

MINUTES OF A SPECIAL MEETING OF THE CERRITOS CITY COUNCIL AND THE SUCCESSOR AGENCY TO THE CERRITOS REDEVELOPMENT AGENCY HELD ON NOVEMBER 25, 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 Boy Scout Troop 693.

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:

The Sign Factory (Business Spotlight).

6. PUBLIC COMMENTS AND SUGGESTIONS

Levi Javier inquired as to the status of the dissolution of redevelopment in California and its impact on the City of Cerritos.

CONSENT CALENDAR

7. Approval of Register of Demands

7A. City of Cerritos dated November 25, 2013. (COUNCIL)

MOTION: It was moved by Chen and seconded by Pulido to approve the Register of Demands dated November 25, 2013 in the total amount of \$1,466,806.05. 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 25, 2013. (SUCCESSOR AGENCY)

MOTION: It was moved by Chen and seconded by Pulido to approve the Register of Demands dated November 25, 2013 in the total amount of \$9,557.13. The motion carried (5 – 0) as follows:

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

8. Approval of Minutes

8A. City Council/Successor Agency Special Meeting of November 18, 2013. (COUNCIL/SUCCESSOR AGENCY)

MOTION: It was moved by Chen and seconded by Pulido to approve the City Council/Successor Agency Special Meeting Minutes of November 18, 2013. The motion carried (5 – 0) as follows:

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

END OF CONSENT CALENDAR

9. PUBLIC HEARINGS

9A. Consideration to waive reading of and adopt AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CERRITOS EXTENDING URGENCY ORDINANCE NO. 980 WHICH ESTABLISHED A MORATORIUM TO PROHIBIT THE ESTABLISHMENT, LOCATION, USE AND/OR OPERATION OF NEW ELECTRONIC CIGARETTE, PERSONAL VAPORIZER AND/OR ELECTRONIC NICOTINE DELIVERY SYSTEM RETAIL LOCATIONS IN ALL ZONES AND PROHIBIT THE ISSUANCE OF BUILDING PERMITS, USE PERMITS, AND ANY OTHER LAND USE ENTITLEMENTS RELATED THERETO.* (COUNCIL)

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

A staff report was given by Ryan Carey, Advance Planning Manager.

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

9. PUBLIC HEARINGS (continued)

9A. (continued)

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

1. Waive reading of and adopt **Urgency Ordinance No. 981, AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CERRITOS EXTENDING URGENCY ORDINANCE NO. 980 WHICH ESTABLISHED A MORATORIUM TO PROHIBIT THE ESTABLISHMENT, LOCATION, USE AND/OR OPERATION OF NEW ELECTRONIC CIGARETTE, PERSONAL VAPORIZER AND/OR ELECTRONIC NICOTINE DELIVERY SYSTEM RETAIL LOCATIONS IN ALL ZONES AND PROHIBIT THE ISSUANCE OF BUILDING PERMITS, USE PERMITS, AND ANY OTHER LAND USE ENTITLEMENTS RELATED THERETO;** and
2. Notify existing businesses via written communication that they may not expand the sale of such equipment and merchandise as described in the urgency ordinance beyond the existing levels. The motion carried (5 – 0) as follows:

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

CONSENSUS (Barrows): Directed staff to bring back an Ordinance prohibiting the use of electronic cigarettes in public places in accordance with the City's policy regarding the use of traditional cigarettes and tobacco products in public places.

10. NEW AND OLD BUSINESS

10A. THE FOLLOWING ITEM WAS CONDUCTED AS A PUBLIC HEARING PURSUANT TO THE PUBLIC HEARING NOTICE DISTRIBUTED ON NOVEMBER 15, 2013.

Consideration of a development proposal by Macerich Cerritos, LLC, 239 Los Cerritos Mall, Cerritos, California 90703 to construct a new jewelry store building for Jared the Galleria of Jewelry at 18711 Gridley Road, Cerritos, California 90703. The subject property is zoned Regional Commercial (CR) (APN 7038-014-022). (COUNCIL)

Precise Plan 2013-15*

***Pursuant to Section 15303 of the California Environmental Quality Act (CEQA), this project is categorically exempt from CEQA review.**

Councilmember Chen recused herself from participating in Items 10A and 10B, citing that she is a property owner in the subject area. She left the dais and exited the Council Chamber for the duration of both items.

A staff report was given by Sandy Cisneros, Senior Planner. A PowerPoint Presentation was displayed.

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

10. NEW AND OLD BUSINESS (continued)

10A. (continued)

MOTION: It was moved by Pulido and seconded by Cho to approve Precise Plan 2013-15 making the findings set forth in Cerritos Planning Commission Resolution No. PC 2013-39. The motion carried (4 – 0, 1 absent (recused)) as follows:

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

10B. THE FOLLOWING ITEM WAS CONDUCTED AS A PUBLIC HEARING PURSUANT TO THE PUBLIC HEARING NOTICE DISTRIBUTED ON NOVEMBER 15, 2013.

**Consideration of a request by applicant Macerich Cerritos, LLC, 239 Los Cerritos Mall, Cerritos, California 90703, for approval of a master tree plan for the Los Cerritos Center located between 183rd Street, Gridley Road, South Street and the I-605 Freeway. The subject property is zoned Regional Commercial (CR) (APNs 7038-014-014, 7038-014-016, 7038-014-017, 7038-014-018, 7038-014-021, 7038-014-022).
(COUNCIL)**

Precise Plan 2013-16*

***Pursuant to Section 15304 of the California Environmental Quality Act (CEQA), this project is categorically exempt from CEQA review.**

Councilmember Chen recused herself from participating in Items 10A and 10B, citing that she is a property owner in the subject area. She left the dais and exited the Council Chamber for the duration of both items.

A staff report was given by Sandy Cisneros, Senior Planner. A PowerPoint Presentation was displayed.

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

MOTION: It was moved by Ray and seconded by Pulido to approve Precise Plan 2013-16 making the findings set forth in Cerritos Planning Commission Resolution No. PC 2013-40. The motion carried (4 – 0, 1 absent (recused)) as follows:

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

Councilmember Chen returned to the Council Chamber at this time and resumed her seat at the dais.

10. NEW AND OLD BUSINESS (continued)

10C. Consideration of award of contract for the annual on-call maintenance and repair services for water wells, booster pump assemblies and gear drives for the City of Cerritos. (COUNCIL)

A staff report was given by Vince Brar, Senior Assistant City Manager.

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

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

1. Make a finding that an annual contract is necessary; and
2. Make a finding that staff has negotiated fair and reasonable terms for the annual on-call maintenance contract; and
3. Authorize the City Manager to enter into a contract with General Pump Company to perform annual on-call maintenance and repair services for Water Well, Booster Pump Assemblies and Gear Drives for the City of Cerritos. The motion carried (5 - 0) as follows:

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

10D. Consideration and approval of necessary repairs to be performed on the Waukesha Engine at Well C-1 by a sole source provider. (COUNCIL)

A staff report was given by Vince Brar, Senior Assistant City 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 Ray to:

1. Make a finding that the overhaul is necessary; and
2. Make a finding that due to the urgency of the issue, it is prudent to perform this work as soon as possible; and
3. Make a finding that staff has negotiated fair and reasonable terms for the overhaul of the engine; and
4. Authorize the City Manager to execute the agreement with Waukesha Pearce Industries, Inc. in the amount of \$117,109.00 for the overhaul of the engine located at Well C-1. The motion carried (5 - 0) as follows:

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

10. NEW AND OLD BUSINESS (continued)

10E. Consideration of the City of Cerritos' Comprehensive Annual Financial Report for Fiscal Year 2012-13. (COUNCIL)

Consideration of the Successor Agency to the Cerritos Redevelopment Agency's basic financial statements for fiscal year 2012-13. (SUCCESSOR AGENCY)

A staff report was given by Sergio Vidal, acting Finance Manager. A PowerPoint Presentation was displayed and was narrated by Kenneth H. Pun, CPA, CGMA, representing the auditing firm of Pun & McGeady.

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

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

As the City Council:

1. Receive and file the Fiscal Year 2012-2013 City of Cerritos Comprehensive Annual Financial Report.

As the Successor Agency:

1. Receive and file the Basic Financial Statements for Fiscal Year 2012-2013 for the Successor Agency to the Cerritos Redevelopment Agency.

The motion carried (5 - 0) as follows:

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

11. LEGISLATIVE ITEMS

11A. Report on Pending Legislation

None.

11B. Action to support or oppose specific legislation pending in the California Legislature or pending in the California Governor's Office for signature.

None.

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

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

CONSENSUS (Ray): Directed staff to place an item on a future agenda for Council's consideration of the City's sign ordinance.

CONSENSUS (Ray): Directed staff to review options to increase revenues and reduce expenses in advance of the review for the 2013-2014 budget.

CONSENSUS (Ray): Directed staff to provide Council with a report relating to its legal advertising procedures including explanation of the adjudication process and review of rates.

13. Closed Session

The Mayor noted that the City Council would not be entering into Closed Session to discuss any of the items listed on the agenda. The items will be deferred to a future agenda.

13A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54957.

Title: City Manager

13B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54957.

Title: City Attorney

13C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54957.

Title: City Clerk

14. ADJOURNMENT

The meeting was adjourned at 8:43 p.m.

ATTEST:

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

/s/Bruce Barrows
Bruce Barrows, Mayor/Chair

Approved: December 12, 2013