

The City of Bellflower

Families. Businesses. Futures.

16600 Civic Center Drive, Bellflower, CA 90706

Tel 562.804.1424 Fax 562.925.8660 www.bellflower.org



AGENDA

Next CC Resolution No. 16-72
Next CC Agreement No. 728
Next Ordinance No. 1322
Next SA Resolution No. SA-16-05
Next SA Agreement No. SA-18

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) 804-1424. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Agenda Items are on file in the Office of the City Clerk and are available for public inspection during normal business hours. For your convenience, the Agenda is also posted on the City's Website at www.bellflower.org with links to each Agenda Item (unless they are too lengthy or unavailable at the time of posting). Any supplemental material distributed to a majority of the members of the City Council after the posting of this Agenda will be made available for public inspection during normal business hours in the City Clerk's Office at City Hall, 16600 Civic Center Drive, Bellflower. (Privileged documents and Closed Session documents are exempted.)

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, SEPTEMBER 26, 2016, 5:30 P.M. – CLOSED SESSION
BELLFLOWER CITY HALL - COUNCIL CHAMBERS

1 **CALL TO ORDER**

- 2 **ROLL CALL:** Mayor Dan Koops
Mayor Pro Tem Ron Schnablegger
Council Member Ray Dunton
Council Member Juan Garza
Council Member Sonny R. Santa Ines

3 RECESS TO CLOSED SESSION

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

Property: 9030 Somerset Boulevard
Agency Negotiator: Jeffrey L. Stewart, City Manager
Negotiating Party: Dennis Bukowski and Giovanni D'Egidio
Under Negotiation: Price and terms of payment

- B CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Pursuant to paragraph (1) of subdivision (d) of Government Code
Section 54956.9) [CITY]

City of Bellflower v. Bellflower Gardens, Salvacion Topacio et al.,
Case No. VC064727

- C CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Pursuant to paragraph (1) of subdivision (d) of Government Code
Section 54956.9) [CITY]

City of Bellflower v. Bristol Alternative/Flower Bell Properties et al.,
Case No. VC064858

- D CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Pursuant to paragraph (1) of subdivision (d) of Government Code
Section 54956.9) [CITY]

City of Bellflower v. Bellflower CannaClub/AJ Trinh Properties et al.,
Case No. VC065568

4 RECONVENE FOR OPEN SESSION

MONDAY, SEPTEMBER 26, 2016, 7 P.M. – OPEN SESSION

5 CALL TO ORDER

- 6 ROLL CALL:** Mayor Dan Koops
 Mayor Pro Tem Ron Schnablegger
 Council Member Ray Dunton
 Council Member Juan Garza
 Council Member Sonny R. Santa Ines

- 7 INVOCATION:** Council Member Juan Garza

8 **PLEDGE OF ALLEGIANCE:** Jim DellaLonga, Director of Economic Development

9 **CITY COUNCIL ANNOUNCEMENTS / PRESENTATIONS**

A City Council Announcements

10 **PUBLIC COMMENTS**

This is the time set aside for the public to address the City Council on matters **not** listed on the Agenda. Anyone wishing to address the City Council should come to the podium, be recognized by the Mayor, and state your name for the record. If you wish to address the City Council on an Agenda Item, you may do so by approaching the podium as we review that particular item. You will be given a reasonable amount of time to address the City Council.

11 **PUBLIC HEARING(S)**

A **Consideration and possible action to conduct a [public hearing](#) regarding a Code Amendment and a Zoning Ordinance Text Amendment Case No. ZOTA 16-06; and read by title only, waive further reading, and introduce Ordinance No. 1319 – An Ordinance approving Zoning Ordinance Text Amendment Case No. ZOTA 16-02 amending various sections of the Bellflower Municipal Code to ensure that religious assembly uses and institutions are not treated on less-than-equal terms as compared to similarly situated secular assembly uses and institutions; Applicant: City of Bellflower. [CITY]**

CEQA: This project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations because it consists only of minor revisions and clarifications to existing regulations. Specifically, the purpose of the ordinance is to eliminate any actual or perceived disparities in treatment between similarly situated religious and secular assembly uses in the same zoning district. It does not portend any new development and does not relax existing regulatory restrictions on future development. This ordinance, therefore, does not have the potential to cause significant effects on the environment. Consequently, it is exempt from CEQA review under 14 Cal. Code Regs. § 15061(b)(3).

Recommendation to City Council: 1) Open the public hearing; take testimonial and documentary evidence; after considering the evidence, read by title only, waive further reading, and introduce Ordinance No. 1319; or 2) Alternatively, discuss and take other action related to this item.

11 **PUBLIC HEARING(S) - Continued**

- B Consideration and possible action to conduct a [public hearing](#) to consider a Negative Declaration (ND 16-04) and a Zoning Ordinance Text Amendment (ZOTA 16-04); and read by title only, waive further reading, and introduce Ordinance No. 1320 – An Ordinance approving Zoning Ordinance Text Amendment Case No. ZOTA 16-04 amending Sections 17.44.235, 17.88.050, and 17.88.100 of Title 17 of the Bellflower Municipal Code, relating to requirements for hotels, motels, and rooming houses; and the applicability of parking for **large concentrations of people; Applicant: City of Bellflower. [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.*), an environmental assessment has been conducted for this project in compliance with the California Environmental Quality Act (CEQA) Guidelines. An Initial Study and a Negative Declaration have been prepared which were made available for public review from August 18, 2016 through September 6, 2016.

Recommendation to City Council: 1) Open the public hearing; take testimonial and documentary evidence; after considering the evidence, read by title only, waive further reading, and introduce Ordinance No. 1320; or 2) Alternatively, discuss and take other action related to this item.

- C Consideration and possible action to conduct a [public hearing](#) regarding Zoning Ordinance Text Amendment Case No. ZOTA 16-09; and read by title only, waive further reading, and introduce Ordinance No. 1321 - An Ordinance amending Chapter 17.80 (**Development Review**) of the Bellflower Municipal Code. **[CITY]**
Recommendation to City Council: 1) Open the public hearing; take testimonial and documentary evidence; after considering the evidence, continue the public hearing to October 10, 2016; or 2) Alternatively, discuss and take other action related to this item.

12 **ORDINANCES AND RESOLUTIONS FOR CONSIDERATION**

None

13 **CONSIDERATION ITEM(S)**

None

14 **CONSENT CALENDAR**

All items under the Consent Calendar are considered by the City Council to be routine and will be enacted by one motion. Specific items may be removed from the Consent Calendar at the request of any member of the City Council for separate consideration.

A **Consideration and possible action to receive and file City Council Warrant Register No. 17-032, dated September 26, 2016. [CC/SA]**

Recommendation to City Council: 1) Receive and file Warrant Register No. 17-032; or 2) Alternatively, discuss and take other action related to this item.

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

Recommendation to City Council: 1) Receive and file Treasurer's Report for the Month of August 2016; or 2) Alternatively, discuss and take other action related to this item.

C **Consideration and possible action to receive and file denial of a claim submitted by Mody Fakhory. [CITY]**

Recommendation to City Council: 1) Receive and file denial of a claim submitted by Mody Fakhory; or 2) Alternatively, discuss and take other action related to this item.

D **Consideration and possible action to waive further reading and adopt Ordinance No. 1316 - An ordinance approving Zoning Ordinance Text Amendment Case No. ZOTA 16-02 amending Chapters 17.16 (SF: Single Family Zone), 17.24 (R-1: Low Density Residential Zone), 17.28 (R-2: Medium Density Residential Zone), 17.32 (R-3: Multiple Residential Zone), 17.42 (Reasonable Accommodation for Persons with Disabilities), 17.44 (C-G: General Commercial Zone), and 17.92 (Nonconforming Buildings and Uses) of Title 17 of the Bellflower Municipal Code regulations as to nonconforming buildings, uses, and lots. [The ZOTA is to address nonconforming conditions by deleting outdated regulations, modifying existing regulations, and introducing new regulations as they apply to each zone.] [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.*), an environmental assessment has been conducted for this project in compliance with the California Environmental Quality Act (CEQA) Guidelines. An Initial Study and a Negative Declaration have been prepared which were made available for public review from July 7, 2016 through July 26, 2016.

Recommendation to City Council: 1) Waive further reading and adopt Ordinance No. 1316; or 2) Alternatively, discuss and take other action related to this item.

14 **CONSENT CALENDAR** – Continued

- E **Consideration and possible action to waive further reading and adopt [Ordinance No. 1317](#) - An Ordinance amending Title 16 (Subdivisions) of the Bellflower Municipal Code in its entirety regulating subdivisions in accordance with the Subdivision Map Act (Government Code §§ 66410, et seq). [CITY]**
CEQA: Pursuant to the authority and criteria of the California Environmental Quality Act (CEQA), it can be seen with certainty that this Bellflower Municipal Code amendment does not have the potential to cause significant effects on the environment and, therefore, the project is exempt from CEQA pursuant to 14 Cal. Code Regs. § 15061(b)(3).

Recommendation to City Council: 1) Waive further reading and adopt Ordinance No. 1317; or 2) Alternatively, discuss and take other action related to this item.
- F **Consideration and possible action to waive further reading and adopt [Ordinance No. 1318](#) – An ordinance amending Bellflower Municipal Code Section 2.28.010 affecting the election date of general municipal elections and requesting consolidation with Los Angeles County pursuant Elections Code 10403. [CITY]**
Recommendation to City Council: 1) Waive further reading and adopt Ordinance No. 1318; or 2) Alternatively, discuss and take other action related to this item.
- G **Consideration and possible action to authorize the City Manager to execute [Agreement File No. 725](#) with Koff & Associates, in a form approved by the City Attorney, for the purpose of conducting a Total Compensation Study. [CITY]**
Recommendation to City Council: 1) Authorize the City Manager to execute Agreement File No. 725 in a form approved by the City Attorney; 2) Alternatively, discuss and take other action related to this item.
- H **Consideration and possible action to receive and file 1) Approval of Title I of the Housing and Community Development Act of 1974 [Grant Agreement](#) with the Department of Housing and Urban Development ("HUD") for funding of the City's Community Development Block Grant (CDBG) fiscal year 2016-2017 programs; and 2) Funding Approval of HOME Investment Partnerships Grant Agreement with the Department of Housing and Urban Development ("HUD") for funding of the City's HOME Investment Partnerships Program (HOME) fiscal year 2016-2017 programs. [CITY]**
Recommendation to City Council: 1) Receive and file Approval of Title I of the Housing and Community Development Act of 1974 Grant Agreement with the Department of Housing and Urban Development for funding of the City's Community Development Block Grant fiscal year 2016-2017 programs; 2) Receive and file Funding Approval of HOME Investment Partnerships Grant Agreement with the Department of Housing and Urban Development for funding of the City's HOME Investment Partnerships Program fiscal year 2016-2017 programs; or 3) Alternatively, discuss and take other action related to this item.

14 **CONSENT CALENDAR** – Continued

- I **Consideration and possible action to receive and file [Amendment No. 1 to Agreement File No. 684](#) between the City of Bellflower and Tripepi Smith & Associates for additional marketing services and support to the Economic Development Department. [CITY]**
Recommendation to City Council: 1) Receive and file Amendment No. 1 to Agreement File No. 684; or 2) Alternatively, discuss and take other action related to this item.
- J **Consideration and possible action to authorize the City Manager to execute [Amendment No. 2 to Agreement File No. 684](#), in a form approved by the City Attorney, with Tripepi Smith & Associates, to extend the term and increase the hourly rate of compensation for year two of the Agreement. [CITY]**
Recommendation to City Council: 1) Authorize the City Manager to execute Amendment No. 2 to Agreement File No. 684 in a form approved by the City Attorney; or 2) Alternatively, discuss and take other action related to this item.
- K **Consideration and possible action to approve the [Minutes](#) of the August 22, 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]**
Recommendation to City Council: 1) Approve the August 22, 2016, Minutes; or 2) Alternatively, discuss and take other action related to this item.
- L **Consideration and possible action to approve Mayor Dan Koops' [reappointment of Robert "Bob" Wilson](#) to the Bellflower Unified School District's Citizens' Task Force for the 2016-2017 School Year. [CITY]**
Recommendation to City Council: 1) Approve Mayor Dan Koops' reappointment of Robert "Bob" Wilson to the Bellflower Unified School District's Citizens' Task Force for the 2016-2017 School Year; or 2) Alternatively, discuss and take other action related to this item.
- M **Consideration and possible action to authorize the City Manager to execute [Agreement File No. 727](#) (Loss of Rents Agreement), in a form approved by the City Attorney, with Victory Associates, LP, for payment of substitute rent for vacant residences at 9757 Artesia Boulevard, as it relates to the Bellflower Boulevard Widening Project between Artesia Boulevard and SR-91. [CITY]**
Recommendation to City Council: 1) Authorize the City Manager to execute Agreement File No. 727, in a form approved by the City Attorney; or 2) Alternatively, discuss and take other action related to this item.

14 **CONSENT CALENDAR** – Continued

- N **Consideration and possible action to authorize the City Manager to execute [Amendment No. 3 to Agreement File No. 271.1](#), in a form approved by the City Attorney, with Bank of the West for banking and investment services. [CITY]**

Recommendation to City Council: 1) Authorize the City Manager to execute Amendment No. 3 to AFN 271.1, in a form approved by the City Attorney; or 2) Alternatively, discuss and take other action related to this item.

- O **Consideration and possible action to adopt [Resolution No. 16-68](#) – A Resolution amending the Operating Budget for Fiscal Years 2015-16 and 2016-17. [CITY]**

Recommendation to City Council: 1) Adopt Resolution No. 16-68; or 2) Alternatively, discuss and take other action related to this item.

- P **Consideration and possible action to adopt [Resolution No. 16-69](#) – A Resolution authorizing the City Manager to execute a Purchase and Sale Agreement between Paul Rothbard, Trustee of the Paul Rothbard Revocable Living Trust, and the City of Bellflower for the acquisition of real property located at 16411 Bellflower Boulevard and 9742 Mayne Street; authorize the City Manager to execute Purchase and Sale Agreement AFN 726, in a form approved by the City Attorney, and any other documents required to acquire the property; and authorize funding from the General Fund reserve. [CITY]**

CEQA: This matter is exempt from review under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "CEQA Guidelines") because it authorizes the acquisition of real property only; it can be seen with certainty that there is no possibility that this purchase will cause a direct physical change in the environment and is therefore not considered a project pursuant to CEQA § 21065. While the City Council anticipates that the property will ultimately be incorporated into a private development that fulfills the legislative intent set forth in Government Code §§ 52200 and 52200.4, any such development will require scrutiny in accordance with CEQA.

Recommendation to City Council: 1) Adopt Resolution No. 16-69; and authorize the City Manager to execute Purchase and Sale Agreement AFN 726, in a form approved by the City Attorney, and any other documents required to acquire the property; 2) Authorize funding from the General Fund reserve; or 3) Alternatively, discuss and take other action related to this item.

14 **CONSENT CALENDAR – Continued**

- Q **Consideration and possible action to adopt [Resolution No. 16-70](#) – A Resolution awarding a contract for purchase and installation of catch basin connector pipe screens pursuant to Government Code § 830.6 and authorizing the City Manager to execute a contract with G2 Construction, Inc., without the need for California Public Contract Code bidding as otherwise required by the Bellflower Municipal Code. [CITY]**

CEQA: The proposed agreement with G2 consists of the purchase and installation of catch basin inserts, which involves negligible or no expansion of an existing use. 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 installation of catch basin inserts in City-owned catch basins is categorically exempt from CEQA based upon a Class 1 exemption.

Recommendation to City Council: 1) Adopt Resolution No. 16-70; or 2) Alternatively, discuss and take other action related to this item.

- R **Consideration and possible action to adopt [Resolution No. 16-71](#) – A Resolution amending the Downtown Bellflower Restaurant Assistance and Expansion Program by adding Element No. 3 – Maintenance of Existing Dining Establishments. [CITY]**

Recommendation to City Council: 1) Adopt Resolution No. 16-71; or 2) Alternatively, discuss and take other action related to this item.

15 **COUNCIL REPORTS**

16 **ADJOURNMENT**

Adjourn to the next Regular Meeting of the Bellflower City Council at 5:30 p.m. on Monday, October 10, 2016