a multi-faceted approach to this issue, tackling the immediate needs while also addressing the underlying issues that have caused them. We look forward to supporting the city in this endeavor.	3/2/2020 10:22 AM
19	Repurpose the empty buildings, clean up the trees and remove the people that make the street their homes.	3/1/2020 4:22 PM
20	No comments	2/29/2020 1:05 PM
21	I know there is a need for housing, however, this allowance of abandoned properties being allowed to create apartments, is creating a huge problem in traffic congestion, vandalism, higher crime, trash and overpopulation. I think Whittier needs to focus on what it currently has and bringing in better businesses. Get rid of shopping carts and stop taxing the middle income families by creating higher taxes or more property taxes.	2/29/2020 8:16 AM
22	The more money is allocated on homelessness services the worse the problem gets. Youth and seniors are being short-changed (ie unable to enjoy parks due of safety concerns). We are unable to enjoy our city amenities as taxpayers. The city is declining at a fast pace, pushing out valuable residents/businesses.	2/29/2020 7:38 AM
23	My disabled daughter has been on HUD waiting list for 9 yrs.now. She can't be placed in a group home b/c she won't sleep in a bed and can climb out and hurt herself. Please help me! I'm 68 and can't lift her anymore.	2/28/2020 11:26 PM
24	More affordable housing. A one and two bedroom apartment in a decent part of Whittier is very expensive for the median income earner. Throw child care into the mix and now those 1 & 2 bedroom apartments in a decent part of Whittier become financially out of reach. Please make the auxiliary dwelling unit ordinance comply with SB-13. Whittier's previous auxiliary dwelling unit ordinance was so restrictive. Also the permitting process and overall tone from Whittier to homeowners regarding auxiliary dwelling unit permits has been negative. Most Whittier residence want adu's.	2/28/2020 9:29 PM
25	The city of Whittier needs to invest in youth sports programs. It would be wise to consider a sports complex for all the youth sports organizations that are currently and have been in operations for decades. Imagine the revenue it could bring in through traveling teams. Several cities have their own sports complexes and it works for them. Please consider investing in our children. They deserve the best we can give them.	2/28/2020 9:00 PM
26	The city needs to stop cleaning Parnell park and then letting the homeless return and then cleaning it and letting the homeless return. This is a waste of money. We need a system to assist them. One without so many hoops to get a bed and help. We need more low cost housing. Laws need to be enforced	2/28/2020 8:27 PM
27	No lack of sympathy for the disabled but ADA compliance is out of hand. Wasteful to rebuild every intersection, every business, every doorway, move traffic signals to install pads, more ramps etc.NO sympathy for "homeless" Get the feral bums out of here!	2/28/2020 7:48 PM
28	I was born in Whittier in 1950. As a retired person I'm interested in keeping my monthly costs down. I've installed solar and my front yard is desert landscape. Energy savings are important but won't do anymore windows as I have to pay the city to much for permits. Please revisit the costs vrs the product.	2/28/2020 6:01 PM
29	Keep our parks clean and free of homeless	2/28/2020 5:19 PM
30	More low cost gyms with pool. Bike lanes. Food pantry. Mental health center.	2/28/2020 4:27 PM
31	Children playground at Parnell Park needs to be redone.	2/28/2020 4:00 PM

Q1 Have you ever encountered any forms of housing discrimination or known someone who has?

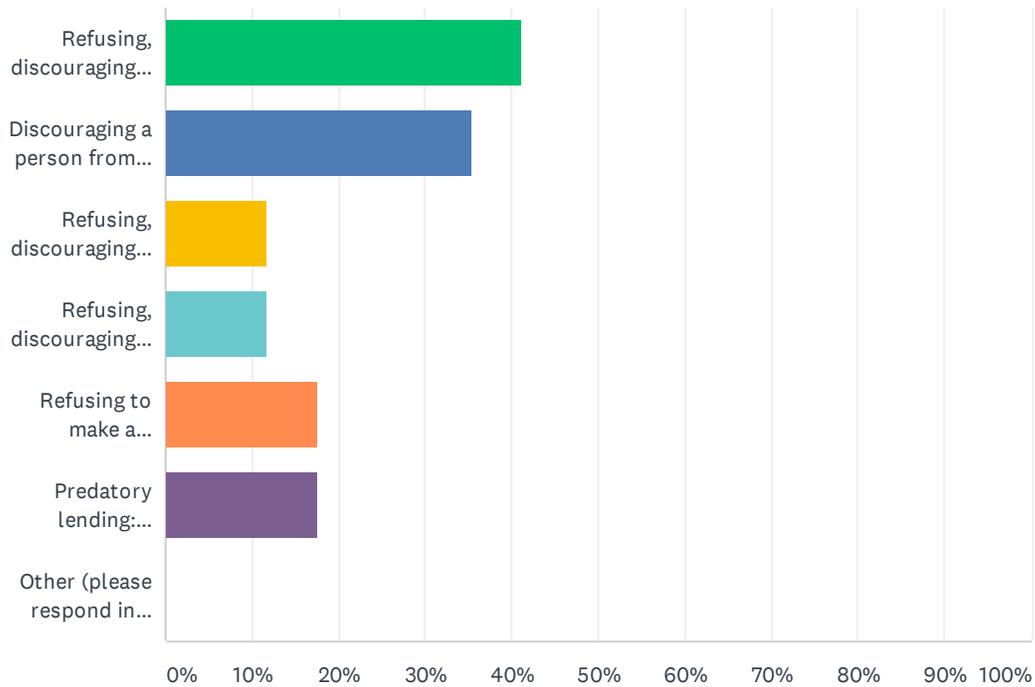
Answered: 30 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	46.67%	14
No	46.67%	14
Not Sure	10.00%	3
Total Respondents: 30		

Q2 If you believe or think that you or someone you know encountered housing discrimination, what type was it?

Answered: 17 Skipped: 13

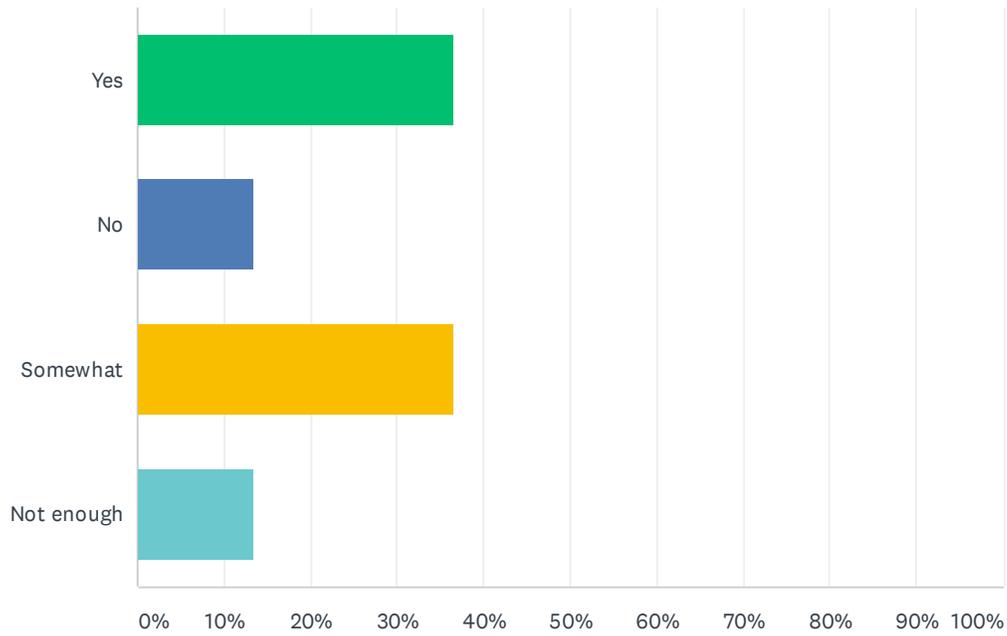


ANSWER CHOICES	PERCENTAGE	RESPONSES
Refusing, discouraging, or charging more to rent an apartment or buy a home.	41.18%	7
Discouraging a person from living where they want to live. Steering them to another apartment, complex or neighborhood.	35.29%	6
Refusing, discouraging, making it difficult or charging more or providing less favorable terms on a home loan to buy, refinance, fix up or use the equity in a home.	11.76%	2
Refusing, discouraging or charging more for home insurance.	11.76%	2
Refusing to make a reasonable accommodation or not allowing a modification to be made to make an apartment more accessible for a person with a disability.	17.65%	3
Predatory lending: unfair, misleading and deceptive loan practices.	17.65%	3
Other (please respond in comment section)	0.00%	0
Total Respondents: 17		

#	OTHER (PLEASE SPECIFY)	DATE
1	none encountered	3/2/2020 9:15 PM
2	N/A	3/2/2020 4:07 PM

Q3 Do you feel that you are well-informed on the issue of Housing Discrimination?

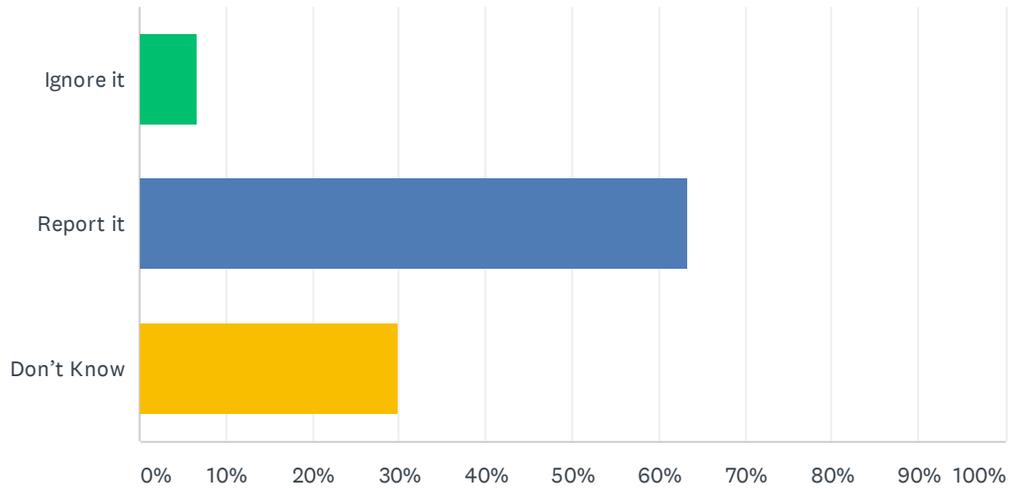
Answered: 30 Skipped: 0



ANSWER CHOICES	RESPONSES	
Yes	36.67%	11
No	13.33%	4
Somewhat	36.67%	11
Not enough	13.33%	4
Total Respondents: 30		

Q4 What would you do if you encountered Housing Discrimination?

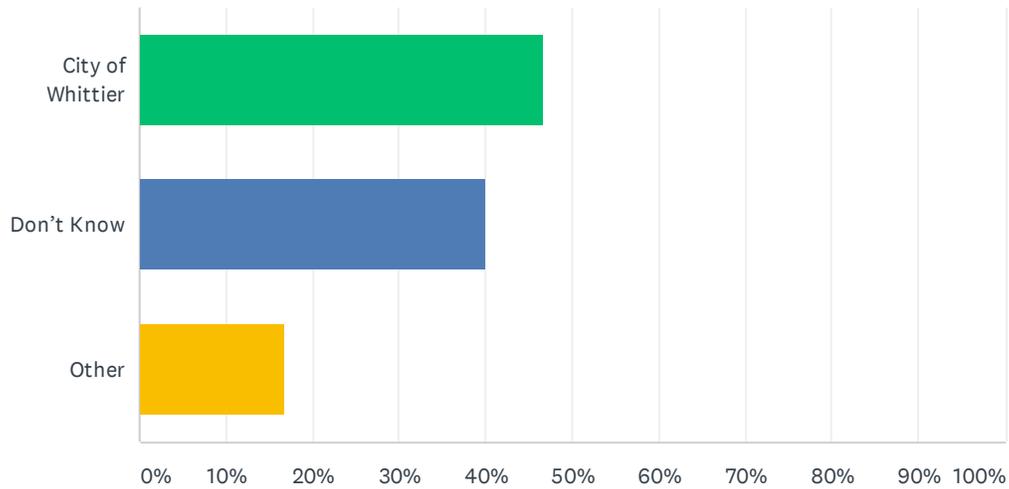
Answered: 30 Skipped: 0



ANSWER CHOICES	RESPONSES
Ignore it	6.67% 2
Report it	63.33% 19
Don't Know	30.00% 9
Total Respondents: 30	

Q5 If you were to report Housing Discrimination, who would you report it to?

Answered: 30 Skipped: 0



ANSWER CHOICES	RESPONSES
City of Whittier	46.67% 14
Don't Know	40.00% 12
Other	16.67% 5
Total Respondents: 30	

#	OTHER (PLEASE SPECIFY)	DATE
1	Dre	3/10/2020 10:36 PM
2	A lawyer	3/7/2020 1:23 PM
3	HUD	3/2/2020 9:15 PM
4	HUD as well	3/2/2020 4:07 PM
5	Housing Authority	3/2/2020 8:20 AM
6	Housing Development Department or DOJ	2/29/2020 8:19 AM
7	Housing and Urban Development	2/28/2020 6:52 PM

Q6 If you think that Housing Discrimination is occurring, what types of discrimination do you think occur most frequently in the City of Whittier?

Answered: 14 Skipped: 16

#	RESPONSES	DATE
1	It is not.	3/9/2020 3:21 AM
2	I'm not sure, but the issue deserves to be studied.	3/7/2020 1:23 PM
3	Discrimination against those with lower income, substance use, history of experiencing homelessness, those with section 8 vouchers	3/6/2020 6:48 PM
4	Refusal and discouragement of renting/ selling to minorities and predatory lending practices.	3/6/2020 5:48 PM
5	Refusing to take Section 8 vouchers.	3/3/2020 10:38 AM
6	n/a	3/2/2020 9:15 PM
7	Refusing to rent to families and low income individuals	3/2/2020 4:07 PM
8	Discrimination against low income individuals.	3/2/2020 12:01 PM
9	Unfair rental policies, high rent	3/2/2020 8:20 AM
10	Racial discrimination	3/2/2020 4:45 AM
11	Eviction threats based on non valid terms	3/1/2020 11:11 PM
12	Because we live close to the hills, our homeowners insurance decided not to renew our insurance last year, Now this is happening to a lot of residents in Whittier who live close to the hills, because of the threat of fires.	3/1/2020 8:24 AM
13	I can speak to this since I have not experienced it in Whittier.	2/29/2020 8:19 AM
14	Don't know.	2/29/2020 7:43 AM

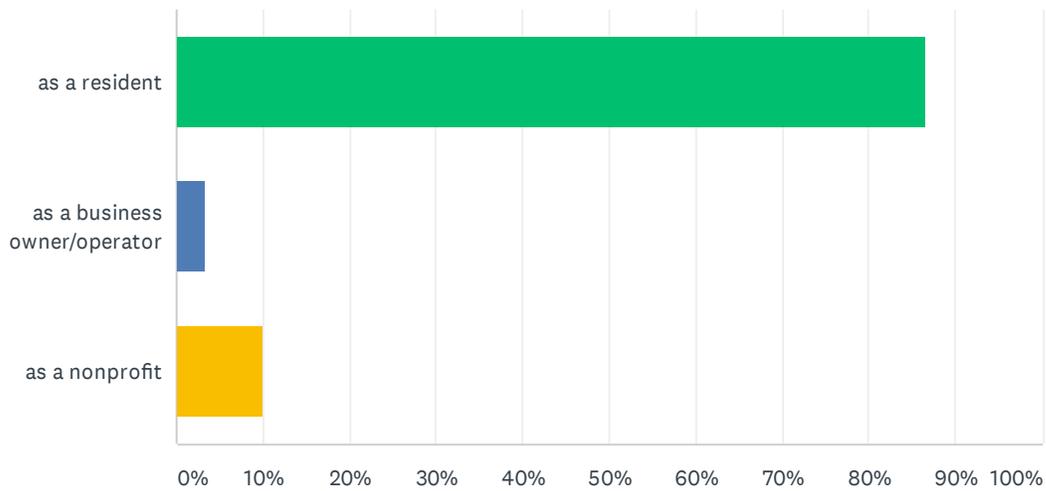
Q7 What can be done to prevent housing discrimination in the City Whittier?

Answered: 16 Skipped: 14

#	RESPONSES	DATE
1	Not an issue. Drug use and untreated mental illness of homeless committing crimes and destroying public places is a huge issue.	3/9/2020 3:21 AM
2	The City should assist people who encounter housing discrimination based on race. The City should also allow more housing to be built, better fund affordable housing and pass tenant protection measures, so that people aren't discriminated against in housing on the basis of their income.	3/7/2020 1:23 PM
3	Comply with new state law, build more affordable housing, incentives for owners of rental properties who rent to above groups	3/6/2020 6:48 PM
4	Better enforcement of anti-discrimination laws	3/6/2020 6:29 PM
5	Regulation and accountability for those that participate in housing discrimination.	3/6/2020 5:48 PM
6	More low-cost housing. It is easy to be selective in renting when there is an acute housing shortage.	3/3/2020 10:38 AM
7	Educate public about rights and resources for addressing discrimination	3/2/2020 9:15 PM
8	through survey	3/2/2020 4:07 PM
9	Additional low income housing projects.	3/2/2020 12:01 PM
10	More advocacy	3/2/2020 8:20 AM
11	Public information campaign	3/2/2020 4:45 AM
12	Mailers with housing rights	3/1/2020 11:11 PM
13	Making sure the City of Whittier and agencies follow the rules.	3/1/2020 8:24 AM
14	Nothing, we can't control people. Laws are already in place and the City and Chamber of Commerce already provide training for landlords and tenants.	2/29/2020 8:19 AM
15	Education.	2/29/2020 7:43 AM
16	Either initiate or publicize, if it already exists, an office to deal with housing discrimination	2/28/2020 6:52 PM

Q8 Please choose the best response that describes your interest in completing this survey

Answered: 30 Skipped: 0



ANSWER CHOICES	RESPONSES	
as a resident	86.67%	26
as a business owner/operator	3.33%	1
as a nonprofit	10.00%	3
TOTAL		30

#	OTHER (PLEASE SPECIFY)	DATE
1	I am a board member and commissioner	3/2/2020 4:07 PM