

MINUTES OF A REGULAR MEETING OF THE CERRITOS CITY COUNCIL AND THE SUCCESSOR AGENCY TO THE CERRITOS REDEVELOPMENT AGENCY HELD ON FEBRUARY 27, 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 Roger Garrett, Church of Jesus Christ of Latter Day Saints.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Boy Scout Troop 1005.

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

A Proclamation was presented as follows:

Browning Automotive Group/Cerritos Acura (Business Spotlight).

A presentation was made to the City Council by the Greater Long Beach/Rio Hondo Chapter of the American Red Cross.

6. PUBLIC COMMENTS AND SUGGESTIONS

Gail Kempf spoke in support of the youth programs available at the Cerritos Center for the Performing Arts.

Lynn Wilson spoke in support of the youth programs available at the Cerritos Center for the Performing Arts.

CONSENT CALENDAR

7. Approval of Register of Demands

7A. City of Cerritos dated February 27, 2014. (COUNCIL)

CONSENT CALENDAR (continued)

7A. (continued)

MOTION: It was moved by Pulido, and seconded by Chen, to approve the Register of Demands dated February 27, 2014 in the total amount of \$1,557,714.53. 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 February 13, 2014. (COUNCIL/SUCCESSOR AGENCY)

MOTION: It was moved by Pulido, and seconded by Chen, to approve the City Council/Successor Agency Regular Meeting Minutes of February 13, 2014. The motion carried (5 – 0) as follows:

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

9. Miscellaneous

9A. Consideration and award of Bid No. 1169-14, Purchase of One New 1-Ton Pickup Truck. (COUNCIL)

MOTION: It was moved by Pulido, and seconded by Chen, to award Bid No. 1169-14 to Fairview Ford for the purchase of one new 1-ton pickup truck in the amount of \$39,790.48. The motion carried (5 – 0) as follows:

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

9B. Consideration and adoption of the Recognized Obligation Payment Schedule submittal ("ROPS 14-15A") of the Successor Agency to the Cerritos Redevelopment Agency for the period beginning July 1, 2014 to conform with Health and Safety Code Sections 34167(h) and 34169(g), in compliance with Assembly Bill 1X 26 and Assembly Bill 1484. (SUCCESSOR AGENCY)

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

1. Waive reading of and adopt **RESOLUTION NO. CSA 2014-1, A RESOLUTION OF THE SUCCESSOR AGENCY TO THE CERRITOS REDEVELOPMENT AGENCY ADOPTING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE SUBMITTAL ("ROPS 14-15A") FOR THE PERIOD BEGINNING JULY 1, 2014, IN COMPLIANCE WITH THE PROVISIONS OF AB 1X 26 AND AB 1484,** and

CONSENT CALENDAR (continued)

9B. (continued)

2. Authorize staff to transmit the adopted ROPS 14-15A workbook to all appropriate regulatory and oversight agencies as required by AB 1X 26 and AB 1484, and
3. Authorize staff to implement all actions necessary to fulfill all notification and posting requirements as required by AB 1X 26 and AB 1484. 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 adopt A RESOLUTION OF THE CERRITOS CITY COUNCIL TO FORM AND ESTABLISH CITY OF CERRITOS COMMUNITY FACILITIES DISTRICT 2013-1 (PUBLIC SERVICES) FOR A RESIDENTIAL DEVELOPMENT LOCATED AT 18810 PIONEER BOULEVARD (APN 7040-024-012) AND AUTHORIZING THE LEVY OF A SPECIAL TAX THEREIN TO FINANCE CERTAIN SERVICES. (COUNCIL)

Consideration to waive reading of and adopt A RESOLUTION OF THE CERRITOS CITY COUNCIL CALLING A SPECIAL ELECTION AND SUBMITTING TO THE VOTERS OF CITY OF CERRITOS COMMUNITY FACILITIES DISTRICT 2013-1 PROPOSITIONS REGARDING THE ANNUAL LEVY OF SPECIAL TAXES WITHIN THE COMMUNITY FACILITIES DISTRICT TO FINANCE POLICE PROTECTION SERVICES AND MAINTENANCE OF PARKS AND RECREATIONAL FACILITIES AND THE ESTABLISHMENT OF AN APPROPRIATIONS LIMIT.

Consideration to waive reading of and adopt A RESOLUTION OF THE CERRITOS CITY COUNCIL DECLARING THE RESULTS OF A SPECIAL ELECTION FOR CITY OF CERRITOS COMMUNITY FACILITIES DISTRICT 2013-1 ON THE PROPOSITIONS WITH RESPECT TO (A) THE ANNUAL LEVY OF SPECIAL TAXES AND (B) THE ESTABLISHMENT OF AN APPROPRIATIONS LIMIT AND AUTHORIZING THE RECORDATION OF A NOTICE OF SPECIAL TAX LIEN.

Consideration to waive reading of and introduce AN ORDINANCE OF THE CITY OF CERRITOS LEVYING A SPECIAL TAX FOR FISCAL YEAR 2014-2015 AND SUBSEQUENT FISCAL YEARS SOLELY WITHIN AND RELATING TO CITY OF CERRITOS COMMUNITY FACILITIES DISTRICT 2013-1.

Community Facilities District 2013-1*

10. PUBLIC HEARINGS (continued)

10A. (continued)

***One Mitigated Negative Declaration was prepared pursuant to the California Environmental Quality Act (CEQA) for the proposed project, inclusive of all related entitlements and amendments, and was approved and certified at a public hearing before the Cerritos City Council on October 7, 2013.**

A staff report was given by Robert A. Lopez, Current Planning Manager. A PowerPoint Presentation was displayed.

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

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

1. Noting that there were no written protests from registered voters or owners or property located within the proposed district, waive reading of and adopt a resolution of formation numbered and captioned as **RESOLUTION NO. 2014-5, A RESOLUTION OF THE CERRITOS CITY COUNCIL TO FORM AND ESTABLISH CITY OF CERRITOS COMMUNITY FACILITIES DISTRICT 2013-1 (PUBLIC SERVICES) FOR A RESIDENTIAL DEVELOPMENT LOCATED AT 18810 PIONEER BOULEVARD (APN 7040-024-012) AND AUTHORIZING THE LEVY OF A SPECIAL TAX THEREIN TO FINANCE CERTAIN SERVICES**, and
2. Waive reading of and adopt a resolution calling a special election numbered and captioned as **RESOLUTION NO. 2014-6, A RESOLUTION OF THE CERRITOS CITY COUNCIL CALLING A SPECIAL ELECTION AND SUBMITTING TO THE VOTERS OF CITY OF CERRITOS COMMUNITY FACILITIES DISTRICT 2013-1 PROPOSITIONS REGARDING THE ANNUAL LEVY OF SPECIAL TAXES WITHIN THE COMMUNITY FACILITIES DISTRICT TO FINANCE POLICE PROTECTION SERVICES AND MAINTENANCE OF PARKS AND RECREATIONAL FACILITIES AND THE ESTABLISHMENT OF AN APPROPRIATIONS LIMIT**, and
3. Direct the City Clerk to conduct a special election and certify the results. The motion carried (5 – 0) as follows:

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

At this time the City Clerk proceeded to conduct the special election, announce and certify the results. Andrea Boehling, representing Willdan Financial Services, and Brenda Cabrera, Assistant City Clerk, assisted with the canvassing of the election results. The results were presented to the City Council.

10. PUBLIC HEARINGS (continued)

10A. (continued)

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

4. Noting that there was at least a two-thirds majority vote in favor of the ballot measures, waive reading of and adopt a resolution declaring results of a special election numbered and captioned as **RESOLUTION NO. 2014-7, A RESOLUTION OF THE CERRITOS CITY COUNCIL DECLARING THE RESULTS OF A SPECIAL ELECTION FOR CITY OF CERRITOS COMMUNITY FACILITIES DISTRICT 2013-1 ON THE PROPOSITIONS WITH RESPECT TO (A) THE ANNUAL LEVY OF SPECIAL TAXES AND (B) THE ESTABLISHMENT OF AN APPROPRIATIONS LIMIT AND AUTHORIZING THE RECORDATION OF A NOTICE OF SPECIAL TAX LIEN**, and
5. Noting that there was at least a two-thirds majority vote in favor of the ballot measures, waive reading of and introduce **AN ORDINANCE OF THE CITY OF CERRITOS LEVYING A SPECIAL TAX FOR FISCAL YEAR 2014-2015 AND SUBSEQUENT FISCAL YEARS SOLELY WITHIN AND RELATING TO CITY OF CERRITOS COMMUNITY FACILITIES DISTRICT 2013-1**. 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 Dasan International Corporation, 6459 Fleet Street, Commerce, California, 90040, on behalf of property owner Trueton Properties, LLC, for approval of a Conditional Use Permit for light industrial warehousing, wholesaling and manufacturing uses at 12111 Park Street, Cerritos, California, 90703. The subject property is zoned Industrial (M) (APN 7011-001-005). (COUNCIL)

Conditional Use Permit 2014-1*

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

A staff report was given by Robert A. Lopez, Current Planning Manager. A PowerPoint Presentation was displayed.

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

MOTION: It was moved by Chen, and seconded by Pulido, to approve Conditional Use Permit 2014-1 making the findings set forth in Cerritos Planning Commission Resolution No. PC 2014-4. The motion carried (5 – 0) as follows:

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

10. PUBLIC HEARINGS (continued)

10C. Consideration to waive reading of and adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CERRITOS PROHIBITING PARKING ON A PORTION OF PIONEER BOULEVARD NORTH OF SOUTH STREET. (COUNCIL)

A staff report was given by Hal Arbogast, Director of Public Works. A PowerPoint Presentation was displayed.

The Mayor opened the public hearing and public comments.

Steve Armina, representing The Olsen Company, requested that the Council consider prohibiting overnight parking in this location.

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

MOTION: It was moved by Pulido, and seconded by Cho, to waive reading of and adopt **RESOLUTION NO. 2014-8, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CERRITOS PROHIBITING PARKING ON A PORTION OF PIONEER BOULEVARD NORTH OF SOUTH STREET.** 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. Request for additional funding from the Art in Public Places Trust Fund and authorization to solicit bids for necessary engineering and construction costs for the previously approved sculpture (Infinity II) by Cliff Garten for the Cerritos Sculpture Garden generally located in the Cerritos Civic Center on the Northwest corner of Bloomfield Avenue and 183rd Street West of Cerritos Sheriff Station (APN 7025-028-904). (COUNCIL)

A staff report was given by Art Gallucci, City Manager. He requested that the Council direct staff to return this item to the Fine Arts and Historical Commission for further review and bring the item back to the City Council at a future meeting.

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

MOTION: It was moved by Ray, and seconded by Pulido, to direct staff to return this item to the Fine Arts and Historical Commission for further review and bring the item back to the City Council at a future meeting. The motion carried (5 – 0) as follows:

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

11. NEW AND OLD BUSINESS (continued)

11B. Consideration to waive reading of and adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CERRITOS ACCEPTING AN EASEMENT DEED FOR SIDEWALK AND PARKWAY PURPOSES FROM RAVINDER ASIJA, OWNER OF THE RESIDENTIAL PROPERTY LOCATED AT 19215 BECHARD AVENUE, CERRITOS, CA 90703 (APN 7044-001-024). (COUNCIL)

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

The Mayor opened public comments. Noting that 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 Pulido, to:

1. Waive reading of and adopt **RESOLUTION NO. 2014-9, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CERRITOS ACCEPTING AN EASEMENT DEED FOR SIDEWALK AND PARKWAY PURPOSES FROM RAVINDER ASIJA, OWNER OF THE RESIDENTIAL PROPERTY LOCATED AT 19215 BECHARD AVENUE, CERRITOS, CA 90703 (APN 7044-001-024)**, and
2. Authorize the City Clerk to record the documents. The motion carried (5 – 0) as follows:

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

11C. Consideration of an Electric Vehicle Charging Services Agreement for the plug-in vehicle charging stations at the Cerritos Civic Center. (COUNCIL)

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

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

MOTION: It was moved by Ray, and seconded by Pulido, to execute a 7-year electric vehicle charging services agreement with CCGI (Blink Network, LLC), subject to City Attorney review as to the conditions of the agreement. The motion carried (5 – 0) as follows:

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

11D. Consideration of a contract to update the Cerritos Local Hazard Mitigation Plan. (COUNCIL)

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

11. NEW AND OLD BUSINESS (continued)

11D. (continued)

The Mayor opened public comments.

Paul Bellenbaum inquired as to the types of hazards that would be covered under the plan.

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

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

1. Approve a contract with Risk Management Professionals, Inc. for the updating of the City's Local Hazard Mitigation Plan, and
2. Appropriate an additional \$18,000 in the proposed fiscal year 2014-2015 Cerritos Combined Financial Program for the updating of the plan. The motion carried (5 – 0) as follows:

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

11E. Consideration of authorization to apply for power allocation from the Western Area Power Administration. (COUNCIL)

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

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

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

1. Authorize staff to apply to receive an allocation of 3,000 kW of power from Western Area Power Administration (WAPA) for a 50-year term starting October 1, 2017, and
2. Authorize staff to explore the most economical transmission arrangement possible should the Cerritos Electric Utility (CEU) receive a power allocation from the Boulder Canyon Project (BCP). The motion carried (5 – 0) as follows:

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

11F. Consideration and review of the City's publication of legal notices. (COUNCIL/SUCCESSOR AGENCY)

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

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

11. NEW AND OLD BUSINESS (continued)

11F. (continued)

MOTION: It was moved by Chen, and seconded by Ray, to direct the City Clerk to prepare bid specifications for the publication of legal notices to include proof of publication, paid subscription, and circulation within the City, and to go out to bid for the publication of legal notices. 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 State or Federal Legislature or pending in the State or Federal Executive Office for signature.

12B1. Consideration to waive reading of and adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CERRITOS TO SUPPORT FEDERAL LEGISLATION HR 3978 BY REPRESENTATIVE ALBIO SIRES (D-NJ), THE NEW OPPORTUNITIES FOR BICYCLE AND PEDESTRIAN INFRASTRUCTURE FINANCING ACT OF 2014. (COUNCIL)

Mayor Pro Tem Pulido recused himself from deliberation on this item, noting his employment with the Federal Legislature. He left the dais and the Chamber.

A staff report was given by Kathy Matsumoto, Assistant City Manager.

MOTION: It was moved by Barrows, and seconded by Cho, to waive reading of and adopt **RESOLUTION NO. 2014-10, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CERRITOS TO SUPPORT FEDERAL LEGISLATION HR 3978 BY REPRESENTATIVE ALBIO SIRES (D-NJ), THE NEW OPPORTUNITIES FOR BICYCLE AND PEDESTRIAN INFRASTRUCTURE FINANCING ACT OF 2014.** The motion carried (4 – 0) as follows:

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

After the Item was finalized Council Member Pulido returned to the Council Chamber and resumed his seat on the dais.

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

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

CONSENSUS (Pulido): Directed staff to place on the next agenda an item to consider changing the date of the May 22, 2014 Regular Meeting of the City Council/Successor Agency.

14. CLOSED SESSION

The City Attorney reported that the City Council would recess to Closed Session to discuss Item 14A only. The City Council then recessed to Closed Session.

14A. 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)

14B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION Pursuant to California Government Code Section 54957. (COUNCIL)

Title: City Manager

14C. PUBLIC EMPLOYEE PERFORMANCE EVALUATION Pursuant to California Government Code Section 54957. (COUNCIL)

Title: City Attorney

14D. 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 Mayor reported that the City Council met in Closed Session to discuss Item 14A only. The matter was discussed, no action was taken, and there was nothing further to report.

15. ADJOURNMENT

The meeting adjourned at 9:26 p.m.

ATTEST:

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

/s/Bruce Barrows
Bruce Barrows, Mayor/Chair

Approved: March 13, 2014