



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 September 26, 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: October 10, 2016

EXECUTIVE SUMMARY

None

RECOMMENDATION TO CITY COUNCIL

- 1) Approve the September 26, 2016, Regular Meeting Minutes; or
- 2) Alternatively, discuss and take other action related to this item.

FISCAL IMPACT

None

ATTACHMENT

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

1 Call to Order

Mayor Koops called the Regular City Council Meeting to order at 5:35 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 Juan Garza
Council Member Sonny R. Santa Ines

3 Recess to Closed Session

For the record, Mayor Koops announced that he will recuse himself from Item 3-B as he owns property within 500 feet of the subject properties.

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)

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

3 Closed Session - Continued

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

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

Mayor Koops called to order the Open Session of the Regular City Council Meeting to order at 7:00 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 Juan Garza
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
Tae Rhee, Director of Finance
Leo L. Mingle, Jr., Assistant City Manager
Len Gorecki, Director of Public Works
P.J. Mellana, Director of Parks and Recreation
Jim DellaLonga, Director of Economic Development
Rowena Genilo-Concepcion, Planning Manager
Lidia Chavaque, Executive Assistant

7 Invocation

Council Member Juan Garza offered the Invocation.

8 Pledge of Allegiance

Director of Economic Development Jim Dellalonga led the assembly in the Pledge of Allegiance.

9 Announcements

Mayor Koops 1) acknowledged Bellflower High School government teacher and students in attendance; and 2) provided details relative to a) the ground breaking ceremony for the Bellflower Events Center and Fire Museum; and b) the 2016 Mayor's Prayer Breakfast on Tuesday, October 4, 2016 at Simms Park.

Mayor Pro Tem Schnablegger provided details relative to 1) the November 8, 2016, Special Municipal Election; and 2) the March 7, 2017, General Municipal Election.

Council Member Dunton provided details relative to 1) the Annual Bellflower Service Club Luncheon on October 6, 2016; and 2) the hazardous waste and electronic waste event to be held at Simms Park on November 5, 2016.

Council Member Santa Ines provided details relative to the 18th 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 Garza provided details relative to the closing of the local Southern California Gas Company's Bellflower office location and provided information for the other bill payment locations.

10 Public Comments

Jeff Smith, Chamber of Commerce, provided details relative to 1) the Art Walk on October 8, November 19, and December 10, 2016; 2) the Trick-or-Treat event on Bellflower Boulevard to be held October 28, 2016; and 3) the Shop Bellflower event to be held on November 19, 2016.

Kevin Tilden, California-American Water Company, provided details relative to an event to be held in Bellflower in an effort to provide more information about the company and the Measure W Campaign.

Mayor Koops requested that Mr. Tilden attend a future meeting to provide additional details regarding the future event California-American Water will be hosting in Bellflower.

John Butts addressed the City Council relative to 1) giving back the land to Union Bank stating that he has had two accidents in that parking lot; 2) the homeless issue in the City and suggested the City Council get the League of California Cities involved; and 3) the negative impact Frontier Communications has caused his business.

Peter Hirezi, requested and received clarification from City Manager Stewart relative to combining the Gateway bus systems.

11-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]**

City Manager Stewart read by title only Ordinance No. 1319.

Planning Manager Genilo-Concepcion gave a PowerPoint presentation providing an overview of the Staff Report and responded to Council Member's questions.

It was moved by Mayor Pro Tem Schnablegger, seconded by Council Member Dunton, and carried without objection to move open the public hearing.

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

It was moved by Mayor Pro Tem Schnablegger, seconded by Council Member Dunton, and unanimously carried by the following roll call vote, to read by title only, waive further reading, and introduce Ordinance No. 1319:

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

- 11-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]**
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City Manager read by title Ordinance No. 1320 and stated that Staff was recommending continuance of this item to October 24, 2016.

It was moved by Council Member Dunton, seconded by Mayor Pro Tem Schnablegger, and carried without objection to open the public hearing.

There being no one wishing to present public testimony, it was moved by Council Member Santa Ines, seconded by Council Member Garza, and carried without objection to continue the Public Hearing to October 24, 2016.

- 11-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]**
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City Manager ready by title Ordinance No. 1321.

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

There being no one wishing to present public testimony, it was moved by Mayor Pro Tem Schnablegger, seconded by Council Member Garza, and carried by the following roll call vote, to continue the Public Hearing to October 10, 2016.

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

12 Ordinances and Resolutions for Consideration

None

13 Consideration Items

None

14 Consent Calendar

For the record, 1) Mayor Koops announced that he would recuse himself from Item 14-R (Downtown Bellflower Restaurant Assistance and Expansion Program), as he owns property within 500 feet of the subject area; 2) Council Member Dunton announced that he would recuse himself from Item 14-M (payment of substitute rent for vacant residences at 9757 Artesia Boulevard), 14-P (acquisition of real property located at 16411 Bellflower Boulevard and 9742 Mayne Street) and Item 14-R (Downtown Bellflower Restaurant Assistance and Expansion Program) as he owns property within 500 feet of the subject properties; and 3) Council Member Garza pulled Item 14-N (Amendment No. 3 to Agreement File No. 271.1) for separate discussion and Item 14-Q (Resolution No. 16-70) for separate discussion.

Regarding Item 14-N (Amendment No. 3 to Agreement File No. 271.1), Council Member Garza requested and received clarification from Director of Finance Rhee regarding the Agreement with Bank of the West and how it will affect the savings for the City.

Regarding Item 14-Q (Resolution No. 16-70), Council Member Garza requested and received clarification from Public Works Director Gorecki regarding the maintenance of the screens after the contract is awarded.

Regarding Item 14-M (payment of substitute rent for vacant residences at 9757 Artesia Boulevard), **Peter Hirezi** requested and received clarification from Director of Public Works Gorecki regarding the term of the Loss of Rent Agreement.

Regarding Item 14-P (acquisition of real property located at 16411 Bellflower Boulevard and 9742 Mayne Street), **Peter Hirezi** requested and received clarification from Mayor Koops and City Manager Stewart regarding interested buyers for the Greek Market property across the street from the future Events Center and Fire Museum.

Following discussion and noting the aforementioned recusals, it was moved by Council Member Santa Ines, seconded by Mayor Pro Tem Schnablegger, and carried by the following roll call vote, to approve the actions stipulated on the following Consent Calendar items:

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

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

14 Consent Calendar – Continued

- 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]**
Action: Authorized the City Manager to execute Amendment No. 2 to Agreement File No. 684 in a form approved by the City Attorney.
- 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]**
Action: Approved the August 22, 2016, Minutes.
- 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]**
Action: Approved Mayor Dan Koops' reappointment of Robert "Bob" Wilson to the Bellflower Unified School District's Citizens' Task Force for the 2016-2017 School Year.
- 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]**
Action: Authorized the City Manager to execute Agreement File No. 727, in a form approved by the City Attorney.
- 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]**
Action: Authorized the City Manager to execute Amendment No. 3 to AFN 271.1, in a form approved by the City Attorney.
- 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]**
Action: Adopted Resolution No. 16-68.

14 Consent Calendar – Continued

- 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.

Action: 1) Adopted 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; and 2) Authorized funding from the General Fund reserve.

- 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.

Action: Adopted Resolution No. 16-70.

14 Consent Calendar – Continued

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]

Action: Adopted Resolution No. 16-71.

15 Council Reports

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

16 Adjournment

Without objection, Mayor Koops adjourned the meeting at 7:52 p.m., to the next Regular Meeting of the Bellflower City Council at 5:30 p.m. on Monday, October 10, 2016.

Dan Koops, Mayor
City of Bellflower

Attest:

Mayra Ochiqui, City Clerk
Approved: October 10, 2016