



staff report

TO: Honorable Mayor and Members of the City Council
ATTENTION: Jeffrey L. Stewart, City Manager
FROM: Mayra Ochiqui, City Clerk
SUBJECT: Consideration and possible action to approve the Minutes of the May 23, 2016, Regular Meeting of the Bellflower City Council and City Council acting on behalf of the Successor Agency to the Dissolved Bellflower Redevelopment Agency.
DATE: June 27, 2016

EXECUTIVE SUMMARY

None

RECOMMENDATION TO CITY COUNCIL

- 1) Approve the May 23, 2016, Minutes; or
- 2) Alternatively, discuss and take other action related to this item.

FISCAL IMPACT

None

ATTACHMENT

Minutes of the May 23, 2016, Regular Meeting... .. 2



MINUTES

CITY OF BELLFLOWER

16600 Civic Center Drive · Bellflower, California 90706 · (562) 804-1424

REGULAR MEETING OF THE BELLFLOWER CITY COUNCIL AND CITY COUNCIL ACTING ON BEHALF OF THE SUCCESSOR AGENCY TO THE DISSOLVED BELLFLOWER REDEVELOPMENT AGENCY

* Denotes City Council Agenda items

SA Denotes Successor Agency items

[CC/SA] Denotes City Council and Successor Agency items

MONDAY, MAY 23, 2016, 6:00 P.M. – CLOSED SESSION BELLFLOWER CITY HALL - COUNCIL CHAMBERS

1 Call to Order

City Clerk Ochiqui opened and recessed the meeting at 5:30 p.m. for lack of a quorum to 6:00 p.m.

Mayor Koops called the Regular City Council Meeting to order at 6:05 p.m. in the Council Chambers at Bellflower City Hall, 16600 Civic Center Drive, Bellflower.

2 Roll Call

The following members of the City Council responded present to roll call:

Mayor Dan Koops
Mayor Pro Tem Ron Schnablegger
Council Member Ray Dunton
Council Member Scott A. Larsen
Council Member Sonny R. Santa Ines

3 Recess to Closed Session

For the record, 1) Council Member Dunton announced that he would recuse himself from Item 3-A as he owns property within 500 feet of the subject property; and 2) Council Member Larsen announced that he would recuse himself from Item 3-A as he has a client within 500 feet of the subject project.

3 Closed Session - Continued

John Paul Drayer requested clarification as to the type of funds that were being used to purchase the property.

City Manager Stewart stated that the Item 3-A was a Closed Session matter and therefore could not be discussed any further.

Without objection, Mayor Koops recessed the Meeting at 6:09 p.m. to a Closed Session regarding:

A CONFERENCE WITH REAL PROPERTY NEGOTIATOR
(Pursuant to Government Code Section 54956.8) [CITY]

Property: 16601 Bellflower Boulevard
Agency Negotiator: Jeffrey L. Stewart, City Manager
Negotiating Party: Leonard and Sylvana Braka
Under Negotiation: Price and terms of payment

4 Reconvene for Open Session

Mayor Koops reconvened the Meeting at 7:03 p.m. with all members present and announced that no reportable action was taken during Closed Session.

5 Call to Order

Mayor Koops called the Open Session of the Regular City Council Meeting to order at 7:03 p.m.

6 Roll Call

The following members of the City Council responded present to roll call:

Mayor Dan Koops
Mayor Pro Tem Ron Schnablegger
Council Member Ray Dunton
Council Member Scott A. Larsen
Council Member Sonny R. Santa Ines

6 Roll Call - Continued

Staff Participants:

Jeffrey L. Stewart, City Manager
Karl H. Berger, City Attorney
Mayra Ochiqui, City Clerk
Leo L. Mingle, Jr., Assistant City Manager
Joel Hockman, Director of Public Safety
Art Bashmakian, Director of Planning
P.J. Mellana, Director of Parks and Recreation
Rowena Genilo-Concepcion, Planning Manager
Jason Friedman, Assistant Planner
Karen L. Avery, Deputy City Clerk

Consultant in attendance:

Mark Seinen, Senior Planner, Alta Planning + Design

7 Invocation

Council Member Sonny R. Santa Ines offered the Invocation.

8 Pledge of Allegiance

Assistant City Manager, Leo L. Mingle Jr., led the assembly in the Pledge of Allegiance.

9-A City Council Announcements

Mayor Koops 1) welcomed and acknowledged the Bellflower High School government class students in attendance; and 2) congratulated the Parks and Recreation Department for being honored for the second year in a row with a "Playful City USA" recognition and encouraged everyone to utilize the City's parks.

Mayor Pro Tem Schnablegger provided details relative to the Summer Parks and Recreation Programs and Special Events Catalog.

Council Member Dunton provided details relative to the upcoming summer events including, "Food Trucks and Flicks," Streetfests, and the 18th Annual Bellflower Boulevard Car Show.

9-A City Council Announcements - Continued

Council Member Santa Ines provided details relative to the “good citizen” citations given by the Public Safety Department to volunteers of the Bellflower Volunteer Center as a token of appreciation.

Council Member Larsen provided details relative to the summer adult and senior excursion events hosted by the Parks and Recreation Department from June to September.

9-B Asian American Pacific Islander Heritage Month

Mayor Koops and his City Council colleagues presented a Proclamation to Bellflower High School Filipino Club Advisor Janika Gonzales, accompanied by the Club President and Vice President, proclaiming May 2016 as “Asian American Pacific Islander Heritage Month.”

9-C Fair Housing Coloring Contest Winners

Mayor Koops and his City Council colleagues announced the Certificates of Recognition to the following Fair Housing “*Diversity Creates Better Neighborhoods*” themed Coloring Contest Winners and presented the certificates to those in attendance, as follows: 1) 1st Place Winner Natalie Campana; 2) 2nd Place Winner Angela Padua; 3) 3rd Place Winner Don Le; 4) Finalists Ruben Briceno Arauja, Hailey Dondiego, Hector Andrade, Leyla Rodriguez, Melia Garcia, Aliyah Jacobo, and Keshia Prude; and 4) Honorable Mention Sophie Garcia.

10 Public Comments

John Paul Drayer, Cerritos College Board of Trustee, announced the next Cerritos College Board Meeting and stated that students can attend to obtain extra credit before the end of the school year.

Abby and Wesley Nishimoto invited everyone to attend the Community Ice Cream Social on June 4, 2016.

Sarah LeFevre provided details relative to the June 4, 2016, Community Ice Cream Social.

Mayor Koops encouraged Ms. LeFevre to provide a map of the 16 participating locations to the City so that it could be distributed to possibly increase participation.

10 Public Comments - Continued

Juan Gutierrez, Bellflower High School theater student, invited everyone to attend the last theater program of the school year on May 25 - 27, 2016.

Robin Snow provided details relative to the Relay for Life event to be held on July 9 and 10, 2016, at Bellflower High School.

Nelda Bailey stated that 1) she is a 20-year resident of Bellflower and became homeless three years ago and has been living in her car because she is retired and cannot afford to pay rent; and 2) she was unable to obtain appropriate and beneficial information from Staff regarding City services for her situation.

City Manager Stewart stated that 1) Director of Public Safety Hockman could provide her with information regarding the services available to her; and 2) he would better inform City Staff of the appropriate and applicable information to provide regarding the local resources available.

11-A Consideration and possible action to conduct a public hearing to adopt Ordinance No. 1312 - An Ordinance amending the Bellflower Municipal Code ("BMC") by adding Chapter 10.10 entitled "Preferential Parking Permits"; Chapter 10.12 entitled "Parking Restrictions"; and repealing § 10.12.010 captioned "Parking Vehicles for Sale or Rent"; § 12.36 captioned "Parking of Trailers on Public Streets"; § 12.38 captioned "Parking of Recreational Vehicles on Public Streets". [CITY]

CEQA: The Ordinance is exempt from additional review under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq., "CEQA") and CEQA Guidelines (14 California Code of Regulations §§ 15000, et seq.) because it establishes rules and procedures to clarify existing policies and practices related to vehicle parking regulations; does not involve any commitment to a specific project which could result in a potentially significant physical impact on the environment; and constitutes an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. The Ordinance is proposed, in part, for protection of the environment. Accordingly, the Ordinance does not constitute a "project" that requires environmental review (see specifically CEQA Guidelines § 15378(b)(2, 5)).

City Manager Stewart read by title Ordinance No. 1312.

Director of Public Safety Hockman 1) provided a brief overview of the Staff Report; and 2) responded to Council Members' questions.

It was moved by Council Member Dunton, seconded by Council Member Larsen, and carried without objection, to open the public hearing.

11-A Consideration and possible action to conduct a public hearing to adopt Ordinance No. 1312 - Continued

City Attorney Berger 1) stated that Item 14-E on the Consent Calendar (Ordinance No. 1314 – An Ordinance amending Bellflower Municipal Code [“BMC”] §§ 10.12.020 [Regulating Towing Within City Parking Lots] and 10.12.090 [Regulating Roads Servicing Commercial Establishments]) is a companion item to Item 11-A, as Ordinance No. 1314 makes changes to Ordinance No. 1312 introduced on May 9, 2016; and 2) indicated that, if adopted, both ordinances would become effective on the same date.

There was no one in the audience wishing to present public testimony.

It was moved by Council Member Larsen, seconded by Council Member Dunton, and carried without objection, to close the public hearing.

It was moved Council Member Dunton, seconded by Mayor Pro Tem Schnablegger, and unanimously carried by the following roll call vote, to read by title only, waive further reading, and adopt Ordinance No. 1312:

AYES: Council Members - Schnablegger, Dunton, Larsen, Santa Ines, and Mayor Koops

11-B Consideration and possible action to conduct a public hearing to adopt Resolution No. 16-32 - A Resolution approving Dance and Entertainment Permit Case No. EP 16-01 to allow a disc jockey, dancing, live bands, comedy shows, and karaoke at an existing restaurant & bar on property located at 16728 Bellflower Boulevard within Area 1 of the Town Center (TC) District; Applicant: Ernest McIntyre (French Quarter Creole Bar & Grill). [CITY]

CEQA: Pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code §§ 21000, et seq.) and CEQA Guidelines (California Code of Regulations, Title 14, §§ 15000, et seq.), the City conducted an environmental assessment. Based on the environmental assessment, the project was determined to be categorically exempt from additional environmental review pursuant to CEQA Guidelines Section 15301, Class 1. Further, the adoption of this resolution is also exempt from review under CEQA pursuant to CEQA Guidelines § 15301, Class 1 because the resolution is for the establishment of a permit for live entertainment at an existing restaurant and bar. The permit establishes conditions that may affect the interior and exterior of the building only. The resolution will not adversely impact the environment and is therefore exempt from the provisions of CEQA.

Planning Manager Genilo-Concepcion 1) provided a PowerPoint presentation of the Staff Report; and 2) for the record, stated that the Applicant submitted additional materials to the City Council, including the new menu, photos from the restaurant’s website, and advertising flyers. Planning Manager Genilo-Concepcion and City Manager Stewart responded to Council Members’ questions.

11-B Consideration and possible action to conduct a public hearing to adopt Resolution No. 16-32 - Continued

Following discussion, it was moved by Council Member Santa Ines, seconded by Council Member Dunton, and carried without objection, to open the public hearing.

Marcus Jenkins, Applicant / General Manager, Ernest McIntyre, Applicant / Owner, and Steve Melnick, Consultant, French Quarter Creole Bar & Grill,

1) provided an overview of the restaurant, including details relative to a) twelve (12) temporary use permits (TUPs) that have been obtained since 2015 for separate events without incident; b) monthly meetings established with Belmont Court business managers and residents to address concerns; c) weekly regulation compliance reports being provided to Director of Public Safety Hockman; and d) the current and proposed security plan; and 2) responded to Council Members' questions.

The following individuals spoke in favor of adopting Resolution No. 16-32:

- John Paul Drayer, Bellflower resident
- Amos Young, restaurant patron, Pomona resident
- Neal Holmes, restaurant patron, Bellflower resident (Belmont Court)
- Mark Kutler, restaurant patron, Buena Park resident
- Ron Green, restaurant patron, Compton resident
- Peter Hirezi, restaurant patron, Bellflower resident
- Kerry McIntyre, restaurant patron, Rossmoor resident

There being no one else in the audience wishing to present public testimony, it was moved by Council Member Larsen, seconded by Mayor Pro Tem Schnablegger, and carried without objection, to close the public hearing.

Discussion ensued amongst the Council Members, City Manager Stewart, Public Safety Director Hockman, and the Applicants regarding Item No. 3 and Item No. 27 of the Conditions of Approval. It was the consensus of the City Council to amend Items No. 3 and 27 of the Conditions of Approval as follows:

3. "Hours for entertainment are restricted from 11:00 a.m. to **1:00 a.m.**, seven days a week for six months, starting from the date of approval. The Applicant may apply for a modification of these operational hours after the first six months of operations."
27. "A **minimum of two** security personnel are required for all entertainment events. Security personnel must be provided at all times when live entertainment is proposed, one hour prior and one hour after the entertainment hours to ensure that patrons are cleared out of the subject property, parking lot area, adjacent properties, and adjacent right-of-ways. Additional security guards may be required per the approved security plan, at the direction of the Public Safety Director, or designee."

11-B Consideration and possible action to conduct a public hearing to adopt Resolution No. 16-32 - Continued

Mayor Koops requested and received clarification from City Attorney Berger regarding alcoholic beverages controlled and regulated by the ABC (Alcohol Beverage Control) relative to the exclusion of “drink specials” in the Conditions of Approval.

Following discussion, it was moved Council Member Larsen, seconded by Council Member Dunton, and unanimously carried by the following roll call vote, to 1) amend Conditions of Approval Nos. 3 and 27 as noted above; and 2) adopt Resolution No. 16-32, as amended:

AYES: Council Members - Schnablegger, Dunton, Larsen, Santa Ines, and Mayor Koops

12 ORDINANCES AND RESOLUTIONS FOR CONSIDERATION

None

13-A Consideration and possible action to adopt Resolution No. 16-33 - A Resolution adopting the Bellflower-Paramount Bike and Trail Master Plan. [CITY]

CEQA: Adopting this Resolution would not result in a potential for resulting in a direct or reasonably indirect physical change in the environment and, accordingly, does not qualify as a “project” under the California Environmental Quality Act (Cal. Pub. Res. Code §§ 21000, et seq.; “CEQA”) or CEQA regulations (Cal. Code Regs. tit. 14, §§ 15000, et seq.; see Cal. Code Regs. tit. 14, §§ 15061(b)(3), 15378). Even if the Resolution were to qualify as a project, it would be categorically exempt as a Class 1 or Class 5 project since, at best, it would constitute a minor alteration of existing public structures involving no expansion of use; or a minor alteration in land use limitations (see Cal. Code Regs. tit. 14, §§ 15301, 15305). If the City Council approves the Master Plan and, at some future date, decides to implement its recommendations, the City will conduct additional environmental review.

Assistant Planner Friedman provided a brief overview of the Staff Report. Consultant Seinen provided a PowerPoint presentation relative to the Bellflower-Paramount Bike and Trail Master Plan. Assistant Planner Friedman, Consultant Seinen, City Manager Stewart, Director of Planning Bashmakian, and Director of Parks and Recreation Mellana responded to Council Members’ questions.

Following discussion regarding limited implementation options due to lack of funding, it was the consensus of the City Council to table the matter and bring it back for further discussion on a future date to be determined.

14 Consent Calendar

For the record, City Manager Stewart noted correction of a typographical error on Page 1 of the Agreement, Article 2 (Use of Property should reference Simms Park) of Item 14-L (Agreement File No. 51.49 with the County of Los Angeles Public Works Department for household hazardous and electronic waste).

Noting City Manager Stewart's aforementioned correction to Item 14-L, it was moved by Council Member Dunton, seconded by Council Member Santa Ines, and carried without objection, to approve the actions stipulated on the following Consent Calendar items:

- A **Consideration and possible action to receive and file City Council Warrant Register No. 16-112, dated May 23, 2016. [CC/SA]**
Action: Received and filed Warrant Register No. 16-112.
- B **Consideration and possible action to receive and file City Council Treasurer's Report for the Month of April 2016. [CC/SA]**
Action: Received and filed Treasurer's Report for the Month of April 2016.
- C **Consideration and possible action to receive and file the attached Campaigning Overview Memorandum, dated May 18, 2016; and direct the City Manager to disseminate the memorandum within the City organization. [CITY]**
Action: Received and filed the Campaigning Overview Memorandum, dated May 18, 2016; and directed the City Manager to disseminate the memorandum within the City organization.
- D **Consideration and possible action to receive and file the Letter of Resignation by Council Member Scott A. Larsen, dated May 10, 2016, and effective June 24, 2016. [CITY]**
Action: Received and filed Letter of Resignation from Council Member Scott A. Larsen, dated May 10, 2016.
- E **Consideration and possible action to waive further reading and adopt Ordinance No. 1314 – An Ordinance amending Bellflower Municipal Code (“BMC”) §§ 10.12.020 (Regulating Towing Within City Parking Lots) and 10.12.090 (Regulating Roads Servicing Commercial Establishments). [CITY]**
CEQA: The Ordinance is exempt from additional review under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, “CEQA”) and CEQA Guidelines (14 California Code of Regulations §§ 15000, *et seq.*) because it establishes rules and procedures to clarify existing policies and practices related to vehicle parking regulations; does not involve any commitment to a specific project which could result in a potentially significant physical impact on the environment; and constitutes an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. The Ordinance is proposed, in part, for protection of the environment. Accordingly, the Ordinance does not constitute a “project” that requires environmental review (see specifically CEQA Guidelines § 15378(b)(2, 5)).
Action: Read by title only, waived further reading, and adopted Ordinance No. 1314.

14 Consent Calendar - Continued

- F **Consideration and possible action to adopt Resolution No. 16-34 – A Resolution approving the specifications for the Demolition of the Shuffle Board Building at Simms Park (Specifications No. 15/16-07), pursuant to Government Code § 830.6, and establishing a project payment account; and authorize solicitation of bids.**
CEQA: Pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code §§ 21000, et seq.) and CEQA Guidelines (California Code of Regulations, Title 14, §§ 15000, et seq.), the City conducted an environmental assessment. Based on the environmental assessment, the project was determined to be categorically exempt pursuant to CEQA Guidelines § 15301 (Existing Facilities). [CITY]

Action: Adopted Resolution No. 16-34.
- G **Consideration and possible action to receive and file Agreement File No. 704 with HdL Companies for medical marijuana management services.[CITY]**

Action: Received and filed Agreement File No. 704.
- H **Consideration and possible action to receive and file Official Travel Report - California Contract Cities Association’s 57th Annual Municipal Seminar, May 12 – 15, 2016 (Pursuant to AB 1234). [CITY]**

Action: Received and filed Official Travel Report.
- I **Consideration and possible action to Adopt Resolution Nos. 16-26 through 16-31:**
- Resolution No. 16-26 – A Resolution for Paying and Reporting the Value of Employer Paid Member Contributions for, and superseding Resolution No. 12-31;**
- Resolution No. 16-27 – A Resolution for Paying and Reporting the Value of Employer Paid Member Contributions for, and superseding Resolution No. 16-26;**
- Resolution No. 16-28 – A Resolution for Paying and Reporting the Value of Employer Paid Member Contributions for, and superseding Resolution No. 16-27;**
- Resolution No. 16-29 – A Resolution for Paying and Reporting the Value of Employer Paid Member Contributions for, and superseding Resolution No. 16-28;**
- Resolution No. 16-30 – A Resolution for Paying and Reporting the Value of Employer Paid Member Contributions for, and superseding Resolution No. 16-29; and**
- Resolution No. 16-31 – A Resolution for Paying and Reporting the Value of Employer Paid Member Contributions for, and superseding Resolution No. 16-30. [CITY]**

Action: Adopted Resolution Nos. 16-26 through 16-31.

14 Consent Calendar - Continued

- J **Consideration and possible action to adopt Resolution No. 16-35 – A Resolution authorizing the submittal of a City/County Payment Program application to the Department of Resources Recycling and Recovery. [CITY]**
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Action: Adopted Resolution No. 16-35.

- K **Consideration and possible action to authorize the City Manager to execute Agreement File No. 281.29, in a form approved by the City Attorney, with Hartzog & Crabill, Inc., for civil engineering design services for the Fitness Center and Trail Development at Simms Park; and adopt Resolution No. 16-36 – A Resolution amending the Operating Budget for fiscal year 2015-2016. [CITY]**
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Action: 1) Authorized the City Manager to execute Agreement File No. 281.29 with Hartzog & Crabill, Inc., in a form approved by the City Attorney; and 2) Adopted Resolution No. 16-36.

- L **Consideration and possible action to receive and file Agreement File No. 51.49 with the County of Los Angeles Public Works Department and the County Sanitation District No. 2 of Los Angeles County for household hazardous waste and electronic waste round-up for November 5, 2016. [CITY]**
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Action: Received and filed Agreement File No. 51.49, as corrected.

- M **Consideration and possible action to approve the Minutes of the April 26, 2016, Special Meeting of the Bellflower City Council. [CITY]**
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Action: Approved the April 26, 2016, Minutes.

- N **Consideration and possible action to adopt Resolution No. 16-37 – A Resolution in support of Senate Bill (SB) 1472 (Mendoza) to expand the Los Angeles County Metropolitan Transportation Authority (LACMTA) Board with two additional city council members from small cities. [CITY]**
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Action: Adopted Resolution No. 16-37.

15 Council Reports

Mayor Koops, Mayor Pro Tem Schnablegger, Council Member Dunton, Council Member Larsen, and Council Member Santa Ines made various comments and reports.

Without objection, Mayor Koops requested that the meeting be adjourned in honor of Rose E. Porcaro's 90th Birthday.

16 Adjournment

Without objection, Mayor Koops adjourned the meeting at 9:20 p.m., in honor of Rose E. Porcaro's 90th Birthday, to the next Regular Meeting of the Bellflower City Council at 5:30 p.m. on Monday, June 13, 2016.

**Dan Koops, Mayor
City of Bellflower**

Attest:

**Mayra Ochiqui, City Clerk
Approved: June 27, 2016**