

MINUTES OF A SPECIAL MEETING OF THE CERRITOS CITY COUNCIL AND THE SUCCESSOR AGENCY TO THE CERRITOS REDEVELOPMENT AGENCY HELD ON NOVEMBER 18, 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. Bill Ebling, First Baptist Church of Fullerton.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Girl Scout Troop 5623.

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:

Ansh Sancheti (Eagle Scout) and Cerritos Girls Softball Association 8 & Under Team (Champions of San Dieguito Memorial Day Tournament, Champions of the Tustin Romp Tournament, Second Place in Los Angeles South Bay Tournament, and qualifiers for the State Tournament).

Presentations to the Council were made as follows:

ABCUSD Education Foundation (Into the Summer Fun Run/Walk and Health & Wellness Fair).

6. PUBLIC COMMENTS AND SUGGESTIONS

Lori Williams and members of Cerritos Girls Softball invited City Councilmembers to their upcoming 2014 Opening Day.

Mark Bollman expressed support for the smart phone applications currently utilized by the City.

CONSENT CALENDAR

7. Approval of Register of Demands

7A. City of Cerritos dated November 18, 2013. (COUNCIL)

MOTION: It was moved by Pulido and seconded by Ray to approve the Register of Demands dated November 18, 2013 in the total amount of \$4,545,527.78. The motion carried (5 – 0) as follows:

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

7B. City of Cerritos dated November 18, 2013. (SUCCESSOR AGENCY)

MOTION: It was moved by Pulido and seconded by Ray to approve the Register of Demands dated November 18, 2013 in the total amount of \$12,091,907.53. The motion carried (5 – 0) as follows:

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

8. Approval of Treasurer’s Report for the period ending September 30, 2013. (COUNCIL/SUCCESSOR AGENCY)

MOTION: It was moved by Pulido and seconded by Ray to approve the Treasurer’s Report for the period ending September 30, 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 October 24, 2013. (COUNCIL/SUCCESSOR AGENCY)

MOTION: It was moved by Pulido and seconded by Ray to approve the City Council/Successor Agency Regular Meeting Minutes of October 24, 2013. The motion carried (5 – 0) as follows:

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

END OF CONSENT CALENDAR

10. PUBLIC HEARINGS

10A. Consideration to waive reading of and introduce AN ORDINANCE OF THE CITY OF CERRITOS AMENDING CHAPTER 22.48, SIGNS, OF THE CERRITOS MUNICIPAL CODE AMENDING THE DEVELOPMENT STANDARDS OF AUTOMOBILE DEALERSHIP SIGNS. (COUNCIL)

Development Code Amendment 2013-2*

***Pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA), this project is exempt from CEQA review.**

Art Gallucci, City Manager, requested that the staff reports for items 10A, 10B, and 11A be given concurrently.

Staff reports were given by Ryan Carey, Advance Planning Manager, and Robert A. Lopez, Current Planning Manager. A PowerPoint Presentation was displayed.

The Mayor opened the public hearing and public comments.

Dave Conant, representing the Cerritos Auto Square Dealer's Association, noted that each of the dealers would be paying an equal amount for advertising on the subject sign.

Noting that there were no further public comments, the Mayor closed public comments and the public hearings.

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

1. Approve Development Code Amendment 2013-2, making the findings set forth in the Cerritos Planning Commission Resolution No. 2013-9; and
2. Waive reading of and introduce **AN ORDINANCE OF THE CITY OF CERRITOS AMENDING CHAPTER 22.48, SIGNS, OF THE CERRITOS MUNICIPAL CODE AMENDING THE DEVELOPMENT STANDARDS OF AUTOMOBILE DEALERSHIP SIGNS.** The motion carried (5 - 0) as follows:

AYES: Chen, Cho, Ray, Pulido, Barrows

NOES: None

ABSENT: None

ABSTAIN: None

10B. A proposal by Yesco Signs, LLC, on behalf of the Cerritos Auto Dealers Association and property owner Bargain Rent-A-Car, 200 SW 1st Avenue, 14th Floor, Fort Lauderdale, Florida, 33301, to modify and upgrade an existing free-standing "Cerritos Auto Square" regional center identification sign on the East side of the Lexus dealership complex adjacent to the I-605 Freeway. The proposal modifies the architectural details on the sign façade and increases the area of the existing sign height. The subject property is located at 18800 Studebaker Road and is zoned Development Area Five (ADP-5) (APN 7038-013-015). (COUNCIL)

Precise Plan 83-2(C)(2013) Amendment*

***Pursuant to section 15301 of the California Environmental Quality Act (CEQA), this project is categorically exempt.**

10. PUBLIC HEARINGS (continued)

10B. (continued)

Pursuant to Council direction, the staff reports, public hearings, and public comments for Items 10A, 10B, and 11A were heard concurrently and can be found under Item 10A.

MOTION: It was moved by Pulido and seconded by Ray to approve Precise Plan 83-2(C)(2013) Amendment, making the findings set forth in Cerritos Planning Commission Resolution No. PC 2013-10.

SUBSTITUTE MOTION: A substitute motion made by Barrows to include an additional condition of approval requiring the non-conforming sign to be removed prior to the activation of the new sign failed due to lack of a second.

ORIGINAL MOTION: It was moved by Pulido and seconded by Ray to approve Precise Plan 83-2(C)(2013) Amendment, making the findings set forth in Cerritos Planning Commission Resolution No. PC 2013-10. The motion carried (5 – 0) as follows:

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

11. NEW AND OLD BUSINESS

11A. Review and consideration of a Financing and Operation Agreement between the City of Cerritos and the Cerritos Auto Square Dealer's Association to provide funding for renovations and improvements to, and operation requirements for, the Cerritos Auto Square freeway sign located at 18800 Studebaker Road and authorizing the execution of said agreement (APN 7038-013-015). (COUNCIL)

Consideration to waive reading of and introduce AN ORDINANCE OF THE CITY OF CERRITOS IMPLEMENTING CHAPTER 22.94 OF THE CERRITOS MUNICIPAL CODE, ENTITLED ART IN PUBLIC PLACES PROGRAM, AS IT RELATES TO THE AUTO SQUARE FREEWAY SIGN*.

***Pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA), this project is exempt from CEQA review.**

Pursuant to Council direction, the staff reports, public hearings, and public comments for Items 10A, 10B, and 11A were heard concurrently and can be found under Item 10A.

MOTION: A motion made by Chen to require fifty percent (50%) of the cost of the sign to come from the Arts in Public Places Fund and the General Fund, and the remaining fifty percent (50%) to come from the Cerritos Auto Dealer's Association failed due to lack of a second.

11. NEW AND OLD BUSINESS

11A. (continued)

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

1. Authorize the City Manager, or his designee, to execute the appropriate documents to facilitate finalization of the Auto Square Freeway Sign Financing and Operations Agreement, substantially in the form provided with the staff report; and
2. Waive reading of and introduce **AN ORDINANCE OF THE CITY OF CERRITOS IMPLEMENTING CHAPTER 22.94 OF THE CERRITOS MUNICIPAL CODE, ENTITLED ART IN PUBLIC PLACES PROGRAM, AS IT RELATES TO THE AUTO SQUARE FREEWAY SIGN**. The motion carried (4 – 1) as follows:

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

11B. Consideration and award of a contract for the resurfacing of Cerritos High School tennis courts, Project No. 10073, Bid No. 1167-14. (COUNCIL)

A staff report was given by Kanna Vancheswaran, Assistant City Engineer.

The Mayor opened public comments. Noting there were no members of the public who elected to speak, the Mayor closed public comments.

MOTION: It was moved by Pulido and seconded by Ray to award a contract in the amount of \$25,480 for the resurfacing of Cerritos High School tennis courts, Project No. 10073, Bid No. 1167-14, to Taylor Tennis Courts, Inc. and reject all other bids. 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 CITY COUNCIL OF THE CITY OF CERRITOS ESTABLISHING A RENEWABLE ENERGY RESOURCES PROCUREMENT PLAN FOR THE CITY OF CERRITOS ELECTRIC UTILITY IN FUTHERANCE OF RESOLUTION NO. 2012-09. (COUNCIL)

A staff report was given by Kanna Vancheswaran, Assistant City Engineer.

The Mayor opened public comments. Noting there were no members of the public who elected to speak, the Mayor closed public comments.

11. NEW AND OLD BUSINESS (continued)

11C. (continued)

MOTION: It was moved by Ray and seconded by Pulido to waive reading of and adopt **Resolution No. 2013-22, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CERRITOS ESTABLISHING A RENEWABLE ENERGY RESOURCES PROCUREMENT PLAN FOR THE CITY OF CERRITOS ELECTRIC UTILITY IN FUTUREANCE OF RESOLUTION NO. 2012-09.** The motion carried (5 – 0) as follows:

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

11D. Consideration of Memorandums of Understanding between the City of Cerritos and the Los Angeles Gateway Region Integrated Regional Water Management Joint Powers Authority for administration and cost sharing to develop watershed management programs and coordinated integrated monitoring programs for the Lower San Gabriel River and Los Cerritos Channel Watershed Groups. (COUNCIL)

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

The Mayor opened public comments. Noting there were no members of the public who elected to speak, the Mayor closed public comments.

MOTION: It was moved by Chen and seconded by Barrows to authorize the City Manager to enter into the Memorandums of Agreement with the Los Angeles Gateway Regional Integrated Water Management Joint Powers Authority for the administration and cost sharing to develop Watershed Management Programs for the Lower San Gabriel River Watershed Group at a 2013-14 fiscal year cost of \$68,500, and the Los Cerritos Channel at a 2013-14 fiscal year cost of \$26,100. The motion carried (5 – 0) as follows:

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

12. LEGISLATIVE ITEMS

12A. Report on Pending Legislation

None.

12B. Action to support or oppose specific legislation pending in the California Legislature or pending in the California Governor’s Office for signature.

None.

13. City Council Communication/Committee Reports/Report on Meetings

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

14. Closed Session

Dennis Roy, Acting City Attorney, reported that the City Council would adjourn to Closed Session for the purpose of discussion Closed Session Item 14A only. Items 14B, 14C, and 14D were deferred to a future meeting date. The City Council adjourned to Closed Session.

14A. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Potential initiation of litigation pursuant to Government code Section 54956.9(c).

Number of potential cases: Two (2)

14B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54957.

Title: City Manager

14C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54957.

Title: City Attorney

14D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54957.

Title: City Clerk

REPORT FROM CLOSED SESSION:

The City Council reconvened into Open Session.

The City Attorney reported that the City Council met in Closed Session to discuss item 14A. The following motion was made:

MOTION: It was moved by Barrows and seconded by Pulido to authorize pursuit of an appeal from the trial court decision in the litigation challenging AB 1484 to which the City is a party. The motion carried (5 – 0) as follows:

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

15. ADJOURNMENT

The meeting was adjourned at 10:00 p.m. in memory of the victim of Typhoon Haiyan in the Phillipines.

ATTEST:

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

/s/Bruce Barrows
Bruce Barrows, Mayor/Chair

Approved: November 25, 2013