

MINUTES OF A SPECIAL MEETING OF THE CERRITOS CITY COUNCIL AND THE SUCCESSOR AGENCY TO THE CERRITOS REDEVELOPMENT AGENCY HELD ON OCTOBER 7, 2013

1. CALL TO ORDER

The meeting was called to order at 7:00 p.m. in the Council Chambers at Cerritos City Hall, 18125 Bloomfield Avenue, Cerritos, California.

2. INVOCATION

The invocation was provided by Dr. Delwin McCarthy, Church of Jesus Christ of Latter Day Saints.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Girl Scout Troop 1433.

4. ROLL CALL

The following members of the City Council/Successor Agency were in attendance:

Council/Agency Member Carol Chen
Council/Agency Member Joseph Cho, Ph.D.
Council/Agency Member George Ray
Mayor Pro Tem/Vice Chair Mark E. Pulido
Mayor/Chair Bruce Barrows

5. PRESENTATIONS (COUNCIL)

Proclamations were presented as follows:

Deemal Patel (Eagle Scout), Maxine and Claude Harrison (50th Wedding Anniversary), and Special Olympics Soccer Tournament Cerritos Teams (Special Olympics Southern California-Southeast Los Angeles Area Soccer Tournament).

6. PUBLIC COMMENTS AND SUGGESTIONS

General public comments and suggestions were taken after the public hearings.

CONSENT CALENDAR

7. Approval of Register of Demands

7A. City of Cerritos dated October 7, 2013. (COUNCIL)

MOTION: It was moved by Pulido and seconded by Cho to approve the Register of Demands dated October 7, 2013 in the total amount of \$4,367,680.14. The motion carried (5 – 0) as follows:

AYES: Chen, Cho, Ray, Pulido, Barrows
NOES: None
ABSENT: None
ABSTAIN: None

CONSENT CALENDAR (continued)

**8. Approval of Treasurer's Report for the period ending August 31, 2013.
(COUNCIL/SUCCESSOR AGENCY)**

MOTION: It was moved by Pulido and seconded by Cho to approve the Treasurer's Report for the period ending August 31, 2013. The motion carried (5 – 0) as follows:

AYES: Chen, Cho, Ray, Pulido, Barrows
NOES: None
ABSENT: None
ABSTAIN: None

9. Approval of Minutes

**9A. City Council/Successor Agency Regular Meeting of September 26, 2013.
(COUNCIL/SUCCESSOR AGENCY)**

MOTION: It was moved by Pulido and seconded by Cho to approve the City Council/Successor Agency Regular Meeting Minutes of September 26, 2013. The motion carried (5 – 0) as follows:

AYES: Chen, Cho, Ray, Pulido, Barrows
NOES: None
ABSENT: None
ABSTAIN: None

10. Miscellaneous

10A. Consideration and award of Bid No. 1165-14, printing of the Cerritos Center for the Performing Arts 2013-2014 Calendar of Events. (COUNCIL)

MOTION: It was moved by Pulido and seconded by Cho to Award Bid No. 1165-14 to Advantage Mailing, Inc. for the printing of the Cerritos Center for the Performing Arts 2013-2014 Calendar of Events in the amount of \$35,016.23. The motion carried (5 – 0) as follows:

AYES: Chen, Cho, Ray, Pulido, Barrows
NOES: None
ABSENT: None
ABSTAIN: None

END OF CONSENT CALENDAR

11. PUBLIC HEARINGS

11A. Consideration to waive reading of and adopt A RESOLUTION OF THE CERRITOS CITY COUNCIL ADOPTING A MITIGATED NEGATIVE DECLARATION FOR A PROPOSED RESIDENTIAL DEVELOPMENT UNDER PRECISE PLAN 2013-14 AND RELATED ENTITLEMENTS (APN 7040-024-012). (COUNCIL)

11. PUBLIC HEARINGS (continued)

11A. (continued)

Consideration to waive reading of and introduce AN ORDINANCE OF THE CITY OF CERRITOS AMENDING THE CERRITOS MUNICIPAL CODE BY ADDING CHAPTER 22.52, AREA DEVELOPMENT PLAN SEVENTEEN (ADP-17), TO ESTABLISH SPECIFIC DEVELOPMENT STANDARDS FOR NEW PROPOSED RESIDENTIAL DEVELOPMENT LOCATED AT 18810 PIONEER BOULEVARD (APN 7040-024-012).

Consideration to waive reading of and introduce AN ORDINANCE OF THE CITY OF CERRITOS AMENDING THE CERRITOS DEVELOPMENT MAP BY CHANGING THE ZONE CLASSIFICATION OF APPROXIMATELY ±1.2 ACRES OF LAND, LOCATED AT 18810 PIONEER BOULEVARD (APN 7040-024-012), FROM COMMUNITY COMMERCIAL (CC) TO AREA DEVELOPMENT PLAN SEVENTEEN (ADP-17).

Consideration to waive reading of and adopt A RESOLUTION OF THE CERRITOS CITY COUNCIL AMENDING THE CERRITOS GENERAL PLAN BY CHANGING THE LAND USE DESIGNATION OF APPROXIMATELY ±1.2 ACRES OF LAND, LOCATED AT 18810 PIONEER BOULEVARD (APN 7040-024-012), FROM COMMUNITY COMMERCIAL TO AREA DEVELOPMENT PLAN SEVENTEEN (ADP-17).

- 1. Mitigated Negative Declaration***
- 2. Development Code Amendment 2013-4**
- 3. Development Map Amendment 2013-2**
- 4. General Plan Amendment 2013-2**

***One Mitigated Negative Declaration was prepared for Development Code Amendment 2013-4, Development Map Amendment 2013-2, General Plan Amendment 2013-2, Tentative Tract Map 72441, Precise Plan 2013-14, and Community Facilities District 2013-1.**

By Council concurrence, Items 11A, 11B, and 11C were heard concurrently.

Staff reports were given by Kristen Aguila, Planning Assistant, Sandy Cisneros, Senior Planner, and Robert A. Lopez, Current Planning Manager. A PowerPoint Presentation was displayed.

The Mayor opened the public hearings and public comments for Items 11A, 11B, and 11C.

John Reekstin, representing the Olsen Company, spoke regarding the project and responded to inquiries from the City Council related to the conditions of approval.

Okina Dor, Community Development Director, City of Artesia, addressed the potential impacts the project may have on the City of Artesia.

David Brown, spoke regarding security concerns and mitigation measures on the proposed development.

The Mayor closed public comments and the public hearing.

11. PUBLIC HEARINGS (continued)

11A. (continued)

MOTION: It was moved by Chen and seconded by Pulido to:

1. Approve the Mitigated Negative Declaration for Development Code Amendment 2013-4, Development Map Amendment 2013-2, General Plan Amendment 2013-2, Tentative Tract Map 72441, Precise Plan 2013-14, and Community Facilities District 2013-1, which was completed in accordance with the California Environmental Quality Act; and
2. Waive reading of and adopt **Resolution No. 2013-19, A RESOLUTION OF THE CERRITOS CITY COUNCIL ADOPTING A MITIGATED NEGATIVE DECLARATION FOR A PROPOSED RESIDENTIAL DEVELOPMENT UNDER PRECISE PLAN 2013-14 AND RELATED ENTITLEMENTS (APN 7040-024-012)**; and
3. Direct staff to file a Notice of Determination in accordance with Section 3.5 of the Environmental Impact Report Guidelines of the City of Cerritos; and
4. Approve Development Code Amendment 2013-4, making the findings set forth in the Cerritos Planning Commission Resolution No. 2013-33; and
5. Waive reading of and introduce **AN ORDINANCE OF THE CITY OF CERRITOS AMENDING THE CERRITOS MUNICIPAL CODE BY ADDING CHAPTER 22.52, AREA DEVELOPMENT PLAN SEVENTEEN (ADP-17), TO ESTABLISH SPECIFIC DEVELOPMENT STANDARDS FOR NEW PROPOSED RESIDENTIAL DEVELOPMENT LOCATED AT 18810 PIONEER BOULEVARD (APN 7040-024-012)**; and
6. Approve Development Map Amendment 2013-2, making the findings set forth in the Cerritos Planning Commission Resolution No. 2013-34; and
7. Waive reading of and introduce **AN ORDINANCE OF THE CITY OF CERRITOS AMENDING THE CERRITOS DEVELOPMENT MAP BY CHANGING THE ZONE CLASSIFICATION OF APPROXIMATELY ±1.2 ACRES OF LAND, LOCATED AT 18810 PIONEER BOULEVARD (APN 7040-024-012), FROM COMMUNITY COMMERCIAL (CC) TO AREA DEVELOPMENT PLAN SEVENTEEN (ADP-17)**; and
8. Approve General Plan Amendment 2013-2, making the findings set forth in the Cerritos Planning Commission Resolution No. 2013-35; and
9. Waive reading of and adopt **Resolution No. 2013-20, A RESOLUTION OF THE CERRITOS CITY COUNCIL AMENDING THE CERRITOS GENERAL PLAN BY CHANGING THE LAND USE DESIGNATION OF APPROXIMATELY ±1.2 ACRES OF LAND, LOCATED AT 18810 PIONEER BOULEVARD (APN 7040-024-012), FROM COMMUNITY COMMERCIAL TO AREA DEVELOPMENT PLAN SEVENTEEN (ADP-17)**.

The motion carried (5 – 0) as follows:

AYES: Chen, Cho, Ray, Pulido, Barrows
NOES: None
ABSENT: None
ABSTAIN: None

11. PUBLIC HEARINGS (continued)

11B. A Precise Plan and Tentative Tract Map Development Proposal by The Olson Company, 3010 Old Ranch Parkway, Suite 100, Seal Beach, California, 90740-2751 to demolish two (2) existing vacant commercial buildings and construct a twenty-five (25)-unit residential townhouse condominium development comprised of five (5) buildings at a height of three (3) stories each. The subject property is located at 18810 Pioneer Boulevard (APN 7040-024-012). (COUNCIL)

- 1. Mitigated Negative Declaration***
- 2. Tentative Tract Map 72441**
- 3. Precise Plan 2013-14**

***One Mitigated Negative Declaration was prepared for Development Code Amendment 2013-4, Development Map Amendment 2013-2, General Plan Amendment 2013-2, Tentative Tract Map 72441, Precise Plan 2013-14, and Community Facilities District 2013-1.**

By Council concurrence, Items 11A, 11B, and 11C were heard concurrently. Comments for all three items can be found under Item 11A.

MOTION: It was moved by Chen and seconded by Pulido to:

1. Approve Tentative Tract Map 72441, making the findings set forth in Cerritos Planning Commission Resolution No. PC 2013-36; and
2. Approve Precise Plan 2013-14, making the findings set forth in Cerritos Planning Commission Resolution No. PC 2013-37; and
3. Making the following modifications to the Conditions of Approval (changes noted in italics):

Condition 65. Homeowners Association. Prior to final release of occupancy, the property owner/developer shall prepare, execute, and record all documents necessary to form a homeowners association for the subject residential development, including CC&Rs containing architectural guidelines supervised by the homeowners association, subject to the review and approval of the City Attorney and the Department of Community Development. *Specifically, the homeowners association shall be responsible for maintenance and irrigation of all trees and landscape on the property, and such responsibility shall extend to the curb line of Pioneer Boulevard.*

On an ongoing basis, for any revisions and/or modifications to the originally approved project, including but not limited to paint color, landscape, trees, parking, signs, and architectural elements, the homeowners association shall obtain written approval by the City of Cerritos prior to making such revisions and/or modifications.

Condition 66. Required Disclosures to Residential Owners. The property owner shall record a covenant to the satisfaction of the City Attorney requiring written disclosure of the following to all future condominium owners. *During escrow, the applicant/developer shall require new buyers to initial or sign a written statement, the form of*

11. PUBLIC HEARINGS (continued)

11B. (continued)

which shall be subject to the review and approval of the City Attorney, attesting to their acknowledgement and understanding of these disclosures.

- a. The subject property is located adjacent to a Los Angeles County Metropolitan Transportation Authority (LACMTA)-owned right-of-way that was formerly used as a Pacific Electric rail corridor. Although this right-of-way is not in use as of the date of approval of the subject residential project, LACMTA has long-term plans for use of the right-of-way for future transportation uses including passenger rail, and there is a possibility that said right-of-way will be used for such purposes.
- b. The subject property is located adjacent to and/or in the vicinity of several commercial retail and office developments with businesses of varying hours of operation and customer traffic, including late evening and/or early morning hours.
- c. As of the date of approval of the subject residential project, there exist roof-mounted wireless telecommunication facilities located on the office building to the immediate south of the subject property. Said facilities must operate in compliance with regulations and guidelines set forth by the Federal Communications Commission (FCC).
- d. No outside storage of any kind shall be permitted on the balconies and patios.
- e. No parking by a residential owner, occupant, or guest is permitted on onsite drive aisles/fire lanes, or adjacent or nearby commercial properties. All vehicles shall be parked onsite in unit garages or outdoor parking stalls in accordance with homeowners association rules governing use and allocation of parking stalls.

Condition 68. Security. A general security plan shall be submitted for review and approval by the City's Community Safety Division. The security plan shall include but not be limited to the following:

- a. Shrubbery and trees shall be strategically located to prevent the creation of areas of concealment near windows and doors.
- b. All first-floor windows and glass sliding doors in this development shall be provided with security secondary locks.
- c. *The electrical wiring of each unit shall be sized to handle the installation of burglar alarm devices. The applicant/developer shall install security alarm systems in all residential units and shall install security cameras at strategic locations on the project site, subject to the review and approval of the Department of Community Development and the Sheriff's Department.*

11. PUBLIC HEARINGS (continued)

11B. (continued)

- d. A security lighting plan shall be prepared for all pathways. Ingress/egress roads/aisles, walkways and parking areas shall have sufficient illumination, and the proposed light fixture design and locations shall be subject to the approval of the Director of Community Development

The motion carried (5 – 0) as follows:

AYES: Chen, Cho, Ray, Pulido, Barrows
NOES: None
ABSENT: None
ABSTAIN: None

11C. Consideration to waive reading of and adopt A RESOLUTION OF THE CERRITOS CITY COUNCIL ADOPTING GOALS AND POLICIES FOR COMMUNITY FACILITIES DISTRICTS IN THE CITY OF CERRITOS. (COUNCIL)

Consideration to waive reading of and adopt A RESOLUTION OF THE CERRITOS CITY COUNCIL DECLARING ITS INTENTION TO ESTABLISH CITY OF CERRITOS COMMUNITY FACILITIES DISTRICT NO. 2013-1 (PUBLIC SERVICES) FOR A RESIDENTIAL DEVELOPMENT LOCATED AT 18810 PIONEER BOULEVARD (APN 7040-024-012) AND TO AUTHORIZE THE LEVY OF A SPECIAL TAX THEREIN TO FINANCE CERTAIN SERVICES.

- 1. Mitigated Negative Declaration***
- 2. Community Facilities District 2013-1**

***One Mitigated Negative Declaration was prepared for Development Code Amendment 2013-4, Development Map Amendment 2013-2, General Plan Amendment 2013-2, Tentative Tract Map 72441, Precise Plan 2013-14, and Community Facilities District 2013-1.**

By Council concurrence, Items 11A, 11B, and 11C were heard concurrently. Comments for all three items can be found under Item 11A.

MOTION: It was moved by Chen and seconded by Pulido to:

- 1. Waive reading of and adopt **Resolution No. 2013-21, A RESOLUTION OF THE CERRITOS CITY COUNCIL ADOPTING GOALS AND POLICIES FOR COMMUNITY FACILITIES DISTRICTS IN THE CITY OF CERRITOS;** and
- 2. Continue this item to the regularly scheduled City Council meeting of February 13, 2014, for review and consideration of a Resolution of Intention to establish Community Facilities District 2013-1. The motion carried (5 – 0) as follows:

AYES: Chen, Cho, Ray, Pulido, Barrows
NOES: None
ABSENT: None
ABSTAIN: None

6. PUBLIC COMMENTS AND SUGGESTIONS

Lori Williams spoke regarding field allocation for sports activities in Cerritos.

12. NEW AND OLD BUSINESS

12A. Consideration and award of a contract for street sweeping services for the City of Cerritos. (COUNCIL)

A staff report was given by Mike O’Grady, Environmental Services Manager.

MOTION: It was moved by Ray and seconded by Chen to award the street sweeping contract to Athens Services at an estimated annual expense of \$409,737, pursuant to the terms listed in the agreement. The motion carried (5 – 0) as follows:

AYES: Chen, Cho, Ray, Pulido, Barrows
NOES: None
ABSENT: None
ABSTAIN: None

12B. Consideration and award of contract for citywide sidewalk, curb and gutter repairs in the City of Cerritos, Bid No. 1164-14. (COUNCIL)

A staff report was given by Hal Arbogast, Director of Public Works/City Engineer.

Paul Bellenbaum commented that the sidewalk adjacent to the intersection of Gridley between 195th and South is cracked and raised.

MOTION: It was moved by Pulido and seconded by Ray to award a contract for sidewalk, curb and gutter repairs, construction of wheelchair accessible ramps and other miscellaneous construction improvements in the amount of \$180,000 to the apparent low bidder, C.J. Concrete Construction, for a one-year term with a provision for up to four (4) one-year extensions and reject all other bids. The motion carried (5 – 0) as follows:

AYES: Chen, Cho, Ray, Pulido, Barrows
NOES: None
ABSENT: None
ABSTAIN: None

12C. Consideration of a request from College Bound regarding its October 23, 2013 School Board Candidate’s Forum. (COUNCIL)

A staff report was given by Vida Barone, City Clerk.

MOTION: It was moved by Pulido and seconded by Ray to approve use of the Council Chambers by the College Bound organization on Wednesday, October 23, 2013 from 6:30 p.m. to 8:00 p.m. for the purpose of holding a Candidate’s Forum for the ABC Unified School District Board candidates in the upcoming November election. The motion carried (4 – 1, Chen “no”) as follows:

AYES: Cho, Ray, Pulido, Barrows
NOES: Chen
ABSENT: None
ABSTAIN: None

13. LEGISLATIVE ITEMS

13A. Report on Pending Legislation

None.

13B. Action to support or oppose specific legislation pending in the California Legislature or pending in the California Governor's Office for signature.

None.

14. City Council Communications/Committee Reports/Report on Meetings

Reports were provided by Councilmembers Cho, Ray, Chen, Mayor Pro Tem Pulido and Mayor Barrows.

15. ADJOURNMENT

The meeting was adjourned at 9:51 p.m.

ATTEST:

/s/Vida Barone
Vida Barone, City Clerk/
Agency Secretary

/s/Bruce Barrows
Bruce Barrows, Mayor/Chair

Approved: October 24, 2013