



# 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 October 24, 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: November 14, 2016

## **EXECUTIVE SUMMARY**

None

## **RECOMMENDATION TO CITY COUNCIL**

- 1) Approve the October 24, 2016, Regular Meeting Minutes; or
- 2) Alternatively, discuss and take other action related to this item.

## **FISCAL IMPACT**

None

## **ATTACHMENT**

Minutes of the October 24, 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, OCTOBER 24, 2016, 5:30 P.M. – CLOSED SESSION BELLFLOWER CITY HALL - COUNCIL CHAMBERS

#### 1 Call to Order

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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

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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 Juan Garza  
Council Member Sonny R. Santa Ines

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

#### 3 Recess to Closed Session

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Without objection, Mayor Koops recessed the Meeting at 5:36 p.m. to a Closed Session regarding:

- A 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**

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Mayor Koops reconvened the Meeting at 7:02 p.m. with all members present and announced that no reportable action was taken during Closed Session.

**5 Call to Order**

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Mayor Koops called the Open Session of the Regular City Council Meeting to order at 7:02 p.m.

**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 Juan Garza  
Council Member Sonny R. Santa Ines

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

Staff Participants:

Jeffrey L. Stewart, City Manager  
Karl H. Berger, City Attorney  
Mayra Ochiqui, City Clerk  
Leo L. Mingle, Jr., Assistant City Manager  
Len Gorecki, Director of Public Works  
Art Bashmakian, Director of Planning and Building Services  
Jason P. Clarke, Senior Planner  
Justin Tamayo, Assistant Planner  
Lidia Chavaque, Executive Assistant

**7 Invocation**

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Council Member Sonny R. Santa Ines offered the Invocation.

**8 Pledge of Allegiance**

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Director of Public Works Len Gorecki led the assembly in the Pledge of Allegiance.

**9-A City Council Announcements**

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Mayor Koops 1) acknowledged the Bellflower High School Government teacher and students in attendance; 2) acknowledged the volunteers, along with the CIRCLE program and West Coast Arborists members, who planted 150 trees in Bellflower on October 22, 2016, at the "Make a Difference Day"; and 3) provided details relative to the Bellflower Chamber of Commerce's annual "Trick or Treat on the BOO-leverd" on October 28, 2016.

Mayor Pro Tem Schnablegger provided details relative to the Vote-by-Mail drop-off location in the City Clerk's Office through the November 8, 2016, Election and reminded residents about the City's two ballot measures.

Council Member Santa Ines congratulated Human Resources and Risk Manager Susan Crumly on receiving the Joint Powers Insurance Authority Capstone Award.

Council Member Garza announced that November 10, 2016, is the deadline for nominating an individual or group as prospective BRAVO Award recipients.

**9-B "October 23-31, 2016, as Red Ribbon Week" Proclamation**

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Mayor Koops and his City Council colleagues presented a proclamation to Bellflower Unified School District PTA Members proclaiming October 23-31, 2016, as Red Ribbon Week.

**10 Public Comments**

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**Josh Murray, Clifton M. Brakensiek Library**, provided details relative to free flu shots being offered on November 5, 2016, from Noon to 3:00 p.m.

**Bob and Robin Snow** provided details relative to the Bellflower Relay for Life joint meeting for Bellflower and Paramount residents on November 12, 2016, at Hollywood Sports Park.

**Brian Barreto, California-American Water Company**, provided details relative to the Community Open House Event for Municipal Water System customers to be held on October 25, 2016, at Simms Park.

City Manager Stewart and Planning Director Bashmakian responded to **Priscilla Brown** relative to her questions regarding 1) business license procedures; and 2) the map of the zones designated for marijuana-related businesses.

**Joe Cvetko** paid tribute to America's veterans in honor of Veteran's Day.

**11-A 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 hotel, motel, and rooming house; and the applicability of parking for large concentration of people; Applicant: City of Bellflower. (Continued from September 26, 2016) [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.

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City Manager Stewart read by title Ordinance No. 1320.

Assistant Planner Tamayo 1) provided a PowerPoint presentation of the Staff Report; and 2) with Director of Planning Bashmakian, responded to Council Members' questions.

Following discussion, it was moved by Mayor Pro Tem Schnablegger, seconded by Council Member Santa Ines, and carried without objection to reopen the public hearing.

**Peter Hirezi** did not state a position in favor or against approving Ordinance No. 1320, but requested and received clarification from City Manager Stewart relative to trespassing regulations and proposed amenities for the project.

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

At the request of **Council Member Santa Ines**, Assistant Planner Tamayo stated that he would provide information relative to the number of properties that would qualify for this use with the reduction in lot size requirements.

It was moved by Council Member Santa Ines, seconded by Council Member Garza, and carried by the following roll call vote to read by title only, waive further reading, and introduce Ordinance No. 1320:

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

**ABSENT:** Council Member - Dunton

**11-B Consideration and possible action to 1) conduct a public hearing to consider approving a Mitigated Negative Declaration (No. MND 16-01), Precise Plan (Case No. PP 16-02), and Zone Change (Case No. ZC 16-01); 2) adopt Resolution No. 16-75– A Resolution adopting Mitigated Negative Declaration No. MND 16-01 and approving Precise Plan Case No. PP 16-02 to create development standards for a 36-unit, multifamily, mixed-use condominium development (consisting of a 32-unit, 36’-6” to 37’-10” high, residential condominiums and 4-unit, commercial condominiums totaling 3,600 square feet) and Tentative Map No. TT 74043 to consolidate four existing parcels into one lot measuring approximately 73,347 square feet for condominiums and common area purposes located at 9908-9922 Artesia Boulevard; Applicant: City Ventures LLC; and 3) read by title only, waive further reading, and introduce Ordinance No. 1326 – An Ordinance approving Zone Change Case No. ZC 16-01 to change the existing zone on four parcels from “M-1” (Light Industrial District) to “DFD (PD)” (Design for Development for the Bellflower South Commercial Area Planned Development Overlay) for properties located at 9908-9922 Artesia Boulevard. Applicant: City Ventures, LLC. [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 and responded to seven (7) comments regarding this project, which have been included on attachments B & C.

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City Manager Stewart read by title Ordinance No. 1326.

For the record, Mayor Koops announced that he will recuse himself from Item 11-B as he owns property within 500 feet of the subject property. Mayor Koops left the dais and Council Chambers at 7:54 p.m.

Senior Planner Clarke provided a PowerPoint presentation of the Staff Report and answered Council Members’ questions.

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

Peter Hirezi did not state a position in favor or against approving Resolution No. 16-75, but requested and received clarification from City Manager Stewart and the Applicant relative to parking for the project.

At the request of City Manager Stewart, Vice President of Development Kim Prijatel, City Ventures, LLC, responded to questions from Council Members and residents.

There being no one else wishing to provide public testimony, it was moved by Council Member Garza, seconded by Council Member Santa Ines, and carried without objection, to close the public hearing.

**11-B Consideration and possible action to 1) conduct a public hearing to consider approving a Mitigated Negative Declaration (No. MND 16-01), Precise Plan (Case No. PP 16-02), and Zone Change (Case No. ZC 16-01); 2) adopt Resolution No. 16-75 – Continued**

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Following discussion, the following two conditions were added to Resolution No. 16-75:

- “34. Limitation on Commercial Uses – Pursuant to the shared parking study dated October 10, 2016, only one (1) restaurant use is allowed on site. The restaurant use cannot occupy more than 900 square feet of the total commercial floor area. A parking study must be submitted to request the establishment of uses not analyzed under the parking study dated October 10, 2016 (i.e. combination restaurant, retail and office uses), as it relates to on-site parking demand and supply. Additional uses may be permitted if the parking study shows the uses will not result in negative impacts resulting from inadequate parking for the uses on site. This condition must be included within the provisions of the CC&R's as approved by the Director of Planning, or designee.”
  
- “49. Each residential unit is restricted to a maximum of two (2) vehicles on site at all times and must be parked in the attached garages. All 16 open parking spaces are available for guests of the residential units only. The 12 open parking spaces in the front of the lot (adjacent Artesia Boulevard) must be shared between the guest of the residential units, and the owners/ customers/ employees of the commercial tenant spaces. This condition must be included within the provisions of the CC&R's as approved by the Director of Planning, or designee.”

Following discussion, it was moved by Council Member Santa Ines, seconded by Council Member Garza, and carried by the following roll call vote, to adopt Resolution 16-75; and read by title only, waive further reading, and introduce Ordinance No. 1326, as amended:

- AYES:** Council Members - Garza, Santa Ines, and Mayor Pro Tem Schnablegger
- ABSTAIN:** Council Member - Mayor Koops
- ABSENT:** Council Member - Dunton

Mayor Koops returned to the Council Chambers and dais at 8:25 p.m.

**12 ORDINANCES AND RESOLUTIONS FOR CONSIDERATION**

None

**13 CONSIDERATION ITEM(S)**

None

14 Consent Calendar

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For the record, 1) Mayor Koops announced that he would abstain on Item 14-E (Ordinance No. 1322) as he owns property within 500 feet of the subject property; 2) Council Member Santa Ines pulled Item 14-I (Resolutions relative to the March 7, 2017, General Municipal Election) for separate discussion; and 3) Council Member Garza and Mayor Koops pulled Item 14-F (Ordinance No. 1323) for separate discussion.

Regarding Item 14-I (Resolutions relative to the March 7, 2017, General Municipal Election), at the request of Council Member Santa Ines, City Manager Stewart and City Clerk Ochiqui clarified information relative to the reasons for consolidating the election, cost savings, and the change of the Oath of Office date with regard to the March 7, 2017, General Municipal Election. City Manager Stewart stated that the cost savings and change of the date for the Oath of Office would be posted on the City's website.

Regarding Item 14-F (Ordinance No. 1323), 1) Council Member Garza stated that he would be abstaining on the item as he had not had the opportunity to visit the sites proposed for the marijuana-related businesses; 2) Mayor Koops stated that he would be abstaining from the item as he also has not had the opportunity to visit the sites proposed for the marijuana-related businesses; and 3) City Attorney Berger stated that due to a lack of a quorum on the item, it would be removed from the Agenda and brought back for City Council consideration at the next meeting.

Noting the removal of Item 14-F and 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 balance of the actions stipulated on the following Consent Calendar items:

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

**ABSENT:** Council Member - Dunton

A **Consideration and possible action to receive and file City Council Warrant Register No. 17-042, dated October 24, 2016. [CC/SA]**

Action: Received and filed Warrant Register No. 17-042.

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

Action: Received and filed Treasurer's Report for the Month of September 2016.

14 Consent Calendar - Continued

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- C **Consideration and possible action to waive further reading and adopt Ordinance No. ~~4303~~ 1327 – An Ordinance granting to Tesoro Social Pipeline Company LLC an oil pipeline franchise within the City of Bellflower; Ordinance No. ~~4304~~ 1328 – An Ordinance granting to LT Pipeline, Inc. an oil pipeline franchise within the City of Bellflower; Ordinance No. ~~4305~~ 1329 – An Ordinance granting to Cardinal Pipeline, L.P. an oil pipeline franchise within the City of Bellflower; and Ordinance No. ~~4306~~ 1330 – An Ordinance granting to Crimson California Pipeline, L.P. an oil pipeline franchise within the City of Bellflower. [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: Waived further reading and adopted Ordinance Nos. 1327, 1328, 1329, and 1330

- D **Consideration and possible action to waive further reading and adopt Ordinance No. 1321 - An Ordinance amending Chapter 17.80 (Development Review) and other sections of the Municipal Code by eliminating the Development Review Board and replacing it with Development Review by the Planning Director (Zoning Ordinance Text Amendment Case No. ZOTA 16-09); 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).

Action: Waived further reading and adopted Ordinance No. 1321.

14 Consent Calendar – Continued

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- E **Consideration and possible action to waive further reading and adopt 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 (BMC) 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.

Action: Waived further reading and adopted Ordinance No.1322.

[Removed from Agenda]

- ~~F **Consideration and possible action to waive further reading and adopt 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. [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) Waive further reading and adopt Ordinance No. 1323; or 2) Alternatively, discuss and take other action related to this item.~~

14 Consent Calendar – Continued

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- G Consideration and possible action to authorize the City Manager to execute Amendment No. 1 to Agreement File No. 548.2 with O’Neil Ventures, Inc., in a form approved by the City Attorney, to extend the term for one year; and authorize the City Manager to execute Agreement File No. 548.3 with O’Neil Ventures, Inc., in a form approved by the City Attorney, for Business Relocation and Re-Establishment Consulting Services regarding the relocation of Ricci’s Italian Restaurant and Deli relative to the Bellflower Boulevard Widening Project. [CITY]**

Action: 1) Authorized the City Manager to execute Amendment No. 1 to Agreement File No. 548.2, in a form approved by the City Attorney; and 2) Authorized the City Manager to execute Agreement File No. 548.3, in a form approved by the City Attorney.

- H Consideration and possible action to award a contract to Shariden Design Asphalt, Inc., for the Installation of Duratherm Crosswalks on Flower Street and Bellflower Boulevard (Specifications No. 16/17-01) and authorize the City Manager to execute a contract with Shariden Design Asphalt, Inc., 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 Shariden Design for the Project, and authorized the City Manager to execute a contract with Shariden Design, in a form approved by the City Attorney.

- I Consideration and possible action to adopt the following resolutions relative to the March 7, 2017, General Municipal Election:**

**Resolution No. 16-76 - A Resolution calling for the holding of a General Municipal Election to be held on Tuesday, March 7, 2017, for the election of certain officers as required by the provisions of the Laws of the State of California relating to general law cities;**

**Resolution No. 16-77 - A Resolution requesting the Board of Supervisors of the County of Los Angeles to direct the Registrar-Recorder/County Clerk to administer, manage, and oversee the City of Bellflower’s General Municipal Election to be held on Tuesday, March 7, 2017; and requesting for consolidation with any Countywide Election to be held on March 7, 2017; and**

**Resolution No. 16-78 - A Resolution adopting regulations for candidates for elective office pertaining to candidates’ statements submitted to the voters at a General Special Municipal Election to be held on Tuesday, March 7, 2017, and each election thereafter, and superseding Resolution No. 12-52. [CITY]**

Action: Adopted Resolution Nos. 16-76, 16-77, and 16-78.

14 **Consent Calendar – Continued**

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- J **Consideration and possible action to receive and file Agreement File No. 680.1, in a form approved by the City Attorney, with Language Network to provide translation services for the November 8, 2016, Special Municipal Election and the March 7, 2017, General Municipal Election. [CITY]**

Action: Received and filed Agreement File No. 680.1, in a form approved by the City Attorney.

- K **Consideration and possible action to approve the Minutes of the October 10, 2016, Special Meeting of the Bellflower City Council. [CITY]**

Action: Approved the October 10, 2016, Special Meeting Minutes.

- L **Consideration and possible action to approve the Minutes of the October 10, 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 October 10, 2016, Regular Meeting Minutes.

- M **Consideration and possible action to authorize the City Manager to execute Agreement File No. 6.6, in a form approved by the City Attorney, with the Bellflower Chamber of Commerce for 1) the temporary use of the property located at 16512 Bellflower Boulevard (APN 7109-010-912); and 2) waiving of fees associated with the use of the subject property. [CITY]**

Action: Authorized the City Manager to execute Agreement File No. 6.6, in a form approved by the City Attorney and determined that the Art Walk & Shop Bellflower fulfills a public purpose by encouraging economic development and promotes the public welfare. Consequently, the Chamber of Commerce need not pay the City fees ordinarily associated with private events.

15 **Council Reports**

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

Without objection, Mayor Koops requested that the meeting be adjourned in honor of Betty Oliver's 90<sup>th</sup> Birthday.

**16 Adjournment**

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Without objection, Mayor Koops adjourned the meeting at 8:37 p.m., in honor of Betty Oliver's 90<sup>th</sup> Birthday, to the next Regular Meeting of the Bellflower City Council at 5:30 p.m. on Monday, November 14, 2016.

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**Dan Koops, Mayor  
City of Bellflower**

**Attest:**

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**Mayra Ochiqui, City Clerk  
Approved: November 14, 2016**