

The City of Bellflower

Families. Businesses. Futures.

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AGENDA

Next CC Resolution No. 16-75
Next CC Agreement No. 733
Next Ordinance No. 1326
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, OCTOBER 10, 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 – 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**

MONDAY, OCTOBER 10, 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:** Mayor Dan Koops

8 **PLEDGE OF ALLEGIANCE:** Director of Planning Art Bashmakian

9 **CITY COUNCIL ANNOUNCEMENTS / PRESENTATIONS**

A City Council Announcements

B “End Domestic Violence” and “Breast Cancer Awareness” Proclamation

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](#) to consider granting an oil pipeline franchise to Tesoro SoCal Pipeline Company LLC; LT Pipeline, Inc.; Cardinal Pipeline, LP; and Crimson California Pipeline, LP; and read by title only, waive further reading, and introduce Ordinance No. 1303 - An Ordinance granting to Tesoro Social Pipeline Company LLC an oil pipeline franchise within the City of Bellflower; Ordinance No. 1304 – An Ordinance granting to LT Pipeline, Inc. an oil pipeline franchise within the City of Bellflower; Ordinance No. 1305 – An Ordinance granting to Cardinal Pipeline, L.P. an oil pipeline franchise within the City of Bellflower; and Ordinance No. 1306 – An Ordinance granting to Crimson California Pipeline, L.P. an oil pipeline franchise within the City of Bellflower. (Continued from August 22, 2016) [CITY]**

CEQA: These ordinances are exempt from additional environmental review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., “CEQA”) and CEQA regulations (14 California Code of Regulations §§ 15000, et seq.) because the granting of the oil pipeline franchises fit within the definition of the Class 1 exemption, “Existing Facilities,” as defined in Section 15301(c) of the CEQA regulations. The proposed grants of franchises involve no or negligible alteration of existing facilities involving no or negligible expansion of use beyond that existing at the time of the determination that the Categorical Exemption applies. Furthermore, the proposed grants of franchises will not adversely impact air quality or any other environmental area, as they will be subject to applicable regulatory requirements.

Recommendation to City Council: 1) Open the public hearing; take testimonial and documentary evidence; and after considering the evidence, read by title only, waive further reading, and introduce Ordinance Nos. 1303, 1304, 1305, and 1306; 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](#) 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 approving Zoning Ordinance Text Amendment Case No. 16-09 amending Chapter 17.80 (Development Review) of the Municipal Code by eliminating the Development Review Board; Applicant City of Bellflower. (Continued from September 26, 2016) [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 streamline the development review process by eliminating the Board, while retaining the legal ability of the City to regulate design and receive input from other public agencies. 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) Reopen the public hearing; take testimonial and documentary evidence; after considering the evidence, read by title only, waive further reading, and introduce Ordinance No. 1321; or 2) Alternatively, discuss and take other action related to this item.

- C **Consideration and possible action to conduct a [Public Hearing](#) to consider a Negative Declaration (ND 16-03), a Zone Change (ZC 16-02) and a Zoning Ordinance Text Amendment No. ZOTA 16-03 for the Design for Development for the South Bellflower Commercial Area (DFD); and read by title only, waive further reading, and introduce Ordinance No. 1322 – An Ordinance approving Zone Change Case No. ZC 16-02 to change the existing zone of several properties from “C-G” (General Commercial) or “M-1” (Light Industrial District) to Design for Development for the South Bellflower Commercial Area (DFD) and Zoning Ordinance Text Amendment Case No. ZOTA 16-03 amending the Bellflower Municipal Code to add Chapter 17.65, “Design for Development for the South Bellflower Commercial Area (DFD)” to Title 17; 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 July 21, 2016 through August 9, 2016. The City received three (3) comments regarding this project.

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

- C **Consideration and possible action to conduct a Public Hearing to consider a Negative Declaration (ND 16-03), a Zone Change (ZC 16-02) and a Zoning Ordinance Text Amendment No. ZOTA 16-03 for the Design for Development for the South Bellflower Commercial Area (DFD) – Continued**

Recommendation to City Council: 1) Open the public hearing; take testimonial and documentary evidence; and after considering the evidence, introduce Ordinance No.1322; or 2) Alternatively, discuss and take other action related to this item.

- D **Consideration and possible action to 1) conduct a public hearing regarding regulating marijuana-related businesses; 2) read by title only, waive further reading, and introduce Ordinance No. 1323 - An Ordinance repealing Chapter 8.48 and Section 17.04.110 of the Bellflower Municipal Code and adding Title 14 and Chapter 17.94 pertaining to the regulation of marijuana-related businesses and land uses; 3) adopt Resolution No. 16-72 - A Resolution establishing application requirements and minimum qualifications for a marijuana-related business permit pursuant to Bellflower Municipal Code § 14.08.040; 4) consider potential fees for processing marijuana-related business permit applications; and 5) Consider draft Ordinance No. 1323 (adding Chapter 3.37 to the BMC entitled “Cannabis Business Tax”) which would add tax regulations and a tax rate to the BMC (if approved by the voters) and provide direction as to whether to prepare documents to place the matter as a proposition for the March 7, 2017, General Municipal Election ballot (last date to do so is December 9, 2016).[CITY]**

CEQA: In accordance with the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*; “CEQA”) and CEQA regulations (Cal. Code Regs. tit. 14, §§ 15000, *et seq.*), an Initial Study and Negative Declaration were prepared in accordance with the provisions of CEQA. The Initial Study and Negative Declaration determined that the adoption of Ordinance No. 1323 will not result in significant environmental impacts and that no further environmental review is required. The 20-day public review period for this document began on August 4, 2016 and expired on August 23, 2016. No public comments were received. No CEQA analysis is required for Ordinance No. 1333 at this time.

Recommendation to City Council: 1) Open the public hearing; take testimonial and documentary evidence; and after considering the evidence, read by title only, waive further reading, and introduce Ordinance No. 1323 and adopt Resolution No. 16-72; 2) Consider the amount of the proposed application fees for processing regulatory permits and provide direction as to the amount and effective date; 3) Consider draft Ordinance No. 1324 (adding Chapter 3.37 to the BMC entitled “Cannabis Business Tax”) which would add tax regulations and a tax rate to the BMC (if approved by the voters) and provide direction as to whether to prepare documents to place the matter as a proposition for the March 7, 2017, General Municipal Election ballot (last date to do so is December 9, 2016); or 4) Alternatively, discuss and take other action related to this item.

12 **ORDINANCES AND RESOLUTIONS FOR CONSIDERATION**

- A **Consideration and possible action to read by title only, waive further reading, and introduce [Ordinance No. 1325](#) - An Ordinance adopting the 2016 Editions of the California Building Code, the California Residential Building Code, the California Green Building Standards Code, the California Electrical Code, the California Fire Code, the California Plumbing Code, and the California Mechanical Code, making certain amendments based upon local conditions, and amending the Bellflower Municipal Code to reflect such changes; and setting a Public Hearing for November 14, 2016, for second reading and adoption of the Ordinance. [CITY]**

CEQA: This ordinance is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the "State CEQA Guidelines") because it consists only of minor revisions and clarifications to an existing code of construction-related regulations and specification of procedures related thereto and will not have the effect of deleting or substantially changing any regulatory standards or findings required therefor, and therefore does not have the potential to cause significant effects on the environment. In addition, this ordinance is an action being taken for enhanced protection of the environment and is exempt from further review under CEQA Guidelines § 15308.

Recommendation to City Council: 1) Read by title only, waive further reading, and introduce Ordinance No. 1325; 2) Set a public hearing for November 14, 2016; or 3) Alternatively, discuss and take other action related to this item.

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.

14 **CONSENT CALENDAR** - Continued

A **Consideration and possible action to receive and file City Council Warrant Register No. 17-041, dated October 10, 2016. [CC/SA]**

Recommendation to City Council: 1) Receive and file Warrant Register No. 17-041; or 2) Alternatively, discuss and take other action related to this item.

B **Consideration and possible action to waive further reading and adopt Ordinance No. 1319 – An Ordinance approving Zoning Ordinance Text Amendment Case No. ZOTA 16-06 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) Waive further reading and adopt Ordinance No. 1319; or 2) Alternatively, discuss and take other action related to this item.

C **Consideration and possible action to receive and file Agreement File No. 724, in a form approved by the City Attorney, with Five Point Design for landscape design services for the Trabuco Butterfly Garden Redesign. [CITY]**

Recommendation to City Council: 1) Receive and file Agreement File No. 724; or 2) Alternatively, discuss and take other action related to this item.

D **Consideration and possible action to authorize the City Manager to execute Agreement File No. 731, in a form approved by the City Attorney, with Tom Marino for the granting of funds for restaurant improvements under the Downtown Restaurant Assistance Program, Element No. 2. [CITY]**

Recommendation to City Council: 1) Authorize the City Manager to execute Agreement File No. 731, in a form approved by the City Attorney; or 2) Alternatively, discuss and take other action related to this item.

14 **CONSENT CALENDAR** - Continued

- E **Consideration and possible action to award a [contract](#) to California SkateParks, for the Simms Park Fitness Center and Trail Development (Specifications No. 15/16-08) and authorize the City Manager to execute a contract with California SkateParks in a form approved by the City Attorney. [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).

Recommendation to City Council: 1) Award a contract to California SkateParks for the Project, and authorize the City Manager to execute a contract with California SkateParks in a form approved by the City Attorney; or 2) Alternatively, discuss and take other action related to this item.

- F **Consideration and possible action to authorize the City Manager to execute [Amendment No. 2 to Agreement File No. 311.1](#), in a form approved by the City Attorney, with Kevin Sales dba KJServices Environmental Consulting for the administration and coordination of the Used Oil Recycling Program and Beverage Container Recycling Program. [CITY]**

Recommendation to City Council: 1) Authorize the City Manager to execute Amendment No. 2 to Agreement File No. 311.1, in a form approved by the City Attorney; or 2) Alternatively, discuss and take other action related to this item.

- G **Consideration and possible action to adopt [Resolution No. 16-73](#) – A Resolution approving Final Parcel Map No. 73437 for the development of eight (8) single family residences on property located at 15733 Ryon Avenue; and authorize the City Manager to execute a subdivision improvement agreement in a form approved by the City Attorney. [CITY]**

Recommendation to City Council: 1) Adopt Resolution No. 16-73; and authorize the City Manager to execute a subdivision improvement agreement 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 receive and file [Agreement File No. 732](#) with Johnsen Commercial Services, dba The Jarvis Company for the Installation and Removal of Holiday Decorations for 2016. [CITY]**

Recommendation to City Council: 1) Receive and file Agreement File No. 732; or 2) Alternatively, discuss and take other action related to this item.

14 **CONSENT CALENDAR** - Continued

- I **Consideration and possible action to ratify Mayor Dan Koops' [appointment of Charles Robert "Bob" Snow](#) to the Parks and Recreation Commission. [CITY]**
Recommendation to City Council: 1) Ratify Mayor Dan Koops' appointment of Charles Robert "Bob" Snow to the Parks and Recreation Commission to fill the unexpired term ending March 2017; or 2) Alternatively, discuss and take other action related to this item.
- J **Consideration and possible action to receive and file of [Agreement File No. 729](#) with Willdan Financial Services for Financial Consulting Services regarding the feasibility of forming an Enhanced Infrastructure Financing District. [CC/SA]**
Recommendation to City Council: 1) Receive and file Public Services Agreement File No. 729; or 2) Alternatively, discuss and take other action related to this item.
- K **Consideration and possible action to adopt [Resolution No. 16-74](#) – A Resolution amending the operating budget for fiscal year 2016-17 to provide Successor Housing Agency funding for low-, very low-, and extremely low-income programs and projects; and authorize the City Manager to execute an amendment to AFN No. 464, as directed by City Council, in a form approved by the City Attorney, with Our Place Housing Solutions to increase the grant amount by not more than \$11,000. [CC/SA]**
Recommendation to City Council: 1) Adopt Resolution No. 16-74; 2) Authorize the City Manager to execute an amendment to AFN No. 464, as directed by City Council, in a form approved by the City Attorney; or 3) Alternatively, discuss and take other action related to this item.
- L **Consideration and possible action to approve the [Minutes](#) of the September 12, 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 September 12, 2016, Regular Meeting Minutes; or 2) Alternatively, discuss and take other action related to this item.
- M **Consideration and possible action to approve the [Minutes](#) of the September 26, 2016, Joint Special Meeting of the Bellflower City Council, Parks and Recreation Commission, Planning Commission, and Town Center Design Review Committee. [CITY]**
Recommendation to City Council: 1) Approve the September 26, 2016, Special Meeting Minutes; or 2) Alternatively, discuss and take other action related to this item.

14 **CONSENT CALENDAR** - Continued

N **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. [CC/SA]**

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.

15 **COUNCIL REPORTS**

16 **ADJOURNMENT**

Adjourn to the next Regular Meeting of the Bellflower City Council at 5:30 p.m. on Monday, October 24, 2016