



# staff report

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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 June 27, 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: July 11, 2016

## **EXECUTIVE SUMMARY**

None

## **RECOMMENDATION TO CITY COUNCIL**

- 1) Approve the June 27, 2016, Regular Meeting Minutes; or
- 2) Alternatively, discuss and take other action related to this item.

## **FISCAL IMPACT**

None

## **ATTACHMENT**

Minutes of the June 27, 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, JUNE 27, 2016, 5:30 P.M. – CLOSED SESSION  
BELLFLOWER CITY HALL - COUNCIL CHAMBERS**

#### 1 Call to Order

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For the record, City Clerk Ochiqui administered the Oath of Office to Council-Appointee Juan Garza prior to the Closed Session portion of the City Council Meeting.

Mayor Koops called the Regular City Council Meeting to order at 5:32 p.m. in the Council Chambers at Bellflower City Hall, 16600 Civic Center Drive, Bellflower.

#### 2 Roll Call

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

Mayor Dan Koops  
Mayor Pro Tem Ron Schnablegger  
Council Member Juan Garza  
Council Member Ray Dunton  
Council Member Sonny R. Santa Ines

#### 3 Recess to Closed Session

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**John Paul Drayer** 1) referencing Item 3-A (Conference with Real Property Negotiator: City of Bellflower Municipal Water System), a) expressed the opinion that Liberty Utilities mismanaged Park Water Company after purchasing the company, noting improper meter readings, inaccurate monthly invoices, and an increase of water rates; b) expressed his concerns regarding privatization of a public entity and inquired as to whether proper notice was provided to the 1,800 water customers regarding the public hearing for the sale of the water system; and 2) referencing Item 3-B (Anticipated Litigation: One matter), requested information as to the type of litigation that was anticipated.

**3 Closed Session - Continued**

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Responding to Mr. Drayer, City Manager Stewart 1) referencing Item 3-A, stated that the City had provided the legally required notices; and 2) referencing Item 3-B, stated that any disclosable information would be announced in Open Session.

Without objection, Mayor Koops recessed the Meeting at 5:36 p.m. to a Closed Session regarding:

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

Property: City of Bellflower Municipal Water System  
(including 700 acre feet of groundwater)

Agency Negotiator: Jeffrey L. Stewart, City Manager

Negotiating Party: California American Water Company  
California Water Service Company  
Golden State Water Company  
Liberty Utilities

Under Negotiation: Price and terms of payment

**B CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
**[CC/SA] (Significant exposure to litigation pursuant to paragraph (2) of**  
**subdivision (d) of Government Code Section 54956.9): One matter**

**4 Reconvene for Open Session**

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Mayor Koops reconvened the Meeting at 7:00 p.m. with all members present and announced that no reportable action was taken during Closed Session.

**5 Call to Order**

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Mayor Koops called the Open Session of the Regular City Council Meeting to order at 7:00 p.m.

**6 Roll Call**

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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 Sonny R. Santa Ines

**6 Roll Call - Continued**

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Staff Participants:

Jeffrey L. Stewart, City Manager  
Karl H. Berger, City Attorney  
Mayra Ochiqui, City Clerk  
Joel Hockman, Director of Public Safety  
P.J. Mellana, Director of Parks and Recreation  
Jim DellaLonga, Director of Economic Development  
Art Bashmakian, Director of Planning  
James Nguyen, Management Analyst  
Karen L. Avery, Deputy City Clerk

**7 Invocation**

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Mayor Pro Tem Ron Schnablegger offered the Invocation.

**8 Pledge of Allegiance**

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Director of Planning Art Bashmakian led the assembly in the Pledge of Allegiance.

**9 Oath of Office – Council-Appointee Juan Garza**

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Honorable Don Knabe, Los Angeles County Supervisor, Fourth District, administered the Oath of Office to Council-Appointee Juan Garza.

City Clerk Ochiqui presented the Certificate of Appointment to Council-Appointee Juan Garza.

Mayor Koops was joined by his City Council colleagues in congratulating Council Member Garza on his appointment.

**10 City Council Announcements**

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Newly appointed Council Member Garza 1) thanked God; his family and friends for their support; Supervisor Knabe for administering the Oath of Office; former Council Member Larsen and his family for their years of service to the community; residents, businesses, City Staff, and his City Council colleagues for the trust they are placing in him; and 2) stated that he will proudly represent the City of Bellflower.

## 10 City Council Announcements - Continued

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Mayor Koops provided an update on health of the two Deputy Sheriffs involved in a shooting last week, offered words of encouragement to the deputies and their families, and encouraged the community to support the two deputies by signing a "get well" book at the Public Safety Department Substation.

Mayor Pro Tem Schnablegger provided details relative to the annual Relay for Life event to be held at Bellflower High School on July 9-10, 2016.

Council Member Dunton provided details relative to the upcoming summer events sponsored by the Parks and Recreation Department on July 8, 2016 – August 25, 2016, including "Food Trucks and Flicks" and "Streetfests".

Council Member Santa Ines reminded residents that illegal fireworks are not allowed in the City of Bellflower and provided information relative to the Safe and Sane Fireworks booths hosted by local service clubs.

## 11 Public Comments

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**Angie Reyes English, Mayor Pro Tem, City of Hawthorne**, congratulated Council Member Garza on his appointment to the City Council.

**Ken Glenn** requested and received confirmation from City Manager Stewart that no formal action is being considered at this time to place a ballot measure relative to an apartment tax on the November 8, 2016, Special Municipal Election ballot.

**Amy Boteilho, Clifton M. Brakensiek Library**, 1) welcomed Council Member Garza to the City Council; and 2) reminded residents that the Library is also a Los Angeles County Cooling Center for extreme weather.

**Ricardo Mendoza, Field Representative, Congresswoman Linda Sanchez**, congratulated the City on moving forward and making history with the appointment of Council Member Garza.

**Kimberlee Tachiki-Chin, Sr. Advisor, Congresswoman Lucille Roybal-Allard**, congratulated Council Member Garza on his appointment and provided him with a Note of Congratulations from Congresswoman Roybal-Allard.

**Representative from Speaker of the Assembly Anthony Rendon's Office**, congratulated the City on the appointment of Council Member Garza and provided Council Member Garza with a certificate of congratulations from Speaker of the Assembly Rendon.

11 Public Comments - Continued

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**Edgar Estrada, Field Representative, Assembly Member Cristina Garcia,** welcomed Council Member Garza to the City Council and expressed the opinion that the City was living up to its motto: "Growing Together."

**Robin Snow** 1) welcomed Council Member Garza to the City Council; 2) provided details relative to the Relay for Life event to be held at Bellflower High School on July 9-10, 2016, and the Schnablegger Family Pancake Breakfast to be held prior to Relay for Life event opening; and 3) thanked the City Council for placing the "In God We Trust" etching in the City Council Chambers.

**Sean Ashton, Council Member, City of Downey,** 1) thanked the City Council for attending numerous awards and events for the City of Downey; and 2) congratulated Council Member Garza on his appointment to the City Council.

**Steve Caplan, resident, 15922 Cornuta Avenue,** referencing the El Picosito Restaurant located at corner of Alondra Boulevard and Cornuta Avenue (10055 Alondra Boulevard), 1) stated that the restaurant does not post their prices on the menu and he has been overcharged for food items he has ordered there in the past; and 2) expressed the opinion that restaurants should be mandated to post their prices.

At the request of Mayor Koops, City Attorney Berger stated that he is not aware of any legal requirements that would mandate restaurants to post their prices, but would look into the matter.

12-A **Consideration and possible action to conduct a public hearing to consider adopting a Resolution seeking voter approval to sell the Bellflower Municipal Water System ("MWS") to a specific buyer; and, if approved, adopt other Resolutions necessary to place the matter on the consolidated November 8, 2016, ballot. [CITY]**

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City Manager Stewart introduced the item and stated that the Staff recommendation is to take public testimony and continue the matter to the July 11, 2016, City Council Meeting.

It was moved by Council Member Santa Ines, seconded by Mayor Pro Tem Schnablegger, and carried without objection, to open the Public Hearing.

**Ken Glenn, Municipal Water Commissioner,** spoke in favor of placing the matter on the consolidated November 8, 2016, ballot.

**Peter Hirezi** requested and received clarification from Mayor Koops regarding the price of the water system and the variables involved in the sale.

Following discussion, it was moved by Mayor Pro Tem Schnablegger, seconded by Council Member Santa Ines, and carried without objection, to continue the Public Hearing to the July 11, 2016, City Council Meeting.

13 Ordinances and Resolutions for Consideration

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None

14-A Consideration and possible action to cancel the 2016 Party in the Plaza event, a City conducted special event; and reallocate the funds to the 60<sup>th</sup> Birthday Celebration [CITY]

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Director of Parks and Recreation Mellana provided a brief overview of the Staff Report and responded to Council Members' questions.

It was moved by Council Member Dunton, seconded by Mayor Pro Tem Schnablegger, and unanimously carried by the following roll call vote, to cancel the 2016 Party in the Plaza event and direct Staff to prepare a budget amendment to reallocate the funds to the 60<sup>th</sup> Birthday Celebration:

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

14-B Consideration and possible action to reduce the City's Community Policing Plan by eliminating one sergeant position and one motor deputy position and adding \$75,000 to traffic enforcement overtime. [CITY]

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

Responding to Mayor Pro Tem Schnablegger's inquiry relative to the upcoming expiration of the Temporary Utility Users' Tax ("Measure P") and consequent discontinuance of revenue, City Manager Stewart stated that the matter would be placed on the July 11, 2016, City Council Meeting Agenda.

**Ken Glenn** expressed the opinion that he would rather see the \$75,000 go toward more patrol officers rather than traffic enforcement overtime, stating that there has been a recent increase in the number of break-ins in his neighborhood.

**George Franzen** requested and received clarification from Director Hockman as to the percentage of the funds expended on traffic enforcement the City is able to recuperate through the citation process.

**Wardlow Cunningham, resident, Ocana Avenue**, expressed the opinion that people who speed should be issued citations and that City funds should be reallocated where it is needed in Public Safety.

**14-B Consideration and possible action to reduce the City's Community Policing Plan - Continued**

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It was moved by Mayor Pro Tem Schnablegger, seconded by Council Member Santa Ines, and unanimously carried by the following roll call vote, to approve Staff's recommendation to modify the Community Policing Plan by eliminating one motor deputy position and one sergeant position and adding \$75,000 to traffic enforcement overtime:

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

**14-C Consideration and possible action to authorize the City Manager to execute Agreement File No. 710 (Affordable Housing and Property Disposition Agreement) with Partnership Housing Inc. (Habitat for Humanity), Amendment No.1 to Agreement File No. 681 (HOMECommunity Housing Development Organization Funds Agreement) to provide \$250,000 for a Construction Loan, and associated documents related to the Partnership Housing - 8809 Ramona Street Project (Project), in a form approved by the City Attorney, after an Authorization to Proceed is issued by the Department of Housing and Urban Development (HUD) for the affordable housing development on 8809 Ramona Street. [CITY]**

CEQA: This action can be exempted from further CEQA evaluation and clearance in accordance with Section 15061(b)(3) of the CEQA Guidelines. Section 15061(b)(3) states, "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." The proposed activity is the authorization for the City Manager to approve the affordable housing and property disposition agreement, in a form approved by the City Attorney, and other related documents to sell property for the Project. Accordingly, the proposed activity is considered administrative and will not specifically result in any potentially significant environmental impact. Therefore, further environmental analysis is not required for the proposed documents. It should be noted that environmental impacts directly resulting with the proposed development of the Project will be separately analyzed when design plans for the Project are finalized.

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Management Analyst Nguyen 1) requested that the record reflect the correction of a typographical error on the Staff Report to state that the Planning Commission approved the Project on June 20, 2016, and not June 13, 2016; 2) gave a PowerPoint presentation providing an overview of the Staff Report; and 3) announced that a representative from Habitat for Humanity was in the audience to respond to any questions. Director of Economic Development DellaLonga and Management Analyst Nguyen responded to Council Members' questions.

**14-C Consideration and possible action to authorize the City Manager to execute documents related to the Partnership Housing - 8809 Ramona Street Project - Continued**

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**Darrell Simien, Habitat for Humanity of Greater Los Angeles**, 1) thanked City Council and Staff for their partnership and stated that he is looking forward to working with them on this Project; 2) responded to Council Members' questions; and 3) provided details on Habitat for Humanity's new "Restore" on Artesia Boulevard.

Following discussion, it was moved by Council Member Dunton, seconded by Council Member Garza, and unanimously carried by the following roll call vote, to authorize the City Manager to execute Agreement File No. 710 (Affordable Housing and Property Disposition Agreement) with Partnership Housing Inc., Amendment No.1 to Agreement File No. 681 (HOME-Community Housing Development Organization Funds Agreement) with Partnership Housing Inc., to provide \$250,000 for a Construction Loan, and associated documents related to the Partnership Housing - 8809 Ramona Street Project (Project), in a form approved by the City Attorney, after an Authorization to Proceed is issued by the Department of Housing and Urban Development (HUD) for the affordable housing development on 8809 Ramona Street:

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

**14-D Consideration and possible action to receive and file a presentation by Bellflower Unified School District (BUSD) regarding reprioritization of projects pursuant to Memorandum of Understanding (MOU) No. 5 and Settlement Agreement between BUSD and the Bellflower Redevelopment Agency dated November 24, 2008. [CC/SA]**

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City Manager Stewart provided a brief overview of the Staff Report and responded to Council Members' questions.

Council Member Santa Ines requested and received clarification from City Manager Stewart relative to the Ad Hoc Subcommittee acting on behalf of the Successor Agency to the Dissolved Bellflower Redevelopment Agency and not the City Council, noting that even though comprised of the same members, it is a separate entity.

**Peter Hirezi** requested and received clarification from City Manager Stewart relative to the listed BUSD projects.

**14-D Consideration and possible action to receive and file a presentation by Bellflower Unified School District - Continued**

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**Wayne Brown** expressed the opinion that there seemed to be a lack of communication and progress from what was outlined in the original Settlement Agreement between the City and BUSD.

City Manager Stewart stated for the record that there is no objection to the changes requested by BUSD; it is the format in which they were requested that is the issue.

Mayor Koops requested that the motion include that negotiations with BUSD be completed by the beginning of 2017.

Following discussion, it was moved by Council Member Dunton, seconded by Council Member Santa Ines, and unanimously carried by the following roll call vote, to receive and file a presentation by Bellflower Unified School District; reactivate the BUSD Ad Hoc Subcommittee (Mayor Pro Tem Schnablegger and Council Member Santa Ines); authorize the BUSD Ad Hoc Subcommittee to negotiate a formal amendment to the Settlement Agreement between BUSD and the Successor Agency to the Dissolved Bellflower Redevelopment Agency by January 1, 2017, as amended:

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

**15 Consent Calendar**

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For the record, Council Member Garza announced that he would recuse himself from Items 15-C, 15-G, 15-H, 15-I, and 15-J (City Council Meeting Minutes) as he was not yet appointed to the City Council during that time.

Noting the aforementioned recusals, it was moved by Council Member Santa Ines, seconded by Council Member Garza, and carried by the following roll call vote, to approve the actions stipulated on the following Consent Calendar items:

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

**A Consideration and possible action to receive and file City Council Warrant Register No. 16-122, dated June 27, 2016. [CC/SA]**

Action: Received and filed Warrant Register No. 16-122.

**B Consideration and possible action to receive and file City Council Treasurer's Report for the Month of May 2016. [CC/SA]**

Action: Received and filed Treasurer's Report for the Month of May 2016.



**15 Consent Calendar - Continued**

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- J **Consideration and possible action to approve the Minutes of the June 14, 2016, Special Meeting of the Bellflower City Council (Open Session). [CITY]**
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Action: Approved the June 14, 2016, Special Meeting Minutes.

- K **Consideration and possible action to authorize the City Manager to execute Agreement File No. 320.8.4, in a form approved by the City Attorney, with Bellflower-Somerset Mutual Water Company, for the lease of water pumping allocation rights in Fiscal Year 2016-2017. [CITY]**
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Action: Authorized the City Manager to execute Agreement File No. 320.8.4 in a form approved by the City Attorney.

**16 Council Reports**

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Mayor Koops and his City Council colleagues congratulated Council Member Garza on his appointment and welcomed him to the City Council.

Without objection, Mayor Koops requested that the meeting be adjourned in honor of the bravery of Deputy Chad Vandenberg and Deputy Chris Allende.

**17 Adjournment**

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Without objection, Mayor Koops adjourned the meeting at 8:31 p.m., in honor of the bravery of Deputy Chad Vandenberg and Deputy Chris Allende, to the next Regular Meeting of the Bellflower City Council at 5:30 p.m. on Monday, July 11, 2016.

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**Dan Koops, Mayor**  
**City of Bellflower**

**Attest:**

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**Mayra Ochiqui, City Clerk**  
**Approved: July 11, 2016**