



# 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 August 8, 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: September 12, 2016

## **EXECUTIVE SUMMARY**

None

## **RECOMMENDATION TO CITY COUNCIL**

- 1) Approve the August 8, 2016, Regular Meeting Minutes; or
- 2) Alternatively, discuss and take other action related to this item.

## **FISCAL IMPACT**

None

## **ATTACHMENT**

Minutes of the August 8, 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, AUGUST 8, 2016, 5:30 P.M. – CLOSED SESSION BELLFLOWER CITY HALL - COUNCIL CHAMBERS

#### 1 Call to Order

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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 6:10 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  
Council Member Ray Dunton  
Council Member Juan Garza  
Council Member Sonny R. Santa Ines

It was moved by Council Member Dunton, seconded by Council Member Garza, and carried without objection, to excuse the absence of Mayor Pro Tem Schnablegger.

#### 3 Recess to Closed Session

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Without objection, Mayor Koops recessed the Meeting at 6:11 p.m. to a Closed Session regarding:

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

Property: 16400-16412 Bellflower Boulevard  
Agency Negotiator: Jeffrey L. Stewart, City Manager, on behalf of the City of Bellflower  
Negotiating Party: Cleveland Family Trust  
Under Negotiation: Price and terms of license of real property

**4 Reconvene for Open Session**

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Mayor Koops reconvened the Meeting at 7:07 p.m. with all members present and announced that no reportable action was taken during Closed Session.

For the record, Mayor Pro Tem Schnablegger later announced that the reason for his absence from the Closed Session portion of the meeting, was that he had to recuse himself from Item 3-A (Conference with Real Property Negotiator: 16400-16412 Bellflower Boulevard) as he is a beneficiary of the Cleveland Family Trust.

**5 Call to Order**

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Mayor Koops called the Open Session of the Regular City Council Meeting to order at 7:07 p.m with all council members present.

**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 Juan Garza  
Council Member Sonny R. Santa Ines

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  
Tae G. Rhee, Director of Finance  
Len Gorecki, Director of Public Works  
Jim DellaLonga, Director of Economic Development  
Rowena Genilo-Concepcion, Planning Manager  
Lidia Chavaque, Executive Assistant

**7 Invocation**

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Council Member Ray Dunton offered the Invocation.

**8 Pledge of Allegiance**

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Director of Public Safety Joel Hockman led the assembly in the Pledge of Allegiance.

**9 City Council Announcements**

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Mayor Koops provided details relative to the Annual Back to School Backpack School Supplies Drive for the Bellflower Unified School District children sponsored by the Bellflower Volunteer Center.

Mayor Pro Tem Ron Schnablegger provided details relative to this year's Bellflower Civic Chorus concert entitled "Echoes of the Century" to be held the weekend of September 16-18, 2016.

Council Member Santa Ines provided details relative the City's Annual Blood Drive held on July 28, 2016.

Council Member Garza provided details relative to the 18<sup>th</sup> Annual Bellflower Boulevard Car Show co-hosted by the Bellflower Noon Lions and the City of Bellflower, to be held on Saturday, October 1, 2016.

Council Member Dunton provided details relative to the Online Business License renewal option available on the City website.

**10 Public Comments**

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**John Paul Drayer**, 1) addressed the City Council relative to possible violations at Bellflower Unified School District with regard to school fees and fundraising activities; 2) stated that he would be submitting an argument against the sale of the Municipal Water System; and 3) requested and received clarification from City Manager Stewart relative to the backpack drive being based solely on donations and not City funds.

**Julia Emerson, Southern California Gas Company**, provided details relative to 1) the Public Utility Commission's decision to close the Bellflower Payment Office and the future alternative payment locations; and 2) a gas leakage in Aliso Canyon Field and the possible effects on local electric and gas services.

**Josh Murray, Clifton M. Brakensiek Library**, 1) introduced himself as the new Manager of the Brakensiek Library; 2) reviewed upcoming Library programs and events; and 3) responded to Council Members questions.

**10 Public Comments - Continued**

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In response to **Peter Hirezi**'s questions relative to whether Glory Tabernacle Christian Church was going to meet the deadline set forth in their Conditional Use Permit, City Manager Stewart confirmed that they had met the deadline.

**11-A Consideration and possible action to conduct a public hearing to consider delinquent refuse service charges; and adopt Resolution No. 16-52 – A Resolution ordering delinquent refuse service charges be assessed against the property owners and properties and such charges be transferred to the County tax rolls. [CITY]**

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Public Works Manager Iniguez 1) gave a PowerPoint presentation providing an overview of the Staff Report; 2) stated that a representative from CR&R was in attendance and available for questions; and 3) responded to Council Member's questions.

Following discussion, it was moved by Council Member Dunton, seconded by Mayor Pro Tem Schnablegger, and carried without objection, to open the Public Hearing.

**Peter Hirezi** did not state a position in favor or against Resolution No. 16-52, but requested and received 1) confirmation from City Manager Stewart that the relative City ordinance is in compliance with applicable law; 2) clarification from City Manager Stewart relative to the possible reasons for the reduced number of delinquent accounts from previous years.

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

Following discussion, it was moved by Council Member Dunton, seconded by Council Member Garza, and unanimously carried by the following roll call vote, to adopt Resolution No. 16-52:

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

**12 ORDINANCES AND RESOLUTIONS**

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None

**13-A Consideration and possible action to adopt Resolution No. 16-53 – A Resolution stating the City Council’s legislative intent for the use of proceeds from the sale of the Bellflower Municipal Water System and providing citizen oversight of such expenditures. [CITY]**

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Assistant City Manager Mingle 1) gave a PowerPoint presentation providing an overview of the Staff Report; and 2) with City Manager Stewart and Director of Finance Rhee, responded to Council Members’ questions.

Council Member Santa Ines suggested the \$2.7 million spent from the General Fund for the Bellflower Municipal Water System be paid back to the City’s General Fund from the proceeds of the sale of the water system.

**John Paul Drayer** 1) agreed with Council Member Santa Ines’ comments regarding the \$2.7 million be paid back to the General Fund to allow the City more spending flexibility; and 2) expressed the opinion that the community was not sufficiently informed of the pending sale of the Bellflower Municipal Water System.

City Manager Stewart confirmed that the City’s legal noticing requirements regarding the sale of the Municipal Water System were met and the community was informed.

**Peter Hirezi** requested and received clarification from City Manager Stewart relative to the estimated costs to repair the Municipal Water System over the next 30 years.

Following discussion, it was moved by Mayor Pro Tem Schnablegger, seconded by Council Member Santa Ines, and unanimously carried by the following roll call vote, to 1) amend Resolution No. 16-53 to reflect \$2.7 million be paid back to the City’s General Fund from the proceeds of the sale of the Bellflower Municipal Water System; and 2) adopt Resolution No. 16-53, as amended:

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

**13-B Consideration and possible action of making an appointment to the Specific Plan No. 6 (Garden House Project) Development Review Committee (DRC). [CITY]**

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Planning Manager Genilo-Concepcion provided an overview of the Staff Report and responded to Council Members’ questions.

Following discussion, it was moved by Council Member Santa Ines, seconded by Mayor Pro Tem Schnablegger, and carried without objection, to designate Council Member Dunton as the representative to serve on the Specific Plan No. 6 (Garden House Project) Development Review Committee (DRC) on an “as-needed” basis.

- 13-C Consideration and possible action to adopt Joint Resolution Nos. 16-54 and SA-16-04 – A Joint Resolution authorizing the City Manager to execute a purchase and sale agreement between the Bellflower Successor Agency and the City of Bellflower for the disposition of real property located at 16500 - 16518 Bellflower Boulevard; and authorize the City Manager/Executive Director to execute Purchase and Sale Agreement (PSA) AFN. 718, in a form approved by the City Attorney/Successor Agency Counsel. [CC/SA]**
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Director of Economic Development DellaLonga 1) provided an overview of the Staff Report; and 2) with Director of Finance Rhee, responded to Council Members' questions.

John Paul Drayer requested and received clarification from City Manager Stewart relative to previous City purchases of Successor Agency property.

Peter Hirezi requested and received clarification from Mayor Koops and Mayor Pro Tem Schnablegger relative to the location of the property.

Following discussion, it was moved by Council Member Santa Ines, seconded by Council Member Garza, and unanimously carried by the following roll call vote, to 1) adopt Joint Resolution Nos. 16-54 and SA-16-04; and 2) authorize the City Manager/Executive Director to execute PSA AFN 718, in a form approved by the City Attorney/Successor Agency Counsel:

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

**14 Consent Calendar**

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For the record, 1) Council Member Santa Ines announced that he would recuse himself from Items 14-M (Amendment No. 1 to Memorandum of Understanding No. 19 between the Orangeline Development Authority, dba Eco-Rapid Transit) and 14-O (Memorandum of Understanding No. 19.2 between the Orangeline Development Authority, dba Eco-Rapid Transit) as he is a Board Member of the Orangeline Development Authority, dba Eco-Rapid Transit; and 2) Mayor Koops announced that he would recuse himself from a) Item 14-H (Demolition of the shuffle board building at Simms Park) as he owns property within 500 feet of the subject property; and b) Item 14-J (Agreement File No. 205.26-1 with Kingdom Causes Bellflower - Good Soils Industries) as he has a business relationship with Good Soils Industries.

For the record, Council Member Garza pulled Items 14-D (Minutes of the July 11, 2016, Regular Meeting) and 14-G (Agreement File No. 719 with Advanced Electronics, Inc.) for separate discussion.

14 Consent Calendar – Continued

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Regarding Item 14-D (Minutes of the July 11, 2016, Regular Meeting), Council Member Garza requested a clerical correction be made to page 6 of the minutes to reflect the accurate description of the item he pulled from the Consent Calendar for discussion at the July 11, 2016, Regular Meeting as follows: “Item 14-D (Fitness for Duty and Substance Abuse Prevention Policy) (~~Lease Agreement File No. 712 with Patrick Pierre for lease of property at 16552 Bellflower Boulevard, identified as Kiosk B~~)”. City Clerk Ochiqui confirmed the error and stated that the correction would be made.

Regarding Item 14-G (Agreement File No. 719 with Advanced Electronics, Inc.), Council Member Garza requested to see a table of all proposals received in response to the Request for Proposals. In response to Council Member Garza’s questions, Director of Public Works Gorecki 1) confirmed that the responses were not included in the Staff Report, but could be provided; and 2) the description of annual rates could be better defined in the agreement to reflect the rates for the second and third years. In response to Council Member Garza’s questions, City Manager Stewart stated that the item was not time-sensitive and could be brought back for City Council consideration at the next regularly scheduled meeting. It was the consensus of the City Council to remove Item 14-G from the Consent Calendar and reschedule it for the August 22, 2016, City Council Meeting.

Noting the aforementioned recusals and removal of Item 14-G (Agreement File No. 719 with Advanced Electronics, Inc.) from the Consent Calendar, it was moved by Council Member Dunton, seconded by Council Member Sonny Santa Ines, and carried without objection, to approve the remainder of the actions stipulated on the following Consent Calendar items:

- A **Consideration and possible action to receive and file City Council Treasurer’s Report for the Month of June 2016. [CC/SA]**  
Action: Received and filed Treasurer’s Report for the Month of June 2016.
- B **Consideration and possible action to receive and file City Council Warrant Register No. 17-021, dated August 8, 2016. [CC/SA]**  
Action: 1) Received and filed Warrant Register No. 17-021.
- C **Consideration and possible action to approve the Minutes of the July 11, 2016, Special Meeting of the Bellflower City Council. [CITY]**  
Action: Approved the July 11, 2016, Special Meeting Minutes.
- D **Consideration and possible action to approve the Minutes of the July 11, 2016, Regular Meeting of the Bellflower City Council and City Council Acting on Behalf of the Successor Agency to the Dissolved Bellflower Redevelopment Agency. [CC/SA]**  
Action: Approved the July 11, 2016, Regular Meeting Minutes, as amended.

14 Consent Calendar – Continued

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- E Consideration and possible action to authorize the City Manager to execute Amendment No. 5 to Agreement File No. 281.15, in a form approved by the City Attorney, with Hartzog & Crabill, Inc., to extend the term of the Agreement for engineering services associated with the widening of the west side of Bellflower Boulevard between Artesia Boulevard and Beach Street. [CITY]**  
Action: Authorized the City Manager to execute Amendment No. 1 to Agreement File No. 281.15, in a form approved by the City Attorney.
- F Consideration and possible action to authorize the Mayor to execute a one-year extension to Agreement File No. 51.24-1, in a form approved by the City Attorney, with the Los Angeles County District Attorney's Office for Strategies Against Gang Environments (SAGE) Deputy District Attorney Services. [CITY]**  
Action: Authorized the Mayor to execute a one-year extension to Agreement File No. 51.24-1 in a form approved by the City Attorney.
- ~~**G Consideration and possible action to authorize the City Manager to execute Agreement File No. 719, in a form approved by the City Attorney, with Advanced Electronics, Inc., for two-way radio system maintenance and repair. [CITY]**~~  
~~Recommendation to City Council: 1) Authorize the City Manager to execute AFN 719, in a form approved by the City Attorney; or 2) Alternatively, discuss and take other action related to this item.~~
- H Consideration and possible action to award a contract to National Demolition Contractors for the demolition of the shuffle board building at Simms Park (Specifications No. 15/16-07) and authorize the City Manager to execute a contract in a form approved by the City Attorney, with National Demolition Contractors. [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 pursuant to CEQA Guidelines § 15301 (Existing Facilities).  
Action: Awarded a contract to National Demolition for the Project, and authorized the City Manager to execute a contract with National Demolition in a form approved by the City Attorney.
- I Consideration and possible action to authorize the Director of Public Works, or designee, to install time-based parking restrictions adjacent to the Norwalk Transit bus stop on the north side of Flower Street, east of Civic Center Drive (C.E. #16-09). [CITY]**  
Action: Authorized the Director of Public Works, or designee, to install the time-based parking restrictions adjacent to the Norwalk Transit bus stop on the north side of Flower Street, east of Civic Center Drive.

14 Consent Calendar – Continued

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- J **Consideration and possible action to receive and file Public Services Agreement File No. 205.26-1 with Kingdom Causes Bellflower to provide Community Development Block Grant (CDBG) funding for employment and training opportunities through Good Soils Industries. [CITY]**  
Action: Received and filed Agreement File No. 205.26-1.
- K **Consideration and possible action to receive and file Public Service Agreement File No. 38.7 with Fair Housing Foundation to provide CDBG funding for services to promote equal housing opportunities and prevent housing discrimination. [CITY]**  
Action: Received and filed Agreement File No. 38.7.
- L **Consideration and possible action to receive and file of Agreement File No. 386.2 with Duane Morita Planning & Environmental for planning and environmental consulting services. [CITY]**  
Action: Received and filed Agreement File No. 386.2.
- M **Consideration and possible action to receive and file Agreement File No. 717 with Keerat, Inc., for the lease of the City-owned property located at 16607 Bellflower Boulevard for a Subway Restaurant. [CITY]**  
Action: Received and filed Agreement File No. 717.
- N **Consideration and possible action to authorize the City Manager to execute Amendment No. 1 to Memorandum of Understanding No. 19 between the Orangeline Development Authority, dba Eco-Rapid Transit (“Authority”), and the City of Bellflower regarding the City’s provision of financial services for the Authority. [CITY]**  
Action: Authorized the City Manager to execute Amendment No. 1 to MOU No. 19, in a form approved by the City Attorney.
- O **Consideration and possible action to authorize the City Manager to execute a Memorandum of Understanding No. 19.2 between the Orangeline Development Authority, dba Eco-Rapid Transit (“Authority”), and the City of Bellflower regarding the City’s provision of administrative services for the Authority’s granted-funded West Santa Ana Branch Sustainable Transit Corridor Phase I Near Term Project. [CITY]**  
Action: Authorized the City Manager to execute MOU No. 19.2, in a form approved by the City Attorney.

**15 Council Reports**

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

Without objection, Mayor Koops requested that the meeting be adjourned in memory of Sharon Dobbins.

**16 Adjournment**

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Without objection, Mayor Koops adjourned the meeting at 8:13 p.m., in memory of Sharon Dobbins, to the next Regular Meeting of the Bellflower City Council at 5:30 p.m. on Monday, August 22, 2016.

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

**Attest:**

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**Mayra Ochiqui, City Clerk**  
**Approved: September 12, 2016**