

**ANNOTATED AGENDA  
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**

*5:30 p.m.*

- 2     **ROLL CALL:**       Mayor Dan Koops  
                          Mayor Pro Tem Ron Schnablegger  
                          Council Member Ray Dunton  
                          Council Member Juan Garza  
                          Council Member 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

**MONDAY, OCTOBER 10, 2016, 7 P.M. – OPEN SESSION**

4     **RECONVENE FOR OPEN SESSION**

*No reportable action*

5     **CALL TO ORDER**

*7:00 p.m.*

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

- 7     **INVOCATION:**     Mayor Dan Koops

8     **PLEDGE OF ALLEGIANCE:**     Director of Planning and Building Services Art Bashmakian

9     **CITY COUNCIL ANNOUNCEMENTS / PRESENTATIONS**

A     City Council Announcements

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

10    **PUBLIC COMMENTS**

*Brian Barreto, California-American Water Company*  
*Brent Edwards and Marisela Vasquez, Bellflower Dental Group*  
*Donna Lacie*  
*Robin Snow*

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.

**Action: Reopened the Public Hearing**  
**Santa Ines/Dunton, without objection**

**Action: Closed the Public Hearing**  
**Schnablegger/Garza, without objection**

11 **PUBLIC HEARING(S)** – Continued

- 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 – Continued
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**Action:** *Reopened the Public Hearing  
Schnablegger/Santa Ines, without objection*

**Action:** *Closed the Public Hearing  
Schnablegger/Santa Ines, without objection*

**Action:** *Read by title only, waived further reading, and introduced Ordinance Nos. 1303, 1304, 1305, and 1306, as amended  
Dunton/Santa Ines, 5-0*

- 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]
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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).

**Action:** *Reopened the Public Hearing  
Santa Ines/Dunton without objection*

**Action:** *Closed the Public Hearing  
Santa Ines/Dunton, without objection*

**Action:** *Read by title only, waived further reading, and introduced Ordinance No. 1321  
Schnablegger/Garza, 5-0*

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); 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]**

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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.

**Action: *Opened the Public Hearing  
Santa Ines/Garza without objection***

**Action: *Close the Public Hearing  
Santa Ines/Garza without objection,***

**Action: *Read by title only, waived further reading, and introduced Ordinance No. 1322, as amended  
Garza/Santa Ines, 3-0-0-2 (Dunton and Koops recused)***

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

- 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~~ 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**).[CITY]

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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.

**Action:** *Opened the Public Hearing  
Santa Ines/Dunton without objection*

**Action:** *Closed the Public Hearing  
Santa Ines/Dunton without objection,*

**Action:** *1) Read by title only, waived further reading, and introduced Ordinance No. 1323; 2) adopt resolution No. 16-72; 3) Considered the amount of the proposed application fees for processing regulatory permits and provided direction as to the amount and effective date; and 4) Considered 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 provided direction to prepare documents to place the matter as a proposition for the March 7, 2017, General Municipal Election ballot  
Dunton/Schnablegger, 3-1-0-1 (Koops, no; Garza, abstained)*

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.

**Action: 1) Read by title only, waived further reading, and introduced Ordinance No. 1325; and 2) Set a public hearing for November 14, 2016 Santa Ines/Garza, 5-0**

13 **CONSIDERATION ITEM(S)**

None

14 **CONSENT CALENDAR**

**Action: Approved the actions stipulated on the Consent Calendar Santa Ines/Garza, 5-0 (Koops recused on Items 14-C and 14-E)**

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

Action: Received and filed Warrant Register No. 17-041.

14 **CONSENT CALENDAR** – Continued

- 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).

Action: Waived further reading and adopted Ordinance No. 1319.

- 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]**

Action: Received and filed Agreement File No. 724.

- 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]**

Action: Authorized the City Manager to execute Agreement File No. 731, in a form approved by the City Attorney.

- 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).

Action: Awarded a contract to California SkateParks for the Project, and authorized the City Manager to execute a contract with California SkateParks, in a form approved by the City Attorney.

14 **CONSENT CALENDAR** - Continued

- 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]**  

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Action: Authorized the City Manager to execute Amendment No. 2 to Agreement File No. 311.1, in a form approved by the City Attorney.
- 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]**  

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Action: Adopted Resolution No. 16-73; and authorized the City Manager to execute a subdivision improvement agreement, in a form approved by the City Attorney.
- 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]**  

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Action: Received and filed Agreement File No. 732.
- I **Consideration and possible action to ratify Mayor Dan Koops' appointment of Charles Robert "Bob" Snow to the Parks and Recreation Commission. [CITY]**  

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Action: Ratified Mayor Dan Koops' appointment of Charles Robert "Bob" Snow to the Parks and Recreation Commission to fill the unexpired term ending March 2017.
- 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]**  

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Action: Received and filed Public Services Agreement File No. 729.
- 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]**  

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Action: 1) Adopted Resolution No. 16-74; 2) Authorized the City Manager to execute an amendment to AFN No. 464, as directed by City Council, in a form approved by the City Attorney.

14 **CONSENT CALENDAR** - Continued

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]**

Action: Approved the September 12, 2016, Regular Meeting Minutes.

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]**

Action: Approved the September 26, 2016, Joint Special Meeting Minutes.

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]**

Action: Approved the September 26, 2016, Regular Meeting Minutes.

15 **COUNCIL REPORTS**

16 **ADJOURNMENT**

***Adjourned at 9:14 p.m., in memory of Officer Lesly Zerebny, Officer Jose Vega, and Sergeant Steve Owen, and in honor of the birth of Austin John Koops, to the next Regular Meeting of the Bellflower City Council at 5:30 p.m. on Monday, October 24, 2016***