

MINUTES OF A REGULAR MEETING OF THE CERRITOS CITY COUNCIL AND THE SUCCESSOR AGENCY TO THE CERRITOS REDEVELOPMENT AGENCY HELD ON JANUARY 9, 2014

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 394.

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 AND APPOINTMENTS

5A. Presentations

None.

5B. Consideration of appointments to Commissions, Committees, and Boards. (COUNCIL)

MOTION: It was moved by Chen, and seconded by Pulido, to approve the appointment of Deepak (DJ) Jhaveri to fill the unexpired term on the Let Freedom Ring Committee, though March 31, 2015, that was created by the resignation of Soo Yoo. The motion carried (5 – 0) as follows:

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

Brenda Cabrera, Assistant City Clerk, administered the Oath of Office to Committee Member Jhaveri.

6. PUBLIC COMMENTS AND SUGGESTIONS

Rick Lopez, resident, spoke regarding the planting of parkway trees in his neighborhood.

Mickey Christiason, resident, thanked the Council for their support of the 1st Combat Engineer Battalion (CEB) and commented regarding the removal of trees and shrubs at the Southern California Edison Studebaker/Del Amo property.

CONSENT CALENDAR

7. Approval of Register of Demands

7A. City of Cerritos dated January 9, 2014. (COUNCIL)

MOTION: It was moved by Pulido, and seconded by Ray, to approve the Register of Demands dated January 9, 2014 in the total amount of \$5,798,074.33. The motion carried (5 – 0) as follows:

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

7B. Successor Agency dated January 9, 2014. (COUNCIL)

MOTION: It was moved by Pulido, and seconded by Ray, to approve the Register of Demands dated January 9, 2014 in the total amount of \$50,492.03. 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 Regular Meeting of December 12, 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 December 12, 2013. The motion carried (5 – 0) as follows:

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

9. Miscellaneous

9A. Consideration of a contract agreement for City Attorney services between the City of Cerritos and the law firm of Aleshire & Wynder, LLP. (COUNCIL)

Item 9A was not considered under the Consent Calendar motion and was continued to the next meeting pursuant to a separate City Council motion as follows:

MOTION: It was moved by Barrows, and seconded by Chen, to remove Item 9A from the Consent Calendar and continue this item to the next meeting. The motion carried (5 – 0) as follows:

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

10. PUBLIC HEARINGS

- 10A. Consideration of a request by applicant Valleycrest Landscape Maintenance, on behalf of property owner Teacher Insurance and Annuity Association of America, 4675 MacArthur Court, Suite 1100, Newport Beach, California 92660, for approval of a tree removal and replacement plan for a portion of the Cerritos Industrial Park located between 166th Street, Artesia Boulevard, Marquardt Avenue, and the Coyote Creek Channel. Trees proposed for removal and replacement are located on properties and parkways that front Struikman Road, Edwards Road, Equitable Road, Marquardt Avenue, Artesia Boulevard, and Bettencourt Street. The subject properties are zoned Industrial (M) (APNS 7003-003-016, 7003-003-017, 7003-003-018, 7003-003-019, 7003-003-023, 7003-003-027, 7003-003-031, 7003-003-035, 7003-003-037, 7003-004-009, 7003-004-014, 7003-004-022, 7003-004-023, 7003-004-033, 7003-004-034, 7003-004-036). (COUNCIL)**

Precise Plan 2013-18*

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

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 speak, the Mayor closed the public comments and the public hearing.

MOTION: It was moved by Pulido, and seconded by Ray, to approve Precise Plan 2013-18, making the findings set forth in Cerritos Planning Commission Resolution No. PC 2013-42. The motion carried (5 – 0) as follows:

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

- 10B. Consideration of a request by property owner Cerritos Plaza LLC, 10573 West Pico Boulevard, Suite 851, Los Angeles, CA 90064, for Conditional Use Permit approval of a home and garden supplies use and Precise Plan approval to remodel the existing buildings of the Cerritos Plaza Shopping Center and to refurbish and upgrade the existing landscaping and hardscape on site.**

The subject property is located at 13233-13357 South Street and 18811 Carmenita Road, Cerritos, California, 90703 and is zoned Community Commercial (CC) (APNS 7028-027-002, 7028-027-003, 7028-027-005, 7028-027-006, 7028-027-007, 7028-027-008, 7028-027-009, 7028-027-010, 7028-027-011, 7028-027-012, 7028-027-013, 7028-028-007, 7028-028-008, 7028-028-012). (COUNCIL)

**Conditional Use Permit 87-17(A)(2013) Amendment*
Precise Plan 75-7(D)(2013) Amendment*
Precise Plan 82-19(A)(2013) Amendment***

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

10. PUBLIC HEARINGS (continued)

10B. (continued)

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

John Matson, representing Matson Architects Inc., answered various inquiries from the City Council.

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

MOTION: It was moved by Chen, and seconded by Ray, to:

1. Approve Conditional Use Permit 82-17(A)(2013) Amendment, making the findings set forth in Cerritos Planning Commission Resolution No. PC 2013-43; and
2. Approve Precise Plan 75-7(D)(2013) Amendment and Precise Plan 82-19(A)(2013) Amendment, making the findings set forth in Cerritos Planning Commission Resolution No. PC 2013-44; and
3. Add the following condition to the Conditions of Approval:

Condition 78. Rooftop Screening. In addition to the requirements of Conditions of Approval 35 and 66, all visible rooftop mechanical screens shall be integrated into the architecture of the remodeled shopping center, subject to the review and approval of the Department of Community Development.

The motion carried (5 – 0) as follows:

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

10C. Consideration to waive reading of and adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CERRITOS MAKING A FINDING THAT THE OVERHEAD FACILITIES SHOULD BE INSTALLED UNDERGROUND, DECLARING THE FORMATION OF UNDERGROUND UTILITY DISTRICT NO. 11, AND ORDERING THE INSTALLATION OF UTILITIES UNDERGROUND. (COUNCIL)

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

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

MOTION: It was moved by Pulido, and seconded by Chen, to waive reading of and adopt **Resolution No. 2014-1, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CERRITOS MAKING A FINDING THAT THE OVERHEAD FACILITIES SHOULD BE INSTALLED UNDERGROUND, DECLARING THE FORMATION OF UNDERGROUND UTILITY DISTRICT NO. 11, AND ORDERING THE INSTALLATION OF UTILITIES UNDERGROUND.**

10. PUBLIC HEARINGS (continued)

10C. (continued)

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

Mayor Barrows reported on SB 743 (Steinberg), which would streamline transit oriented development under CEQA, and submitted a report for the record. Furthermore, he requested staff to monitor possible legislation to end Proposition 13 and legislation to increase the number of prisoners released to local jails.

11B. Action to support or oppose specific legislation pending in the State or Federal Legislature or pending in the State or Federal Executive Office for signature.

This item was considered prior to Item 11A.

A report was given by Kathy Matsumoto, Assistant City Manager, on AB 1147 (Gomez), which would require massage establishments to post on-site notice of supportive services available to employees who may be victims of human trafficking, slavery, or prostitution.

MOTION: It was moved by Ray, and seconded by Pulido, to support AB 1147 (Gomez) and direct staff to send letters to the California Assembly Business Professions and Consumer Protection Committee, elected officials, advocacy groups, and other member affiliations. The motion carried (5 – 0) as follows:

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

12. CITY COUNCIL COMMUNICATION/COMMITTEE REPORTS/REPORT ON MEETINGS

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

13. CLOSED SESSION

Mayor Barrows reported that the City Council would recess to Closed Session to discuss Items 13A and 13C only. Items 13B and 13D were deferred to a future meeting. The City Council then recessed to Closed Session.

13. CLOSED SESSION (continued)

**13A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Pursuant to Government Code Section 54956.9(a). (COUNCIL)**

Name of Case: MGP IX Lincoln Station v. City of Cerritos, Case No.
CV12-8239-PA (FFMx)

**13B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to California Government Code Section 54957. (COUNCIL)**

Title: City Manager

**13C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to California Government Code Section 54957. (COUNCIL)**

Title: City Attorney

**13D. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to California Government Code Section 54957 (COUNCIL)**

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 Items 13A and 13C. There was no reportable action taken on either item and there was nothing further to report.

14. ADJOURNMENT

The meeting was adjourned at 10:00 p.m. in memory of 1st CEB member Lance Corporal Matthew R. Rodriguez, Georgette DeMasi, mother of Budget Manager Geri DeMasi, and Anna Mildred Crofts, mother-in-law of Mayor Barrows.

ATTEST:

/s/Brenda Cabrera
Brenda Cabrera, Assistant City Clerk/
Agency Secretary

/s/Bruce Barrows
Bruce Barrows, Mayor/Chair

Approved: January 27, 2014