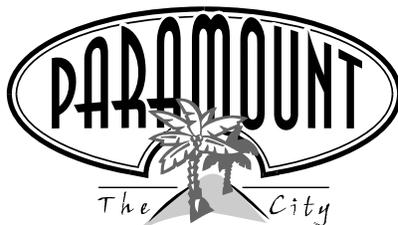


AGENDA

Paramount City Council

May 17, 2016



Adjourned Meeting
City Hall Council Chambers
5:00 p.m.

City of Paramount

16400 Colorado Avenue ❖ Paramount, CA 90723 ❖ (562) 220-2000 ❖ www.paramountcity.com

Public Comments: If you wish to make a statement, please complete a Speaker's Card at the beginning of the meeting. Speaker's Cards are located at the entrance. Give your completed card to a staff member or put it on the staff table located at the front of the room. When your name is called, please go to the rostrum provided for the public. Persons are limited to a maximum of 5 minutes unless an extension of time is granted. No action may be taken on items not on the agenda except as provided by law.

Americans with Disabilities Act: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's office at (562) 220-2027 at least 48 hours prior to the meeting to enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Note: Agenda items are on file in the City Clerk's office and are available for public inspection during normal business hours. Materials related to an item on this Agenda submitted after distribution of the agenda packet are also available for public inspection during normal business hours in the City Clerk's office. The office of the City Clerk is located at City Hall, 16400 Colorado Avenue, Paramount.

Notes

CALL TO ORDER:

Mayor Daryl Hofmeyer

ROLL CALL OF
COUNCILMEMBERS:

Councilmember Gene Daniels
Councilmember Tom Hansen
Councilmember Diane J. Martinez
Vice Mayor Peggy Lemons
Mayor Daryl Hofmeyer

PUBLIC COMMENTS

CONSENT CALENDAR

All items under the Consent Calendar may be enacted by one motion. Any item may be removed from the Consent Calendar and acted upon separately by the City Council.

1. **ORDINANCE NO. 1069 (Adoption)** Amending Chapter 21 of the Paramount Municipal Code Regarding the Underground Pipeline Franchise with the Paramount Petroleum Corporation

REPORTS

2. **ORAL REPORT** Draft Median Drought Tolerant Planting Scheme
3. **PUBLIC HEARING ORDINANCE NO. 1070/Zoning Ordinance Text Amendment No. 4 (Continue to June 7, 2016)** Approving Zoning Ordinance Text Amendment No. 4, Adding Section 64.1 to Chapter 44, Article VI; Section 70.1 to Chapter 44, Article VII; Section 76.1 to Chapter 44, Article VIII; and Section 83.1 to Chapter 44, Article IX of the Paramount Zoning Ordinance, Prohibiting the Storage of Trucks or Commercial Vehicles Owned Independently of a Primary Licensed Business of Any Parcel, Prohibiting Truck Yards or the Storage of Trucks or Commercial Vehicles as the Primary Use on Any Parcel, and Prohibiting the Storage of Trucks or Commercial Vehicles Unassociated with the Primary Business Operations at Any On-Site Building on Any Parcel in the C-3 (General Commercial), C-M (Commercial Manufacturing), M-1 (Light Manufacturing), and M-2 (Heavy Manufacturing) Zones
4. **ORAL REPORT** Specialized Public Safety Services

COMMENTS

- Staff
- Councilmembers

CLOSED SESSION

Conference with real property negotiator, John Moreno, City Manager, (pursuant to Government Code §54956.8) to instruct for price, terms, and conditions for the purchase, sale, exchange, or lease of subject property.

Property: Downey Avenue/Alondra Boulevard
Negotiating Party: City of Paramount and Seagrove LA, LLC

Conference with Legal Counsel – Existing Litigation
Subdivision (a) of Section 54956.9
Name of case: City of Paramount, et al v. Cohen, et al
Third District Court of Appeal Case No. C078968

ADJOURNMENT

To a meeting on June 7, 2016 at 6:00 p.m.

MAY 17, 2016

ORDINANCE NO. 1069

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
PARAMOUNT AMENDING CHAPTER 21 OF THE PARAMOUNT
MUNICIPAL CODE REGARDING THE UNDERGROUND PIPELINE
FRANCHISE WITH THE PARAMOUNT PETROLEUM CORPORATION”

MOTION IN ORDER:

READ BY TITLE ONLY, WAIVE FURTHER READING, AND ADOPT
ORDINANCE NO. 1069 WITH THE REVISED ADOPTION DATE OF MAY
17, 2016.

APPROVED: _____

DENIED: _____

MOVED BY: _____

SECONDED BY: _____

ROLL CALL VOTE:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____



To: Honorable City Council
From: John Moreno
By: Lana Chikami, City Clerk
Date: May 17, 2016

Subject: ORDINANCE NO. 1069

The City Council, at its regularly scheduled meeting on May 3, 2016, introduced Ordinance No. 1069. Ordinance No. 1069 originally had a proposed adoption date of June 7, 2016; however, staff recommended revising the adoption date to May 17, 2016. The City Council, at its May 3, 2016 meeting, approved the date change and placed Ordinance No. 1069 on the next adjourned meeting agenda for adoption.

ORDINANCE NO. 1069

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARAMOUNT AMENDING CHAPTER 21 OF THE PARAMOUNT MUNICIPAL CODE REGARDING THE UNDERGROUND PIPELINE FRANCHISE WITH THE PARAMOUNT PETROLEUM CORPORATION”

Attached is a revised copy of the May 3, 2016 agenda report with the amended adoption date of May 17, 2016.

Recommended Action

It is recommended that the City Council read by title only, waive further reading, and adopt Ordinance No. 1069 with the revised adoption date of May 17, 2016.



To: Honorable City Council

From: John Moreno

By: Kevin M. Chun

Date: May 3, 2016

Subject: ORDINANCE NO. 1069 – ADOPTING UNDERGROUND PIPELINE FRANCHISE AGREEMENT WITH THE PARAMOUNT PETROLEUM CORPORATION

Background:

For several decades, the Paramount Petroleum Corporation has utilized an underground pipeline located beneath Downey Avenue, bounded on the north by Contreras Street and by Flower Street to the south. This usage of the public right-of-way is subject to franchise provisions, including a fee schedule that has historically been renewed every ten years. Another renewal for the next ten years is now needed prior to the end of the current fiscal year. Staff has reviewed the previous franchise provisions with Paramount Petroleum and recommends adopting a new fee schedule that includes an increase of 5% for FY 2015-16, bringing the fee to \$24,548.22, with an additional increase of 5% annually until FY 2024-25. All other franchise provisions (i.e., City regulatory requirements) will remain the same. The City Attorney has reviewed the ordinance for terms and conditions.

Recommended Action:

It is recommended that the City Council read by title only, waive further reading, introduce Ordinance No. 1069, and place it on the next regular agenda for adoption.

CITY OF PARAMOUNT
LOS ANGELES COUNTY, CALIFORNIA

ORDINANCE NO. 1069

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARAMOUNT, CALIFORNIA AMENDING CHAPTER 21 OF THE PARAMOUNT MUNICIPAL CODE REGARDING THE UNDERGROUND PIPELINE FRANCHISE WITH THE PARAMOUNT PETROLEUM CORPORATION

The City Council of the City of Paramount does ordain as follows:

Section 1. Section 21-140 is hereby amended in its entirety to read as follows:

Section 21-140. Nature of grant.

The city hereby grants to Paramount Petroleum Corporation, its successors and assigns, hereinafter referred to as "grantee" subject to the terms and conditions herein contained, the right, franchise and privilege from time to time, for a period of ten years from and after the effective date of Ordinance No. 1069, to install, operate, maintain, replace, change the size, abandon in place and/or remove pipelines for transportation of oil, gas, gasoline, petroleum, wet gas, hydrocarbon substances, water, waste water, mud stream or other substances transportable by pipeline together with all appurtenances and service connections necessary or convenient to properly maintain and operate said pipelines, including cathodic protection facilities for the grantee's business, hereinafter collectively called "franchise property," within the public streets, highways, alleys and other public ways or public property, hereinafter collectively called "streets," of the city, as enumerated and described as follows:

All that portion of Downey Avenue within the limits of the city, bounded on the north by a point in Downey Avenue approximately 350.15 feet south of the center line of Contreras Street, and bounded on the south by the boundary of the City of Bellflower, being approximately 799.28 feet south of the center line of Flower Street. The total length of this pipeline is 7,346.7 linear feet.

Section 2. Section 21-142 (d) is hereby amended in its entirety to read as follows:

(d) Emergency work. The grantee shall promptly repair any leaks or breaks in pipelines and conduits. If any portion of any street shall be damaged by reason of breaks or leaks in any pipe or conduit constructed under this franchise, the grantee shall at its own expense take immediate steps to repair any such damage and restore such street to as good condition as it was before such a break or leak. The repair must be done to the satisfaction of the Public Works Director. Such emergency repair of franchise property may be commenced without prior permit provided that grantee shall notify the Public Works Director and the Los Angeles County Fire Department's Hazardous Materials Division as soon as a break or leak occurs. The grantee must still obtain a permit for emergency repair work no later than the next business day from the day the emergency occurred. The grantee shall promptly remove any contamination from streets and underground soil due to breaks and leaks of grantee's pipelines or conduits. The removal of contamination must be performed to the satisfaction of the Los Angeles County Fire Department's Hazardous Materials Division.

Section 3. Section 21-144 is hereby amended in its entirety to read as follows:

Section 21-144. Compensation to the city.

(a) Annual franchise fee payment. As consideration for the franchise hereby granted, grantee shall pay to the city in lawful money of the United States an annual franchise fee according to the following schedule:

| <u>Fiscal Year</u> | <u>Franchise Fee</u> |
|--------------------|----------------------|
| 2014-15 | \$ 23,379.26 |
| 2015-16 | \$ 24,548.22 |
| 2016-17 | \$ 25,775.63 |
| 2017-18 | \$ 27,064.42 |
| 2018-19 | \$ 28,417.64 |
| 2019-20 | \$ 29,838.52 |
| 2020-21 | \$ 31,330.44 |
| 2021-22 | \$ 32,896.97 |
| 2022-23 | \$ 34,541.81 |
| 2023-24 | \$ 36,268.91 |
| 2024-25 | \$ 38,082.35 |

The grantee of this franchise shall submit payment to the city’s Finance Department by March 31 of each year. The grantee shall pay the City of Paramount in lawful money of the United States the aforesaid compensation. Any neglect, omission, or refusal of said grantee to pay said compensation at the time or in the manner hereinbefore provided, which neglect, omission or refusal shall continue more than fifteen (15) days following notice thereof to the grantee by the city, shall be grounds for the declaration of the forfeiture of this franchise and of all rights of the grantee hereunder.

(b) Acquisition of additional pipeline. Grantee shall notify the city immediately if grantee acquires additional pipeline during the term of this franchise. Any additional pipeline acquired by grantee shall increase grantee’s annual franchise fee payment as noted in section (a). The additional franchise fee will be an amount mutually agreed upon by the city and grantee.

Section 4. Section 21-145 (b) is hereby amended in its entirety to read as follows:

(b) Avoidance of liability of city. The grantee shall further deposit with the city clerk a certificate of insurance naming the city as additionally insured in connection with this franchise, in the principal amount of at least ten million dollars (\$10,000,000).

Section 5. Section 21-148 is hereby amended in its entirety to read as follows:

Section 21-148. Acceptance.

This franchise is herein extended for a ten-year term and shall be enjoyed only upon the terms and conditions herein contained for a ten-year term commencing with the effective date of this ordinance, and the grantee shall, within 30 days of the adoption of this ordinance extending said franchise, file with the city clerk a written acceptance of such terms and conditions.

Section 6. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance, or the application thereof to any person, firm, corporation or circumstance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion thereof. The City Council of the City of Paramount hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

Section 7. Effective Date. This ordinance shall take effect thirty days after its adoption. The City Clerk or her duly appointed deputy shall certify to the adoption of this ordinance and shall cause this ordinance to be published as required by law.

APPROVED, and ADOPTED by the City Council of the City of Paramount this 7th day of June, 2016.

Daryl Hofmeyer, Mayor

Attest:

Lana Chikami, City Clerk

MAY 17, 2016

ORAL REPORT

DRAFT MEDIAN DROUGHT TOLERANCE PLANTING SCHEME

MAY 17, 2016

PUBLIC HEARING

ORDINANCE NO. 1070

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARAMOUNT, APPROVING ZONING ORDINANCE TEXT AMENDMENT NO. 4, ADDING SECTION 64.1 TO CHAPTER 44, ARTICLE VI; SECTION 70.1 TO CHAPTER 44, ARTICLE VII; SECTION 76.1 TO CHAPTER 44, ARTICLE VIII; AND SECTION 83.1 TO CHAPTER 44, ARTICLE IX OF THE PARAMOUNT ZONING ORDINANCE, PROHIBITING THE STORAGE OF TRUCKS OR COMMERCIAL VEHICLES OWNED INDEPENDENTLY OF A PRIMARY LICENSED BUSINESS ON ANY PARCEL, PROHIBITING TRUCK YARDS OR THE STORAGE OF TRUCKS OR COMMERCIAL VEHICLES AS THE PRIMARY USE ON ANY PARCEL, AND PROHIBITING THE STORAGE OF TRUCKS OR COMMERCIAL VEHICLES UNASSOCIATED WITH THE PRIMARY BUSINESS OPERATIONS AT ANY ON-SITE BUILDING ON ANY PARCEL IN THE C-3 (GENERAL COMMERCIAL), C-M (COMMERCIAL MANUFACTURING), M-1 (LIGHT MANUFACTURING), AND M-2 (HEAVY MANUFACTURING) ZONES”

1. OPEN THE PUBLIC HEARING
2. MOTION IN ORDER:
CONTINUE THE PUBLIC HEARING TO JUNE 7, 2016.

APPROVED: _____

DENIED: _____

MOVED BY: _____

SECONDED BY: _____

ROLL CALL VOTE:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____



To: Honorable City Council

From: John Moreno

By: Kevin M. Chun/John King

Date: May 17, 2016

**Subject: Ordinance No. 1070/Zoning Ordinance Text Amendment No. 4:
Prohibition of Storage of Independently-Owned Trucks – CONTINUE**

Ordinance No. 1070/Zoning Ordinance Text Amendment No. 4, regarding the prohibition of truck storage in Paramount, has not been finalized, and it is recommended that the City Council open and continue the public hearing of this item to the June 7, 2016 meeting.

Recommended Action

It is recommended that the City Council open and continue the public hearing for Ordinance No. 1070/Zoning Ordinance Text Amendment No. 4 to the June 7, 2016 City Council meeting.

MAY 17, 2016

ORAL REPORT

OVERVIEW OF SPECIALIZED PUBLIC SAFETY SERVICES