



AGENDA
CITY COUNCIL/SUCCESSOR AGENCY/STANTON HOUSING AUTHORITY
JOINT REGULAR MEETING
STANTON CITY HALL, 7800 KATELLA AVENUE, STANTON, CA
TUESDAY, JANUARY 27, 2015 - 6:30 P.M.

As a courtesy to those in attendance, the City of Stanton respectfully requests that all cell phones, pagers and/or electronic devices be turned off or placed on silent mode while the meeting is in session. Thank you for your cooperation

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, CONTACT THE CITY CLERK AT (714) 379-9222. NOTIFICATION BY 9:00 A.M. ON MONDAY, JANUARY 26, 2015 WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING.

Supporting, descriptive documentation for agenda items, including staff reports, is available for review in the City Clerk's Office and on the City web site at www.ci.stanton.ca.us.

1. **CLOSED SESSION / CLOSED SESSION** **None.**

2. **CALL TO ORDER / REGULAR CITY COUNCIL / SUCCESSOR AGENCY / STANTON HOUSING AUTHORITY MEETING (6:30 P.M.)**

3. **ROLL CALL** Council/Agency /Authority Member Ramirez
Council/Agency/Authority Member Shawver
Council/Agency/Authority Member Warren
Mayor Pro Tem/Vice Chairman Donahue
Mayor/Chairman Ethans

4. **PLEDGE OF ALLEGIANCE**

CC/SA/SHA AGENDA – Joint Regular Meeting – January 27, 2015 - Page 1

Any writings or documents provided to a majority of the City Council/Successor Agency/Stanton Housing Authority regarding any item on this agenda will be made available for public inspection at the Public Counter at City Hall located at 7800 Katella Avenue, Stanton CA, during normal business hours.

5. SPECIAL PRESENTATIONS AND AWARDS

Introduction of the Stanton Youth Committee Members.

6. CONSENT CALENDAR

All items on the Consent Calendar may be acted on simultaneously, unless a Council/Board Member requests separate discussion and/or action.

CONSENT CALENDAR

6A. MOTION TO APPROVE THE READING BY TITLE OF ALL ORDINANCES AND RESOLUTIONS. SAID ORDINANCES AND RESOLUTIONS THAT APPEAR ON THE PUBLIC AGENDA SHALL BE READ BY TITLE ONLY AND FURTHER READING WAIVED

RECOMMENDED ACTION:

City Council/Agency Board waive reading of Ordinances and Resolutions.

6B. APPROVAL OF WARRANTS

City Council approve demand warrants dated, January 8, January 15, and January 27, 2015, in the amount of \$1,065,969.01.

6C. APPROVAL OF MINUTES

City Council/Agency/Authority Board approve Minutes of Special Joint Meeting – January 13, 2015 and Special Meeting – January 20, 2015.

6D. DECEMBER 2014 INVESTMENT REPORT

The Investment Report as of December 31, 2014 has been prepared in accordance with the City's Investment Policy and California Government Code Section 53646.

RECOMMENDED ACTION:

City Council receive and file the Investment Report for the month of December 2014.

6E. DECEMBER 2014 INVESTMENT REPORT (SUCCESSOR AGENCY)

The Investment Report as of December 31, 2014 has been prepared in accordance with the City's Investment Policy and California Government Code Section 53646.

RECOMMENDED ACTION:

Successor Agency receive and file the Investment Report for the month of December 2014.

6F. AWARD OF CONSTRUCTION CONTRACT FOR THE THUNDERBIRD LANE SEWER AND STREET IMPROVEMENTS PROJECT BY THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA

The bid for the Thunderbird Lane Sewer and Street Improvements Project was opened on January 5, 2015. Based on the post-bid analysis of the bids received, staff recommends the bid submitted by GRFCO, Inc. to be responsible and responsive.

The construction cost for the Thunderbird Lane Sewer and Street Improvements Project is estimated at \$530,500.00, which includes a 10-percent contingency and 10-percent construction management services.

RECOMMENDED ACTION:

1. City Council approve the plans and specifications for the Thunderbird Lane Sewer and Street Improvements Project; and
2. Award a construction contract for the Thunderbird Lane Sewer and Street Improvements Project to the lowest responsible bidder, GRFCO, Inc., for the amount of \$442,071.80; and
3. Authorize the City Manager to bind the City of Stanton and GRFCO, Inc. in a contract for the construction of the Thunderbird Lane Sewer and Street Improvements Project; and
4. Declare this project to be categorically exempt under the California Environmental Quality Act, Class 1, Section 15301c; and
5. Authorize the City Manager to approve contract changes, not to exceed 10-percent.

6G. AGREEMENT WITH HINDERLITER, DE LLAMAS & ASSOCIATES

Hinderliter, de Llamas & Associates (HdL) has been the City's sales and property tax consultants for decades. With Stanton voters' recent establishment of a transactions and use tax, staff would also like to use HdL as a consultant in this area. As a consultant, HdL would be an authorized representative of the City with the Board of Equalization. In addition, HdL would be authorized to conduct audits to determine if appropriate amounts of transactions and use tax have been remitted to the City.

RECOMMENDED ACTION:

1. City Council find that this item is not subject to California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378 of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly; and
2. Authorize the City Manager to sign the Agreement for Transactions Tax Audit and Information Services with HdL; and
3. Adopt Resolution No. 2015-07 authorizing examination of transactions and use tax records.

6H. AMENDMENT TO JOINT AGREEMENT FOR THE OPERATION, MAINTENANCE AND FINANCIAL MANAGEMENT OF THE ORANGE COUNTY 800 MEGAHERTZ COUNTYWIDE COORDINATED COMMUNICATION SYSTEM

This Amendment addresses the estimated cost of system extension and commitment on the part of the City regarding the implementation and funding obligations for the 800 MHz Countywide Coordinated Communications System (CCCS) backbone and cost-sharing allocations.

RECOMMENDED ACTION:

City Council approve and authorize the City Manager to execute the Amendment to the Joint Agreement for the Operation, Maintenance and Financial Management of the Orange County 800 MHz Countywide Coordinated Communications System (CCCS).

END OF CONSENT CALENDAR

7A RESOLUTION 2015-01 DECLARING THE CITY'S INTENTION TO AUTHORIZE UNDERGROUND INSTALLATION OF OVERHEAD UTILITY WIRES AND RELATED FACILITIES AND TO ESTABLISH AN UNDERGROUND UTILITY DISTRICT ON BEACH BOULEVARD FROM GARDEN GROVE BOULEVARD TO LAMPSON AVENUE

A resolution is needed to set a hearing date and time for the Council to determine whether the public necessity, health, safety or welfare requires the removal of utility poles, overhead wires and associated overhead structures and the underground installation of wires and facilities supplying electric, communication, or similar or associated service within the area of the City shown and described in Exhibit "A", in general being along both sides of Beach Boulevard from Garden Grove Boulevard to Lampson Avenue.

RECOMMENDED ACTION:

1. City Council conduct a public hearing; and
2. Declare that the project is exempt from CEQA per section 15302, Class 2(d), conversion of overhead electric utility distribution system facilities to underground including connection to existing overhead electric utility distribution lines where the surface is restored to the condition existing prior to the undergrounding; and
3. Adopt Resolution 2015-01 of the City Council of the City of Stanton, California, declaring its intention to establish an Underground Utility District along both sides of Beach Boulevard from Garden Grove Boulevard to Lampson Avenue.

8. UNFINISHED BUSINESS

8A. APPROVAL OF ORDINANCE NO. 1032

This Ordinance was introduced at the regular City Council meeting of January 13, 2015.

RECOMMENDED ACTION:

1. City Clerk read the title of Ordinance No. 1032, entitled:

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, AMENDING CHAPTER 5.16, ARTICLE I (MASSAGE ESTABLISHMENTS), SECTION 20.215.020 (COMMERCIAL ZONES), SECTION 20.320.030 (OFF-STREET PARKING), SECTION 20.400.190 (MASSAGE ESTABLISHMENTS) AND SECTION 20.620.060 (NONCONFORMING USES) OF THE STANTON MUNICIPAL CODE AND DELETING CHAPTER 5.16, ARTICLE II (MASSAGE TECHNICIANS) FROM THE STANTON MUNICIPAL CODE”; and

2. City Council declare that the proposed ordinance is exempt from the California Environmental Quality Act (“CEQA”) review under Public Resources Code section 21080(b)(8) and State CEQA Guidelines section 15273; and
3. Adopt Ordinance No. 1032.

ROLL CALL VOTE: Council Member Ramirez
 Council Member Shawver
 Council Member Warren
 Mayor Pro Tem Donahue
 Mayor Ethans

9. NEW BUSINESS

9A. CYPRESS COLLEGE AMERICANA AWARDS DINNER

City Council consider purchasing a table at the Cypress College Americana Awards Dinner scheduled for Saturday, February 28, 2015 in the Grand Ballroom of the Disneyland Hotel at a cost of \$2,500.00. This Awards dinner honors the Citizen of the Year from surrounding communities. This year Mr. and Mrs. Joel Greer have been selected and will be honored as the City of Stanton's Citizen of the Year.

RECOMMENDED ACTION:

City Council provide direction to staff regarding participation in the Cypress College Americana Awards Dinner.

9B. REVIEW OF STOP SIGN ANALYSIS AT THE INTERSECTION OF LOLA AVENUE AND WASCO ROAD, CITY OF STANTON, CALIFORNIA

Residents have requested that Stop signs be installed on Lola Avenue at Wasco Road due to safety concerns. The City's consulting traffic engineer has reviewed the appropriateness of the proposed Stop signs based on the California Manual on Uniform Traffic Control Devices. After reviewing this report, the City Council can decide whether or not to install any signs.

RECOMMENDED ACTION:

1. City Council review the Stop Sign Analysis at the intersection of Lola Avenue and Wasco Road by Hartzog & Crabill, Inc.; and
2. Determine whether sufficient warrants exist for the installation of the Stop signs; and
3. Declare this project to be categorically exempt under the California Environmental Quality Act, Section 15304, Class 4 (Minor Alterations to Land); and
4. Authorize City staff to install any signs the City Council approves.

10. ORAL COMMUNICATIONS - PUBLIC

At this time members of the public may address the City Council/Successor Agency/Stanton Housing Authority regarding any items within the subject matter jurisdiction of the City Council/Successor Agency/Stanton Housing Authority, provided that NO action may be taken on non-agenda items.

- Members of the public wishing to address the Council/Agency/Authority during Oral Communications-Public or on a particular item are requested to fill out a REQUEST TO SPEAK form and submit it to the City Clerk. Request to speak forms must be turned in prior to Oral Communications-Public.
- When the Mayor/Chairman calls you to the microphone, please state your Name, slowly and clearly, for the record. A speaker's comments shall be limited to a three (3) minute aggregate time period on Oral Communications and Agenda Items. Speakers are then to return to their seats and no further comments will be permitted.
- Remarks from those seated or standing in the back of chambers will not be permitted. All those wishing to speak including Council/Agency/Authority and Staff need to be recognized by the Mayor/Chairman before speaking.

11. WRITTEN COMMUNICATIONS None.

12. MAYOR/CHAIRMAN COUNCIL/AGENCY/AUTHORITY INITIATED BUSINESS

12A. COMMITTEE REPORTS/ COUNCIL/AGENCY/AUTHORITY ANNOUNCEMENTS

At this time Council/Agency/Authority Members may report on items not specifically described on the agenda which are of interest to the community provided no discussion or action may be taken except to provide staff direction to report back or to place the item on a future agenda.

12B. COUNCIL/AGENCY/AUTHORITY INITIATED ITEMS FOR A FUTURE MEETING

At this time Council/Agency/Authority Members may place an item on a future agenda.

12C. COUNCIL/AGENCY/AUTHORITY INITIATED ITEMS FOR A FUTURE STUDY SESSION

At this time Council/Agency/Authority Members may place an item on a future study session agenda.

Currently Scheduled: None

13. ITEMS FROM CITY ATTORNEY/AGENCY COUNSEL/AUTHORITY COUNSEL

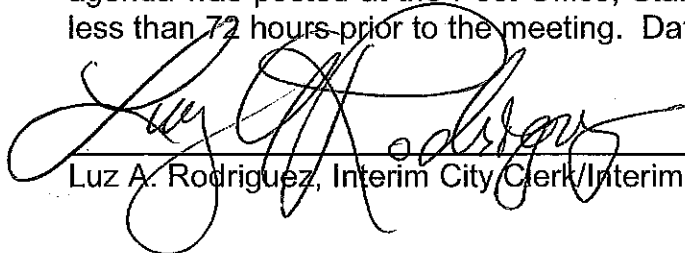
14. ITEMS FROM CITY MANAGER/EXECUTIVE DIRECTOR

14A. ORANGE COUNTY SHERIFF'S DEPARTMENT

At this time the Orange County Sheriff's Department will provide the City Council with an update on their current operations.

15. ADJOURNMENT

I hereby certify under penalty of perjury under the laws of the State of California, the foregoing agenda was posted at the Post Office, Stanton Community Services Center and City Hall, not less than 72 hours prior to the meeting. Dated this 22nd day of January, 2015.



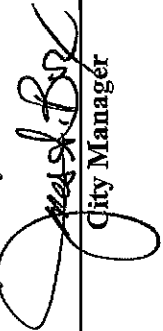
Luz A. Rodriguez, Interim City Clerk/Interim Secretary

**CITY OF STANTON
ACCOUNTS PAYABLE REGISTER**

January 8, 2015	\$129,815.08
January 15, 2015	\$106,133.45
January 27, 2015	\$830,020.48

\$1,065,969.01

Demands listed on the attached registers conform to the City of Stanton Annual Budget as approved by the City Council.


City Manager

Demands listed on the attached registers are accurate and funds are available for payment thereof.


Administrative Services Director

DRAFT

MINUTES OF THE CITY COUNCIL / SUCCESSOR AGENCY / HOUSING AUTHORITY OF THE CITY OF STANTON REGULAR JOINT MEETING JANUARY 13, 2015

1. CALL TO ORDER / CLOSED SESSION

The Stanton Successor Agency meeting was called to order at 6:00 p.m. by Mayor Ethans.

2. ROLL CALL

Present: Agency Member Ramirez, Agency Member Shawver, Agency Member Warren, Vice Chairman Donahue and Chairman Ethans

Absent: None.

Excused: None.

3. PUBLIC COMMENT ON CLOSED SESSION ITEMS None.

4. CLOSED SESSION

The members of the Stanton City Council of the City of Stanton proceeded to closed session at 6:00 p.m. for discussions regarding:

4A. CONFERENCE WITH REAL PROPERTY NEGOTIATOR (Pursuant to Government Code Section 54956.8)

Property: Generally located at the Northeast corner of Beach Boulevard and Orangewood Avenue in the City of Stanton, California consisting of eleven (11) contiguous and adjacent parcels (APNs 131-691-49, 131-691-50, 131-691-51, 131-691-58, 131-691-59, 131-691-60, 131-691-61, 131-691-62, 131-691-63, 131-691-64, and 131-691-65)

Negotiating Parties: James A. Box, Executive Director, Successor Agency to the Redevelopment Agency for the City of Stanton, Owner

Under Negotiation: Instruction to negotiator will concern price and terms of payment.

5. CALL TO ORDER / REGULAR CITY COUNCIL / SUCCESSOR AGENCY / STANTON HOUSING AUTHORITY MEETING

The meetings were called to order at 6:31 p.m. by Mayor/Chairman Ethans.

DRAFT

6. ROLL CALL

Present: Council/Authority Member Ramirez, Council/Authority Member Shawver, Agency/Authority Member Warren, Vice Chairman Donahue and Chairman Ethans.

Absent: None.

Excused: None.

7. PLEDGE OF ALLEGIANCE

Led by Lt. Jim England, Chief of Police Services.

8. SPECIAL PRESENTATIONS AND AWARDS

1. Presentation of Certificate of Recognition honoring John Doogan as Veteran of the Month for the month of January 2015 in the City Of Stanton.
2. Mayor Ethans declared every Thursday to be Red Shirt Thursday in the City of Stanton to visually demonstrate support in the community for United States service members.
3. Presentation by Commander Tim Moy, Orange County Sherriff's Department, introduced Lieutenant Jim England as Chief of Police Services for the City of Stanton.
 - The City Council welcomed Lt. England as Chief of Police and thanked him for his prior service to the community as a Deputy.
 - Lt. England expressed his appreciation for being able to serve in the City of Stanton once again.
 - Council Member Shawver expressed gratitude to Lt. Noel Dela Llana for his service as the prior Chief of Police.

9. CONSENT CALENDAR

Motion/Second: Ramirez/Warren

Motion unanimously carried by the following vote:

AYES: 5 (Donahue, Ethans, Ramirez, Shawver and Warren)

NOES: None

ABSENT: None

ABSTAIN: None

The City Council/Agency Board/Authority Board unanimously approved the following Consent Calendar items:

DRAFT

CONSENT CALENDAR

- 9A. MOTION TO APPROVE THE READING BY TITLE OF ALL ORDINANCES AND RESOLUTIONS. SAID ORDINANCES AND RESOLUTIONS THAT APPEAR ON THE PUBLIC AGENDA SHALL BE READ BY TITLE ONLY AND FURTHER READING WAIVED**

The City Council/Agency Board waived reading of Ordinances and Resolutions.

- 9B. APPROVAL OF WARRANTS**

City Council approved demand warrants dated, December 3, December 11, December 18, 2014 and January 13, 2015, in the amount of \$1,230,557.59.

- 9C. APPROVAL OF MINUTES**

The City Council/Agency/Authority Board approved Minutes of Special Joint Meeting – December 8, 2014.

- 9D. OCTOBER 2014 INVESTMENT REPORT**

The Investment Report as of November 30, 2014 has been prepared in accordance with the City's Investment Policy and California Government Code Section 53646.

The City Council received and filed the Investment Report for the month of November 2014.

- 9E. OCTOBER 2014 INVESTMENT REPORT (SUCCESSOR AGENCY)**

The Investment Report as of November 30, 2014 has been prepared in accordance with the City's Investment Policy and California Government Code Section 53646.

The Successor Agency received and filed the Investment Report for the month of November 2014.

DRAFT

9F. MAYOR'S APPOINTMENTS OF COUNCIL MEMBERS AS REPRESENTATIVES TO VARIOUS BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

Traditionally, Council Members have been appointed by the Mayor to serve on numerous outside committees, boards, commissions and agencies. Each appointee is responsible for representing the City and voting on behalf of the City Council. The Mayor has conducted a review and has selected appointees, as detailed in Attachment 1. With the exception of the Orange County Fire Authority ("OCFA") appointment, which is required to be made by Resolution, the Mayor may otherwise make appointments to each committee, board, commission or agency by nomination and Minute Order confirmation. In addition, the Fair Political Practices Commission ("FPPC") regulations require the adoption and posting of Form 806, Agency Report of Public Official Appointments, in order for individual Council Members to participate in a City Council vote that would result in him or her serving in a position that provides compensation of \$250 or more in any 12-month period.

1. The City Council confirmed the Mayor's appointments; and
2. Approved the FPPC Form 806 and authorized the City Clerk to post the form on the City's website.

9G. APPROVAL OF RESOLUTION NO. 2015-03

Considered approval of Resolution No. 2015-03 entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA AUTHORIZING THE CITY MANAGER TO ACCEPT THE ALLOCATION OF FUNDS FROM THE BOARD OF STATE AND COMMUNITY CORRECTIONS THROUGH THE CALIFORNIA GANG REDUCTION INTERVENTION PARTNERSHIP (CAL GRIP) PROGRAM AND TO EXECUTE GRANT AGREEMENTS AND ANY AMENDMENTS THERETO TO SECURE SUCH CAL GRIP GRANT FUNDING FROM THE BOARD OF STATE AND COMMUNITY CORRECTIONS."

City Council approved Resolution No. 2015-03.

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9H. AWARD OF CONSTRUCTION CONTRACT FOR THE LEXINGTON LIFT STATION REMOVAL PROJECT BY THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA

The bid for the Lexington Sewer Lift Station Removal Project was opened on December 18, 2014. Based on the post-bid analysis of the single bid received, staff recommends the bid submitted by S.E. Nelson Construction, Inc. to be responsible and responsive.

The cost for completing the Lexington Sewer Lift Station Removal Project is estimated at \$61,513.00, which includes a 10-percent contingency.

1. City Council approved the plans and specifications for the Lexington Sewer Lift Station Removal Project; and
2. Awarded a construction contract for the Lexington Sewer Lift Station Removal Project to the lowest responsible bidder, S.E. Nelson Construction, Inc., for the amount of \$55,913.00; and
3. Authorized the City Manager to bind the City of Stanton and S.E. Nelson Construction, Inc. in a contract for the construction of the Lexington Lift Station Removal Project; and
4. Declared this project to be categorically exempt under the California Environmental Quality Act, Class 1, Section 15301c; and
5. Authorized the City Manager to approve contract changes, not to exceed 10-percent.

9I. BOARD OF EQUALIZATION AGREEMENTS

In order for the State Board of Equalization (BOE) to administer and enforce the transactions and use tax (Measure GG) for the City, agreements authorizing the BOE to carry out the provisions of the Revenue and Taxation Code and the Ordinance need to be approved by City Council.

1. City Council found that this item is not subject to California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060 (c)(3) (the activity is not a project as defined in Section 15378 of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly; and
2. Adopted Resolution No. 2015-04 authorizing the City Manager to execute agreements with the State Board of Equalization for implementation of a local transactions and use tax.

DRAFT

10A. A PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE STANTON MUNICIPAL CODE AND ZONING CODE PERTAINING TO THE REGULATION OF MASSAGE ESTABLISHMENTS AS AN URGENCY ORDINANCE

Pursuant to the recently enacted State Assembly Bill 1147, the City proposes to establish new land use and licensing regulations regarding massage establishments in the City. Specifically, an urgency ordinance is proposed to amend portions of Title 5 (Business Licensing and Regulations) and Title 20 (Zoning) to immediately establish new permitting and licensing requirements, operational, sanitation, and attire regulations, and an amortization schedule for existing massage businesses to come into compliance with the new regulations.

The public hearing was opened.

No one appearing to speak, the public hearing was closed.

Motion/Second: Donahue/Warren

ROLL CALL VOTE:

Council Member Ramirez	AYE
Council Member Shawver	AYE
Council Member Warren	AYE
Mayor Pro Tem Donahue	AYE
Mayor Ethans	AYE

Motion carried:

1. City Council conducted a public hearing; and
2. Declared that the projects are exempt from CEQA under Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378 of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly); and
3. Adopted Urgency Ordinance No. 1031, entitled:

“AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, AMENDING CHAPTER 5.16, ARTICLE I (MASSAGE ESTABLISHMENTS), SECTION 20.215.020 (COMMERCIAL ZONES), SECTION 20.320.030 (OFF-STREET PARKING), SECTION 20.400.190 (MASSAGE ESTABLISHMENTS) AND SECTION 20.620.060 (NONCONFORMING USES) OF THE STANTON MUNICIPAL CODE AND DELETING CHAPTER 5.16, ARTICLE II (MASSAGE TECHNICIANS) FROM THE STANTON MUNICIPAL CODE.”

DRAFT

10B. A PUBLIC HEARING TO CONSIDER AMENDMENTS TO THE STANTON MUNICIPAL CODE AND ZONING CODE PERTAINING TO THE REGULATION OF MASSAGE ESTABLISHMENTS

Pursuant to the recently enacted State Assembly Bill 1147, the City proposes to establish new land use and licensing regulations regarding massage establishments in the City. Specifically, an ordinance is proposed to amend portions of Title 5 (Business Licensing and Regulations) and Title 20 (Zoning) to establish new permitting and licensing requirements, operational, sanitation, and attire regulations, and an amortization schedule for existing massage businesses to come into compliance with the new regulations.

The public hearing was opened.

No one appearing to speak, the public hearing was closed.

Motion/Second: Donahue/Warren

ROLL CALL VOTE:

Council Member Ramirez	AYE
Council Member Shawver	AYE
Council Member Warren	AYE
Mayor Pro Tem Donahue	AYE
Mayor Ethans	AYE

Motion carried:

1. City Council conducted a public hearing; and
2. Declared that the projects are exempt from CEQA under Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378 of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly); and

3. Introduced Ordinance No. 1032, entitled:

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, AMENDING CHAPTER 5.16, ARTICLE I (MASSAGE ESTABLISHMENTS), SECTION 20.215.020 (COMMERCIAL ZONES), SECTION 20.320.030 (OFF-STREET PARKING), SECTION 20.400.190 (MASSAGE ESTABLISHMENTS) AND SECTION 20.620.060 (NONCONFORMING USES) OF THE STANTON MUNICIPAL CODE AND DELETING CHAPTER 5.16, ARTICLE II (MASSAGE TECHNICIANS) FROM THE STANTON MUNICIPAL CODES”; and

4. Set said ordinance for adoption at the regular City Council meeting of January 27, 2015.

DRAFT

11. UNFINISHED BUSINESS None.

12. NEW BUSINESS None.

13. ORAL COMMUNICATIONS – PUBLIC

Janelle Bader, on behalf of the Cypress College Foundation, introduced Mr. and Mrs. Joel and Debbie Greer as the Citizen of the Year for the City of Stanton and urged the Council Members to attend the 40th Annual Americana Awards on Saturday, February 28, 2015 where they are to be honored.

Esther Friedman, Stanton, spoke regarding her observations at the City of Stanton's 2014 Holiday Celebration and requested that the City further recognize all religions at annual City holiday events.

14. WRITTEN COMMUNICATIONS None.

15. MAYOR/CHAIRMAN/COUNCIL/AGENCY/AUTHORITY INITIATED BUSINESS

15A. COMMITTEE REPORTS/COUNCIL/AGENCY/AUTHORITY ANNOUNCEMENTS

Mayor Ethans provided a final report on the Orange County Vector Control District's West Nile virus alerts and cases for the 2014 calendar year.

15B. COUNCIL/AGENCY/AUTHORITY INITIATED ITEMS FOR A FUTURE COUNCIL MEETING

Mayor Shawver requested to agendize discussion regarding administrative citation fines assessed to massage establishments.

Council Member Warren requested to agendize a discussion on responding to social media contacts during City Council meetings.

Council Member Warren requested to agendize a discussion on Measure GG fund usage recognition including the development of a logo and slogan.

Council Member Ramirez requested to agendize a discussion on possible proactive steps necessary to address the potential legalization of marijuana dispensaries in the State of California.

Mayor Ethans requested to agendize consideration of the purchase of a table at the Cypress College Foundation's American Awards on Saturday, February 28, 2015.

Mayor Ethans requested that staff research the possibility of the City using a mobile ice rink during this year's holiday season.

DRAFT

Council Member Shawver requested that Item 9F be reconsidered.

Motion/Second: Shawver/Donahue

Motion unanimously carried by the following vote:

AYES: 5 (Donahue, Ethans, Ramirez, Shawver and Warren)

NOES: None

ABSENT: None

ABSTAIN: None

9F. MAYOR'S APPOINTMENTS OF COUNCIL MEMBERS AS REPRESENTATIVES TO VARIOUS BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

Council Member Shawver requested that the City of Stanton Contractual Services Committee representatives be listed as Brian Donahue and Carol Warren.

Motion/Ramirez: Shawver/Ramirez

Motion unanimously carried by the following vote:

AYES: 5 (Donahue, Ethans, Ramirez, Shawver and Warren)

NOES: None

ABSENT: None

ABSTAIN: None

15C. COUNCIL/AGENCY/AUTHORITY INITIATED ITEMS FOR A FUTURE STUDY SESSION

None.

15D. COOL CALIFORNIA CITY CHALLENGE GRANT/PROGRAM

At the request of Council the following item has been agenized for discussion.

City Council received and filed the report and directed staff to continue its sustainable practices.

16. ITEMS FROM CITY ATTORNEY/AGENCY COUNSEL/AUTHORITY COUNSEL

None.

DRAFT

17. ITEMS FROM CITY MANAGER/EXECUTIVE DIRECTOR

17A. Chief David Steffen provided the City Council with an update on their current operations.

18. ADJOURNMENT Motion/Second: Ethans/
Motion carried at 7:46 p.m.

MAYOR/CHAIRMAN

ATTEST:

INTERIM CITY CLERK/INTERIM SECRETARY

DRAFT

MINUTES OF THE CITY COUNCIL OF THE CITY OF STANTON SPECIAL MEETING JANUARY 20, 2015

1. CLOSED SESSION None.

2. CALL TO ORDER

The meeting was called to order at 5:00 p.m. by Mayor Ethans.

3. PLEDGE OF ALLEGIANCE

Led by Mr. Bill Kelly.

4. ROLL CALL

Present: Council Member Ramirez, Council Member Shawver, Council Member Warren Mayor Pro Tem Donahue, and Mayor Ethans.

Absent: None.

Excused: None.

SPECIAL ORDERS OF THE DAY

5. NEW BUSINESS

5A 2015 CITY OF STANTON STRATEGIC PLAN OVERVIEW

With the successful completion of the 2013-14 Strategic Plan, Senior Staff has initiated a draft of a new 3-year Strategic Plan for Council review and consideration.

Bill Kelly, of Kelly and Associates, presented the 2015 Strategic Plan Draft.

Council directed staff to incorporate revisions, refine objectives and return with a newly formatted and prioritized version of the Strategic Plan for approval at a regular Council Meeting.

DRAFT

6. **ADJOURNMENT** Motion/Second: Ethans/
Motion carried at 6:28 p.m.

MAYOR

ATTEST:

INTERIM CITY CLERK

CITY OF STANTON

REPORT TO THE CITY COUNCIL

TO: Honorable Mayor and City Council

DATE: January 27, 2015

SUBJECT: DECEMBER 2014 INVESTMENT REPORT

REPORT IN BRIEF:

The Investment Report as of December 31, 2014 has been prepared in accordance with the City's Investment Policy and California Government Code Section 53646.

RECOMMENDED ACTION:

City Council receive and file the Investment Report for the month of December 2014.

BACKGROUND:

The attached reports summarize the City investments and deposit balances as of December 2014. A summary of the City's investments and deposits is included as Attachment A. The details of the City's investments are shown in Attachment B. The City's cash and investment balances by fund type are presented in Attachment C.

ANALYSIS:

The City's investment in the State Treasurer's Local Agency Investment Fund (LAIF) continues to be available on demand. The effective yield on LAIF for the month of December 2014 was 0.27%. The City's other investments are shown on Attachment B and have a weighted investment yield of 1.02%. Including LAIF and the City's deposit in the Bank of the West money market account, the weighted investment yield of the portfolio is 0.55%, which exceeds the benchmark LAIF return of 0.27%.

The weighted average maturity of the City's investments at December 31, 2014 is 1,042 days. Including LAIF and the money market deposit, it is 614 days. LAIF's average maturity at December 31, 2014 was approximately 232 days.

The City was able to exceed the LAIF benchmark return, though in diversifying the portfolio, Chandler Asset Management has extended the weighted average maturity to more than double the LAIF average maturity.

FISCAL IMPACT:

All deposits and investments have been made in accordance with the City's 2014-15 Investment Policy. The portfolio will allow the City to meet its expenditure requirements for the next six months. Staff remains confident that the investment portfolio is currently positioned to remain secure and sufficiently liquid.

Chandler Asset Management has completely taken over the City's \$9.2 million investment portfolio. City staff continues to have control over investments in LAIF and the Bank of the West Money Market Account.

ENVIRONMENTAL IMPACT:

None

LEGAL REVIEW:

None.

PUBLIC NOTIFICATION:

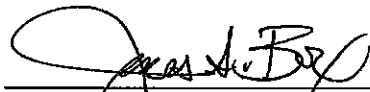
Through the agenda posting process.

Prepared by:



Stephen M. Parker, CPA
Administrative Services Director/Treasurer

Approved:



James A. Box
City Manager

Attachments:

- A. Investments and Deposits
- B. Investment Detail
- C. Cash and Investment Balances by Fund Type

**CITY OF STANTON, CA
INVESTMENTS AND DEPOSITS
December 31, 2014**

Investment Type	Issuer	Date of Maturity	Interest Rate	Par Value	Cost	% of Total	Market Value	Market Value Source
State Pool (LAIF) - City portion ¹	State of California	On Demand	0.27%	\$ 9,432,199	\$ 6,998,001	43.07%	\$ 6,999,270	LAIF
Investments ²	Various	Various	Various	\$ 9,201,702	9,248,213	56.93%	9,221,312	US Bank
Subtotal - Investments					\$ 16,246,214	100.00%	\$ 16,220,582	
Demand Deposits/Main Checking - City portion	Bank of the West	On Demand	N/A	N/A	\$ (2,880,751)		\$ (2,880,751)	Bank of the West
Money Market Account	Bank of the West	On Demand	0.29%	\$ 8,930,077	8,930,077		8,930,077	Bank of the West
Imprest Accts & Petty Cash	Bank of the West	On Demand	N/A	N/A	68,456		68,456	Bank of the West
Subtotal - Deposits					\$ 6,117,782		\$ 6,117,782	

Total Cash Investments and Deposits ³

Weighted Average Maturity (days)	614	Weighted Average Yield	0.552%
----------------------------------	-----	------------------------	--------

\$ 22,363,996

\$ 22,338,364

¹ Par Value amount represents entire LAIF balance, including City and Successor Agency portions

² Cost amount includes \$45,278 adjustment made to City's books at 6/30/14 to adjust portfolio to market value, per GASB 31

³ Weighted average maturity and yield calculations include LAIF, Investments and Money Market Account

NOTES:

The City's portfolio is in compliance with the City's 2014-15 Investment Policy.

The portfolio will allow the City to meet its expenditure requirements for the next six months.

**CITY OF STANTON
INVESTMENTS
December 2014**

Attachment B

Investment Type/ Broker	Institution	CUSIP Number	Purchase Yield	Coupon Rate	Purchase Price	Date Purchased	Date of Maturity	Next Call Date (NC=noncallable)	Par Value	Purchase Amount	Current Market Value	Percent of Portfolio	Maximum Percent
State Treasurer's Pool	Local Agency Investment Fund (LAIF)		0.27%				11/1/2015	NC	9,432,199	6,998,001	6,999,270	27.85%	40%
Cash Equivalents													
Chandler Asset Management	First American Government Obligation	31846V203							137,905	62,424	62,424	0.25%	
Negotiable Certificates of Deposit:													
Multi-Bank Securities	CD - Oriani Bank	68632RAD5	1.80%	1.800%	100	03/18/11	03/18/15	NC	219,000	219,000	219,659		
Multi-Bank Securities	CD - GE Money Bank	36159UTE6	2.20%	2.200%	100	08/20/10	08/20/15	NC	200,000	200,000	202,096		
Multi-Bank Securities	CD - CIT Bank	17284AVP0	1.85%	1.850%	100	08/10/11	08/10/16	NC	148,000	148,000	151,133		
Multi-Bank Securities	CD - EnerBank USA	29266NRX7	1.75%	1.750%	100	08/15/11	08/15/16	NC	248,000	248,000	253,791		
First Empire Securities	CD - Camden National Bk	133033DL1	1.75%	1.750%	100	08/17/11	08/17/16	NC	248,000	248,000	253,315		
First Empire Securities	CD - Discover Bank	254670Q54	1.75%	1.750%	100	08/17/11	08/17/16	NC	140,000	140,000	142,976		
Time Value Investments	CD - GE Capital Bank	36160YS00	1.35%	1.350%	100	10/19/12	10/19/16	NC	248,000	248,000	249,173		
First Empire Securities	CD - Goldman Sachs Bank	38143ARY3	1.85%	1.850%	100	05/09/12	05/09/17	NC	97,000	97,000	98,321		
First Empire Securities	CD - Discover Bank	254671AT7	1.75%	1.750%	100	10/01/12	09/19/17	NC	100,000	100,000	101,166		
Multi-Bank Securities	CD - Sallie Mae Bank	795450P08	1.60%	1.600%	100	10/01/12	09/19/17	NC	100,000	100,000	100,635		
Multi-Bank Securities	CD - American Express	02587DLD8	1.55%	1.550%	100	10/04/12	10/04/17	NC	248,000	248,000	249,061		
Time Value Investments	CD - HSBC	40431G300	0.75%	Variable	100	10/26/12	10/26/17	NC	248,000	248,000	242,916		
First Empire Securities	CD - Everbank	29976DPY0	1.10%	1.100%	100	11/30/12	11/30/17	NC	248,000	248,000	248,719		
									2,492,000	2,492,000	2,512,962	9.92%	30%
U.S. Government Agency Securities:													
Multi-Bank Securities	FHLMC	3137EACM9	2.17%	1.750%	98.19	2/9/2011	9/10/2015	NC	300,000	294,567	303,075		
Chandler Asset Management	FHLMC Deb	3137EADQ9	0.50%	0.500%	98.99	01/30/14	05/13/16	NC	200,000	199,985	200,070		
Chandler Asset Management	FHLMC	3137EADJ5	1.03%	1.000%	99.93	09/25/14	07/23/17	NC	190,000	189,866	189,928		
Chandler Asset Management	FHLB	3130A0SD3	0.32%	0.375%	100.04	09/29/14	02/19/16	NC	125,000	125,095	124,960		
Chandler Asset Management	Federal Home Loan Bks	3130A2T97	0.66%	0.500%	96.71	09/29/14	09/28/16	NC	125,000	189,537	189,497		
Chandler Asset Management	FNMA	3133834R9	0.38%	0.375%	99.68	01/30/14	06/24/16	NC	185,000	184,403	184,549		
Chandler Asset Management	FNMA	313650TG8	0.88%	0.875%	99.17	12/05/14	02/03/18	NC	160,000	158,678	158,166		
Chandler Asset Management	FNMA	313560ZL0	1.12%	1.000%	96.70	08/25/14	09/27/17	NC	90,000	89,679	89,819		
Time Value Investments	FNMA - Zero Coupon	313569MEL3	1.02%	0.000%	95.25	8/20/2012	6/1/2017	NC	250,000	238,132	243,843		
									1,625,000	1,669,941	1,683,906	8.64%	100%
US Treasury													
Chandler Asset Management	US Treasury	912828UC2	0.35%	0.250%	99.83	03/25/14	12/15/15	NC	185,000	184,683	185,015		
Chandler Asset Management	US Treasury	912828A59	0.58%	0.625%	100.12	05/29/14	12/15/16	NC	165,000	165,200	164,922		
Chandler Asset Management	US Treasury	912828C73	0.71%	0.875%	100.46	05/29/14	04/15/17	NC	165,000	166,761	165,219		
Chandler Asset Management	US Treasury	912828B41	0.40%	0.375%	99.96	03/25/14	01/31/16	NC	185,000	184,928	185,087		
Chandler Asset Management	US Treasury	912828US7	0.40%	0.375%	99.95	01/30/14	03/15/16	NC	210,000	209,894	210,017		
Chandler Asset Management	US Treasury	912828C32	0.79%	0.750%	98.81	09/25/14	03/15/17	NC	190,000	189,800	189,926		
Chandler Asset Management	US Treasury	912828B74	0.69%	0.625%	99.81	02/28/14	02/15/17	NC	200,000	199,618	199,500		
Chandler Asset Management	US Treasury	912828VC1	0.42%	0.250%	99.68	06/13/14	05/15/16	NC	150,000	149,520	149,684		
Chandler Asset Management	US Treasury	912828VG2	0.45%	0.500%	100.10	06/13/14	06/15/16	NC	150,000	150,147	150,117		
Chandler Asset Management	US Treasury	912828TS9	1.16%	0.625%	98.34	07/31/14	09/30/17	NC	185,000	181,922	183,021		
									1,785,000	1,781,474	1,782,507	7.09%	100%

**CITY OF STANTON
INVESTMENTS
December 2014**

Attachment B

Investment Type/ Broker	Institution	CUSIP Number	Purchase Yield	Coupon Rate	Purchase Price	Date Purchased	Date of Maturity	Next Call Date (NC=noncallable)	Par Value	Purchase Amount	Current Market Value	Percent of Portfolio	Maximum Percent
Medium-Term Corporate Notes:													
Chandler Asset Management	HSBC USA Inc Note	40428HFG1	0.48%	2.375%	102.03	01/14/14	02/13/15	NC	150,000	153,044	150,302		
Chandler Asset Management	Paccar Financial Corp Note	69371RK62	0.43%	1.050%	100.86	01/10/14	06/05/15	NC	106,000	106,915	106,271		
Chandler Asset Management	General Electric Capital Corp Note	38962G4T8	0.54%	2.250%	103.10	01/10/14	11/09/15	NC	150,000	154,644	152,058		
Chandler Asset Management	Wal-mart Stores Note	931142DE0	0.53%	0.600%	100.16	01/15/14	04/11/16	NC	150,000	150,242	149,930		
Chandler Asset Management	IBM Corp Note	459200GX3	0.76%	1.950%	102.97	01/10/14	07/22/16	NC	150,000	154,461	152,823		
Chandler Asset Management	Pfizer Inc	717081DJ9	1.10%	1.100%	99.91	05/12/14	05/15/17	NC	35,000	34,969	34,959		
Chandler Asset Management	Berkshire Hathaway Note	084664BX3	0.70%	0.950%	100.65	01/14/14	08/15/16	NC	150,000	150,972	150,494		
Chandler Asset Management	Coca Cola Company Note	191216AU4	0.69%	1.800%	102.87	01/14/14	09/01/16	NC	150,000	154,311	152,502		
Chandler Asset Management	Iniel Corp Note	458140AH3	0.85%	1.950%	102.93	01/14/14	10/01/16	NC	150,000	154,388	152,910		
Chandler Asset Management	PNC Bank	69349KT59	0.28%	0.280%	99.77	09/10/14	06/05/15	NC	180,000	179,625	179,770		
Chandler Asset Management	John Deere Capital Corp Note	24422ERL5	1.11%	2.000%	102.61	01/15/14	01/13/17	NC	150,000	153,909	152,535		
Chandler Asset Management	Occidental Petroleum Note	674599CB9	1.05%	1.750%	102.10	01/24/14	02/15/17	NC	150,000	153,147	150,866		
Chandler Asset Management	Wells Fargo Corp Note	94974BFD7	1.26%	2.100%	102.67	01/24/14	05/08/17	NC	150,000	154,005	152,543		
Chandler Asset Management	US Bancorp MTN	91159HHD5	1.16%	1.650%	101.58	02/03/14	05/15/17	4/15/2017	150,000	152,369	151,119		
Chandler Asset Management	JP Morgan Note	48126EAA5	1.63%	2.000%	101.28	01/24/14	08/15/17	NC	150,000	151,925	151,427		
Chandler Asset Management	Oracle Corp Note	68389XAN5	1.40%	1.200%	99.27	01/13/14	10/15/17	NC	150,000	148,898	148,466		
Chandler Asset Management	Chevron Corp Callable Note Cont	166764AA8	1.41%	1.104%	98.83	01/10/14	12/05/17	11/5/2017	150,000	148,241	149,073		
									2,421,000	2,456,061	2,439,045	9.77%	30%
Asset-Backed Securities:													
Chandler Asset Management	Toyota Auto Receivables 2012B	89231NAC7	0.39%	0.46%	100.06	01/16/14	07/15/16	NC	65,895	65,934	65,908		
Chandler Asset Management	Honda Auto Receivables	43814CAC3	0.42%	0.48%	100.06	02/12/14	11/21/16	NC	104,902	104,963	104,886		
Chandler Asset Management	American Honda Finance	02665WAO4	1.54%	1.55%	100.43	12/11/14	12/11/17	NC	80,000	79,926	80,341		
Chandler Asset Management	Chase Issuance Trust	161571FL3	0.49%	0.59%	100.18	02/12/14	08/15/17	NC	150,000	150,275	150,046		
Chandler Asset Management	Honda Auto Receivables	43814HAC2	0.89%	0.88%	99.98	08/20/14	06/15/18	NC	75,000	74,986	74,749		
Chandler Asset Management	Toyota Auto Receivables 2014A	89231MAC9	0.69%	0.67%	99.98	03/11/14	12/15/17	NC	75,000	74,986	74,918		
Chandler Asset Management	John Deere Owner Trust	477877AD6	1.07%	99.98%	99.78	09/03/14	11/15/18	NC	85,000	84,981	84,867		
Chandler Asset Management	John Deere Owner Trust	477877VAC5	0.93%	0.92%	99.98	04/02/14	04/16/18	NC	105,000	104,983	104,952		
									740,797	741,034	740,468	2.95%	10%
Subtotal Investments													
Prior Year Adjustment: GASB 31			1.02%	1,042 days		WAM		9,201,702		9,202,935	9,221,312		
Investments Held With US Bank			Weighted Average Yield					9,201,702		45,278	9,221,312	0	
LAIF								9,432,199		6,998,001	6,999,270		
Total Investments								18,633,901		16,246,214	16,220,582		
Money Market Acct			0.29%	1/1/2015		614 days		8,930,077		8,930,077	8,930,077	35.53%	40%
Total Money Market, LAIF and Investments			Weighted Average Yield					27,563,978		25,131,013	25,150,659	100.00%	

CITY OF STANTON
CASH AND INVESTMENT BALANCES BY FUND TYPE
December 31, 2014

Fund Type	Cash and Investments	Totals
General Fund:		
Pooled	\$ (8,445,193)	
Restricted *	18,246,745	\$ 9,801,553
Special Revenue, Capital Projects and Enterprise Funds:		
Gas Tax	1,572,778	
Proposition 1B	9,349	
Measure M	1,182,516	
Fire Emergency Services	19,711	
Lighting & Median Maint.	2,717,697	
Sewer Maintenance	2,611,314	
Other	2,829,494	10,942,860
Internal Service Funds		1,454,383
Trust Funds		165,199
Total Cash and Investment Balances		\$ 22,363,996

* Money Market, Imprest Accounts, Petty Cash and Investments

CITY OF STANTON

REPORT TO THE SUCCESSOR AGENCY TO THE STANTON REDEVELOPMENT AGENCY

TO: Honorable Chair and Members of the Successor Agency

DATE: January 27, 2015

SUBJECT: DECEMBER 2014 INVESTMENT REPORT

REPORT IN BRIEF:

The Investment Report as of December 31, 2014 has been prepared in accordance with the City's Investment Policy and California Government Code Section 53646.

RECOMMENDED ACTION:

Successor Agency receive and file the Investment Report for the month of December 2014.

BACKGROUND:

The attached reports summarize the Successor Agency investments and deposit balances as of December 2014. A summary of the Agency's investments and deposits is included as Attachment A. The Agency's cash balances by fund are presented in Attachment B.

ANALYSIS:

The Agency's investment in the State Treasurer's Local Agency Investment Fund (LAIF) continues to be available on demand. The effective yield on LAIF for the month of December 2014 was 0.27%. The Agency had no other investments, other than those managed by bond trustees. The money market mutual fund investments by the bond trustees generated minimal interest income.

FISCAL IMPACT:

All deposits and investments have been made in accordance with the City's 2014-15 Investment Policy.

The portfolio will allow the Agency to meet its expenditure requirements for the next six months.

ENVIRONMENTAL IMPACT:

None

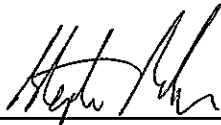
LEGAL REVIEW:

None.

PUBLIC NOTIFICATION:

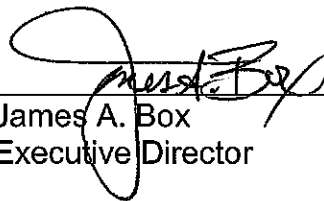
Through the agenda posting process.

Prepared by:



Stephen M. Parker, CPA
Administrative Services Director/Treasurer

Approved by:



James A. Box
Executive Director

Attachments:

- A. Investments and Deposits
- B. Cash Balances by Fund

**SUCCESSOR AGENCY TO THE STANTON REDEVELOPMENT AGENCY
INVESTMENTS AND DEPOSITS
December 31, 2014**

Investment Type	Issuer	Date of Maturity	Interest Rate	Par Value	Cost	Market Value	MV Source
State Pool (LAIF) - SA portion	State of California	On Demand	0.27%	\$ 2,434,198	\$ 2,434,198	\$ 2,434,863	LAIF
Demand Deposits/Main Checking - SA portion	Bank of the West	On Demand	N/A	(1,002,046)	(1,002,046)	(1,002,046)	Bank of the West

Total Cash Investments and Deposits

\$ 1,432,152 \$ 1,432,817

Bond Funds Managed by Trustees:

Investment Type	Issuer	CUSIP Number	Date of Maturity	Interest Rate	Par Value	Cost	Market Value	MV Source
2005 Tax Allocation Bonds - Series A (Taxable)								
Principal:								
US Bank Money Market Fund	US Bank	9AMMF05B2	On Demand	0.03%	\$1	1.11	1.11	US Bank
Interest:								
US Bank Money Market Fund	US Bank	9AMMF05B2	On Demand	0.03%	\$ 2	2	2	US Bank
Reserve Account:								
US Bank Money Market Fund	US Bank	9AMMF05B2	On Demand	0.03%	1,483,884	1,483,884	1,483,884	US Bank
Redevelopment Fund:								
US Bank Money Market Fund	US Bank	9AMMF05B2	On Demand	0.03%	811	811	811	US Bank

Total 2005 Tax Allocation Bonds - Series A (Taxable)

\$ 1,484,698 \$ 1,484,697

Investment Type	Issuer	CUSIP Number	Date of Maturity	Interest Rate	Par Value	Cost	Market Value	MV Source
2005 Tax Allocation Bonds - Series B (Tax-Exempt)								
Principal								
US Bank Money Market Fund	US Bank	9AMMF05B2	On Demand	0.03%	\$ 1	\$ 1	\$ 1	US Bank
Interest								
US Bank Money Market Fund	US Bank	9AMMF05B2	On Demand	0.03%	\$ 1	\$ 1	\$ 1	US Bank
Reserve Account:								
US Bank Money Market Fund	US Bank	9AMMF05B2	On Demand	0.03%	821,822	821,822	821,822	US Bank
Redevelopment Fund:								
US Bank Money Market Fund	US Bank	9AMMF05B2	On Demand	0.03%	3,502	3,502	3,502	US Bank

Total 2005 Tax Allocation Bonds - Series B (Tax-Exempt)

\$ 825,325 \$ 825,325

Investment Type	Issuer	CUSIP Number	Date of Maturity	Interest Rate	Par Value	Cost	Market Value	MV Source
2010 Tax Allocation Bonds (Tax-Exempt)								
Principal								
US Bank Money Market Fund	US Bank				\$1	1.29	1.29	US Bank
Interest								
US Bank Money Market Fund	US Bank	9AMMF05B2	On Demand	0.03%	8	8	8	US Bank
Reserve Account:								
US Bank Money Market Fund	US Bank	9AMMF05B2	On Demand	0.03%	1,561,758	1,561,758	1,561,758	US Bank
Redevelopment Fund:								
US Bank Money Market Fund	US Bank	9AMMF05B2	On Demand	0.03%	6,496,248	6,496,248	6,496,248	US Bank

Total 2010 Tax Allocation Bonds (Tax-Exempt)

\$ 8,058,016 \$ 8,058,016

Investment Type	Issuer	CUSIP Number	Date of Maturity	Interest Rate	Par Value	Cost	Market Value	MV Source
2011 Tax Allocation Bonds - Series A (Taxable)								
Principal:								
US Bank Money Market Fund	US Bank				1	1		1 US Bank
Reserve Fund:								
US Bank Money Market Fund	US Bank	9AMMF05B2	On Demand	0.03%	1,474,438	1,474,438	1,474,438	US Bank
Project Account:								
US Bank Money Market Fund	US Bank	9AMMF05B2	On Demand	0.03%	4,726,411	4,726,411	4,726,411	US Bank
Interest Fund:								
US Bank Money Market Fund	US Bank	9AMMF05B2	On Demand	0.03%	3	3	3	US Bank

Total 2011 Tax Allocation Bonds - Series A (Taxable)

\$ 6,200,852 \$ 6,200,852

Investment Type	Issuer	CUSIP Number	Date of Maturity	Interest Rate	Par Value	Cost	Market Value	MV Source
2011 Tax Allocation Bonds - Series B (Taxable)								
Bond Reserve Fund:								
US Bank Money Market Fund	US Bank	9AMMF05B2	On Demand	0.03%	1,348,996	1,348,996	1,348,996	US Bank
Redevelopment Account:								
US Bank Money Market Fund	US Bank	9AMMF05B2	On Demand	0.03%	1,582,190	1,582,190	1,582,190	US Bank
Interest Fund:								
US Bank Money Market Fund	US Bank	9AMMF05B2	On Demand	0.03%	3	3	3	US Bank

Total 2011 Tax Allocation Bonds - Series B (Taxable)

\$ 2,931,189 \$ 2,931,189

Total Bond Fund Investments and Deposits (3)

\$ 19,500,080 \$ 19,500,079

Notes:

- (1) - There have been no exceptions to the Investment Policy.
- (2) - The Successor Agency is able to meet its expenditure requirements for the next six months.
- (3) - Restricted Bond Funds are held by the fiscal agent.

SUCCESSOR AGENCY TO THE STANTON REDEVELOPMENT AGENCY**POOLED CASH BALANCES BY FUND TYPE
December 31, 2014**

Fund	Cash Balance
710 Project 2000 Debt Service Fund	-
711 Redevelopment Debt Service Fund	-
712 Redevelopment Obligation Retirement Fund	1,533,466
720 Low and Moderate Income Housing Fund	-
721 Housing Successor Fund	-
730 Community Redevelopment Administration Fund	-
731 Successor Agency Admin Fund	(101,314)
740 Redevelopment Project Fund	-
741 Successor Agency Project Fund	-

TOTAL CASH BALANCE**\$ 1,432,152**

CITY OF STANTON

REPORT TO CITY COUNCIL

TO: Honorable Mayor and Members of the City Council

DATE: January 27, 2015

SUBJECT: AWARD OF CONSTRUCTION CONTRACT FOR THE THUNDERBIRD LANE SEWER AND STREET IMPROVEMENTS PROJECT BY THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA

REPORT IN BRIEF:

The bid for the Thunderbird Lane Sewer and Street Improvements Project was opened on January 5, 2015. Based on the post-bid analysis of the bids received, staff recommends the bid submitted by GRFCO, Inc. to be responsible and responsive.

The construction cost for the Thunderbird Lane Sewer and Street Improvements Project is estimated at \$530,500.00, which includes a 10-percent contingency and 10-percent construction management services.

RECOMMENDED ACTION:

1. City Council approve the plans and specifications for the Thunderbird Lane Sewer and Street Improvements Project; and
2. Award a construction contract for the Thunderbird Lane Sewer and Street Improvements Project to the lowest responsible bidder, GRFCO, Inc., for the amount of \$442,071.80; and
3. Authorize the City Manager to bind the City of Stanton and GRFCO, Inc. in a contract for the construction of the Thunderbird Lane Sewer and Street Improvements Project; and
4. Declare this project to be categorically exempt under the California Environmental Quality Act, Class 1, Section 15301c; and
5. Authorize the City Manager to approve contract changes, not to exceed 10-percent.

BACKGROUND:

The area within the project limits has experienced numerous sewer issues in the past several years and the City's recently completed Sewer Master Plan recommends this project as high priority for the capacity improvement projects. This project will include the installation of a new 8" sewer line parallel to the existing 8" sewer line and the paving of the street along the line installation.

The estimated project cost of \$530,500.00 is as follows:

Base Bid (GRFCO, Inc.)	\$ 442,071.80
Construction Contingency (10%)	\$ 44,200.00
Construction Management Cost (10%)	\$ 44,200.00
Total Estimated Project Cost (rounded up to nearest hundred)	\$ 530,500.00

This project will require construction management services which are expected to cost approximately 10-percent of the contract cost which has been included in the table above. The contract for construction management services will be brought back before City Council when a pre-qualified firm has been selected to perform the services.

ANALYSIS/JUSTIFICATION:

The project was advertised for bids on November 20, 2014. Notices announcing the solicitation of bids for this project were posted local on F.W. Dodge publication known as the "Green Sheets" and on Bid America. Staff also sent the notice inviting bids to local contracting companies familiar with the City that have bid on similar projects locally.

The bids were publicly opened on January 5th, 2015 at 10:30 a.m. Two (2) bids were received:

Rank	Company	Bid
1	GRFCO, Inc.	\$ 442,071.80
2	All American Asphalt	\$ 625,830.00

Staff has reviewed the submitted bid documents and found GRFCO, Inc. in compliance with the contract documents. A check of the references submitted indicates that the bidder has successfully completed similar projects within Southern California. GRFCO, Inc. has completed numerous projects of similar and larger size in recent years. Upon successful execution of the contract documents, the project is expected to begin construction in March. The contractor will have approximately ten (10) weeks to complete the project.

FISCAL IMPACT:

This project was not budgeted for the FY 14/15 Capital Improvement Program. Currently, there is a balance of \$488,142 available in the City's Sewer Maintenance Fund in account 501-3700-730105. With the recently awarded construction contract for Lexington Lift Station Removal Project for \$61,513.00, the account will need additional funds to complete both projects. A budget adjustment will be created to transfer \$104,000 from the Fund Balance account 501-0000-304320 which has a balance of over \$1,000,000. This project will not have any impact on the General Fund.

ENVIRONMENTAL IMPACT:

This project is categorically exempt under the California Environmental Quality Act, Class 1, and Section 15301c as replacement of existing facilities.

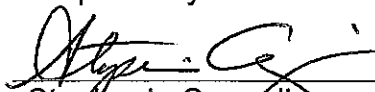
LEGAL REVIEW:

None.

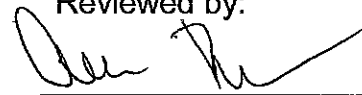
PUBLIC NOTIFICATION:

Notifications and advertisement were performed as prescribed by law.

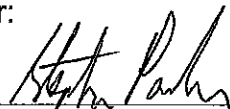
Prepared by:


Stephanie Camorlinga
Engineering Assistant

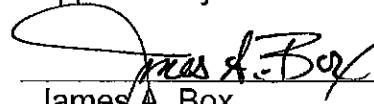
Reviewed by:


Allan Rigg, P.E. AICP
Director of Public Works

Concur:


Stephen Parker, CPA
Administrative Services Director

Approved by:


James A. Box
City Manager

Attachments:

- 1) Thunderbird Sewer and Street Improvements Project Contract
- 2) Budget Adjustment 2015-14

CITY OF STANTON

PUBLIC WORKS CONTRACT

**THUNDERBIRD LANE SEWER AND STREET
IMPROVEMENT PROJECT**

I.

This Contract is made and entered into on the January 27th day of 2015, by and between the City of **Stanton**, a California General Law Municipal Corporation ("City") and **GRECO, INC.** ("Contractor"). City and Contractor, based upon their mutual promises contained herein and for other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, do hereby agree as follows:

The complete Contract includes all of the Contract Documents, to wit:

- A. Advertisement for Bids, dated November 20, 2014
- B. Information for Bidders
- C. Bid, dated January 5th, 2015
- D. Bid Bond
- E. Payment Bond
- F. Contract Performance Bond
- G. Certificates of Insurance, Certified Copies of Insurance Policies, and Endorsements
- H. Notice Award
- I. Notice to Proceed
- J. Change Order
- K. Specifications entitled "Contract Documents and Specifications for the construction of Thunderbird Lane Sewer and Street Improvement Project including the following sections:
 - 1. Procedural Documents
 - 2. General Conditions
 - 3. Special Conditions
 - 4. Appendix
- L. Drawings
- M. Addenda Nos. 1
- N. Certified Copy of the record of action of the City Council of City of Stanton, Stanton, California.
- O. Public Improvement Warranty

P. Latest Edition, Standard Specifications for Public Works Construction.

Q. Latest Edition, Orange County RDMD Standard Drawings.

Each of such documents in their entirety are incorporated herein by this reference as if set forth in full.

II. BID AMOUNTS

The Contractor agrees to perform the work set forth and particularly described in the aforementioned documents, incorporated herein by reference, in consideration of the amount of the BASE BID, to wit: \$ 442,071.80

III. BONDS

Contractor shall furnish a Labor and Material Bond in an amount equal to one-hundred percent (100%) of the Contract Price, and a Faithful Performance Bond in an amount equal to one-hundred percent (100%) of the Contract Price, said bonds to be secured from a surety company admitted and authorized to do business in California as such.

IV. INDEMNITY

Contractor and City agree that City, its employees, agents and officials should, to the extent permitted by law, be fully protected from any loss, injury, damage, claim, lawsuit, cost, expense, attorney's fees, litigation costs, defense costs, court costs, or any other cost arising out of or in any way related to the performance of this agreement. Accordingly, the provisions of this indemnity provision are intended by the parties to be interpreted and construed to provide the fullest protection possible under the law to the City. Contractor acknowledges that City would not enter into this agreement in the absence of the commitment of Contractor to indemnify and protect City as set forth here.

To the full extent permitted by law, Contractor shall defend, indemnify and hold harmless City, its employees, agents, and officials, from any liability, claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses, or costs of any kind, whether actual, alleged or threaten, actual attorney fees incurred by City, court costs, interest, defense costs including expert witness fees and any other costs or expenses of any kind whatsoever without restriction or limitation incurred in relation to, as a consequence of or arising out of or in any way attributable actually or impliedly, in whole or in part to the performance of this agreement. All obligations under this provision are to be paid by Contractor as they are incurred by the City.

Without affecting the rights of City under any provision of this agreement or this section, Contractor shall not be required to indemnify and hold harmless City as set forth above for liability attributable to the sole fault of City, provided such sole fault is determined by agreement between the parties or the findings of a court of competent jurisdiction. This exception will apply only in instances where the City is shown to have been solely at

fault and not in instances where Contractor is solely or partially at fault or in instances where City's fault accounts for only a percentage of the liability involved. In those instances, the obligation of Contractor will be all-inclusive and City will be indemnified for all liability incurred, even though a percentage of the liability is attributable to conduct of the City.

Contractor acknowledges that its obligation pursuant to this section extends to liability attributable to City, if that liability is less than the sole fault of City. Contractor has no obligation under this agreement for liability proven in a court of competent jurisdiction or by written agreement between the parties to be the sole fault of City.

The obligations of Contractor under this or any other provision of this agreement will not be limited by the provisions of any workers compensation act or similar act. Contractor expressly waives its statutory immunity under such statutes or laws as to City, its employees and officials.

Contractor agrees to obtain executed indemnity agreements with provisions identical to those set forth here in this section from each and every subcontractor, subtier contractor, or any other person or entity involved by, for, with or on behalf of Contractor in the performance or subject matter of this agreement. In the event Contractor fails to obtain such indemnity obligations from others as required here, Contractor agrees to be fully responsible according to the terms of this section.

Failure of City to monitor compliance with these requirements imposes no additional obligations on City and will in no way act as a waiver of any rights hereunder. This obligation to indemnify and defend City as set forth herein is binding on the successors, assigns, or heirs of Contractor and shall survive the termination of this agreement or this section.

V. INSURANCE

The Contractor shall secure and maintain throughout the term of the Contract the following types of insurance with limits as shown:

Workers Compensation - A program of Workers Compensation Insurance or a State-approved self-Insurance Program in an amount and form to meet all applicable requirements of the Labor Code of the State of California, including Employers Liability with One-Million Dollars (\$1,000,000.00) limits, covering all persons providing services on behalf of the Contractor and all risks to such persons under this Contract.

General Liability - Such general liability insurance shall be written with a limit of liability of not less than Two-Million Dollars (\$2,000,000.00) combined single limits for damages arising out of bodily-injury, including sickness and death, injury to or destruction of property of others, arising directly or indirectly out of or in connection with the performance of the Work under the Contract Documents including explosion, collapse, and underground exposure.

Vehicle Liability - Such vehicle liability insurance shall be written with a limit of liability of not less than One-Million Dollars (\$1,000,000.00) combined single limits for all bodily injury, including sickness and death or injury to or destruction of property of others, arising directly or indirectly out of or in connection with the performance of the Work under the Contract Documents including explosion, collapse, and underground exposure.

If the City determines to require the Contractor to procure such insurance, such insurance shall cover as insureds under all policies excepting workers compensation the City, its officers, employees, and agents. The policy or policies for such insurance may provide for a deductible amount not to exceed five percent (5%) of the Contract Price. As provided in Section 7105 of the California Public Contract Code, the Contractor is responsible for the cost of repairing or restoring work up to five percent (5%) of the contract amount.

All insurers shall be admitted and authorized to do business in California as insurance carriers.

Contractor shall immediately furnish certificates of insurance and the Contractor shall provide certified copies of all policies and endorsements to the City evidencing the insurance coverage

above required prior to the commencement of performance of services hereunder, which certificates shall provide that such insurance shall not be terminated or expire without thirty (30) days written notice to the City, and shall maintain such insurance from the time Contractor commences performances of services hereunder until the completion of such services. Within thirty (30) days of award of the contract, Contractor shall provide City with certified copies of all insurance policies required hereunder.

All policies, with respect to the insurance coverage above required, except for the Workers' Compensation Insurance coverage and liability coverage, if applicable, shall obtain additional endorsements covering the City and its officers, employees, and agents, as insureds with respect to liabilities arising out of the performance of services hereunder.

The Contractor shall require the carriers of the above required coverage's to waive all rights of subrogation against the City, its officers, employees, contractors, agents, and subcontractors.

All policies required above are to be primary and noncontributing with any insurance or self-insurance programs carried or administered by the City.

VI. CONTRACT PRICE

The City agrees to pay, and the Contractor agrees to accept in full payment for the work outlined, in the Contract Documents, the sum of _____ (\$442,071.80) subject to additions and deductions, if any, in accordance with said documents. Payment shall not be made more often than once each thirty (30) days, nor shall amount paid be in

four hundred forty two thousand,
seventy one and 80/100.

excess of ninety percent (90%) of the Contract at time of completion. Final payment to be made thirty-five (35) days subsequent to filing of Notice of Completion. Contractor may, upon Contractor's written request, and approved by the City Council, at Contractor's expense, deposit eligible substitute securities, as described in Government Code Section 16430, and as authorized by Public Contract Code, Section 22300, in lieu of retention monies withheld to insure performance.

VII. COMMENCEMENT AND COMPLETION OF WORK

The Contractor shall commence the work required by this Contract within ten (10) days of the date specified in the Notice to Proceed and shall complete the Work within Fifty (50) working days. City and Contractor have discussed the provisions of Government Code Section 53069.85 and the damages which may be incurred by City if the Work is not completed within the time specified in this Contract. The City and Contractor hereby represent that at the time of signing this Contract, it is impracticable and extremely difficult to fix the actual damage which will be incurred by City if the Work is not completed within the number of calendar days allowed. Accordingly, City and Contractor agree that the sum of One Thousand Dollars (\$1,000.00) per day is a reasonable sum to assess as damages to City by reason of the failure of Contractor to complete the Work within the time specified.

VIII. MISCELLANEOUS

The Contractor acknowledges that, in accordance with Section 1777.5 of the State Labor Code, he/she will be held responsible for compliance with the provisions of this Section for all apprenticeable occupations.

The Contractor hereby waives for himself/herself and for Contractor's Subcontractors any right Contractor may now or in the future possess in relation to this Contract and these Contract Documents and the work thereunder, to utilize the provisions of Civil Code Section 47(b) in any action, proceeding, or prosecution pursuant to California False Claims Act, Government Code Section 12650 et seq.

IX.

Contractor acknowledges and agrees that Contractor must have all appropriate contractor's licenses. Contractor further warrants and represents that he/she/they has/have the appropriate contractor's license to perform the work hereunder. Contractor's failure to have or maintain all appropriate licenses during the entire term of this contract, or any period thereof, shall be cause for the immediate and summary termination of this Contract by City. Contractor shall be liable for all City's costs to complete the work and this Contract.

X.

The person or persons executing this Contract on behalf of Contractor warrants and represents he/she/they has/have the authority to execute this Contract on behalf of his/her/their corporation, partnership, or business entity and warrant and represents that

he/she/they has/have the authority to bind Contractor to the performance of its obligations hereunder.

XI.

This Contract contains the completely final, entire, and exclusive agreement between the parties with respect to the subject matter hereof, and no waiver, alteration, or modification of any of the provisions hereof or rights to act hereunder shall be binding unless in writing. Any attempted modification, amendment, or alteration in violation hereof shall be void.

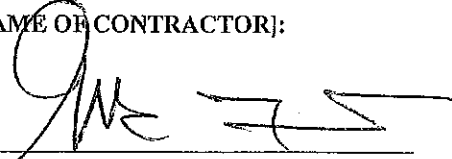
IN WITNESS WHEREOF, each of the parties hereto has caused the Contract to be executed in its name on its behalf by a duly authorized officer as of this day and year first above written.

GRFCO, INC.

CITY OF STANTON:

[NAME OF CONTRACTOR]:

By: _____
CITY MANAGER

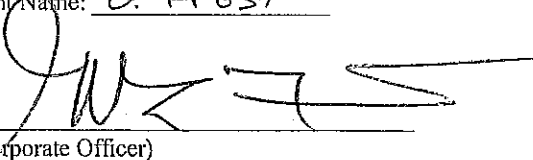
By: 
(Corporate Officer)

Title: President

Print Name: G. Frost

ATTEST:

By: _____
Interim CITY CLERK

By: 
(Corporate Officer)

Title: Secretary

Print Name: G. Frost

APPROVED AS TO FORM:

By: _____
CITY ATTORNEY

NOTARY REQUIRED

CITY OF STANTON BUDGET ADJUSTMENT AUTHORIZATION

Fiscal Year: 2013-14
 Department: Public Works
 Requested By: Allan Rigg
 City Council Approval: _____
 Availability of Funds: _____
Administrative Services Department

BA # 2015-14
 Date: January 19, 2015
 Title: Public Works Director
 Date: January 27, 2015
 Title: Administrative Services Director

Transfer		Current Budget	Increase (Decrease)	Amended Amount
Account Description	Account Number			
1 Sewer Improvements	501-3700-730105	\$ 511,809	\$ 104,000	\$ 615,809
2 Sewer: Fund Balance	501-0000-304320	\$ 7,412,742	\$ (104,000)	\$ 7,308,742
3				
4				
5				
6				
7				
8				
9				
10				

JUSTIFICATION:

To appropriate funds for the Thunderbird Lane Sewer and Street Improvement Project

Budget Adjustment Request Approved:

City Manager

Date

Budget Adjustment Processed:

Date posted

Entered by

*** PRINT ON BLUE PAPER ONLY ***

CITY OF STANTON

REPORT TO THE CITY COUNCIL

TO: Honorable Mayor and City Council

DATE: January 27, 2015

SUBJECT: AGREEMENT WITH HINDERLITER, DE LLAMAS & ASSOCIATES

REPORT IN BRIEF:

Hinderliter, de Llamas & Associates (HdL) has been the City's sales and property tax consultants for decades. With Stanton voters' recent establishment of a transactions and use tax, staff recommends HdL as a consultant in this area. As a consultant, HdL would be an authorized representative of the City with the Board of Equalization. In addition, HdL would be authorized to conduct audits to determine if appropriate amounts of transactions and use tax have been remitted to the City.

RECOMMENDED ACTION:

1. City Council find that this item is not subject to California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060 (c)(3) (the activity is not a project as defined in Section 15378 of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly; and
2. Authorize the City Manager to sign the Agreement for Transactions Tax Audit and Information Services with HdL; and
3. Adopt Resolution No. 2015-07 authorizing examination of transactions and use tax records.

BACKGROUND:

Measure GG was approved by the majority of the residents of the City of Stanton on November 4, 2014. As such, the City Council approved Ordinance No. 1030 amending the City Municipal Code and providing for a local transactions and use tax. The State Board of Equalization is the California agency trusted with administering the operations of transactions and use taxes.

HdL was founded in 1983 and established to maximize local government revenues by providing a variety of audits, analytical services and software products. The City of Stanton first signed a contract with HdL for sales tax services in 1987, and for property tax services in 1995. HdL Companies is currently being utilized by over 380 agencies in six states.

ANALYSIS/JUSTIFICATION:

City Council recently approved agreements to have the Board of Equalization (BOE) administer and enforce the transactions and use tax for the City. Staff is ill equipped to conduct the data analysis of the forthcoming transactions and use tax revenue on its own. As such, staff recommends using HdL to analyze the data as well as audit filings of transactions and use taxes to ensure that appropriate amounts are being remitted. The BOE is the only agency that can enforce the transactions and use tax for the City, but with this agreement, HdL would be enabled to point out potential mispayments by businesses within the City limits. This action would be similar to what HdL already does for the City on the sales tax side of things.

FISCAL IMPACT:

HdL's rate would be \$100 a month. In addition, HdL would be paid 25% of the initial amount of any new transactions or use tax revenue that comes to the City as a result of audit and recovery work performed by them. That fee would apply only to the quarters where improper payments were made, and would not apply prospectively for any future quarter.

ENVIRONMENTAL IMPACT:

None.

LEGAL REVIEW:

The City Attorney has reviewed and approved the attached resolution and agreements.

PUBLIC NOTIFICATION:

Through the agenda posting process.

Prepared by:

Approved by:



Stephen M. Parker, CPA
Administrative Services Director



James A. Box
City Manager

Attachment:

- A. Agreement for Transactions Tax Audit & Information Systems
- B. Resolution No. 2015-07 Authorizing Examination of Transactions and Use Tax Records

AGREEMENT FOR TRANSACTIONS TAX AUDIT & INFORMATION SERVICES

This Agreement is made and entered into as of the ____ day of _____, 2014 by and between the CITY OF STANTON, hereinafter referred to as "CITY" and HINDERLITER, DE LLAMAS AND ASSOCIATES a California Corporation, hereinafter referred to as "CONTRACTOR".

I. RECITALS

WHEREAS, transactions tax revenues can be increased through a system of continuous monitoring, identification and correction of allocation errors and reporting deficiencies, and

WHEREAS, an effective program of transactions and use tax management can provide for more accurate budget forecasting and financial planning; and

WHEREAS, CITY desires the combination of data entry, report preparation, and data analysis necessary to effectively manage its Measure "GG" transactions and use tax base and recover revenues either unreported or erroneously allocated to other jurisdictions; and

WHEREAS, CONTRACTOR has the programs, equipment and personnel required to deliver the transactions and use tax related services referenced herein;

THEREFORE, CITY and CONTRACTOR, for the consideration hereinafter described, mutually agree as follows:

II. SERVICES

The CONTRACTOR shall perform the following services:

A. DEFICIENCY/ALLOCATION REVIEWS AND RECOVERY

1. CONTRACTOR shall conduct on-going reviews to identify and correct unreported transactions and use tax payments and distribution errors thereby generating previously unrealized revenue for the CITY. Said reviews shall include:
 - (i) Comparison of county-wide local tax allocations to transactions tax for brick and mortar stores and other cash register-based businesses, where clearly all transactions are conducted on-site within the Measure “GG” CITY boundaries, and therefore subject to transactions tax.
 - (ii) Review of any significant one-time use tax allocations to ensure that there is corresponding transaction tax payments for taxpayers with nexus within the CITY boundaries.
 - (iii) Review of state-wide transactions tax allocations and patterns to identify any obvious errors and omissions.
 - (iv) Identification and follow-up with any potentially large purchasers of supplies and equipment (e.g. hospitals, universities, manufacturing plants, agricultural operations, refineries) to ensure that their major vendors are properly reporting corresponding transactions tax payments to the Measure “GG” Transactions Tax District.
2. CONTRACTOR will initiate, where the probability of an error exists, contacts with the appropriate taxpayer management and accounting officials to verify

whether current tax receipts accurately reflect the local sales activity. Such contacts will be conducted in a professional and courteous manner so as to enhance CITY's relations with the business community.

3. CONTRACTOR shall prepare and submit to the Board of Equalization all information necessary to correct any allocation errors and deficiencies that are identified, and shall follow-up with the individual businesses and the State Board of Equalization to ensure that all back quarter payments due the CITY are recovered.

B. DATA BASE MANAGEMENT, REPORTS AND STAFF SUPPORT

1. CONTRACTOR shall establish a database containing all applicable Board of Equalization (BOE) registration data for each business within the Measure "GG" District boundaries holding a seller's permit account. Said database shall also identify the quarterly transactions and use tax allocations under each account for the most current and previous quarters where available.
2. CONTRACTOR shall provide updated reports each quarter identifying changes in allocation totals by individual businesses, business groups and by categories. Quarterly aberrations due to State audits, fund transfers, and receivables, along with late or double payments, will also be identified. Quarterly reconciliation worksheets to assist finance officer with budget forecasting will be included.
3. CONTRACTOR shall advise and work with CITY Staff on planning and economic questions related to maximizing revenues, preparation of revenue projections and general information on sales, transactions and use tax questions.
4. CONTRACTOR shall make available to CITY the HdL proprietary software program and Measure "GG" database containing all applicable registration and

quarterly allocation information for CITY business outlets registered with the Board of Equalization. The database will be updated quarterly.

III. CONFIDENTIALITY

Section 7056 of the State of California Revenue and Taxation code specifically limits the disclosure of confidential taxpayer information contained in the records of the State Board of Equalization. This section specifies the conditions under which CITY may authorize persons other than CITY officers and employees to examine State Sales, Use and Transactions Tax records.

The following conditions specified in Section 7056 (b), (1) of the State of California Revenue and Taxation Code are hereby made part of this agreement.

- A. CONTRACTOR is authorized by this Agreement to examine sales, use or transactions and use tax records of the Board of Equalization provided to CITY pursuant to contract under the conditions established by the California Revenue and Taxation law.
- B. CONTRACTOR is required to disclose information contained in, or derived from, those sales, use or transactions and use tax records only to an officer or employee of the CITY who is authorized by resolution to examine the information.
- C. CONTRACTOR is prohibited from performing consulting services for a retailer, as defined in California Revenue & Taxation Code Section 6015, during the term of this Agreement.

D. CONTRACTOR is prohibited from retaining the information contained in, or derived from those sales or transactions and use tax records, after this Agreement has expired. Information obtained by examination of Board of Equalization records shall be used only for purposes related to collection of local sales and use tax or for other governmental functions of the CITY as set forth by resolution adopted pursuant to Section 7056 (b) of the Revenue and Taxation Code. The resolution shall designate the CONTRACTOR as a person, authorized to examine sales and use tax records and certify that this Agreement meets the requirements set forth above and in Section 7056 (b), (1) of the Revenue and Taxation Code.

IV. CONSIDERATION

A. CONTRACTOR shall be paid \$100 monthly billed quarterly for the transaction district tax reports that we include with the quarterly sales tax analyses. CONTRACTOR shall be paid 25% of the initial amount of new transactions or use tax revenue received by the CITY as a result of audit and recovery work performed by CONTRACTOR (hereafter referred to as "audit fees"). New revenue shall not include any amounts determined and verified by CITY or CONTRACTOR to be increment attributable to causes other than CONTRACTOR'S work pursuant to this agreement. In the event that CONTRACTOR is responsible for an increase in the tax reported by businesses already properly making tax payments to the CITY, it shall be CONTRACTOR'S responsibility to separate and support the incremental amount attributable to its efforts prior to the application of the audit fee. Said audit fees will apply to state fund transfers received for those specific quarters identified as being missing and/or deficient following completion of the audit by CONTRACTOR and confirmation of corrections by the State Board of Equalization but shall not apply prospectively to any future quarter.

CONTRACTOR shall provide CITY with an itemized quarterly invoice showing all formula calculations and amounts due for audit fees.

CONTRACTOR shall obtain prior approval from CITY for each specific business for which payment of audit fees will be expected. Said approval shall be deemed given when the City Manager or his/her designated representative, signs a Work Authorization form, a copy of which is attached as "Exhibit A." CITY shall pay audit fees upon CONTRACTOR'S submittal of evidence of State fund transfers and payments to CITY from businesses identified in the audit and approved by the CITY.

- B. Above sum shall constitute full reimbursement to CONTRACTOR for all direct and indirect expenses incurred by CONTRACTOR in performing audits including the salaries of CONTRACTOR'S employees, and travel expenses connected with contacting local and out-of-state businesses and the Board of Equalization Staff.
- C. Extra work beyond the Scope of Services set forth in this agreement shall not be performed by CONTRACTOR or reimbursed or paid for by CITY unless such extra work is specifically authorized in writing by City Manager or his/her designated representative. CONTRACTOR shall be compensated for any additional services in the amounts and in the manner as agreed to by the CITY and CONTRACTOR at the time the CITY's written authorization is given to CONTRACTOR for the performance of said services.

VI. CITY MATERIALS AND SUPPORT

CITY shall adopt a resolution in a form acceptable to the State Board of Equalization and in compliance with Section 7056 of the Revenue and Taxation Code, authorizing

CONTRACTOR to examine the confidential sales, use, and transactions tax records of CITY. CITY further agrees to continue CONTRACTOR'S authorization to examine the confidential records of the CITY by maintaining CITY's name on the CITY Resolution until such time as all audit adjustments have been completed by the State Board of Equalization and audit fees due the CONTRACTOR have been paid.

VII. LICENSE, PERMITS, FEES AND ASSESMENTS

CONTRACTOR shall obtain such licenses, permits and approvals (collectively the "Permits") as may be required by law for the performance of the services required by this Agreement. CITY shall assist CONTRACTOR in obtaining such Permits, and CITY shall absorb all fees, assessments and taxes which are necessary for any Permits required to be issued by CITY.

VIII. TERMINATION

This Agreement may be terminated for convenience by either party by giving 30 days written notice to the other of such termination and specifying the effective date thereof. Upon the presentation of such notice, CONTRACTOR shall continue to work through the date of termination. Upon termination as provided herein, CONTRACTOR shall be paid the value of all tax analysis and reporting work performed less payments previously made by CITY. In ascertaining the value of the work performed up to the date of termination, consideration shall be given to amounts due for any unpaid invoices, and to businesses identified by CONTRACTOR which make tax payments after termination of this Agreement as a result of CONTRACTOR'S work. After CITY receives said tax payments for such businesses, CONTRACTOR shall be paid the audit fees resulting from tax payments made by the business for back quarter reallocations. Compensation for any audit work previously authorized and satisfactorily performed shall be made at the times provided in the preceding section entitled "Consideration."

All documents, data, surveys and reports prepared by CONTRACTOR pursuant to this Agreement shall be considered the property of the CITY and upon payment for services performed by CONTRACTOR, such documents and other identified materials shall be delivered to CITY by CONTRACTOR.

IX. INDEPENDENT CONTRACTOR

CONTRACTOR shall perform the services hereunder as an independent contractor and shall furnish such services in his own manner and method, and under no circumstances or conditions shall any agent, servant, or employee of CONTRACTOR be considered as an employee of CITY.

X. NON-ASSIGNMENT

This Agreement is not assignable either in whole or in part by CONTRACTOR without the written consent of CITY.

XI. ATTORNEY'S FEES

In the event a legal action is commenced to enforce any of the provisions of this Agreement, the prevailing party shall be entitled to recover its costs and reasonable attorney's fees.

XII. GOVERNING LAW

The laws of the State of California shall govern the rights, obligations, duties and liabilities of the parties to this Agreement and shall also govern the interpretation of this Agreement.

XIII. INDEMNIFICATION

CONTRACTOR hereby agrees to, and shall hold CITY, its elective and appointive boards, officers, agents and employees, harmless from any liability for damage or claims for damage for personal injury, including death, as well as from claims for breach of confidentiality or property damage to the extent arising from CONTRACTOR'S willful or negligent acts, errors or omissions or those of its employees or agents. CONTRACTOR agrees to and shall defend CITY and its elective and appointive boards, officers, agents and employees from any suits or actions at law or in equity for damages to the extent caused by reason of any of the aforesaid willful or negligent acts, errors or omissions.

CITY hereby agrees to, and shall hold CONTRACTOR, its officers, agents and employees, harmless from any liability for damage or claims for damage for personal injury, including death, as well as from claims for breach of confidentiality or property damage to the extent arising from CITY's negligent acts, errors or omissions under this Agreement. CITY agrees to and shall defend CONTRACTOR and its officers, agents and employees from any suits or actions at law or in equity for damage to the extent caused by reason of any of the aforesaid negligent acts, errors or omissions.

XIV. NOTICE

All notices required by this Agreement shall be given to CITY and CONTRACTOR in writing, by personal delivery or first class mail postage prepaid, addressed as follows:

CITY: CITY MANAGER
CITY OF STANTON
7800 Katella Avenue
Stanton, CA 90680

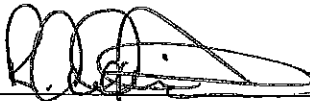
CONTRACTOR: HINDERLITER, DE LLAMAS, & ASSOCIATES
1340 Valley Vista Drive, Suite 200
Diamond Bar, CA 91765

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the date first above written by their respective officers duly authorized in that behalf.

CITY: CITY OF STANTON

City Manager

CONTRACTOR:
HINDERLITER, DE LLAMAS & ASSOCIATES
A California Corporation



President

APPROVED AS TO FORM:
CITY COUNSEL:

SAMPLE

SAMPLE

EXHIBIT A

Transactions Tax Audit

Work Authorization No. _____

The following business or businesses, located in the City of Stanton, have been identified as having the potential for generating additional tax revenues to the City of Stanton. Contractor is hereby authorized to contact the given business(s) and the State Board of Equalization to verify the accuracy of the current reporting methodology and obtain the necessary documentation for the Board of Equalization, to bill for uncollected transactions and use tax payments or modify misallocated payments and to return revenues that may be due to the District.

Contractor's compensation shall be 25% of the new transactions tax revenue received by the District as a result of audit and recovery work performed by Contractor, as set forth in the Agreement between Contractor and City.

CITY: CITY OF STANTON

By: _____

Date: _____

HINDERLITER, DE LLAMAS AND ASSOCIATES

By: _____

Date _____

RESOLUTION NO. 2015-07

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA,
AUTHORIZING EXAMINATION OF TRANSACTIONS AND USE TAX RECORDS**

WHEREAS, pursuant to ordinance No. 1030, the City of Stanton entered into a contract with the State Board of Equalization to perform all functions incident to the administration and collection of local transactions and use taxes; and

WHEREAS, the City Council of the City of Stanton deems it necessary for authorized representatives of the City to examine confidential transactions and use tax records of the State Board of Equalization pertaining to transactions and use taxes collected by the Board for the City pursuant to that contract; and

WHEREAS, Section 7056 of the California Revenue and Taxation Code sets forth certain requirements and conditions for the disclosure of Board records and establishes criminal penalties for the unlawful disclosure of information contained in, or derived from the transactions and use tax records of the Board; and

WHEREAS, Section 7056 of the California Revenue and Taxation Code requires that any person designated by the City shall have an existing contract to examine the City's sales and use tax records.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STANTON, DOES
RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

SECTION 1. That the City Administrator or other officer(s) or employee(s) of the City (hereafter referred to as City) designated in writing by the City Administrator to the State Board of Equalization (hereafter referred to as Board), is hereby appointed to represent the City with authority to examine transactions and use tax records of the Board pertaining to transactions and use taxes collected for the City by the Board pursuant to the contract between the City and the Board. The information obtained by examination of Board records shall be used only for purposes related to the collection of City transactions and use taxes by the Board pursuant to the contract.

SECTION 2. That the City's existing contract with Hinderliter, de Llamas and Associates is hereby amended to add thereto the examination of the transactions and use tax records of the City pertaining to transactions and use taxes collected for the City by the Board. The fee for transactions tax related audit and recovery work will be 25% plus \$100 monthly charge for transaction district tax reports of all new transactions tax or related use tax recovered for those specific quarters identified as being missing and/or deficient.

SECTION 3. That Hinderliter, de Llamas and Associates is hereby designated to examine the transactions and use tax records of the City pertaining to transactions and use taxes collected for the City by the Board. The entity designated by this section meets all of the following conditions:

- (a) Has an existing contract with the City to examine those transactions and use tax records;
- (b) Is required by that contract to disclose information contained in, or derived from, those transactions and use tax records only to the officer(s) or employee(s) authorized under Section 1 of this resolution to examine the information.
- (c) Is prohibited by that contract from performing consulting services for a retailer during the term of that contract; and
- (d) Is prohibited by that contract from retaining the information contained in, or derived from those transactions and use tax records, after that contract has expired.

The information obtained by examination of Board records shall be used only for purposes related to the collection of City transactions and use taxes by the Board pursuant to the contract between the City and the Board.

SECTION 4. The City Clerk is hereby directed to certify adoption of this Resolution and to send a copy to:

State Board of Equalization
Local Tax Section MIC:27
P O Box 942879
Sacramento, CA 94279-0001

ADOPTED, SIGNED AND APPROVED this 27th day of January, 2015.

ALEXANDER A. ETHANS, MAYOR

APPROVED AS TO FORM:

MATTHEW E. RICHARDSON, CITY ATTORNEY

ATTEST:

I, Luz A. Rodriguez, Interim City Clerk of the City of Stanton, California DO HEREBY CERTIFY that the foregoing Resolution, being Resolution No. 2015-07 has been duly signed by the Mayor and attested by the Interim City Clerk, all at a regular meeting of the Stanton City Council, held on January 27, 2015, and that the same was adopted, signed and approved by the following vote to wit:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

LUZ A. RODRIGUEZ, INTERIM CITY CLERK

CITY OF STANTON

REPORT TO CITY COUNCIL

TO: Honorable Mayor and Members of the City Council

DATE: January 27, 2015

SUBJECT: AMENDMENT TO JOINT AGREEMENT FOR THE OPERATION, MAINTENANCE AND FINANCIAL MANAGEMENT OF THE ORANGE COUNTY 800 MEGAHERTZ COUNTYWIDE COORDINATED COMMUNICATION SYSTEM

REPORT IN BRIEF:

This Amendment addresses the estimated cost of system extension and commitment on the part of the City regarding the implementation and funding obligations for the 800 MHz Countywide Coordinated Communications System (CCCS) backbone and cost-sharing allocations.

RECOMMENDED ACTION:

City Council approve and authorize the City Manager to execute the Amendment to the Joint Agreement for the Operation, Maintenance and Financial Management of the Orange County 800 MHz Countywide Coordinated Communications System (CCCS).

BACKGROUND:

The 800 MHz Countywide Coordinated System (CCCS) is a partnership between Orange County, its thirty-four (34) cities and four (4) other participating agencies. The 800 MHz Countywide Coordinated Communications System Governance Committee, which is comprised of three County representatives and four City Managers, oversees the CCCS. The original life expectancy of the CCCS was to the year 2015, but an upgrade extended the system to 2018. To ensure the CCCS continues to operate, the Committee has recommended its replacement by 2018. Thus far, all participating agencies have confirmed their participation in the CCCS replacement and the County has established the technical, operational, and financial requirements for all participating agencies.

In order for the County to provide agencies with a cost estimate, each agency was responsible for submitting an accurate needs inventory. Staff conducted an extensive inventory in October 2014, and verified all radio, consoles and equipment in stock.

Once complete, radio/console/equipment not in use or not needed was removed from the inventory prior to submitting to the County. Based on the updated inventory submitted to the County, costs estimates for all participating agencies are attached.

Staff has not identified an alternative to participating in the CCCS replacement and continued participation is critical to the City's public safety.

Estimated cost for Stanton's participation is approximately \$548,195, and agencies will be billed over three fiscal years.

ANALYSIS/JUSTIFICATION:

The current 800 MHz CCCS system has allowed Orange County to have communications interoperability for many years and it is a necessity that continues to elude most jurisdictions nationwide. In order to keep up-to-date and continue to provide this countywide radio service, we are now approaching the stage that action must be taken to extend the life of the existing system or plan for a complete system replacement. Extending the life of the existing radio system by systematically replacing obsolete equipment in strategic phases culminating in an upgrade to compliance is the most logical and fiscally responsible approach to achieving the goal of continuing to provide a quality radio communications system countywide.

FISCAL IMPACT:

The City will need to budget a total of \$543,313 over the next three fiscal years. These costs are primarily public safety-related, and transactions and use tax revenue from the passage of Measure GG will be set aside to make these upcoming payments.

ENVIRONMENTAL IMPACT:

None.

LEGAL REVIEW:

None.

PUBLIC NOTIFICATION:

Through the normal agenda process.

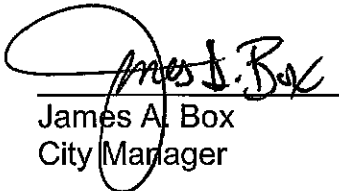
Prepared by:


Julie S. Roman
Community Services Director

Reviewed by:


Stephen Parker, CPA
Administrative Services Director

Approved by:


James A. Box
City Manager

Attachments:

- A. Amendment to the Joint Agreement for the Operation, Maintenance and Financial Management of the Orange County 800 MHz Countywide Coordinated Communications System (CCCS).
- B. Parties to the Amendment.
- C. General Description of System Extension and Project Schedule.
- D. Total Estimated System Extension Cost and Estimated Party Cost Share by Fiscal Year.
- E. Other Participating Agencies.

**AMENDMENT TO JOINT AGREEMENT
FOR THE OPERATION, MAINTENANCE AND FINANCIAL MANAGEMENT
OF THE ORANGE COUNTY 800 MEGAHERTZ
COUNTYWIDE COORDINATED COMMUNICATIONS SYSTEM**

THIS AMENDMENT (“**Amendment**”) is entered into on January 27, 2015 by and between the Parties listed on Exhibit A, attached hereto, which are sometimes individually referred to as “**Party**” or collectively referred to as the “**Parties**.”

RECITALS

A. On November 23, 2004, the Parties executed that certain document entitled *Joint Agreement for the Operation, Maintenance and Financial Management of the Orange County 800 Megahertz Countywide Coordinated Communications System* (“**Agreement**”), which provides for the management and governance of the 800 MHz Countywide Coordinated Communications System (“800 MHz CCCS”).

B. The 800 MHz CCCS requires significant enhancement in order to extend the life of the system.

C. Pursuant to Section 15.10 of the Agreement, the Governance Committee and the County have developed a long-range implementation plan to extend the CCCS, and have developed a scope of work, which includes all the activities, infrastructure and project schedule information for fiscal years 2014-19 described on Exhibit B, attached hereto (“**System Extension**”).

D. The Governance Committee and County have also developed the overall estimated cost of the System Extension, including each Party’s estimated funding share by fiscal year described on Exhibit C, attached hereto.

E. A Party’s funding plan for the System Extension may consist of one or more of the following: 1) a Party’s cash contribution, 2) a Party or a group of Parties financing all or a portion of the System Extension through the issuance of tax exempt bonds or other public financing mechanisms, and/or 3) a Party or group of Parties financing all or a portion of the System Extension through the County approved System Extension vendor.

F. The Parties desire to amend the Agreement to provide their commitment to the System Extension and describe their implementation and funding obligations.

G. This Amendment has been approved by the Governance Committee.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. Implementation Obligations. The Parties hereby commit to fund and implement the System Extension as described on Exhibit B and Exhibit C.

a. California Environmental Quality Act ("CEQA"). The County shall be the lead agency for purposes of CEQA and shall obtain all necessary approvals for the System Extension.

b. Party Cost Share. The Parties intend to implement and fund the System Extension over several years beginning in fiscal year 2014-15 through fiscal year 2018-19. Each Party is responsible for its fair share contribution to the System Extension. The total estimated budget for the System Extension and each Party's fair share contribution is depicted on Exhibit C ("**Cost Share**"). A Party's Cost Share is determined by the number of subscriber radios used by the Party on the CCCS, as well as the Party's proportionate share of the System Extension dedicated to System Backbone. Each Party shall pay its total Cost Share in five fiscal year payments beginning in fiscal year 2014-15 through fiscal year 2018-19 in accordance with the procedures in Subsection (c) below. Each Party acknowledges that its Cost Share for the System Extension is an estimate and is expressed as a not to exceed amount. Each Party's Cost Share will be based on an actual quote by a third party vendor who will perform the System Extension under a contract or series of contracts approved and managed by the County ("**Contractor**"). A Party's actual Cost Share amount will be determined prior to the beginning of each fiscal year in which it is due and will be based on the Contractor's scope of work for the respective fiscal year. Therefore, the Cost Share depicted on Exhibit C may change, and may be periodically updated by the Parties to reflect any changed equipment or authorized System Extension modification expenses.

c. Invoicing & Payment. The County will calculate the actual Cost Share amount due the following fiscal year, and will invoice each Party by July 1. Each Party shall pay its respective Cost Share to the County within thirty (30) days of the start of the fiscal year. A Party is exempt from the payment procedures of this Subsection 1.c for the relevant fiscal year if it has:

- i. Executed a binding agreement with the County approved Contractor, agreeing to pay or finance its Cost Share through the Contractor directly, or
- ii. Executed a binding agreement with the County agreeing to jointly finance its Cost Share.

d. Cost Share Responsibility. Upon execution of this Amendment, each Party is responsible for its actual Cost Share regardless of the form and manner of payment described herein, such that the Party cannot terminate its Cost Share obligation for any reason. In the event of a withdrawal from the system in accordance with Section 20 of the Agreement or in the case of a default for failure to pay its Cost Share in accordance with this Amendment, each Party remains obligated to pay to County the Party's outstanding Cost Share as that obligation becomes due. Should any Party fail to pay its respective Cost Share when due, the County shall take action as is appropriate to obtain such payment. Nothing herein shall be construed as the County's exclusive remedy for the remediation of defaults by a Party or Parties, and the County reserves the right to pursue any and all available rights and remedies at law or in equity.

e. County Trust Account. The County shall deposit all Cost Share contributions into a trust account that is managed solely for the purpose of the System Extension.

2. System Extension Administration. The Orange County Sheriff-Coroner Department/Communications & Technology Division shall administer all agreements for the System Extension, and regularly report such progress to the Governance Committee.

3. Participating Agencies. The Parties hereby update the list of Participating Agencies described on Exhibit D, attached hereto, which shall replace in its entirety Exhibit C of the Agreement. Participating Agencies will continue to contribute to overall backbone costs through the payment of a separate and established entry fee for every radio added to the system.

4. Capitalized Terms. Any capitalized terms not defined herein shall have the meanings set forth in the Agreement.

5. Counterparts. This Amendment may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute but one and the same instrument.

6. Full Force. Except as expressly set forth herein, the Agreement shall remain unmodified and in full force and effect.

IN WITNESS WHEREOF, the Parties have executed this Amendment as of the date first written above.

THE COUNTY OF ORANGE,
a political subdivision of the State of California

By: _____
Chairman of the Board of Supervisors

SIGNED AND CERTIFIED THAT A COPY
OF THIS DOCUMENT HAS BEEN DELIVERED
TO THE CHAIRMAN OF THE BOARD

By: _____
Clerk of the Board of Supervisors
County of Orange, California

APPROVED AS TO FORM:
COUNTY COUNSEL

By: _____

THE CITY OF STANTON

By: _____
City Manager

ATTEST:

By: _____
Interim City Clerk

APPROVED AS TO FORM:

By: _____
City Attorney

EXHIBIT A

PARTIES TO THE AMENDMENT

ENTITY	RESPONSIBLE ADMINISTRATOR	ADDRESS	PHONE #
Aliso Viejo	City Manager	12 Journey, Suite 100 Aliso Viejo, CA 92656-5335	949/425-2512
Anaheim	City Manager	200 S. Anaheim Blvd. Anaheim, CA 92805	714/765-5162
Brea	City Manager	1 Civic Center Circle Brea, CA 92821-5732	714/990-7770
Buena Park	City Manager	6650 Beach Blvd. Buena Park, CA 90620	714/562-3550
Costa Mesa	City Manager	77 Fair Drive Costa Mesa, CA 92626	714/754-5328
Cypress	City Manager	5275 Orange Avenue Cypress, CA 90630	714/229-6688
Dana Point	City Manager	33282 Golden Lantern, Suite 203 Dana Point, CA 92629	949/248-3513
Fountain Valley	City Manager	10200 Slater Avenue Fountain Valley, CA 92708	714/593-4410
Fullerton	City Manager	303 W. Commonwealth Ave Fullerton, CA 92832	714/738-6310
Garden Grove	City Manager	11222 Acacia Parkway Garden Grove, CA 92840	714/741-5100
Huntington Beach	City Administrator	2000 Main Street Huntington Beach, CA 92648	714/536-5575
Irvine	City Manager	1 Civic Center Plaza Irvine, CA 92623-9575	949/724-6246
La Habra	City Manager	201 E. La Habra Blvd. La Habra, CA 90633	562/905-9701

ENTITY	RESPONSIBLE ADMINISTRATOR	ADDRESS	PHONE #
La Palma	City Manager	7822 Walker Street La Palma, CA 90623	714/690-3333
Laguna Beach	City Manager	505 Forest Avenue Laguna Beach, CA 92651	949/497-0704
Laguna Hills	City Manager	24035 El Toro Road Laguna Hills, CA 92653	949/707-2610
Laguna Niguel	City Manager	27801 La Paz Road Laguna Niguel, CA 92677	949/362-4300
Laguna Woods	City Manager	24264 El Toro Road Laguna Woods, CA 92653	949/639-0525
Lake Forest	City Manager	25550 Commercentre Drive Lake Forest, CA 92630	949/461-3410
Los Alamitos	City Manager	3191 Katella Avenue Los Alamitos, CA 90720	562/431-3538 ext. 201
Metro Cities Fire Authority	Manager	201 S. Anaheim Blvd., Suite 302 Anaheim, CA 92805	714/765-4077
Mission Viejo	City Manager	200 Civic Center Mission Viejo, CA 92691	949/470-3051
Newport Beach	City Manager	3300 Newport Blvd. Newport Beach, CA 92663-3884	949/644-3000
Orange	City Manager	300 East Chapman Ave. Orange, CA 92866	714/744-2222
Orange County Fire Authority	Fire Chief	1 Fire Authority Road Irvine, CA 92602	714/573-6010
Orange, County of	CEO	333 W. Santa Ana Blvd. Santa Ana, CA 92701	714/834-6200

ENTITY	RESPONSIBLE ADMINISTRATOR	ADDRESS	PHONE #
Placentia	City Administrator	401 East Chapman Ave Placentia, CA 92870	714/993-8117
Rancho Santa Margarita	City Manager	22112 El Paseo Rancho Santa Margarita, CA 92688	949/635-1800 ext. 210
San Clemente	City Manager	100 Avenida Presidio San Clemente, CA 92672	949/361-8322
San Juan Capistrano	City Administrator	32400 Paseo Adelanto San Juan Capistrano, CA 92675	949/443-6317
Santa Ana	City Manager	20 Civic Center Plaza Santa Ana, CA 92701	714/647-5200
Seal Beach	City Manager	211 8th Street Seal Beach, CA 90740	562/431-2527 ext. 300
Stanton	City Manager	7800 Katella Avenue Stanton, CA 90680-3162	714/379-9222 ext. 240
Tustin	City Manager	300 Centennial Way Tustin, CA 92780	714/573-3010
Villa Park	City Manager	17855 Santiago Blvd. Villa Park, CA 92861	714/998-1500
West Cities Police Communications	West-Comm Administrator	911 Seal Beach Blvd. Seal Beach, CA 90740	562/594-7243
Westminster	City Manager	8200 Westminster Blvd. Westminster, CA 92683	714/898-3311 ext. 402
Yorba Linda	City Manager	4845 Casa Loma Avenue Yorba Linda, CA 92886	714/961-7110

EXHIBIT B

GENERAL DESCRIPTION OF SYSTEM EXTENSION AND PROJECT SCHEDULE

1.0 Overview

The System Extension plan will focus on extending the life of the existing CCCS radio system by systematically replacing end-of-life equipment in strategic phases culminating in an upgrade to P25 compliance with the goal of continuing to provide quality radio communications to the law, fire, lifeguard and public works agencies in Orange County.

2.0 Description of System Extension

- 2.1 *System Backbone* – Radio infrastructure equipment that is at or near the end of its expected life will be directly replaced with the current version of the same equipment that will maintain all existing features and functionalities and is able to work with the existing backhaul network. Specifically, this will involve the replacement of 565+ existing Quantar radio base stations and ancillary equipment at 25 radio sites with 800 MHz 3600 baud GTR8000 base stations and ancillary equipment. This will be accomplished in accordance with the following schedule:

System Backbone schedule:

Northwest Cell = 24 Quantars replaced in 2015
Southwest Cell = 40 Quantars replaced in 2015
Laguna Cell = 33 Quantars replaced in 2016
Moorhead IR Site = 8 Quantars replaced in 2016
North Cell = 105 Quantars replaced in 2016
South Cell = 135 Quantars replaced in 2017
Crystal Cove IR Site = 4 Quantars replaced in 2017
Countywide Cell = 210 Quantars replaced in 2017
Carbon Canyon IR Site = 3 Quantars replaced in 2017
Silverado IR Site = 3 Quantars replaced in 2017

- 2.2 *Law Enforcement Dispatch Consoles* – Police Dispatch Gold Elite consoles will be out-of-service by the vendor in 2018 and will need to be replaced prior to 2018 to maintain the existing console priority feature once the system is upgraded to P25. Console priority is a feature unique to law enforcement dispatch and allows dispatch to have the ability to transmit and receive audio simultaneously and is an officer safety necessity. Existing Gold Elite Console equipment will be replaced with its successor console, the MCC7500. Due to the complexity of the replacement at each law dispatch center, only 6 dispatch centers can be upgraded each year. A schedule has been developed to address the 20 law dispatch centers on the system, as shown below.

Console schedule:

FY14/15 - Loma Ridge, Irvine, Laguna Beach, Huntington Beach

FY15/16 - Anaheim, Brea, West Comm, Santa Ana, Tustin

FY16/17 - Orange, Fullerton, Costa Mesa, Garden Grove, Westminster

FY17/18 - Placentia, La Palma, Newport Beach, Fountain Valley,
Buena Park, La Habra

- 2.3 *System Field Equipment* – When the System Backbone is upgraded to the P25 standard in FY 2018/2019, all subscriber radio equipment will also need to be P25 capable. Subscriber radios that are capable of being upgraded will need to receive the software/firmware upgrade prior to the backbone upgrade. Older subscriber radio equipment that is not capable of being upgraded to the P25 standard will need to be replaced prior to the P25 upgrade. Each agency will be responsible for the purchase of either replacement radios, or the necessary subscriber upgrade package for upgradable radios.
- 2.4 *P25 Upgrade* – When all backbone sites and law dispatch consoles have completed their equipment replacement, the vendor will initiate the necessary equipment and software update to bring the system up to the 7.18 software platform for P25 compliance. This final phase of the System Extension plan is scheduled for FY 2018/2019.

EXHIBIT C

TOTAL ESTIMATED SYSTEM EXTENSION COST & ESTIMATED PARTY COST SHARE BY FISCAL YEAR

				ESTIMATED COST					
FY 15-16 Radio Counts				City/Agency Cost		Partnership Cost			
CITY/AGENCY	Upgrade (P25 Capable With Software Upgrade)	Replace (Upgrade To P25 Not Possible)	Total	Console Equipment	Radio Equipment*	FY 15-16 North & Laguna Cells	FY 16-17 South & Countywide Cells	FY 17-18 Remaining Backbone	TOTAL
1. ALISO VIEJO	11	21	32	\$ -	\$ 136,650	\$ 7,028	\$ 18,930	\$ 43,599	\$ 208,208
2. ANAHEIM	432	1,351	1,783	1,928,869	8,602,800	391,545	1,054,758	2,429,268	14,407,241
3. BREA	62	302	364	848,137	1,883,300	79,891	215,329	495,936	3,322,593
4. BUENA PARK	76	258	334	569,804	1,835,400	73,276	197,582	455,062	2,931,124
5. COSTA MESA	105	523	628	680,354	3,258,750	137,966	371,502	855,626	5,304,197
6. CYPRESS	24	170	194	0	1,047,600	42,604	114,763	284,317	1,469,285
7. DANA POINT	15	49	64	0	311,250	14,054	37,860	87,198	450,362
8. FOUNTAIN VALLEY	45	204	249	443,290	1,275,750	54,702	147,299	339,253	2,260,294
9. FULLERTON	125	513	638	501,417	3,221,750	140,141	377,418	889,250	5,109,976
10. GARDEN GROVE	115	475	590	369,240	2,982,250	129,608	349,023	803,852	4,633,972
11. HUNTINGTON BEACH	452	820	1,272	1,097,718	5,439,800	279,398	752,469	1,733,051	9,302,436
12. IRVINE	111	503	614	432,209	3,145,650	134,878	363,220	836,551	4,912,509
13. LA HABRA	73	190	263	573,584	1,223,950	57,809	165,581	358,327	2,369,262
14. LA PALMA	31	51	82	166,901	341,650	18,008	48,508	111,722	686,789
15. LAGUNA BEACH	85	247	332	526,652	1,579,750	72,883	196,399	452,337	2,828,021
16. LAGUNA HILLS	4	41	45	0	250,600	9,875	28,620	61,311	348,407
17. LAGUNA NIGUEL	9	55	64	0	340,350	14,081	37,860	87,198	479,489
18. LAGUNA WOODS	2	4	6	0	26,300	1,330	3,549	8,175	39,354
19. LAKE FOREST	21	67	88	0	426,150	19,325	52,058	119,897	617,429
20. LOS ALAMITOS	15	45	60	0	287,250	13,176	35,494	81,748	417,666
21. METRONET	37	10	47	1,968,250	102,550	10,321	27,803	64,036	2,170,960
22. MISSION VIEJO	30	90	120	0	574,500	26,368	70,968	163,495	835,349
23. NEWPORT BEACH	438	401	839	532,934	2,909,700	184,290	496,322	1,143,105	5,288,351
24. ORANGE	115	514	629	598,012	3,216,250	137,889	372,084	858,988	5,181,233
25. PLACENTIA	30	107	137	413,090	876,500	30,119	81,044	188,657	1,387,410
26. RANCHO SANTA MARG.	7	29	36	0	182,050	7,906	21,296	49,049	260,301
27. SAN CLEMENTE	12	97	109	0	595,800	23,931	64,480	146,508	832,719
28. SAN JUAN CAPISTRANO	6	33	39	0	204,900	8,525	23,071	53,136	289,632
29. SANTA ANA	219	818	1,037	591,620	5,159,850	227,713	613,451	1,412,872	8,005,506
30. SEAL BEACH	25	97	122	0	610,750	26,844	72,171	166,220	875,985
31. STANTON	10	63	73	0	389,500	16,051	43,184	99,480	548,195
32. TUSTIN	81	243	324	483,286	1,551,150	71,126	191,687	441,437	2,738,646
33. VILLA PARK	0	6	6	0	36,000	1,318	3,549	8,175	49,042
34. WEST-COMM	4	13	17	631,052	82,600	3,733	10,957	23,162	750,604
35. WESTMINSTER	73	274	347	549,621	1,727,950	76,137	205,273	472,774	3,031,755
36. YORBA LINDA	35	62	97	0	412,250	21,302	57,382	132,159	623,092
37. OCFA	950	863	1,813	3,217,500	6,270,500	397,622	1,072,505	2,470,142	13,428,269
38. OCTA	70	43	113	0	338,500	24,875	66,847	153,956	584,179
39. OC LIFE GUARD	7	47	54	438,900	290,050	11,865	31,944	73,573	846,333
40. IRVINE VLLY. CLLG. PD	16	0	16	0	18,400	3,527	9,465	21,799	53,192
41. SANTA ANA UNIF. SO. PD	51	2	53	0	70,650	11,839	31,353	72,210	185,852
42. SADDLEBACK CLLG. PD	18	0	18	0	20,700	3,953	10,648	24,524	58,825
43. CEO	1	1	2	0	7,150	439	1,183	2,725	11,497
44. DA	0	225	225	0	1,350,000	49,411	133,102	306,654	1,839,067
45. HCA	184	98	282	0	799,600	61,804	166,821	384,214	1,412,439
46. JWA	39	194	233	536,250	1,208,850	51,175	137,834	317,453	2,251,563
47. OC ANIMAL CONTROL	10	110	120	350,000	671,500	28,386	70,988	163,495	1,282,369
48. OC DANA POINT HARBOR	0	13	13	0	78,000	2,822	7,890	17,712	108,225
49. OC PARKS	131	248	379	0	1,638,850	83,218	224,203	518,373	2,482,443
50. OCPW	10	489	479	0	2,825,500	105,270	283,359	652,619	3,666,748
51. OCWR	50	3	62	0	85,850	13,602	36,677	84,473	220,602
52. PROBATION	177	435	612	0	2,613,550	134,695	362,037	833,826	4,144,108
53. SHERIFF	857	1,822	2,779	4,428,829	12,517,550	610,825	1,643,955	3,786,280	22,987,439
54. SSA	19	0	19	0	21,850	4,173	11,240	25,887	63,149
TOTAL						\$ 4,162,452	\$ 11,211,905	\$ 25,822,727	

The costs stated herein are estimated costs expressed as not to exceed amounts subject to the final system design.

* It is recommended that the Partnership co-ordinate a bulk equipment purchase in FY 16-17.

\$41,197,084

PARTNERSHIP TOTAL

January 2015

EXHIBIT D

PARTICIPATING AGENCIES

AGENCY	RESPONSIBLE ADMINISTRATOR	ADDRESS	PHONE #
Irvine Valley College Police Department	Police Chief	5500 Irvine Center Drive, Irvine CA 92618	949/451-5201
Orange County Transportation Authority	Administrator	600 S. Main Street, Orange CA 92868	714/560-6282
Saddleback College Police Department	Police Chief	28000 Marguerite Parkway, Mission Viejo CA 92692	949/582-4390
Santa Ana Unified School District Police Department	Police Chief	1601 E. Chestnut Avenue, Santa Ana CA 92701	714/558-5536
US Ocean Safety (OC Lifeguards)	President	34127 Pacific Coast Highway, Dana Point CA 92629	949/276-5050

CITY OF STANTON

REPORT TO CITY COUNCIL

TO: Honorable Mayor and Members of the City Council

DATE: January 27, 2015

SUBJECT: RESOLUTION 2015-01 DECLARING THE CITY'S INTENTION TO AUTHORIZE UNDERGROUND INSTALLATION OF OVERHEAD UTILITY WIRES AND RELATED FACILITIES AND TO ESTABLISH AN UNDERGROUND UTILITY DISTRICT ON BEACH BOULEVARD FROM GARDEN GROVE BOULEVARD TO LAMPSON AVENUE

REPORT IN BRIEF:

A resolution is needed to set a hearing date and time for the Council to determine whether the public necessity, health, safety or welfare requires the removal of utility poles, overhead wires and associated overhead structures and the underground installation of wires and facilities supplying electric, communication, or similar or associated service within the area of the City shown and described in Exhibit "A", in general being along both sides of Beach Boulevard from Garden Grove Boulevard to Lampson Avenue.

RECOMMENDED ACTION:

1. City Council conduct a public hearing; and
2. Find that the project is exempt from CEQA per section 15302, Class 2(d), conversion of overhead electric utility distribution system facilities to underground including connection to existing overhead electric utility distribution lines where the surface is restored to the condition existing prior to the undergrounding.
3. Adopt Resolution No. 2015-01 of the City Council of the City of Stanton, California, declaring its intention to establish an Underground Utility District along both sides of Beach Boulevard from Garden Grove Boulevard to Lampson Avenue.

BACKGROUND:

The Public Utilities Commission requires Southern California Edison (SCE) to set aside a portion of their utility receipts each year for use in undergrounding existing overhead utilities, known as Electric Rule 20 (Rule 20A). Projects performed under Rule 20A are nominated by a city, county or municipal agency and discussed with SCE as well as

other utilities. Rule 20A projects are paid for by all SCE customers and ratepayers, not just those who live in locations where facilities will be undergrounded. The costs for undergrounding under Rule 20A are recovered through electric rates after the subject project is completed. Typically, Rule 20A projects are completed in 3-5 years.

The City has been accumulating its annual Rule 20A proceeds for many years and currently has a balance of \$2,119,550. The City's allocation for 2014 was \$91,603 and will continue indefinitely.

Projects which qualify for use of Rule 20A funds must be in the general public interest and meet one of the following requirements:

- Undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities.
- The street or road or right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic.
- The street or road or right-of-way is considered an arterial street or major collector as defined in the Governor's Office of Planning and Research General Plan Guidelines.
- The street, road or right-of-way adjoins or passes through a civic area or public recreation area or an area of unusual scenic interest to the general public.

In 2010, staff identified a qualifying underground conversion project along Beach Boulevard from Garden Grove Boulevard to Lampson Avenue. A map of the proposed underground conversion area is shown in Exhibit A. Please note that the limits go slightly beyond the intersections, as the wires need to go underground at a pole outside the subject area. SCE has performed a rough-order-of-magnitude cost estimate for this project and concluded it will cost approximately \$2,400,000. SCE estimates the earliest the project could be constructed is in four years, so the City will have sufficient Rule 20A funds for the project. The City has the ability to borrow against future years' allocations of funding if, for some reason, the costs rise above their initial estimate.

ANALYSIS/JUSTIFICATION:

Per the Stanton City Municipal Code Chapter 13.08, "Removal of Overhead Utilities," Council may designate areas as an Underground Utility District by resolution. Upon establishing an Underground Utility District, affected property owners must be ready to receive underground service.

Through the creation of an Underground Utility District, all aerial wires are included except the SCE 66 kilovolt (kV) electrical transmission poles and wires are exempt from undergrounding. Therefore, the top three aerial lines located on Beach Boulevard from Lampson to Garden Grove Boulevard will remain. All lower aerial wires on the pole are

to be removed. Once aerial utility facilities are undergrounded in the City right-of-way, the adjacent property owners typically will need to convert from an aerial service to an underground service. There are 49 properties within the proposed Underground Utility District area, with 24 of those being on the Stepping Stone Circle cul-de-sac. However, staff has reviewed the project extents, and there does not appear to be overhead utility services to any of the properties.

It is unfortunate that poles will still remain to support the 66 kV lines, but aesthetically, it will still be a dramatic improvement. A good example of how this will appear is Beach Boulevard, south of Atlanta Avenue in Huntington Beach. In this area, there was a recent undergrounding project in which only the poles and the transmission wires remain.

The conversion of individual electrical services are paid for out of the Rule 20A allocation. This covers the installation of up to 100 feet of conduit and wire from the property line to the electrical meter location on the building and converting the existing meter box for underground service.

All the work associated with undergrounding the utilities will be done by SCE and the other involved utilities, including engineering, excavation, backfill and restoration of paving, concrete, and landscaping.

Attached to the Staff report are copies of the "Notice to Property Owners" and the "Notice of Public Hearing" that were mailed to the property owners affected by the proposed Underground District.

FISCAL IMPACT:

Costs to construct the underground facilities and convert the aerial utilities to underground are funded by Rule 20A SCE funds, and there should be no cost to the City other than staff time. Total costs are estimated at \$2,400,000 to convert the existing aerial lines to underground.

ALTERNATIVES:

Set a hearing date and time of February 24, 2015 at 6:30 pm for the review of the proposed Utility Underground District.

ENVIRONMENTAL IMPACT:

The project is exempt from CEQA per section 15302, Class 2(d), conversion of overhead electric utility distribution system facilities to underground including connection

to existing overhead electric utility distribution lines where the surface is restored to the condition existing prior to the undergrounding.

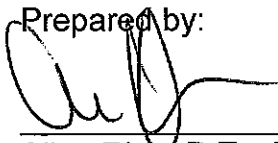
LEGAL REVIEW:

The City Attorney has reviewed and approved the staff report and the resolution.

PUBLIC NOTIFICATION:

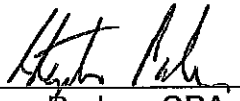
Notifications and advertisement were performed as prescribed by law.

Prepared by:



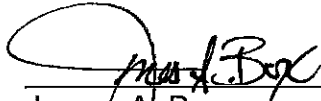
Allan Rigg, P.E., AICP
Director of Public Works/City Engineer

Concur:



Stephen Parker, CPA
Administrative Services Director

Approved by:



James A. Box
City Manager

ATTACHMENTS:

- (1) Resolution 2015-01
- (2) Exhibit A - Map of the proposed underground conversion area
- (3) Engineer's Report
- (4) Letter from SCE regarding project and cost estimate
- (5) Letter from SCE regarding Rule 20A Balance
- (6) Rule 20A General Conditions
- (7) "Notice to Property Owners" and the "Notice of Public Hearing"

RESOLUTION NO. 2015-01

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA DECLARING THE CITY'S INTENTION TO AUTHORIZE UNDERGROUND INSTALLATION OF OVERHEAD UTILITY WIRES AND RELATED FACILITIES AND TO ESTABLISH AN UNDERGROUND UTILITY DISTRICT ON BEACH BOULEVARD FROM GARDEN GROVE BOULEVARD TO LAMPSON AVENUE.

WHEREAS, pursuant to California Streets and Highways Code and the Stanton Municipal Code, the City of Stanton ("City") is authorized to establish an underground utility district in order to facilitate the underground installation of overhead utility wires and related facilities; and

WHEREAS, it has been recommended that an underground utility district be established in an area of the City more specifically described below and hereinafter referred to as the "Designated Area"; and

WHEREAS, in connection with establishing an underground utility district and pursuant to Stanton Municipal Code section 13.08.020, the City Council may call public hearings to ascertain whether the public necessity, health, safety or welfare requires the removal of poles, overhead wires and associated overhead structures within designated areas of the City and the underground installation of wires and facilities for supplying electric, communication, or similar or associated service; and

WHEREAS, the City Council has determined that a public hearing is necessary to provide an opportunity to hear comments from all interested persons, including the utility companies and residents affected by the proposed plan to establish an underground utility district in the Designated Area; and

WHEREAS, if after hearing all comments and considering all information provided, both oral and written, the City Council finds that the public necessity, health, safety, or welfare requires the removal of overhead utility wires and related facilities and the underground installation of such wires and facilities within the Designated Area of the City, the City Council shall, by resolution, declare such Designated Area an underground utility district and order such removal and underground installation; and

WHEREAS, in anticipation of making such a finding, it is necessary that the City Council adopt a resolution of intention, pursuant to Section 5896.8 of the Streets and Highways Code, declaring its intention to order the conversion of overhead utility wires and related facilities to designated underground locations; and

WHEREAS, should the City declare the Designated Area an underground utility district and order such removal and underground installation, the affected utilities will pay for the work, at their sole expense, subject to all applicable rules (including California Public Utilities Commission Rule 20A).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA DOES HEREBY RESOLVE THAT:

SECTION 1: **Designated Area.** The Designated Area proposed for Underground Utility District No. 1 generally includes portions of Beach Boulevard from Garden Grove Boulevard to Lampson Avenue, as depicted and described in Exhibit "A", attached hereto and incorporated herein by reference.

SECTION 2.: **Intention.** The City Council hereby declares its intention to establish the Designated Area as Underground Utility District No.1 and to order the removal of existing utility poles, overhead wires and associated overhead structures and the underground installation of wires and facilities supplying electricity in the Designated Area.

SECTION 3.: **Hearing Date and Time.** On February 24, 2015, at 6:30 p.m. in the City Council Chambers of the City of Stanton at 7800 Katella Avenue in Stanton, California, the City Council shall hold a public hearing to determine whether the public necessity, health, safety or welfare requires the removal of utility poles, overhead wires and associated overhead structures and the underground installation of wires and facilities supplying electric, communication, or similar or associated service within the area of the City shown and described in Exhibit "A" and to hear and consider comments from all interested persons.

SECTION 4.: **Engineer's Report.** Pursuant to Stanton Municipal Code section 13.08.030, the City Engineer shall prepare a report for submission at the above scheduled public hearing regarding the proposed Underground Utility District No. 1. The report shall contain, among other information, the extent of participation by necessary utility companies and an estimate of the time required to complete the underground installation and removal of overhead facilities.

SECTION 5.: **Mailed Notice.** The City Engineer shall notify by mail all affected property owners as shown on the last equalized assessment roll and all utilities concerned of the above described public hearing at least ten (10) days prior to the date of the hearing.

Section 6.: **Effective Date.** This Resolution shall become effective upon its adoption.

ADOPTED, SIGNED AND APPROVED this 27th day of January 2015

ALEXANDER A. ETHANS, MAYOR

APPROVED AS TO FORM:

MATTHEW E. RICHARDSON, CITY ATTORNEY

ATTEST:

I, Luz A. Rodriguez, Interim City Clerk of the City of Stanton, California DO HEREBY CERTIFY that the foregoing Resolution, being Resolution No. 2015-01 has been duly signed by the Mayor and attested by the Interim City Clerk, all at a regular meeting of the Stanton City Council, held on January 27, 2015, and that the same was adopted, signed and approved by the following vote to wit:

AYE: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

LUZ A. RODRIGUEZ, INTERIM CITY CLERK

Exhibit A

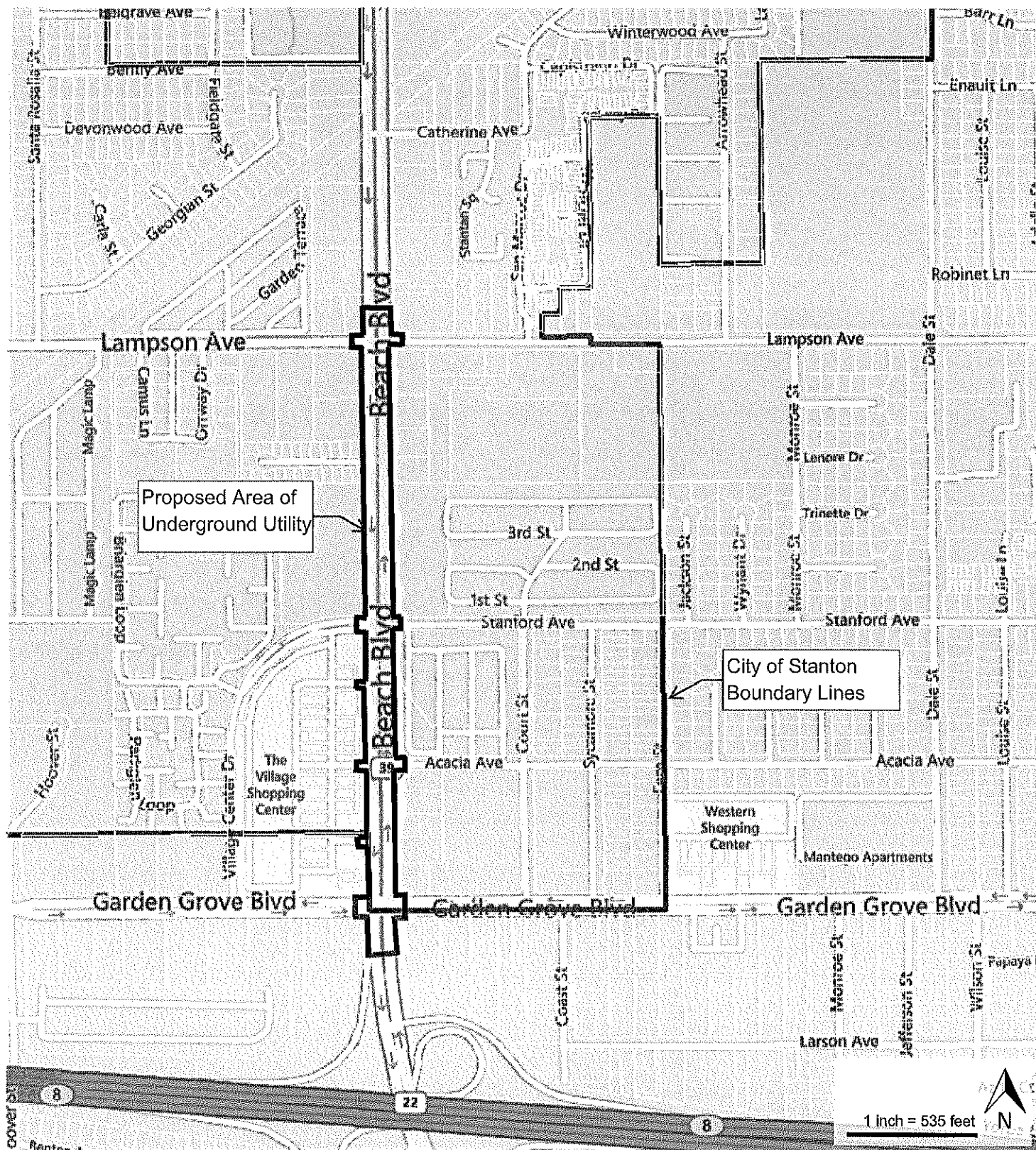


Exhibit "A": Proposed Underground Conversion Area



Engineer's Report

January 27, 2015

Beach Boulevard Underground Utility District No. 01 Garden Grove Boulevard to Lampson Avenue

DEFINITION OF AN UNDERGROUND UTILITY DISTRICT:

An underground utility district is an area in the City within which poles; overhead wires and associated overhead structures are prohibited. The procedure for establishing an underground utility district is defined in Chapter 13.08, Section 40 of the City's Municipal Code (13.08.040).

PURPOSE OF THE UNDERGROUND UTILITY DISTRICTS:

Currently, there are areas within the City where utility services are still provided to residential and commercial customers by way of overhead wires from utility poles within the public right-of-way. It has been an on going goal of the City to have overhead wires and poles removed along the major arterial roadways of the city. The removal of overhead wires and poles improves the general appearance of the street and reduce the potential for accidents (i.e. a vehicle hitting the power pole or possible outage due to a storm).

TYPES OF UTILITY DISTRICTS:

There are two basic types of underground utility districts. The first is a Rule 20A project. "Rule 20A" refers to the California Public Utility Commission (CPUC) rule that requires utility companies to set aside funds for the undergrounding of utilities. The establishment of a Rule 20A district is based upon the recommendations of the City and the applicable utility companies. The second district type is "Rule20B" which is a developer requested district. The developer generally coordinates these districts and any costs are borne by the developer.

METHODS OF ESTABLISHING DISTRICTS:

Stanton City Council adopted Stanton Municipal Code, Chapter 13.08, Section 40. This chapter set forth guidelines for the procedures of how the city council will designate Underground Utility Districts. In the case of the Beach Boulevard Underground Utility District between Lampson Avenue to Garden Grove Boulevard, there are two resolutions. The first resolution called for the public hearing to declare an underground utility district. The second resolution called for establishment of the District. (13.08.040)

METHODS OF AMENDING DISTRICTS:

The procedure consists of holding public hearing and passing a resolution. There will be two resolutions: the first resolution calling for the public hearing to declare a designated area for the Underground Utility District and order such removal and underground installation. The second resolution shall establish the District and shall fix the time within which such removal and underground installation shall be accomplished and within

which affected property owners must be ready to receive underground service. A reasonable time shall be allowed for such removal and underground installation, having due regard for the availability of labor, materials and equipment necessary for such removal and for the installation of such underground facilities.

DISTRICT TIME-LINE:

<u>Action/Event</u>	<u>Date</u>
1. Public Hearing with Notice of Intent to Create District	January 27, 2015
2. Public Hearing to Create District	February 24, 2015
3. Design Phase, Permits, Agreements, Other Pre-Construction	February 1, 2017
4. Construction Phase	February 1, 2018

FUNDING SOURCE:

The California Public Utilities Commission requires that public utilities set aside funding for Underground Utility Districts (Rule 20A). Pursuant to this requirement, Southern California Edison Company has established a funding program for current and future Underground Utility Districts within the City as set forth in Public Works Commission Section.

City of Stanton Rule 20A Fund Allocations

Prior Years Balance		\$ 2,119,550
2015 Allocation		\$ 91,603
2016 Allocation		\$ 91,603
2017 Allocation		\$ 91,603
2018 Allocation		\$ 91,603
	Subtotal	\$ 2,485,962
Projected Cost of Beach Blvd. - Lampson to Garden Grove		\$ 2,400,000
	Balance	\$ 85,962

There is the ability to complete the project ahead of available funds by a Rule 20A accepted practice called "mortgaging" the shortfall. Mortgaging is the process of where one can borrow future allocations to provide for current funding. The City could mortgage up to four years of funds if needed.

These funds are for the undergrounding of electrical lines. All other utilities are mandate by franchise agreements to underground at their expense, so the only costs paid for by the City will be staff time.

Allan Rigg, PE, AICP
Public Works Director/City Engineer

Date



EDISON
INTERNATIONAL®

August 5, 2014

Mr. Allan Rigg
City Engineer
CITY OF STANTON
7800 Katella Avenue
Stanton, CA 90680-3162

Subject: Rough Order of Magnitude (ROM)
Rule 20A, City of Stanton – Beach Blvd between Garden Grove Blvd
And Approximately 150 Feet North of Lampson Avenue

Dear Mr. Rigg,

SCE has reviewed the proposed Rule 20A project in the City of Stanton on Beach Boulevard between Garden Grove Boulevard and approximately 150 feet north of Lampson Avenue. We find that the boundary is operationally acceptable for undergrounding the existing overhead distribution facilities. SCE has also prepared a rough-order-of-magnitude (ROM) for the undergrounding of the existing overhead facilities within the proposed district. The ROM estimate for the project is \$2,400,000, expressed in 2014 dollars and escalated to the year 2018, which is the earliest year that construction can be scheduled. Without the benefit of complete drawings, this ROM has an expected accuracy of plus or minus 40%.

A cost per foot of \$500/LF was used based on current Rule 20A construction cost data for projects of similar size and scope. The estimated trench footage for the project is 4,240 feet and includes all mainline trenching as well as crossings and service laterals with service capped at property line.

The ROM estimate is based on the following assumptions:

- SCE has an available budget to proceed with the project.
- Trenching and pavement restoration will be performed based on SCE's trenching and paving standards.
- All other utilities will be participating and sharing joint trench costs to the extent technically possible.
- The existing wood pole mounted streetlights located within the boundary will be replaced in the same vicinity with underground fed Marbelite streetlights standards.
- If the City elects to add any streetlights beyond the quantity that currently exist or upgrade the standard replacement electroliner, those lights/upgrades would be installed at the City's expense and would require the following:
 - Approved streetlight plans
 - Signed by Engineer
 - Locations of streetlights
 - Head size
 - Mast arm size

- Customer duct from property line to service panel and service panel conversions are included in the estimate as needed.
- Construction will be performed during normal working hours.
- All necessary permits to be issued by the city shall be issued on a no fee basis.

Thank you for your assistance in this matter and should you have any questions please feel free to call me at (714) 973-5837 – office or (909) 844-3466 - Mobile.

Sincerely,



Todd Pearce
Rule 20A Project Management

cc:

Tony Mathis, SCE
Annabelle Dizon, SCE
Talisa Lee, SCE
Project Files



April 30, 2014

Mr. Jim Box
City of Stanton
7800 Katella Avenue
Stanton, CA 90680

SUBJECT: City of Stanton 2014 Rule 20A Allocation Balance

Dear Mr. Box:

Southern California Edison (SCE) has filed with the California Public Utilities Commission (CPUC) its annual report of SCE's 2014 budget for capital spending under Tariff Rule 20A, Replacement of Overhead with Underground Electric Facilities. For calendar year 2014, the budget is \$39,360,572.

Pursuant to the formula set out in Tariff Rule 20A, the portion of this amount allocated to City of Stanton is \$91,603.00. Under the tariff, allocations not committed to a qualifying project in one year are carried over to the next year. As of this writing, City of Stanton's allocations balance is \$2,119,550.00.

The City of Stanton's allocation balance of \$2,119,550.00 may be sufficient to initiate a new Rule 20A underground conversion project to help beautify your community. Should you be interested, please contact me to discuss SCE's Rule 20A program and how we can partner to qualify and move forward with a new underground conversion project.

CPUC Decision 01-12-009 (Decision) codified the opportunity for local governments to "mortgage" their current year's allocation up to an additional five years in order to be able to undertake a qualifying Rule 20A project sooner than they otherwise could.

In accordance with the Decision, and when requested by you, SCE will meet with you and community residents at least once every six months when projects are in queue, and at least once every other month once a conversion project is underway. The decision requires local government to give notice of the meetings and provide the venue. Please feel free to call me any time to schedule such a community meeting or, if you have any questions about Rule 20A or any other matters affecting our service to you.

Very truly yours,

A handwritten signature in black ink, appearing to be 'E. Marquez', written over a horizontal line.

Eddie Marquez
Local Public Affairs Region Manager

cc: ~~Public Works Director~~ – Allan Rigg
Rule 20 Program Manager – Tony Mathis
Rule 20 LPA Chair – Patti Sprague

Rule20A General Conditions

General Conditions:

SCE will, at its expense, replace its existing overhead electric facilities with underground electric facilities as outlined in the Rule 20 Tariff. To ensure the success of this program, this policy document further defines the responsibilities of SCE and the sponsoring governmental agency (applicant) as follows:

Responsibilities of SCE:

1. Provide initial project assessment including qualification under Rule 20A, suggestions as to cost-effective use of 20A allocations and possible exemptions for poles that are not cost-effective to underground.
2. Provide a Rough Order of Magnitude (ROM) estimate for the undergrounding of SCE's facilities and a preliminary schedule based on an analysis of available allocations.
3. Provide consultation to the Applicant to establish or modify the project boundary map for SCE's operational benefits and if necessary to improve wheelchair access adjacent to SCE's facilities, and to facilitate approval of the project resolution or ordinance.
4. After approval and formation of the Underground Utility District (UUD) and, as requested by the Applicant, meet at least once every other month with the Applicant to discuss project status and progress.
5. Initiate and complete SCE's preliminary design identifying SCE's trench route and location of structures.
6. Provide an electronic copy (CADD) of SCE's preliminary design to the Applicant for distribution to the joint utilities.
7. Identify locations that require an easement for the placement of SCE's facilities on private property.
8. Prepare necessary easement documents, make initial contact with affected property owners, and make reasonable efforts to secure the necessary easements. If SCE cannot obtain easements, SCE will solicit the Applicant's assistance to do so.
9. Replace existing overhead fed streetlights with new underground fed marbelite streetlights within the UUD.
10. Provide approved Storm Water Pollution Prevention Plans (SWPPP) where required.
11. Provide temporary traffic control consistent with the California Joint Utility Traffic Control Manual.
12. Provide overall coordination of the bid process for the civil portion of the project (underground ducts and structures) for affected joint utilities. After installation and completion of the ducts and structures, each utility is solely responsible for its cabling and overhead removal.

13. Upon request of the Applicant, SCE may use Rule 20 allocations for the installation of no more than 100 feet of each customer's underground electric service lateral and for the conversion of electric service panels to accept underground service, excluding permit fees.
14. Provide necessary materials and construction to complete the new underground electrical system.
15. Provide proper notification to affected customers when electrical outages are necessary to complete conversion to the new underground electrical system.
16. Upon completion of SCE's underground system, remove SCE's existing overhead electrical facilities within the UUD in accordance with the Joint Pole Agreement.
17. Provide the Applicant with an updated schedule when the project is anticipated to experience a delay of three or more months.
18. Provide the Applicant with a revised project estimate when costs are anticipated to exceed the estimate by 10% or more.
19. Provide the Applicant with a "Letter of Completion" after removal of SCE's overhead facilities to document completion of the new underground system and to report on the estimated cost at completion.

Responsibilities of the Applicant:

1. Consult with SCE to confirm the requirements and location of the project.
2. Once the project's boundary has been determined, identify and notify all utilities within the proposed project's boundary.
3. Provide an approved resolution or ordinance forming a UUD and a boundary map as required by SCE's Tariff Rule 20.
4. Notify each property owner and affected utility in writing of the conversion with a copy of the adopted resolution/ordinance and boundary map.
5. Provide any studies or information regarding known environmental, biological, geological and or cultural areas within the approved UUD, including recent pot holing/core samplings and soils/paving information from recently completed projects.
6. Provide overall coordination of all utilities involved in the project, including project scheduling and status meetings and ensure each utility performs its required agreed-upon scope of work.
7. Provide Base Map information showing the following: boundary, roads, future road improvements, sidewalks, curbs, property lines, buildings, existing water and sewer, easements, and any other known utilities or obstacles. The Applicant may opt to provide SCE with complete base maps including all utilities.
8. After SCE has made reasonable efforts to secure easements, the Applicant will secure all required rights-of-way and easements necessary for the installation of SCE's facilities on private property.
9. Review, comment upon, and approve SCE's design plans, street light authorization form, and traffic control plans within 30 days of receipt from SCE.

10. Manage and pay all costs associated with the remediation of contaminated soils and cultural resource findings. Rule 20A funding may not be used for environmental remediation costs.
11. Stake and survey for any associated future grade changes.
12. Provide SCE or SCE's contractor with an acceptable construction yard for material and equipment laydown.
13. Limit the paving and restoration requirements to SCE's standard excavation and restoration (APWA Standard 133-2) necessary for construction of the project. SCE and joint trench participants will replace paving, landscaping, sidewalks, etc. that are removed during construction. Rule 20A funding may not be used for additional restoration costs or street improvements beyond that necessitated by the project.
14. Waive pavement moratorium requirements, or pay for additional costs above SCE's standard for pavement and restoration.
15. Should applicant require any additional traffic control planning beyond that which SCE provides (per California Joint Utility Traffic Control Manual), Applicant will prepare or pay to prepare such a plan.
16. Pay for the installation of any additional streetlights or decorative streetlights requested by the Applicant in accordance with SCE's Street Light Agreement.
17. Remove Applicant-owned streetlights attached to utility poles and located within the UUD at Applicant expense.
18. Minimize work hour restrictions for construction, including holiday and/or special construction limitations.
19. Waive all permit fees and other incidental project specific costs, including, but not limited to, inspection, parking charges, rental cost of Applicant properties and lost revenues.
20. Guarantee to authorize SCE to proceed with the conversion of a minimum 600 feet of existing continuous overhead electrical facilities to underground facilities within the area of the approved UUD. This is the minimum length of undergrounding that can be constructed and capitalized under SCE's Rule 20A tariff, allowing SCE to recover its investment from its ratepayers. Once approved by SCE, a Rule 20A project may not be cancelled by the applicant.



Rigoberto A. Ramirez
Mayor

Alexander A. Ethans
Mayor Pro Tem

Brian Donahue
Council Member

David J. Shawver
Council Member

Carol Warren
Council Member

James A. Box
City Manager

NOTICE OF PROPOSED UNDERGROUNDING UTILITY DISTRICT

BEACH BOULEVARD **FROM** **GARDEN GROVE BOULEVARD TO LAMPSON AVENUE**

Dear Property Owner,

The City Council will be considering the establishment of an Underground Utility District at their meeting on January 27, 2015. The meeting will be held at 6:30 pm at 7800 Katella Avenue, Stanton.

Per the Stanton City Municipal Code section 13.08 "Removal of Overhead Utilities", the City Council may designate areas as an Underground Utility District (UUD) by resolution. Upon establishing a UUD, poles and wires within the public right of way will be removed and placed underground. As the main wires will be underground, affected property owners must be ready to receive underground service. Please note that many, if not all, of the properties within the UUD already are served underground.

The project will remove most of the wires and many of the poles within the UUD. The preliminary schedule projects that the entire process will take four years to complete. It is unfortunate that some poles will still remain to support the high voltage 66 kV lines, but aesthetically it will still be a dramatic improvement.

If you have any questions, please contact me at (714) 890-4203.

Sincerely,

Allan Rigg, PE AICP
Director of Public Works / City Engineer

Cc: James A. Box, City Manager

7800 Katella Avenue
Stanton, CA 90680
Phone (714) 379-9222
Fax (714) 890-1443
www.ci.stanton.ca.us



Rigoberto A. Ramirez
Mayor

Alexander A. Ethans
Mayor Pro Tem

Brian Donahue
Council Member

David J. Shawver
Council Member

Carol Warren
Council Member

James A. Box
City Manager

NOTICE OF PROPOSED UNDERGROUNDING UTILITY DISTRICT

BEACH BOULEVARD **FROM** **GARDEN GROVE BOULEVARD TO LAMPSON AVENUE**

Dear Property Owner,

The City Council will be considering the establishment of an Underground Utility District at their meeting on January 27, 2015. The meeting will be held at 6:30 pm at 7800 Katella Avenue, Stanton.

Per the Stanton City Municipal Code section 13.08 "Removal of Overhead Utilities", the City Council may designate areas as an Underground Utility District (UUD) by resolution. Upon establishing a UUD, poles and wires within the public right of way will be removed and placed underground. As the main wires will be underground, affected property owners must be ready to receive underground service. Please note that many, if not all, of the properties within the UUD already are served underground.

The project will remove most of the wires and many of the poles within the UUD. The preliminary schedule projects that the entire process will takes four years to complete. It is unfortunate that some poles will still remain to support the high voltage 66 kV lines, but aesthetically it will still be a dramatic improvement.

If you have any questions, please contact me at (714) 890-4203.

Sincerely,

A handwritten signature in black ink, appearing to read "Allan Rigg", with a long, sweeping horizontal line extending to the right.

Allan Rigg, PE AICP
Director of Public Works / City Engineer

Cc: James A. Box, City Manager

7800 Katella Avenue
Stanton, CA 90680
Phone (714) 379-9222
Fax (714) 890-1443
www.ci.stanton.ca.us

PUBLIC NOTICE

NOTICE OF PUBLIC HEARING BY THE CITY OF STANTON

CITY COUNCIL

**STANTON CITY COUNCIL CHAMBERS
7800 KATELLA AVENUE**

DATE:

January 27, 2015

TIME: 6:30 P.M.

TO CONSIDER:

**RESOLUTION 2015-01 DECLARING THE CITY'S INTENTION TO
AUTHORIZE UNDERGROUND INSTALLATION OF OVERHEAD
UTILITY WIRES AND RELATED FACILITIES AND TO ESTABLISH
AN UNDERGROUND UTILITY DISTRICT ON BEACH BOULEVARD
FROM GARDEN GROVE BOULEVARD TO LAMPSON AVENUE**

SUBMITTED BY: City of Stanton

A resolution is needed to set a hearing date and time for the Council to determine whether the public necessity, health, safety or welfare requires the removal of utility poles, overhead wires and associated overhead structures and the underground installation of wires and facilities supplying electric, communication, or similar or associated service within the area of the City being along both sides of Beach Boulevard from Garden Grove Boulevard to Lampson Avenue.

If Resolution 2015-01 is approved, a hearing date will be set for February 24, 2015, at 6:30 p.m. in the City Council Chambers of the City of Stanton at 7800 Katella Avenue in Stanton, California. At this hearing the City Council shall hold a public hearing to determine whether the public necessity, health, safety or welfare requires the removal of utility poles, overhead wires and associated overhead structures and the underground installation of wires and facilities supplying electric, communication, or similar or associated service within the area of the City along both sides of Beach Boulevard from Garden Grove Boulevard to Lampson Avenue and to hear and consider comments from all interested persons.

In accordance with the requirements of CEQA, this project has been determined to be exempt from CEQA per section 15302, Class 2(d), conversion of overhead electric utility distribution system facilities to underground including connection to existing overhead electric utility distribution lines where the surface is restored to the condition existing prior to the undergrounding.

DATED: January 8, 2015

If you challenge this action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the City of Stanton Public Works Division or City Council, at or prior to the public hearing. Additionally, if you challenge the above proposals in court, actions must be commenced within the time limits specified in California Government Code § 65009.

FOR MORE INFORMATION, CONTACT STANTON CITY HALL- 714-890-4203

ORDINANCE NO. 1032

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, AMENDING CHAPTER 5.16, ARTICLE I (MESSAGE ESTABLISHMENTS), SECTION 20.215.020 (COMMERCIAL ZONES), SECTION 20.320.030 (OFF-STREET PARKING), SECTION 20.400.190 (MESSAGE ESTABLISHMENTS) AND SECTION 20.620.060 (NONCONFORMING USES) OF THE STANTON MUNICIPAL CODE AND DELETING CHAPTER 5.16, ARTICLE II (MESSAGE TECHNICIANS) FROM THE STANTON MUNICIPAL CODE

WHEREAS, Article 11, Section 7 of the California Constitution authorizes the City of Stanton ("City") to make and enforce within its limits all ordinances and regulations not in conflict with general laws; and

WHEREAS, in 2008, the Legislature adopted Senate Bill 731, which created the California Massage Therapy Council, a state-organized nonprofit organization with regulatory authority over the certification of massage practitioners throughout the State of California; and

WHEREAS, Senate Bill 731 also limited the City's regulatory authority over massage establishments that exclusively hire State-certified massage technicians, preempting most local licensure and permitting requirements and land use regulations; and

WHEREAS, the City amended the Stanton Municipal Code ("SMC") to comply with the regulations set forth in Senate Bill 731; and

WHEREAS, Senate Bill 731 has been widely criticized by local agencies as providing massage businesses with almost unprecedented protection from local zoning and land use authority, and interfering with local law enforcement efforts to close massage businesses that allow prostitution and other illegal activities; and

WHEREAS, prior to the passage of Senate Bill 731, the City contained one licensed massage technician who operated from a doctor's office. Following the passage of Senate Bill 731, a total of 34 massage establishments located in the City; and

WHEREAS, the increased number of massage establishments that have located in the City have resulted in an increase of police and code enforcement calls for service to many of those massage establishments. Some of those establishments are suspected of allowing sexually explicit activity to take occur on the premises, including prostitution; and

WHEREAS, during City inspections of some existing massage establishments, City inspectors found violations including illegal tenant improvements to create massage rooms, including plumbing for table showers, unauthorized massage technicians and personnel, violations of employment and labor laws, including establishments' failure to secure worker's compensation insurance, unsanitary facility conditions, including unwashed sheets and trash, including used contraceptive devices, massage technicians

dressed inappropriately, including the exposure of specified anatomical areas, establishments operating beyond approved hours of operation, persons using the establishments as a residence, installation of illegal signage, and employees refusing to allow City inspections of the establishments; and

WHEREAS, the illicit and illegal activities detailed in the above recitals at massage establishments in the City pose immediate health and safety threats to the establishments, its operators, employees, patrons, surrounding businesses, and the public; and

WHEREAS, Assembly Bill 1147, signed recently by Governor Jerry Brown, was created in response to criticism against Senate Bill 731 and allows local agencies to impose reasonable zoning, business licensing, and health and safety requirements on massage establishments. Assembly Bill 1147 went into effect on January 1, 2015; and

WHEREAS, the City wishes to amend the Stanton Municipal Code to ensure that the City regulates massage establishments in compliance with the provisions of Assembly Bill 1147; and

WHEREAS, the City is also authorized by Government Code Section 51030 *et seq.*, to regulate massage establishments by imposing reasonable standards relative to the skill and experience of massage operators and massage technicians, and reasonable conditions on the operation of the massage establishments; and

WHEREAS, the public peace, health, safety, and welfare require immediate revisions to SMC ordinances relating to massage establishments and massage technicians to ensure that nuisance activities occurring at massage establishments in the City are properly regulated and cease; and

WHEREAS, the Planning Commission conducted a public hearing on the proposed Zoning Code Amendment AZC14-02 at a regular meeting on January 7, 2015, in accordance with SMC section 20.610.030(C), and recommended that the City Council approve Zoning Code Amendment AZC14-02 and approve this Ordinance; and

WHEREAS, the City Council conducted a public hearing on the proposed Zoning Code Amendment AZC 14-02 at a regular meeting on January 13, 2015, in accordance with SMC sections 20.610.030(C) and 20.610.050(A)(1); and

WHEREAS, all legal prerequisites prior to the adoption of this Ordinance have occurred.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF STANTON DOES ORDAIN AS FOLLOWS:

SECTION 1: The City Council finds that all the facts, findings, and conclusions set forth above in this Ordinance are true and correct.

SECTION 2: Chapter 5.16, Article I. Chapter 5.16, Article 1 of the Stanton Municipal Code is hereby amended and restated in its entirety, as set forth in Exhibit "A" ("Chapter 5.16, Massage Establishments"), attached hereto and incorporated herein.

SECTION 3: Chapter 5.16, Article II. Chapter 5.16, Article II of the Stanton Municipal Code is hereby deleted in its entirety.

SECTION 4: Section 20.215.020. The reference to "Massage Establishments" in Section 20.215.020, Table 2-5 of the Stanton Municipal Code is hereby amended to read as follows:

Land Use	CN	CC	Specific Use Regulations
<i>Service Uses – General</i>			
Massage Establishments	P(1) –	P(1) CUP	MC 5.16; 20.400.190200
Late Hour Operations	CUP	CUP	

Notes:

1) ~~A Conditional Use Permit shall be required if not all persons engaged in the practice of massage therapy at the establishment have a valid MTO (Massage Therapy Organization) Certificate or the State law regulating massage establishments terminates under its sunset review provision (Business and Professions Code Section 4600 et seq.).~~

SECTION 5: Section 20.320.030. The reference to "Massage Establishments" in Section 20.320.030, Table 3-6 of the Stanton Municipal Code is hereby amended to read as follows:

Table 3-6 Off-Street Parking Space Requirements	
Description of Use	Required Number of Spaces (1) See Section 20.320.030.B (Calculation Metrics)
<i>Service Uses – General</i>	
Massage Establishments	1 space/200 square feet or as required by Conditional Use Permit (Chapter 20.550)

SECTION 6: Section 20.400.190. Section 20.400.190 of the Stanton Municipal Code is hereby amended and restated in its entirety, as set forth in Exhibit "B" ("Massage Establishments"), attached hereto and incorporated herein.

SECTION 7: Section 20.620.060. Subsection (A)(8) is hereby added to Section 20.620.060 of the Stanton Municipal Code to read as follows:

"8. Massage Establishments. For provisions on nonconforming massage establishments, see Section 20.400.190 (Massage Establishments)."

SECTION 8. The City Council finds that this Ordinance is consistent with the goals, policies and general land uses and programs specified in the General Plan, specifically: Goal CHS 4.3 to “provide and maintain a high level of police protection services necessary to adequately serve the community and provide a sense of safety to residents”; Strategy CHS 3.2.1, “commercial and industrial uses, construction activity and other non-transportation related sources of noise can contribute negatively to the noise environment. Identifying and mitigating these potential noise sources will reduce negative impacts”; Goal CHS 3.2, “develop measures to control non-transportation noise impacts throughout Stanton”; and Strategy LU 1.1.2, “ensure adjacent land uses are compatible with one another.” Regulating massage establishments is meant to minimize nuisance conditions, such as noise impacts, municipal code violations, illicit activities, and decrease law enforcement calls related to those nuisances.

SECTION 9. The City Council further finds that this Ordinance will not be detrimental to the public interest, health, safety, convenience, or welfare of the City. Rather, this Ordinance is recommended to reduce the nuisance issues and decrease the burden on public safety services related to massage establishments. In addition, the City Council finds this Ordinance is internally consistent with other applicable provisions of the Municipal Code. The modifications to the municipal code would replace existing regulations regarding massage establishments in their entirety, which is permitted by State law. This Ordinance is enacted in accordance with the procedures of Stanton Municipal Code Chapter 20.610, and adds regulations to relevant portions of the municipal code, as detailed in this Ordinance No. 1032.

SECTION 10. The City Council further finds that this Ordinance is not subject to the California Environmental Quality Act (“CEQA”) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378 of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly).

SECTION 11. The documents and materials associated with this Resolution that constitute the record of proceedings on which these findings are based are located at Stanton City Hall, 7800 Katella Ave., Stanton, California 90680. The Community Development Director is the custodian of the record of proceedings.

SECTION 12. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Stanton hereby declares that it would have adopted this Ordinance, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any or more sections, subsections, sentences, clauses and phrases may be declared invalid or unconstitutional.

SECTION 13. This Ordinance shall take effect and be in full force thirty (30) days from and after its passage. The City Clerk shall certify to the adoption of this Ordinance and cause the same to be posted in the three (3) designated posting places within the City of Stanton within fifteen (15) days after its passage.

PASSED, APPROVED, and ADOPTED this 27th day of January, 2015.

ALEXANDER A. ETHANS, MAYOR

ATTEST:

LUZ A. RODRIGUEZ, INTERIM CITY CLERK

APPROVED AS TO FORM:

MATTHEW E. RICHARDSON, CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss.
CITY OF STANTON)

I, LUZ A. RODRIGUEZ, Interim City Clerk of the City of Stanton, California, do hereby certify that the foregoing Ordinance No. 1032 was introduced at a regular meeting of the City Council of the City of Stanton, California, held on the 13th day of January, 2015, and was duly adopted at a regular meeting of the City Council held on the 27th day of January, 2015, by the following roll-call vote, to wit:

AYES: COUNCILMEMBERS: _____

NOES: COUNCILMEMBERS: _____

ABSENT: COUNCILMEMBERS: _____

ABSTAIN: COUNCILMEMBERS: _____

INTERIM CITY CLERK, CITY OF STANTON

Exhibit "A"

Title 5, Chapter 5.16 (Massage Establishments and Massage Technicians)

Section 5.16.010 – Definitions

For the purposes of carrying out the intent of this Chapter, unless the content clearly indicates to the contrary, the following words, phrases, and terms shall have the following meanings:

Accessory massage establishment. An establishment that provides massage which is incidental to the primary business, where the owner of the primary business is responsible for the massage services and conduct of the massage technician(s) employed at the location.

Applicant. Any person or entity desiring to obtain a license to operate a massage establishment, and includes each and every owner of the proposed establishment, including:

1. **Sole Proprietorship.** A sole proprietorship, also known as a sole trader or simply proprietorship, is a type of business entity that is owned and run by one individual or one legal person and in which there is no legal distinction between the owner and the business.
2. **Corporations.** If the applicant is a corporation, the name of the corporation shall be set forth exactly as shown in its articles of incorporation, together with the names and residence addresses of each of the officers, directors, and each and every majority stockholder. In addition, a certified copy of its articles of incorporation, together with any authorizations to issue stock shall be attached to the application.
3. **Partnerships.** If the applicant is a partnership, the application shall set forth the name and residence address of each of the partners, including limited partners. If one or more of the partners is a corporation, the provisions of this section pertaining to a corporate applicant shall apply. If the applicant is a partnership, a certified copy of the partnership agreement, if there be one, shall be attached to the application, and if the applicant be a limited partnership, a certified copy of its certificate of limited partnership shall be attached to the application.
4. If a corporation or a partnership is an applicant, then the identifying information required in this section as to the "applicant" shall be provided also as to such stockholders, directors and/or partners as the case may be and a license may be issued or denied if such stockholders, directors and/or partners do or do not satisfy the requirements and standards imposed by this chapter as to the background and character of the "applicant."

California Massage Therapy Council. The non-profit organization formed pursuant to Business and Professions Code Chapter 10.5, commencing with section 4600, as amended. The organization may be referred to hereinafter as "CAMTC".

City. The city of Stanton.

City Manager. The City Manager and/or those officers, employees, and agents of the city, directed by the City Manager to carry out all or portions of this chapter.

Compensation. A payment, loan, advance, donation, contribution, or gift of money, or anything of value.

Completed application. An application packet which contains all of the information required pursuant to this chapter, together with the verified fingerprints of the applicant(s).

Disqualifying conduct. Conduct by the applicant that would disqualify the application for a massage establishment, including any of the following:

1. Within five years of the date of filing of the application in question or any time after the filing of the application and/or any time after the issuance of a license, the licensee has been convicted in a court of competent jurisdiction of:
 - a. Any crime specified in Government Code section 51030 et seq., or
 - b. Any misdemeanor or felony offense which relates directly to the operation of a massage establishment, whether as a massage establishment owner, operator, massage technician, or employee thereof; or
2. Within five years of the date of the filing of the application in question or any time after the filing of the application and/or any time after the issuance of a license, the licensee has had revoked any massage establishment, operator, massage practitioner, technician, therapist, trainee, or similar license issued by the state, or any county or city; or
3. Within five years of the date of the filing of the application in question or any time after the filing of the application and/or any time after the issuance of a license, the licensee has been convicted in a court of competent jurisdiction of:
 - a. Any violation of California Penal Code sections 266(h), 315, 316, and 318 or Sections 647(b) or 653.23, or
 - b. Conspiracy or attempt to commit any such offense, or
 - c. Any offense in a jurisdiction outside the state which is the equivalent of any of the aforesaid offenses, or
 - d. Has been found guilty of or pleaded nolo contendere to any lesser-included offense of the above, or
 - e. Has been found guilty of or pleaded nolo contendere to any crime specified in Government Code section 51030 et seq.; or
4. Is required to register under the provisions of California Penal Code section 290; or
5. Has been subjected to a permanent injunction against the conducting or maintaining of a nuisance pursuant to California Penal Code sections 11225 through 11235; or

6. Has engaged in, or allowed an employee or massage technician under supervision to engage in, touching the specified anatomical areas of oneself or of another person while providing massage services or while within view of a customer or patron of the massage establishment, or engaging in specified sexual acts with oneself or another person while providing massage services or while within view of a customer or patron of the massage establishment; or
7. Has engaged in, or allowed an employee or massage technician under supervision to engage in, the exposing specified anatomical areas of oneself or of another person to view while providing massage services or while within view of a customer or patron of the massage establishment.

Employee. Any and all persons, other than a massage technician, who may render any service to the licensee, and who receives compensation from the licensee or an agent, and who does not perform massages on the patrons.

Licensee. An individual, partnership, corporation or other entity that has been approved for a massage establishment license.

Manager. An individual who manages or who is otherwise primarily responsible for the operation of the massage establishment, and shall include each and every person responsible for establishing personnel policy, hiring personnel, ensuring that the establishment complies with the requirements of this code and of other laws, and of establishing and administering any and all policies established by the owner for the operation of the establishment.

Massage. The scientific manipulation of the soft tissues, including but not limited to any method of treating any of the external parts of the body for remedial, health or hygienic purposes by means, including but not limited to, rubbing, stroking, pressuring, acupressuring, kneading, tapping, pounding, vibrating or stimulating with the hands, feet, elbows or any other part of the body, with or without the aid of any instrument or device and with or without such supplementary aids as rubbing alcohol, liniment, antiseptic, oil, powder, cream, lotion, ointment, or other similar preparations commonly used in this practice, under such circumstances that it is reasonably expected that the person to whom the treatment is provided or some third person on his or her behalf will pay money or give any other consideration or any gratuity therefor.

Massage establishment. A fixed location where massage is performed for compensation.

Massage establishment license. A license issued by the City to a massage establishment to conduct massage from a location with an approved conditional use permit for the operation of a massage use.

Massage technician. Any massage practitioner or massage therapist who administers to another person, for any form of compensation, a massage or other similar procedure, and who is certified by the State of California in compliance with the California Massage Therapy Act.

Person. Any individual, sole proprietorship, firm, partnership, corporation, association or any combination of individuals of whatever form or character.

Sole Provider. A massage business where the owner owns 100 percent of the business, is the only person who provides massage services for compensation for the business pursuant to a valid and active certificate issued in accordance with the California Massage Therapy Act, and has no other employees, certified massage technicians, massage technicians, or independent contractors.

Specified anatomical areas. Means and includes any of the following human anatomical areas:

Genitals, pubic area, buttocks, anus or female breasts below a point immediately above the top of the areolae.

Specified sexual activities. Means and includes any of the following:

1. The fondling or other erotic touching of any bare human genitals, pubic area, buttocks, anus or female breast;
2. Human sex acts, actual or simulated, including intercourse, oral copulation or sodomy;
3. Human masturbation, actual or simulated;
4. The actual or simulated infliction of pain by one human upon another or by an individual upon himself or herself, for the purpose of the sexual gratification or release of either individual, as a result of flagellation, beating, striking or touching of an erogenous zone, including without limitation, the thigh, genitals, buttock, pubic area, or, if such person is a female, a breast;
5. Sex acts, actual or simulated, between a human being and an animal, including but not limited to intercourse, oral copulation, or sodomy; or
6. Excretory or urinary functions as part of, or in connection with, any of the activities set forth in subsections (1) through (5) of this definition.

5.16.020 – Applicability

A. When Required. A Massage Establishment License shall be required for fixed locations within the city that provide massage services as defined within this Chapter. It is unlawful for any person to operate or conduct a massage business or to permit a massage establishment to be operated or conducted, in or upon any premises within the city, or to render a massage or permit a massage to be rendered within the city at any location not licensed as a massage establishment, in accordance with the provisions set forth in this chapter.

B. Exceptions. The following are exempt from the requirement for a Massage Establishment License:

1. Sole Providers of massage as defined and set forth in this Chapter and in compliance with the California Massage Therapy Act.
2. Accessory Massage Establishments. A Massage Establishment License shall not be required for accessory massage establishments in compliance with this Chapter.

C. Exemptions. The provisions of this chapter shall have no application and no effect upon and shall not be construed as applying to the following:

1. Treatment administered in good faith in the course of practice of any healing art or profession by any person licensed to practice any such art or profession under the Business and Professions Code of the state of California, or any other law of this state, including physicians, surgeons, chiropractors, osteopaths, podiatrists and physical therapists;
2. Nurses registered under the laws of the state of California;
3. Barbers, estheticians and beauticians who are duly licensed under the laws of the state of California while engaging in practices within the scope of their licenses;
4. Hospitals, nursing homes, sanatoriums, or other health facilities duly licensed by the state of California;
5. Coaches and trainers in accredited high schools, junior colleges and colleges or universities acting within the scope of their employment;
6. Trainers of amateur, semi-professional or professional athletes or athletic teams so long as such persons do not practice massage therapy as their primary occupation at any location where they provide such services in the city; or
7. Any profession over which the state has assumed exclusive jurisdiction as a matter of statewide concern and which gives the services or treatments included in the term "massage," as herein defined, as incidents to such business, calling or profession.

5.16.030 – Review Authority

- A. The City Manager shall approve or disapprove an application for a Massage Establishment License.
- B. The City Manager may choose to refer any application for a Massage Establishment License to the City Council for review and final decision.

5.16.040 – Application filing and content

A. Application filing.

1. An application for a Massage Establishment License shall be filed and processed in compliance with this chapter.
2. The applicant shall include the information and materials specified in this chapter, and specified in the City handout for Massage Establishment applications, together with the required fee in compliance with the fee resolution adopted by the City Council.
3. It is the responsibility of the applicant to provide evidence in support of the findings required by Section 5.16.050 (Application review and decision).

B. Application Content. Any applicant requesting a license pursuant to this section shall submit the following:

1. The present or proposed address where the business is to be conducted;
2. The type of ownership of the business (i.e., Sole Proprietorship, Partnership, Corporation, etc.);
3. The exact name, including any fictitious name, if applicable, under which the business is to be operated;
4. Every applicant for a license, whether an individual or combination of individuals, and each partner or limited partner of an applicant, if a partnership applicant, and every officer, director, and each stockholder holding ten percent or more of the stock of a corporate applicant, shall furnish the following information:
 - a. The full name, date of birth, current residential address, business address, and telephone numbers,
 - b. California driver's license number or California identification number and social security number or resident alien number, if any,
 - c. Any other names or aliases, including nicknames, used within five years of the date of filing the application,
 - d. Each residence and business address for the five years immediately prior to the date of filing the application, and the inclusive dates of each such address,
 - e. Written proof that the applicant is over the age of eighteen years,
 - f. The applicant's height, weight and color of eyes,
 - g. Two portrait photographs at least two inches by two inches and shall have been taken within sixty days prior to filing the application,
 - h. The massage or similar business license or permit history of the applicant, whether such person, in previously operating in this or another city or state under license or permit, has had such license or permit revoked or suspended and the reason therefor; and the business activity or occupation subsequent to such action of suspension or revocation,
 - i. The name and address of any massage business or other establishment currently owned or operated by the applicant wherein the business of massage is conducted,
 - j. Any conviction, forfeiture of bond, or plea of nolo contendere upon any criminal violation or city ordinance violation (except minor traffic violations), within a five-year period, and, if so, the place and court in which such conviction, plea or forfeiture was heard, the specific charge, and the sentence imposed as a result thereof,
 - k. Whether the applicant has ever been convicted of any crime specified in Section 51032 of the Government Code and, if so, the circumstances thereof and the sentence therefor, and

- I. The applicant shall be required to furnish fingerprints for the purpose of establishing identification, and verify through a background check the information provided in the application is true and correct. Any required fingerprinting fee will be the responsibility of the applicant;
5. A description of the service(s) to be provided;
6. A description of any other business to be operated on the same premises or on adjoining premises owned or controlled by the applicant;
7. A complete list of the names, including any pseudonym, alias(es), alternate name(s), or nickname(s), and residential addresses of all massage technicians, employees, independent contractors and attendants in the business; the name and residential address of the operator, manager or other person principally in charge of the operation of the business; and the names and residential addresses of all principals of the business;
8. The name and address of the record owner and lessor of the real property upon or in which the massage establishment is to be conducted, and a copy of the lease or rental agreement;
9. The name(s) of person(s) having the management or supervision of the applicant's massage establishment;
10. Written authorization for the city, its agents and employees, to seek information and conduct an investigation in to the truth of the statements set forth in the application and the qualifications of the applicant for the permit;
11. A sketch or diagram showing the complete interior configuration of the business, including without limitation the location of the restrooms, massage rooms, customer areas, employee only designated areas, and any facility requirements as identified in Section 20.400.190 (Massage Establishments). The sketch or diagram need not be professionally prepared, but it must be drawn to a designated scale, with marked dimensions of the interior of the premises to an accuracy of plus or minus six inches;
12. A signed statement that the massage business owner and/or applicant shall be responsible for the conduct of all employees, massage technicians and independent contractors working on the premises of the massage establishment and that failure to comply with California Business and Professions Code Section 4600 et seq., with any local, state, or federal law, or with the provisions of this chapter or Title 20 may result in the revocation of the city-issued permit.
13. If the applicant is a natural person, that person shall sign the application under penalty of perjury. If the applicant is other than a natural person, a partner, officer, director, major shareholder or major interest holder of the legal entity shall sign the application under penalty of perjury;
14. If the applicant does not own the lot or parcel on which the massage business will operate, the owner shall consent to the filing of the application by signing and dating the application;
15. Such other identification and information as may be necessary to verify the truth of the matters hereinabove specified as required to be set forth in the application;

16. Any additional application and material requirements specified in the City handout for the Massage Establishment license application; and
17. A copy of the resolution of approval for the operation of a massage use at the proposed massage establishment location.

C. Right to Privacy. Notwithstanding the fact that an application filed hereunder may be a public record under Government Code sections 6250 et seq., certain portions of such application contain information vital to the effective administration and enforcement of the licensing scheme established herein which is personal, private, confidential, or the disclosure of which could expose the applicant to a risk of harm. Such information includes, but is not limited to, the applicant's residence address and telephone number, the applicant's date of birth and/or age, the applicant's driver's license and/or Social Security number, and/or personal financial data. The City Council in adopting the application and licensing system set forth herein has determined in accordance with Government Code section 6255 that the public interest in disclosure of the information set forth above is outweighed by the public interest in achieving compliance with this chapter by ensuring that the applicant's privacy, confidentiality, or security interests are protected. The City Manager shall cause to be obliterated from any copy of a completed license application made available to any member of the public, the information set forth above.

5.16.050 – Application review and decision

A. Application review. Each application for a Massage Establishment license shall be reviewed to ensure that the application is consistent with the purpose of this Chapter, and applicable regulations of the Zoning Code, if any.

1. Any applicant for a license shall personally appear at the city and produce proof to the planning division that the nonrefundable application fee has been paid to the city together with any additional fees required by this chapter for additional applicants, and thereupon, said applicant(s) shall provide a complete application in compliance with this Chapter.
2. A Massage Establishment license application review is initiated when the City Manager receives a complete application package including the required information and materials specified in this Chapter, the City handout, and any additional information required by the applicable review authority in order to conduct a thorough review of the proposed establishment.
3. Upon receipt of a complete application, the review authority shall review the application to ensure accuracy of the application materials, and whether the application meets the requirements of this Chapter, Section 20.400.190 (Massage Establishments), and any other related code or policies.
4. During the course of the review process, the review authority may require the submittal of additional information.
 - a. The applicant shall be notified in writing of any revisions or additional information required and shall submit the requested information to the City

Manager within 90 days after the date of the notice or within the period designated by the review authority.

- b. Failure to submit the required information within the 90-day period or within the period of time designated by the review authority shall be cause for denial.
5. On-site inspection. An application for a Massage Establishment license may require the review authority to perform an on-site inspection of the subject premises before confirming that the request complies with all the applicable criteria set forth in this Chapter, Section 20.400.190 (Massage Establishments), and any other related code or policies.

B. Findings and Decision

1. Determination of compliance. The review authority shall determine whether or not the application meets the requirements of this Chapter and Section 20.400.190 (Massage Establishments).
 - a. Falsification of any of the above information shall be deemed sufficient reason for denial of the application.
2. Findings. The review authority may approve a Massage Establishment License, only after first making all of the following findings:
 - a. The required fee has been paid;
 - b. The application conforms in all respects to the provisions of this Chapter, and Section 20.400.190 (Massage Establishments);
 - c. An approved and active conditional use permit has been obtained for the massage establishment at the proposed location, pursuant to Section 20.400.190.B.1;
 - d. The applicant has not made a material misrepresentation, misstatement, or omission in the application;
 - e. The applicant, if an individual, or any of the principal stockholders of the corporation, or any officers or director, if the applicant is a corporation, or a partner if the applicant is a partnership, has not been convicted in a court of competent jurisdiction, or pleaded nolo contendere to any lesser-included offense specified in Section 51032 (Massage) of the Government Code or engaged in disqualifying conduct;
 - f. The applicant has not had a massage establishment, massage technician, or other similar permit or license denied, revoked or suspended by the city, or any other state or local agency prior to the date of approval;
 - g. The applicant(s) is at least eighteen years of age;
 - h. The massage establishment employs or uses only state certified massage practitioners and therapists whose certifications are valid and that owners of the state certificates are the same persons to whom CAMTC issued valid and current identification cards; and

- i. The massage establishment as proposed by the applicant would comply with all applicable laws, including, but not limited to, health, zoning, fire and safety requirements and standards.
3. Decision.
 - a. The review authority shall review the application, the background of the applicant(s), and the premises, and determine whether the required findings can be met.
 - b. If prosecution is pending against the applicant for either conduct violating this chapter's provisions or conduct violating Business and Professions Code Section 4600 et seq., the review authority may postpone its decision on the application until the prosecution's final resolution. As used in this subsection, "prosecution" means charges filed by the district attorney, administrative proceedings brought by a local government or agency, or a civil or criminal action maintained by a city attorney.
 - c. The review authority shall provide a written decision stating whether the application is approved, conditionally approved, or denied within sixty (60) calendar days of the filing of the completed application. The review authority shall deliver the notification to the applicant via first class mail and certified mail at the address shown on the application. The foregoing sixty day deadline is directory only; failure to meet such deadline shall not affect the power of the review authority to deny, or otherwise act on such application.
 - d. If the review authority denies the application, a new application may not be submitted for a period of one year.
4. Appeal. The review authority's decision may be appealed in compliance with Chapter 5.16.080 (Appeals).

5.16.060 – License restrictions and regulations

- A. Employees.** It is the responsibility of the licensee to ensure that each and every person who performs massage on the premises holds a CAMTC license issued by the State of California. The licensee shall notify the city, in writing, of the name and address of each person employed at the licensed establishment within five working days of employment. The requirements of this section are in addition to the other provisions of this chapter and zoning code and nothing contained herein shall relieve the licensee of the responsibility of ascertaining, prior to employment, whether said person has an active, unrevoked massage technician's license.
- B. Name of Business.** No licensee licensed under this chapter shall operate under any name or conduct the business under any designation not specified in the license.
- C. Licenses not assignable.** No massage establishment license may be sold, transferred or assigned by the licensee, or by operation of law, to any other person or persons. Any such sale, transfer or assignment, or attempted sale, transfer or assignment, shall be deemed to constitute a voluntary surrender of such license and

such license shall thereafter be deemed terminated and void, provided and excepting, however, that if the licensee is a partnership and one or more of the partners should withdraw, one or more of the remaining partners may acquire, by purchase or otherwise, the interest of the partner or partners who withdrew without effecting a surrender or termination of such license and in each case the licensee shall thereafter be deemed to be the surviving partner(s).

- D. Vested rights.** No license granted herein shall confer any vested right to any person or business for more than the license period. All massage operators, managers and technicians subject to this chapter shall comply with the provisions of this chapter as they may be amended hereafter.
- E. Sale or transfer of license.** Upon the sale or transfer of any interest in a massage establishment or any entity owning such massage establishment, the license issued pursuant to this chapter shall be null and void unless the sale or transaction is to an applicant shown on the application for the license pursuant to which the establishment was operated. A new application under this chapter shall be made by any person desiring to own or operate such massage establishment.

5.16.070 – Massage establishment permit expiration and renewal.

- A. Each massage establishment license shall expire after two (2) years from the date of issuance of the license unless renewed in accordance with this chapter.
- B. The licensee requesting renewal of its massage establishment license shall file an application for renewal with the City Manager at least ninety (90) calendar days prior to the scheduled expiration of the license. The renewal application shall provide all information required under Section 5.16.040 (Application filing and content) and shall also state that the licensee is currently operating under a massage establishment license, the location of the massage establishment, and the scheduled date for expiration of the license for which the licensee is seeking renewal.
- C. Any application for renewal of a massage establishment license shall be accompanied by a renewal fee in an amount established by resolution of the City Council. The renewal fee shall be used to defray the costs of investigation, report, and related application processing issues.
- D. The City Manager shall review the application for renewal and approve or deny the application, pursuant to the criteria in and within the time provided in Section 5.16.050 (Application review and decision), and shall either issue the renewed license or mail a written statement to the address indicated on the application via U.S. mail and certified mail return receipt requested, denying the license and stating the reasons therefor. The decision of the City Manager is final, unless the applicant files a written appeal in compliance with Section 5.16.090 (Appeals). A license for which renewal has been denied shall be of no effect or validity after its scheduled expiration.
- E. If criminal charges are pending against an applicant within a court or public agency, the conviction of which would result in the denial of the application, the City Manager shall suspend review of the application pending the final disposition of the criminal charges. The City Manager shall send written notice to the applicant notifying him/her that the application review is suspended pending the final disposition of the

current criminal charges. The applicant may continue to operate the massage establishment pending the final disposition of the current criminal charges. The applicant shall have the obligation of notifying the City Manager when a final decision is reached, and the outcome of the criminal matter (i.e., conviction, dismissal, etc.). The application during the period of suspension shall be treated as if it were never submitted, and the sixty (60) calendar day review period shall be of no effect. Once the City Manager receives notice from the applicant of the final disposition of a criminal matter the City Manager shall resume his or her review of the application. The review period shall commence from the date that the City Manager receives notice of the final disposition of the criminal charges from the applicant. Notwithstanding the foregoing, if an applicant fails to notify the City Manager of the final disposition of the criminal charges within one hundred eighty (180) calendar days of the disposition, the application shall be deemed expired, and the applicant will be required to submit a new application.

5.16.080 – Revocation or suspension of license

A. Grounds for revocation or suspension. The City Manager may suspend or revoke any license issued under this chapter at any time upon a determination that there has been:

1. A material false statement or omission made in the application; or
2. That there has been a transfer of an ownership interest in the establishment or any entity which may own it; or
3. That there has been a failure to comply with the provisions of this chapter, California Business and Professions Code Section 4600 et seq., or of any law of the state regulating massage establishments or massage technicians; or
4. That the licensee, any other applicant under the application, or any operator or massage technician of such massage establishment has been convicted of a crime specified in Section 51032 of the Government Code as amended from time to time, or has engaged in disqualifying conduct;
5. The licensee employs or uses one or more non-CAMTC certified massage practitioners or massage therapists to perform massage services;
6. There is an urgency or immediate action to protect the public from injury or harm; or
7. That the licensee has engaged in disqualifying conduct.

B. Prohibition Against Operation. It is unlawful for any person to conduct the business of a massage establishment or carry on the business of massage while the massage establishment license remains suspended or revoked pending a hearing.

C. Notice of Suspension or Revocation. Notice shall be given to the massage establishment license by letter stating the grounds for proposed revocation or suspension. Notice shall be given by personal service or certified, registered, or first class mail of the letter to the address shown on the last application or renewal.

- D. Appeal.** The licensee may appeal the decision of the City Manager in compliance with Section 5.16.090 (Appeals).
- E. New application after revocation.** No person may apply for a license under this chapter within one year from denial of a license to such applicant or within one year from the revocation of a license issued to such licensee, unless the cause of the denial or revocation has been, to the satisfaction of the City Manager, removed within such time. The City Manager may consider a new application upon a finding that the applicant has remedied the cause of the denial or revocation and has complied with all applicable provisions of this code.
- F. Surrender of license.** Each person to whom a license has been issued under this chapter shall immediately surrender his/her license to the City Manager upon its revocation or suspension.

5.16.090 – Appeals

- A. The licensee shall have ten (10) calendar days from the date the notice of intent to suspend or revoke was mailed to the licensee to appeal the suspension or revocation to the City Council. The appeal shall be filed in writing in the office of the city clerk and shall be accompanied by a filing fee, as established by resolution of the City Council. An appeal that is timely and properly filed together with the filing fee shall stay suspension or revocation of the license until the City Council renders a decision on the appeal.
- B. The appeal shall set forth the specific grounds for the appeal and the relief or action requested from the City Council.
- C. An appeal that was timely and properly filed together with the filing fee shall be heard by the City Council, except that the City Council, in its sole discretion, may appoint a hearing officer to conduct the hearing. The hearing shall be commenced at the earliest possible date authorized by law, but in no event later than forty-five (45) calendar days from the date the appeal was filed. The city clerk shall mail notice of the date, time and place of the hearing to the appellant at least ten days prior to the hearing. If a hearing officer is appointed, the hearing officer's duties shall be limited to taking testimony, ruling on evidentiary issues and preparing a summary of the evidence for transmittal to the City Council. The City Council shall independently review the record of the hearing and allow the appellant and the City Manager, and their respective representatives, to argue to the record prior to acting on the appeal.
- D. The hearing may be continued from time to time. The hearing shall be limited to the specific grounds set forth in the written appeal. The appellant and the City Manager shall have the right to offer testimonial, documentary and tangible evidence bearing on those grounds, be represented by counsel, and confront and cross-examine witnesses. Any relevant evidence that is the sort of evidence upon which reasonable persons are accustomed to rely in the conduct of serious affairs shall be admitted. The City Council, or the hearing officer, may establish additional procedures not in conflict with the provisions of this subsection.
- E. Within forty-five (45) calendar days after the appeal was filed, the City Council shall act on the appeal and the city clerk shall deposit in the U.S. mail, certified mail,

return receipt requested, addressed to the appellant at the address shown on the application, written notice of the decision, including a factual statement of the findings upon which the decision was based. Otherwise, the appeal shall be deemed sustained and the licensee shall be entitled to continue to operate the massage establishment or conduct massage as a massage technician subject to the provisions of this chapter and all other applicable laws and city ordinances and regulations.

- F. In acting on the appeal, the City Council may affirm, reverse or modify the decision of the City Manager and may take any action which might have been legally taken by the City Manager in the first instance.
- G. The decision of the City Council shall be final and conclusive, unless timely judicial review is sought pursuant to Code of Civil Procedure Section 1094.8. In the event a timely action or proceeding is brought pursuant to Section 1094.8, the decision to suspend or revoke the license shall be stayed automatically pending a final decision on the merits by the trial court. As used in this subsection, final decision on the merits does not include rehearing or appellate procedures.

5.16.100 – Massage Technician Certification.

It is unlawful for any person to perform or administer a massage without a certificate issued pursuant to Business and Professions Code Chapter 10.5, commencing with section 4600, as amended. Any violation of this section is subject to the enforcement provisions of Title 1 of this Code.

Exhibit "B"

Title 20, Article 4 – Section 20.400.190 (Massage Establishments)

This Section provides standards for massage establishments, where allowed in compliance with Article 2 (Zones, Allowable Land Uses, and Zone-Specific Standards) and Chapter 5.16 (Massage Establishments).

A. Definitions. Except where the context otherwise requires, the definitions given in Chapter 5.16 govern the construction of this section.

B. Permit Requirements.

- 1. Conditional Use Permit required.** All businesses proposing to conduct massage are subject to approval of a Conditional Use Permit as referenced in Chapter 20.550 (Use Permits – Minor and Conditional).
- 2. Massage Establishment license required.** All businesses that are proposing to conduct massage from a location that have an approved and active conditional use permit for massage services must obtain approval of a massage establishment license prior to the issuance of a business license and initiation of operations.

C. Facility Requirements.

1. A recognizable and readable sign shall be posted at the main entrance identifying the establishment as a massage establishment; provided that all such signs shall comply with the sign requirements of the city.
2. If shower facilities are provided, an enclosed changing area, directly adjacent to the shower shall be provided. The changing area shall be designed to allow the patron utilizing the shower facility to exit the shower, and enter the changing area, without being exposed or visible to any other area of the massage establishment. A private changing area shall be provided for each shower facility provided. The minimum dimension of the changing area shall be 25 square feet, and meet ADA standards.
3. A minimum of one separate washbasin shall be provided in each massage establishment for the use of employees of any such establishment. Said basin shall provide soap or detergent and hot and cold running water at all times, and shall be located within or as close as practicable to the area devoted to the performing of massage services. In addition, there shall be provided at each washbasin sanitary towels placed in permanently installed dispensers.
4. The storefront windows of the massage establishment shall be transparent to provide clear visibility into the unit. The windows shall not be obscured by curtains, blinds, or other temporary devices during operating hours.

5. Table showers

- a. If an establishment is proposing the use of table showers in the facility, the entire massage room where the table shower is located shall be design and built as a shower facility.
- b. The floor and walls shall be designed and built to be waterproof per California Building Code requirements.
- c. The room shall drain properly per the California Building Code.

D. Operational Requirements.

1. A massage business licensee shall have the premises supervised at all times when open for business by the operator or a designated manager. A person designated as the responsible managing officer shall be on the premises at all times of operation and must be registered with the city manager by the owner to receive all complaints and citations. The appointment of a managing officer in charge must be in writing with the managing officer in charge acknowledging this appointment. The violation upon the premises of any massage establishment of any provision of this chapter by any agent, employee or independent contractor of the holder of a massage business license shall constitute a violation by the licensee.
2. Each massage establishment shall have at least one person who has a valid CAMTC certification on the premises at all times while the establishment is open for business.
3. The operator of a massage establishment shall maintain a register of all persons employed as a massage technician and their CAMTC certification numbers, along with all receptionists, or other employees of the establishment. Such register shall be provided to the City upon application of a massage establishment license and business license, and shall be updated when an employee, massage technician, or independent contractor is added or discontinues services at the establishment. Notification shall be provided to the City within ten (10) calendar days of the date an employee, massage technician, or independent contractor is added or discontinues service at the establishment. The register shall also be made available for inspection by representatives of the city at any time during the establishment's business hours. If the register is not made available during inspection, the establishment may receive an administrative citation, along with any individual, not including patrons, at the establishment that cannot be verified as a legal employee.
4. In no circumstance shall any owner, operator, responsible managing employee, manager, licensee, employee or independent contractor expose any of his or her

specified anatomical areas to another person or persons while at the massage establishment.

5. In no circumstance shall any specified sexual activities take place at any time at the massage establishment.
6. No person or persons shall be allowed to live inside the massage establishment at any time. No food of any kind shall be prepared for sale or sold in the establishment unless an appropriate food vending license is obtained. There shall be no beds located in areas not designated specifically as massage rooms. Locker facilities shall be provided for all employees and independent contractors. All personal items of the employees or independent contractors shall be kept in the lockers while at the establishment.
7. No massage establishment shall operate as a school of massage, or use the facilities as that of a school of massage.
8. No massage establishment employing a massage technician shall be equipped with tinted or one-way glass in any room or office.
9. There shall be no display, storage, or use of any instruments, devices, or paraphernalia which are designed for use in connection with specified sexual activities, including, but not limited to, vibrators, dildos, or condoms, or any goods or items which are replicas of, or which simulate, specified anatomical areas, or pornographic magazines, videos, or other material.
10. Each service offered, the price thereof, and the minimum length of time such service shall be performed shall be posted in a conspicuous public location in each massage business or establishment. All letters and numbers shall be capitals not less than one inch in height. No services shall be performed and no sums shall be charged for services other than those posted. This posting requirement shall not apply to exempt physicians and/or surgeons who employ or retain non-exempt persons to perform massage therapy as part of licensed medical activities. All arrangements for services to be performed shall be made in a room that is not used for massage therapy.
11. Alcoholic beverages may not be sold, served, furnished, kept, consumed, imbibed, or possessed on the premises without a Conditional Use Permit approved in compliance with Chapter 20.550 (Use Permits - Minor and Conditional) and any applicable California Department of Alcoholic Beverage Control licenses.
12. Hours of operation shall be limited to the hours of 9:00 a.m. to 10:00 p.m. daily. The hours of operation shall be clearly displayed within a common area of the facility, or may be displayed as a form of window signage in compliance with Chapter 20.325 (Sign Standards).
13. The owner or operator of each massage establishment shall display the massage establishment license issued to the establishment and the CAMTC license issued

to each massage technician employed in the establishment in an accessible and conspicuous place on the premises. CAMTC certified massage practitioners shall have his or her original state certification at his or her place of business and his or her identification card in his or her possession while providing massage services.

14. No massage services shall be provided to a patron that results in intentional contact, or occasional repetitive contact, with specified anatomical areas.
15. No person shall give, or assist in giving, any massage or other body treatment to any other person under the age of eighteen (18) years, unless the parent or guardian of the minor person has consented thereto in writing.

E. Sanitation Requirements.

1. Adequate equipment for disinfecting and sterilizing instruments used in performing the acts of massage shall be provided.
2. Hot and Cold running water shall be provided at all times.
3. All walls, ceiling, floors, pools, showers, bathtubs, steam rooms, and all other physical facilities for the establishment must be in good repair and maintained in a clean and sanitary condition. Wet and dry rooms, steam and vapor rooms or cabinets, shower compartments, and toilet rooms shall be thoroughly cleaned each day the business is in operation. Bathtubs/table showers shall be cleaned after each use.
4. Clean and sanitary towels and linens shall be provided for each patron of the establishment or each patron receiving massage services. No common use of towels or linens shall be permitted.
5. Minimum ventilation shall be provided in accordance with the California Building Code.

F. Attire Requirements.

1. Dressing while engaging in the practice of massage for compensation, or while visible to clients in a massage establishment, in any of the following is a violation of Chapter 4609 California Business and Professions code:
 - a. Attire that is transparent, see-through, or substantially exposes the massage technician's undergarments.
 - b. Swim attire, if not providing a water-based massage modality approved by CAMTC.
 - c. A manner that exposes the massage technician's specified anatomical areas.
 - d. A manner that constitutes a violation of Section 314 of the Penal Code.
 - e. A manner that is otherwise deemed by CAMTC to constitute unprofessional attire based on the custom and practice of the profession in California.

G. Permit conditions. In approving a Conditional Use Permit to establish a massage use, the review authority may impose conditions (e.g., security and safety measures, light, noise buffers, parking, etc.) on the use to ensure that it operates in a manner that provides adequate protection to the public health, safety, and general welfare.

- H. Inspection by Government Officials.** The Director, City Manager, or their authorized representatives shall have the right to enter massage establishments or businesses, from time to time, unannounced, for the purposes of making reasonable inspections to observe and enforce compliance with this Section and all laws of the City and State of California.
- I. Nuisances.** Any massage establishment operated, conducted, or maintained contrary to the provisions of this chapter shall be unlawful and a public nuisance, and the city attorney may in the exercise of discretion, in addition to or in lieu of prosecuting a criminal action hereunder, commence an action or actions, proceeding or proceedings, for the abatement, removal or enjoinder thereof, in a manner provided by law. Violations of this chapter or any permit provided pursuant to this chapter shall also be subject to enforcement under Title 1 of this Code or suspension, revocation, or non-renewal of any applicable permit.
- J. Post-Decision Procedures.** The procedures and requirements in Chapter 20.565 (Implementation, Time Limits, and Extensions), and those related to appeals and revocation in Article 6 (Administration) shall apply following the decision on a massage establishment conditional use permit application.
- K. Amortization of Existing Massage Establishments.**
1. All zoning requirements set forth in this Chapter are deemed to be necessary for the protection of the public health, safety, and welfare and shall be applicable to and govern all existing and proposed massage establishments immediately upon the date the ordinance codified in this chapter becomes effective.
 2. In the event a massage establishment lawfully in existence in a CG (Commercial General) zone prior to the adoption of this section is not in compliance with the zoning requirements of this title, such massage establishment shall conform to all zoning requirements and obtain all necessary permits required for the operation of a massage establishment identified in this Title and Title 5 (Business Licenses and Regulations) within two (2) years of the effective date of this section.
 3. Any existing massage establishment in the CN (Commercial Neighborhood) zone which is a nonconforming use as of the effective date of the ordinance shall be subject to an amortization period of two (2) years, and any such business which becomes a nonconforming use after the effective date of said ordinance shall be subject to an amortization period of two (2) years commencing on the date the use becomes nonconforming.
 4. Upon the conclusion of the amortization period, any massage establishment which is a nonconforming use shall cease all business operations, and all signs, advertising and displays relating to such business shall be removed within thirty (30) days thereafter.
 5. Notwithstanding the foregoing, zoning requirements regarding operation, sanitation and attire as set forth in this Section 20.400.190 shall become immediately effective and must be observed in full force by existing massage establishment as of the effective date of the ordinance. Zoning requirements

regarding facility improvement shall be completed within two (2) years of the effective date of this section.

L. Extension of massage establishment amortization period.

1. An application for extension of the amortization period for a massage establishment which is a nonconforming use shall be made as provided herein.
2. The owner of the property on which the business is located or the owner of the business must submit a complete application for approval of an extension not later than six (6) months prior to the expiration of the amortization period, unless the Director determines that good cause is shown for late filing of the application. Such application shall be made in writing on a form prescribed by the Director and shall be accompanied by the filing fee established by resolution of the City Council. The person requesting the extension of the amortization period shall bear the burden of proof in establishing that the amortization period established by Section 20.400.190.K of this chapter is unreasonable and that the requested extension is a reasonable amortization period under the criteria set forth in subsection 7 of this section. The person applying for the extension shall furthermore be required in order to meet its burden of proof to submit the documentation set forth in this section.
3. Not later than thirty (30) calendar days after submittal of an application to extend the amortization period, the Director shall notify the applicant, in writing, if the application is not complete. The notice shall describe the manner in which the application can be made complete and shall be deemed given upon personal delivery to the applicant or upon deposit in the U.S. mail, first class, postage prepaid, addressed to the applicant at the address shown on the application. If a written determination is not provided to the applicant within thirty (30) calendar days after the application is submitted, the application shall be deemed complete. A complete application shall include:
 - a. The applicant's name and street address of business;
 - b. The address to which notice is to be mailed, at the applicant's option, a telephone number and/or email address;
 - c. The applicant's signature;
 - d. The term of the requested extension;
 - e. Documentation relevant to the factors listed in subsection 7 of this section; and
 - f. The required filing fee.
4. Within sixty (60) days after a complete application is filed, the Planning Commission shall hear and act on the application and the secretary to the Planning Commission shall give the applicant written notice of the decision and findings made by the Planning Commission. Otherwise, the application shall be deemed granted by operation of law and the business shall be operated in accordance with the provisions of this chapter. Notice shall be deemed given upon personal delivery to the applicant or upon deposit in the U.S. mail, first class, postage prepaid, addressed to the applicant at the address shown on the application. The secretary shall give the applicant at least ten (10) calendar days written notice of the time and place at which the application shall be heard by the

Planning Commission in the same manner that notice of the decision is to be given pursuant to this subsection.

5. A decision of the Planning Commission to deny the application, may be appealed, in whole or in part, by filing a complete notice of appeal with the city clerk within fifteen (15) days after notice of the decision was given to the applicant pursuant to subsection 4 of this section. To be deemed complete, the notice of appeal shall be signed by the appellant, shall state the grounds for disagreement with the decision of the Planning Commission, and shall be accompanied by the filing fee established by resolution of the City Council.
6. Within forty-five (45) calendar days after the appeal was filed, the City Council shall hear and act on the appeal and the city clerk shall give the appellant written notice of the decision and findings made by the City Council. Otherwise, the application shall be deemed granted by operation of law and the business shall be operated in accordance with the provisions of this chapter. Notice shall be deemed given upon personal delivery to the appellant and applicant upon deposit in the U.S. mail, first class, postage prepaid, addressed to the applicant at the address shown on the application. The notice shall include a written statement verified by oath or affirmation attesting to the date that the decision was mailed to the party by first class mail. The city clerk shall give the appellant and applicant at least ten (10) calendar days written notice of the time and place at which the appeal shall be heard, de novo, by the City Council, in the same manner that written notice of the decision is to be given pursuant to this subsection.
7. In determining whether to grant an extension of the amortization period and in determining the appropriate length of such an extension, the Planning Commission and the City Council on appeal shall consider:
 - a. The amount of investment in the business;
 - b. The present actual and depreciated value of business improvements;
 - c. The applicable Internal Revenue Service depreciation schedule or functional nonconfidential equivalent;
 - d. The remaining useful life of the business improvements;
 - e. The remaining lease term;
 - f. The ability of a business and/or land owner to change the use of a conforming use;
 - g. The opportunity for relocation to a legally permissible site and the cost of relocation; and
 - h. The date upon which the property owner and/or business owner received notice of the nonconforming status of the massage establishment business and the amortization requirements.
8. The Planning Commission or the City Council on appeal shall receive and consider evidence presented by the appellant and any other persons, and shall make findings that the extension to the amortization period it establishes is reasonable in view of the evidence and the criteria set forth in subsection 7. In no event shall the amortization period extension be longer than two (2) years.
9. The decision of the Planning Commission shall be final and conclusive, unless a timely and complete appeal is filed with the city clerk pursuant to subsection 5 of this section. The decision of the City Council on appeal shall be final and

conclusive, unless timely judicial review is sought pursuant to Code of Civil Procedures Section 1094.8. In the event that a timely action or proceeding is brought pursuant to Code of Civil Procedures Section 1094.8 from the decision to deny the requested extension, in whole or in part, the decision shall be automatically stayed pending a final decision on the merits by the trial court. As used in this subsection, final decision on the merits does not include rehearing or appellate procedures.

CITY OF STANTON

REPORT TO CITY COUNCIL

TO: Honorable Mayor and Members of the City Council

DATE: January 27, 2015

SUBJECT: CYPRESS COLLEGE AMERICANA AWARDS DINNER

REPORT IN BRIEF:

City Council consider purchasing a table at the Cypress College Americana Awards Dinner scheduled for Saturday, February 28, 2015 in the Grand Ballroom of the Disneyland Hotel at a cost of \$2,500.00. This Awards dinner honors the Citizen of the Year from surrounding communities. This year Mr. and Mrs. Joel Greer have been selected and will be honored as the City of Stanton's Citizen of the Year.

RECOMMENDED ACTION:

City Council provide direction to staff regarding participation in the Cypress College Americana Awards Dinner.

BACKGROUND:

The 40th Annual Cypress College Americana Awards will be held on February 28, 2015. Each surrounding City has the opportunity to honor an individual who has made a significant contribution to their community. This year Mr. and Mrs. Joel Greer have been selected and will be honored as the City of Stanton's Citizen of the Year.

ANALYSIS/JUSTIFICATION:

Historically the City Council has participated in the Cypress College Americana Awards Dinner. This Banquet is used as a fundraiser for the Cypress College Foundation with all proceeds benefiting Cypress College students and programs.

FISCAL IMPACT:

The total cost for the event is \$2,500.00 and is available from the City Council's Special Department Expense account number 101-1100-602100.

ENVIRONMENTAL IMPACT:

Not applicable.

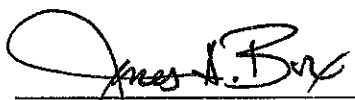
LEGAL REVIEW:

None.

PUBLIC NOTIFICATION:

Through the normal agenda process.

Prepared by:



James A. Box
City Manager

CITY OF STANTON

REPORT TO CITY COUNCIL

TO: Honorable Mayor and Members of the City Council

DATE: January 27, 2015

SUBJECT: REVIEW OF STOP SIGN ANALYSIS AT THE INTERSECTION OF LOLA AVENUE AND WASCO ROAD, CITY OF STANTON, CALIFORNIA

REPORT IN BRIEF:

Residents have requested that Stop signs be installed on Lola Avenue at Wasco Road due to safety concerns. The City's consulting traffic engineer has reviewed the appropriateness of the proposed Stop signs based on the California Manual on Uniform Traffic Control Devices. After reviewing this report, the City Council can decide whether or not to install any signs.

RECOMMENDED ACTION:

1. City Council review the Stop Sign Analysis at the intersection of Lola Avenue and Wasco Road by Hartzog & Crabill, Inc.; and
2. Determine whether sufficient warrants exist for the installation of the Stop signs; and
3. Declare this project to be categorically exempt under the California Environmental Quality Act, Section 15304, Class 4 (Minor Alterations to Land); and
4. Authorize City staff to install any signs the City Council approves.

BACKGROUND:

Stop signs have been used for decades as a means to control traffic at intersections on rural highways, urban arterials or residential streets. On an engineering basis, there can be various reasons for installing a Stop sign, which are called warrants. In order for a government agency to install a Stop sign, it must review the applicable warrants for an intersection and determine if the warrants exist to allow for the installation of the sign. Unwarranted Stop signs have been shown to potentially create safety risks and cause undue inconveniences to drivers.

ANALYSIS/JUSTIFICATION:

The placement of Stop signs is a process specifically controlled by the State through the California Manual on Uniform Traffic Control Devices (MUTCD). The attached report provides a thorough analysis of the intersection per the MUTCD regulations. As the report is rather lengthy, the following are excerpts from the report that summarize the major elements.

The Hartzog Crabill report first defines the process required by law to be followed:

The California MUTCD Multi-way Stop Applications Guidance criteria are described in the following four main parts:

- a) As an interim measure where traffic control signals are justified;
- b) Reported crashes – five or more in a 12-month period that are susceptible to correction by a multi-way stop installation;
- c) Minimum traffic and pedestrian volumes, speeds, and delay; and,
- d) Where a combination of the above criteria are all satisfied to 80 percent.

If any one, or a combination, of these criteria is met, then a multi-way stop application should be considered. If these criteria are not met, the installation of an unwarranted stop sign installation is typically not recommended as it may place the City in a position of potential liability.

The report then reviews in detail each of the four criteria at the subject intersection. In conclusion the report states:

The analysis of the four (4) main criteria provided in the California MUTCD regarding Multi-way Stop Applications showed that this intersection did not meet the minimum guidelines to justify stopping the major roadway. The four main criteria analyzed were: 1) As an interim measure where traffic control signals are justified; 2) Reported collisions – a correctible crash problem; 3) Traffic and pedestrian volumes, speeds, and delay; and 4) Where a combination of the above criteria are satisfied to 80 percent.

Additionally the report states that:

However, engineering judgment should always be included in any decision regarding traffic safety improvements. In terms of other factors such as speeds, intersection geometry, and visibility, it was determined that this intersection did not require special signage or further traffic control measures to account for impaired sight distance. However, it is noted that although sufficient visibility was provided during our site visit (since there were no parked vehicles), sight distance could be impaired if vehicles park on the street near the intersection due to unrestricted on-street parking conditions. If adjacent parking is found to be an issue, it is recommended to

restrict parking on the south side of Lola Avenue, approximately 65 feet from the curb return, to ensure visibility for vehicles traveling on Lola Avenue, as well as vehicles on Wasco Road.

A consistent theme within the City, and within this neighborhood, has been the lack of sufficient street parking. The elimination of any spaces should be considered very carefully. The proposed parking restrictions would eliminate the parking of approximately 8 cars from the area.

Staff has also observed private vegetation, a public tree, and a private wall which further restrict visibility from Wasco of oncoming traffic on Lola. The adequacy of visibility is an area in which the City Council has discretion as to whether the lack of visibility creates the need for a Stop sign.

FISCAL IMPACT:

This project will be funded with the street maintenance account 101-3500-602140. There are sufficient funds to accommodate the installation of one or more Stop signs at this intersection.

ENVIRONMENTAL IMPACT:

This project is categorically exempt under the California Environmental Quality Act, Class 1, and Section 15301c as replacement of existing facilities.


LEGAL REVIEW:

None.

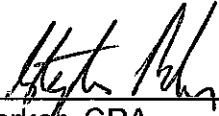
PUBLIC NOTIFICATION:

Notifications and advertisement were performed as prescribed by law. Additionally Notice Boards were placed at the intersection advising the public of the City Council's review of this item.

Prepared by:

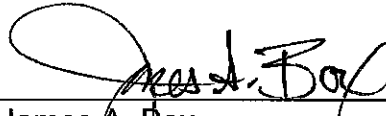

Allan Rigg, P.E., A.I.C.P.
Director of Public Works

Concur:



Stephen Parker, CPA
Administrative Services Director

Approved by:



James A. Box
City Manager

Attachments:

- 1) Letter and signatures from residents in support of Stop signs on Lola
- 2) Report from Hartzog & Crabill titled "Stop Sign Analysis at the Intersection of Lola Avenue and Wasco Road"

January 18, 2015

Dear Stanton City Council

I am writing this letter to ask the city to add new stop signs on Lola and Wasco Rd. Placing a three way stop sign at this intersection would be beneficial for the public safety of the community.

My family and I have lived at 10162 Wasco Rd. for 13 years. We have a four year old grandson and we don't feel comfortable with him playing out front due to the constant traffic of speeding cars. I have spoken to other residents who have this same concern.

The intersection is also dangerous for driver. Lola Street is used as an alternative route for drivers to cross from Dale Street to Magnolia Street. Residents have a hard time seeing around the corner when they pull out of Wasco or the other cross streets.

I know the council has been responsive the needs of the community in the past and we hope that council will support this request. With your support for the stop signs in our community, we will have appropriate traffic control that we lost when our motorcycle officer was eliminated. Thank you for your support.

Respectfully

Victor Barrios & community members
10162 Wasco Rd.
Stanton, CA 90680
714-306-5016

Print Name	Sign Name
Victor Barrios	VTB
JESUS BARRERA 10172 WASCO RD	[Signature]
Alice R. Wilson	alice R. Wilson
TUNG T. VO (10232 WASCO RD) GIANG TRAN	[Signature]
8682 LOLA AVE STANTON	[Signature]
ADAM ORTIZ 10172 Macduff Stanton 90680	ADAM ORTIZ
Art Vargas	Art Vargas
Cindy Kassebaum	CINDY KASSEBAUM
[Signature] 10182 BARRERA SQ	[Signature]
Buddy Ellis	Buddy Ellis
Lindsey Fremmen	Lindsey Fremmen
Robert Fremmen	Robert Fremmen
Chelsea Esquivel	Chelsea Esquivel
Mark Manillo	Mark Manillo



Trammell Hartzog, President
Jerry Crabill, P.E. (Retired)
Gerald J. Stock, P.E., Executive
Vice-President

17852 E. 17th Street
Suite 101
Tustin, CA 92780

Phone: (714) 731-9455
FAX: (714) 731-9498

www.hartzog-crabill.com

December 18, 2014

Mr. Allan Rigg, P.E.
Director of Public Works / City Engineer
City of Stanton
7800 Katella Avenue
Stanton, CA 90680

**Subject: Stop Sign Analysis at the Intersection of
Lola Avenue and Wasco Road**

Dear Mr. Rigg:

Hartzog & Crabill, Inc. (HCI) has completed a Stop Sign Warrant Analysis for the subject intersection. As you will see in the attached report, our recommendation is for a one-way stop sign installation on Wasco Road.

The analysis was completed in response to the City's request to verify if a one-way or multi-way stop sign installation is warranted, and recommended based on meeting standard guidelines. At the present time, the intersection has no traffic control signage on either intersecting street. The 2014 California Manual of Uniform Traffic Control Devices (*California MUTCD*) was used for defining the requirements for a stop sign installation.

In overall consideration of the existing uncontrolled conditions, a one-way stop sign installation on Wasco Road is recommended in order to better define right-of-way. If approved by the City, the cost for installation of a two-way stop sign installation, including design, administration, and construction, is estimated at \$1,300.00.

It has been our pleasure to prepare this analysis for the City of Stanton. If you have any questions or need more information please call (714) 731-9455.

Very truly yours,
HARTZOG & CRABILL, INC.

A handwritten signature in black ink, appearing to read 'Gerald J. Stock', written over a horizontal line.

Gerald J. Stock, P.E.
Vice President
City & Traffic Engineering Services

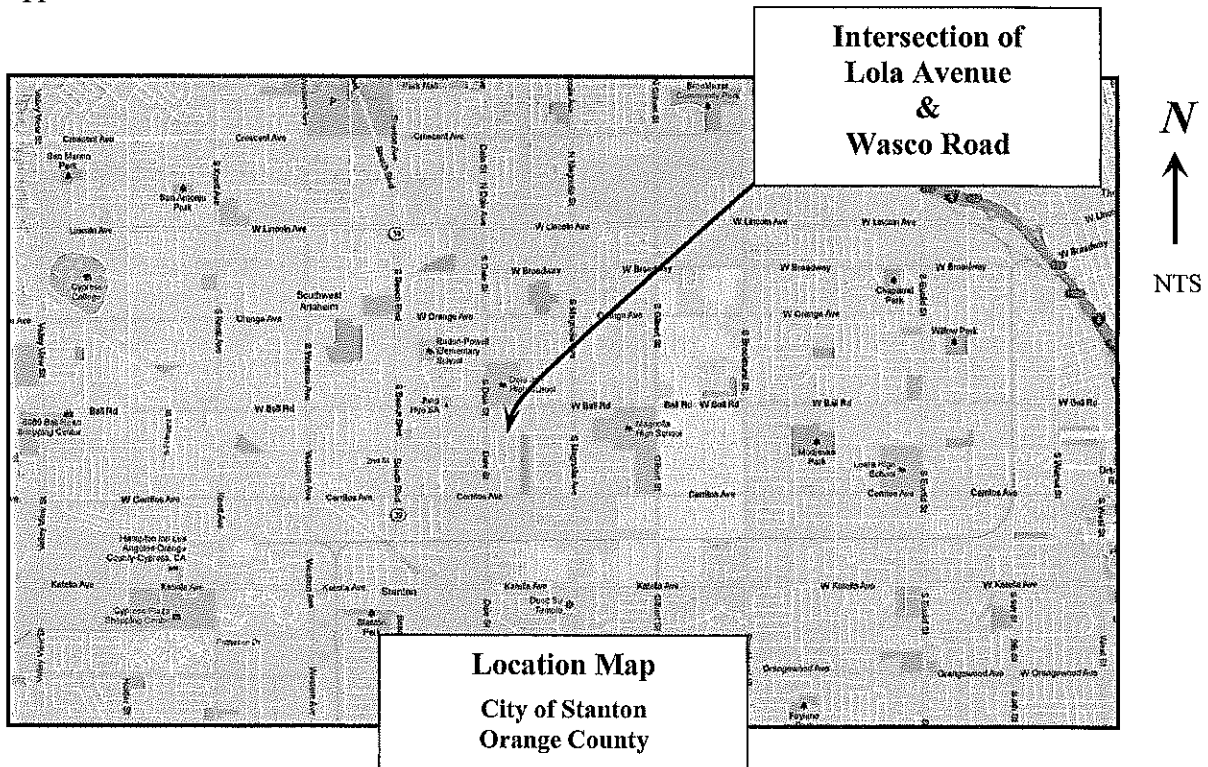
Attach: Stop Sign Analysis Report

MULTI-WAY STOP CONTROL WARRANTS ANALYSIS LOLA AVENUE AT WASCO ROAD IN THE CITY OF STANTON, CA

INTRODUCTION

The City of Stanton requested Hartzog & Crabill, Inc. (HCI) to complete a Multi-way Stop Warrants Analysis at the T-intersection of Lola Avenue and Wasco Road. This analysis was completed in order to verify if a one-way or three-way stop sign installation is warranted and recommended based on meeting standard guidelines.

The location is a standard three-legged intersection with Lola Avenue running in the east-west directions and Wasco Road running in the north-south directions, on the south side of Lola Avenue. The intersection is located west of the Interstate 5 Freeway and south of Ball Road (see *Location Map below*). The intersection is entirely within the City of Stanton's jurisdiction. At the present time there are no STOP signs posted for controlling any approach to the intersection.



BACKGROUND

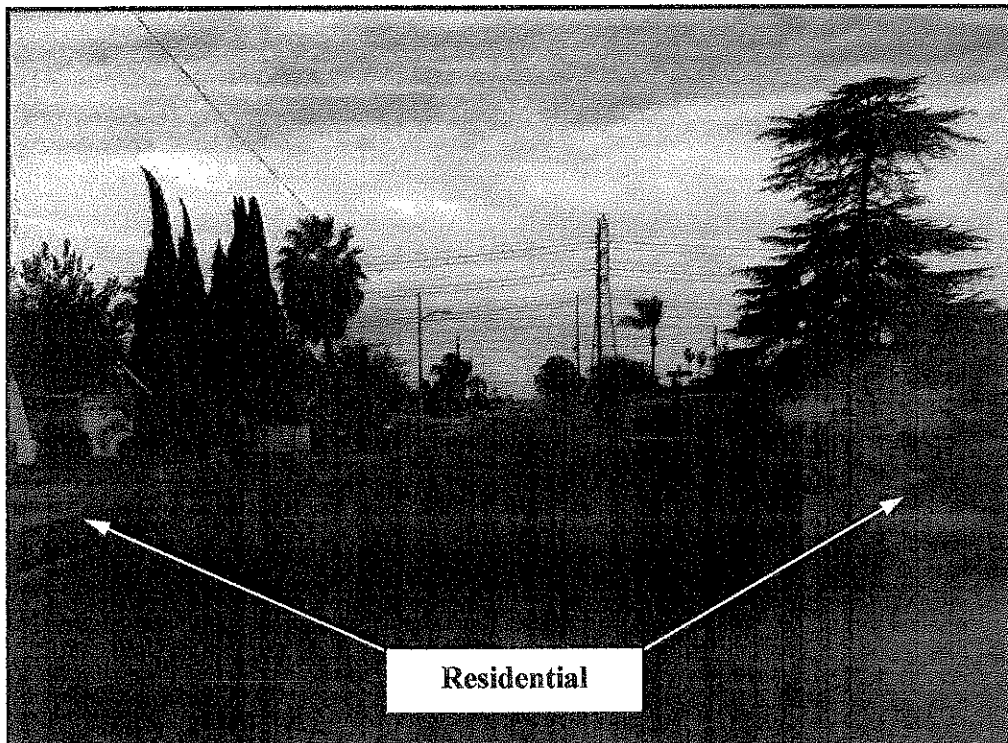
Lola Avenue is a 36-foot wide east-west local collector roadway with primarily residential frontage on both sides of the street. A landscape nursery and Hollenbeck Park are located nearby east of the intersection with Wasco Road. The two-lane roadway provides for one lane of traffic in each direction, which are not separated by any striping. The asphalt roadway is fully-improved with concrete curb, gutter, parkway and sidewalk on both sides. Lola Avenue has a posted speed limit of 25 miles per hour (MPH). On-street parking is allowed on both sides of the roadway. Currently, there is no traffic control signage on Lola Avenue at its intersection with Wasco Road.

See Exhibit 1 (next page) for photo images of Lola Avenue.

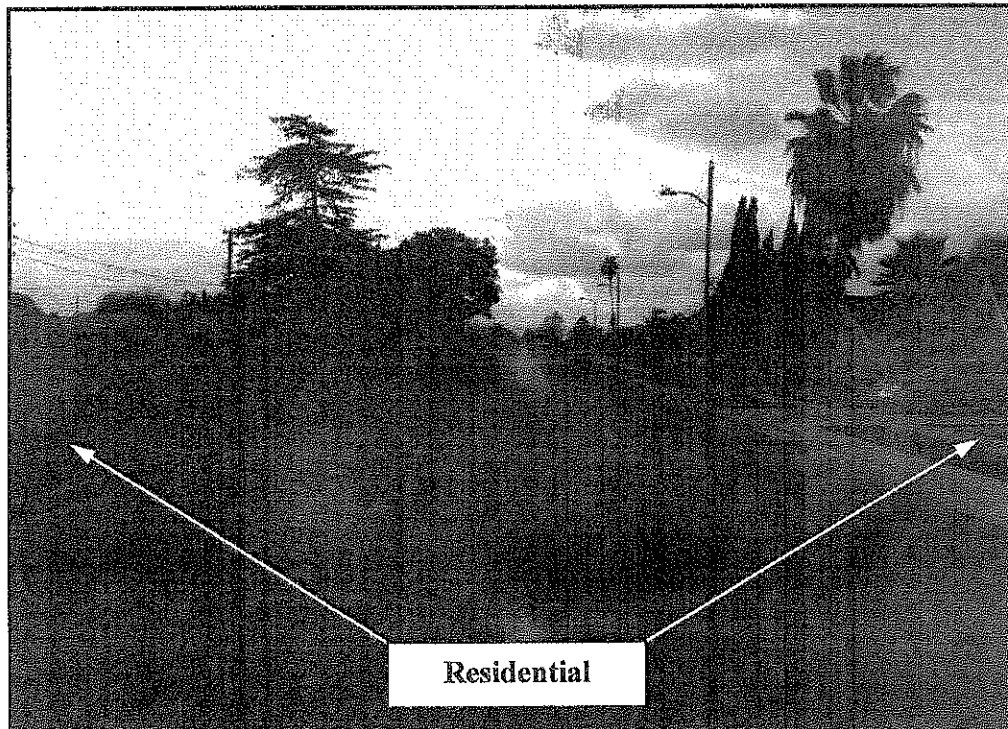
Wasco Road is a 36-foot wide north-south local roadway with residential frontage on both sides. Lola Avenue is Wasco Road's northerly terminus (i.e., T-intersection). The two-lane roadway provides for one lane of traffic in each direction, which are not separated by any striping. The asphalt roadway is fully-improved with concrete curb, gutter, parkway and sidewalk on both sides. Wasco Road has an un-posted local *prima facie* speed limit of 25 MPH. On-street parking is allowed on both sides of the roadway. Currently, there is no traffic control signage on Wasco Road at its intersection with Lola Avenue.

See Exhibit 2 (following page) for a photo image of Wasco Road.

EXHIBIT 1

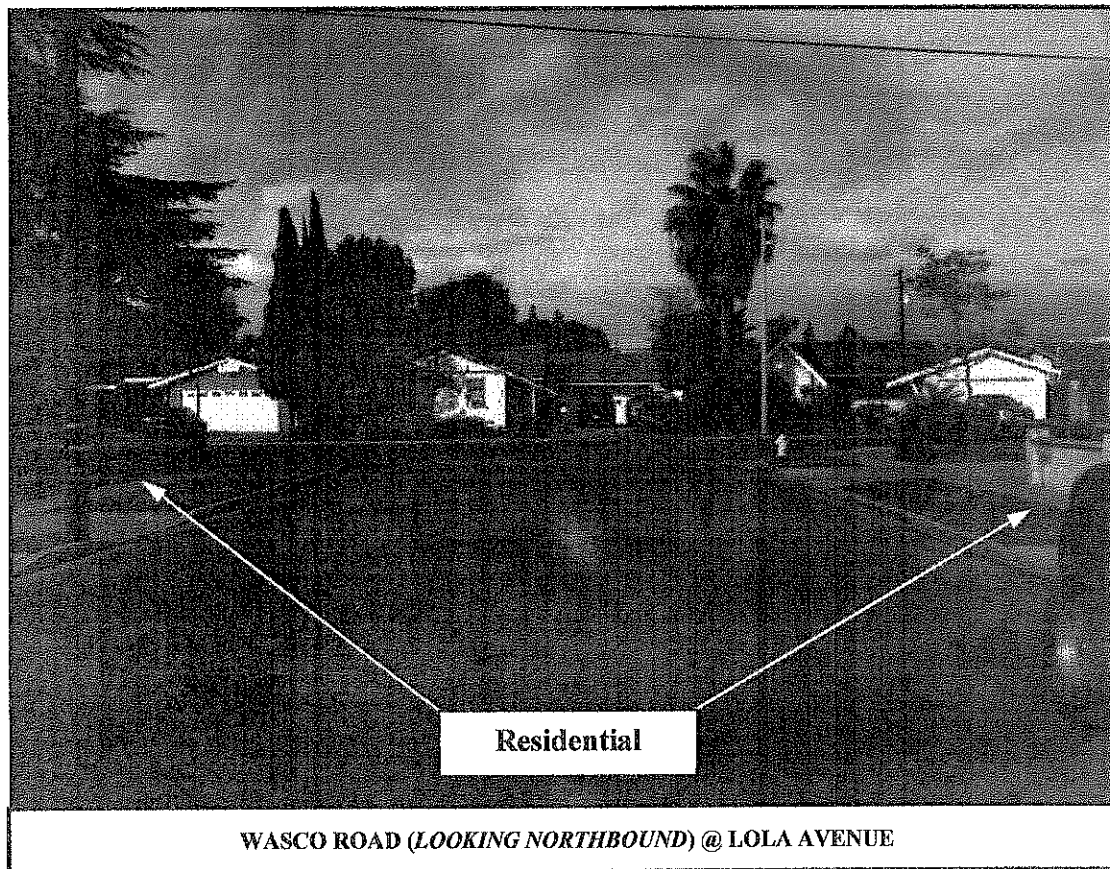


LOLA AVENUE (LOOKING EASTBOUND) @ WASCO ROAD



LOLA AVENUE (LOOKING WESTBOUND) @ WASCO ROAD

EXHIBIT 2



WARRANT GUIDELINES

As is common practice with many municipal agencies, the City of Stanton follows State guidelines for determining if traffic control devices, such as multi-way stop signs, should be installed. Therefore, the prevailing source used for this analysis is the State of California Manual of Uniform Traffic Control Devices (*California MUTCD*). The California MUTCD contains minimum guidelines regarding traffic volumes, collisions, speeds, visibility, and other criteria in order to satisfy the requirements, in this case, for the recommendation and installation of a one-way or multi-way stop.

The California MUTCD Multi-way Stop Applications Guidance criteria are described in the following four main parts:

- A) As an interim measure where traffic control signals are justified;
- B) Reported crashes – five or more in a 12-month period that are susceptible to correction by a multi-way stop installation;
- C) Minimum traffic and pedestrian volumes, speeds, and delay; and,
- D) Where a combination of the above criteria are all satisfied to 80 percent.

If any one, or a combination, of these criteria is met, then a multi-way stop application should be considered. If these criteria are not met, the installation of an unwarranted stop sign installation is typically not recommended as it may place the City in a position of potential liability.

The latest edition of the California MUTCD guidelines for Right-of-Way at Intersections, STOP Sign Applications, Multi-way Stop Applications, and Yield Sign Applications are included in Appendix A.

MULTI-WAY STOP ANALYSIS

The California MUTCD Multi-way Stop Applications section contains guidelines, such as minimum collisions and traffic volumes necessary for the justification of a multi-way stop control. The general guidelines given for a stop sign application begin with using engineering judgment for the installation of a stop sign(s) on a street entering a through highway and where high speeds on the cross street make entry difficult, or due to restricted view, or when crash records indicate a need for control by a stop sign.

Further guidance criteria found in the California MUTCD include the following important statements: ***“YIELD or STOP signs should not be used for speed control... In most cases, the street carrying the lowest volume of traffic should be controlled... A YIELD or STOP sign should not be installed on the higher volume roadway unless justified by an engineering study... Multi-way stop control is used where the volume of traffic on the intersecting roads is approximately equal.”***

Collision History

The guidelines for Multi-way Stop Applications contained in the California MUTCD regarding collisions, or crashes, require a minimum of five (5) reported crashes occurring in a 12-month period that are susceptible to correction by a multi-way stop installation in order to satisfy the collision warrant. Such crashes include right- and left-turn collisions, as well as right-angle type collisions (i.e., broadside, or head-on). The available accident history for the intersection was gathered from the California Highway Patrol (CHP) Statewide Integrated Traffic Records System (i-SWITRS). A comprehensive 5-year traffic collision history summary report was prepared and reviewed for collisions susceptible to correction by the installation of a multi-way stop. Table 1 (*next page*) provides the most recent summary of collision history occurring at or near this intersection.

All traffic collision data collected for this intersection is included in Appendix B.

Collision History (continued)

**TABLE 1
COLLISION SUMMARY**

Intersection	2009-11		2012		2013		2014	
	Date	Type of Coll. / Correctible?	Date	Type of Coll. / Correctible?	Date	Type of Coll. / Correctible?	Date	Type of Coll. / Correctible?
Lola Avenue at Wasco Road		<i>None Reported</i>		<i>None Reported</i>		<i>None Reported</i>		<i>None Reported</i>

Notes: Information above is derived per a 5-year intersection traffic collision database report provided by the CHP SWITRS (*i-SWITRS website*).

- 1) Type of Coll. = Type of Collision (*i.e., broadside, rear-end, etc.*)
- 2) Correctible? = Yes / No.

As shown, there have been (0) reported collisions at or near the intersection during the past (5) years. Since this warrant requires a minimum of (5) correctible reported crashes to occur within a 12-month period, the collision warrant is not satisfied.

Traffic Volumes

HCI collected 24-hour intersection vehicular counts to determine traffic volumes that use this intersection on a typical day (Thursday, November 20, 2014). Additionally, HCI collected a 24-hour speed traffic count on the west leg of Lola Avenue to determine the roadway speeds. The Average Daily Traffic (ADT) count for Lola Avenue is 1,359 vehicles per day with the highest AM peak-hour volume of 142 vehicles and the highest PM peak-hour volume of 113 vehicles. The ADT count for Wasco Road is 126 vehicles per day with the highest AM peak-hour volume of 15 vehicles and the highest PM peak-hour volume of 10 vehicles. Table 2 below provides a breakdown of the approach volumes.

All traffic volume data collected for this intersection is included in Appendix C.

Traffic Volumes (continued)

TABLE 2
HIGHEST 24-HOUR INTERSECTION APPROACH VEHICLE COUNTS

Street	Direction	ADT Volume	Directional Split	Highest Hourly Volume
Lola Avenue	Eastbound	612	55%	59 (4:00–5:00PM)
	Westbound	747	45%	95 (7:00–8:00AM)
Wasco Road	Northbound	126	100%	15 (7:00–8:00AM)

Lola Avenue is considered the ‘through’ or ‘major’ street due to the roadway traffic volumes, its intersection geometry connecting to collector/arterial roadways, as well as northbound Wasco Road traffic being required to slow or stop at the intersection before proceeding left or right. It can be expected that the traffic volumes on the minor street are considerably less than those on the major street. As can be seen from the table above, this is the case, as Wasco Road carries approximately (9%) of the entire traffic entering the intersection, while Lola Avenue carries approximately (91%).

A part of the California MUTCD guideline criteria also calls for a reduction in the required minimum volumes when the critical approach speed (*or 85th-percentile speed*) on the major street exceeds 40 MPH. If this is the case, the minimum vehicular volumes to be met for a multiway stop installation are reduced to 70%.

As both roadways have either a posted or local *prima facie* residential speed limit of 25 MPH. Typically, the 85th-percentile speeds are slightly higher than the posted speeds, and as such, the 24-hour speed count data collected on Lola Avenue resulted in an 85th percentile of 32 MPH. Since either posted or 85th percentile speeds did not exceed 40 MPH, the 70% minimum volumes for a multi-way stop sign analysis are not applicable, and the 100% minimum volumes were analyzed below.

Traffic Volumes (continued)

It is important to note that the hourly vehicle traffic counts shown in Table 2 are given for the highest hour of traffic for each direction, and serve as a good indicator to compare with the required minimum hourly traffic volumes in the California MUTCD Multi-way Stop guidelines. It should also be mentioned that the average hourly minimum volumes for a multi-way stop application [*average 300 vehicles from both approaches on major street and 200 on the minor street*] are to be satisfied for any eight (8) hours of an average day (not just for one hour).

Table 3 below shows the California MUTCD minimum traffic volume guidelines for a Multi-way Stop Application in comparison with the highest 8-hour traffic count data at this intersection. Both Parts 1 and 2 of the minimum volume warrants below must be satisfied in order to fulfill either of these traffic volume warrants.

TABLE 3
MULTIWAY STOP SIGN WARRANT FOR MINIMUM TRAFFIC VOLUMES
LOLA AVENUE AT WASCO ROAD

<p style="text-align: center;">Part 1.</p> <p>The vehicular volume entering the intersection from the major street approaches (total of both approaches) averages at least 300 vehicles per hour for any (8) hours of an average day,</p> <p style="text-align: center;">Results:</p> <p>No, average (103) vehicles per hour</p> <p>Meets 34% of required average major street hourly traffic volumes</p>	<i>and</i>	<p style="text-align: center;">Part 2.</p> <p>The combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) averages at least 200 units per hour for the same (8) hours, with an average delay to minor-street vehicular traffic of at least 30 seconds per vehicle during the highest hour,</p> <p style="text-align: center;">Results:</p> <p>No, average (9) vehicles per hour</p> <p>Meets 5% of required minor street hourly traffic volumes</p>	<i>but</i>	<p style="text-align: center;">Part 3.</p> <p>If the 85th-percentile approach speed of the major-street traffic exceeds 40 mph, the minimum vehicular volume warrants are (70) percent of the above values.</p> <p style="text-align: center;">Results: No < 40 MPH</p> <p>No, both posted and 85th percentile speeds are under 40mph</p>
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As shown above, the average hourly intersection approach traffic volumes did not satisfy both Parts 1 and 2 required volumes (34% major street / 9% minor street). It should be mentioned, pedestrians and bicycle volumes were not included in the data collection. However, it may reasonably be assumed that the average intersection volumes for the highest 8-hour period are low and not close to meeting the minimum guidelines even if they were added. Consequently, the traffic volume warrant is not considered satisfied at this time.

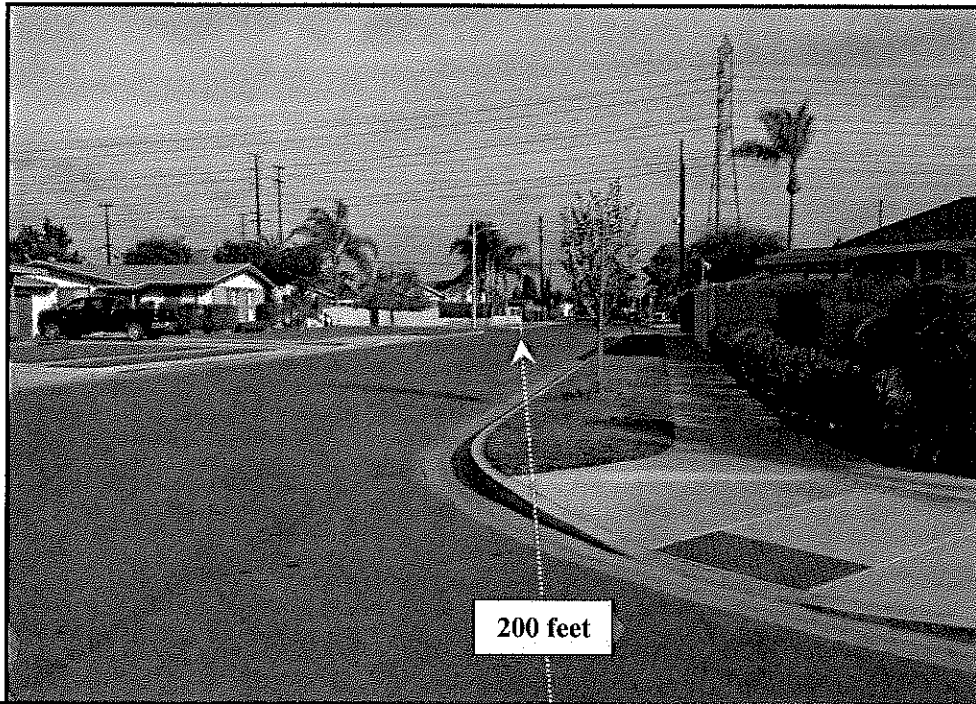
Speeds

As mentioned, Lola Avenue has a posted speed limit of 25 MPH, and Wasco Road has a local *prima facie* residential speed limit of 25 MPH. As mentioned, HCI also collected a 24-hour speed traffic count on the west leg of Lola Avenue, which resulted in an 85th percentile speed of 32 MPH. These speeds do correspond to the speeds that may be expected on a two-lane local collector roadway. Additionally, field observations showed that vehicles were not regularly speeding over this speed limit near the intersection, and were found typical of an urbanized two-lane local roadway environment.

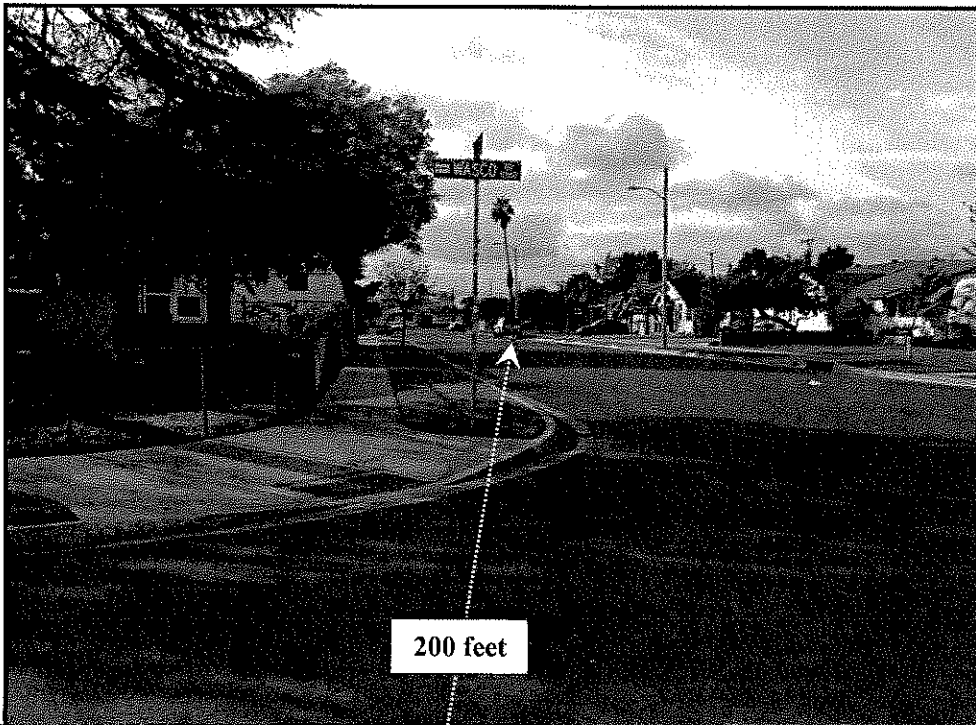
Visibility

Impaired visibility, or sight distance, due to the geometry of the intersection and possible obstructions was carefully considered during the field-review of the surrounding urban residential environment. The geometry of the intersection does not have horizontal or vertical curvature to account for; consequently, it was determined that special traffic signage for improved visibility or advanced signage was not required. A driver's sight distance was measured from Wasco Road. The measured distances were derived from the stopping sight distance guidelines found in the California MUTCD (*see Appendix D*). In this reference, a 25 MPH roadway speed recommends a minimum Stopping Sight Distance of 155 feet; however, HCI used 30 MPH (posted speed+5 MPH) which recommends a minimum Stopping Sight Distance of 200 feet. More specifically, the 200-foot stopping sight distance was field-measured from a typical 'stopped' vehicle location on Wasco Road towards the oncoming lanes of traffic on Lola Avenue. An orange cone was set at this minimum distance from the side-street vehicle position. A photograph was then taken from the stopped vehicle's perspective. (*See sight distance photos in Exhibit 3 on the following page*). As shown, both directions had a clear line of sight to the cone and met the minimum stopping sight distance guideline. However, it is noted that although sufficient sight distance was provided during our site visit (since there were no parked vehicles), sight distance could be impaired if vehicles park on the street near the intersection due to unrestricted on-street parking. On-street parking restrictions may be recommended to ensure visibility.

EXHIBIT 3



ON WASCO ROAD (LOOKING EAST) @ LOLA AVENUE



ON WASCO ROAD (LOOKING WEST) @ LOLA AVENUE

MULTIWAY STOP ANALYSIS SUMMARY

The analysis of the four (4) main criteria provided in the California MUTCD regarding Multi-way Stop Applications showed that this intersection did not meet the minimum guidelines to justify stopping the major roadway. The four main criteria analyzed were: 1) As an interim measure where traffic control signals are justified; 2) Reported collisions – a correctible crash problem; 3) Traffic and pedestrian volumes, speeds, and delay; and 4) Where a combination of the above criteria are satisfied to 80 percent.

In summary, the collision history at the intersection resulted in (0) SWITRS-reported collisions during the last (5) years, where the minimum guideline calls for at least five (5) correctible collisions in a 12-month period. The average minimum hourly traffic volume guidelines that are to be satisfied for any eight (8) hours in an average day for a multi-way stop were also not close to being satisfied. Excessive delay to the minor roadway (Wasco Road) was not observed in terms of waiting for a gap on the major roadway (Lola Avenue). Therefore, since intersection collision history and traffic volumes did not satisfy the minimum guidelines, it can also be derived that a traffic signal is not justified at this intersection. The 80% combined criteria were also not met as both the collision history and the minimum traffic volumes guidelines were not satisfied to this percentage.

However, engineering judgment should always be included in any decision regarding traffic safety improvements. In terms of other factors such as speeds, intersection geometry, and visibility, it was determined that this intersection did not require special signage or further traffic control measures to account for impaired sight distance. However, it is noted that although sufficient visibility was provided during our site visit (since there were no parked vehicles), sight distance could be impaired if vehicles park on the street near the intersection due to unrestricted on-street parking conditions. If adjacent parking is found to be an issue, it is recommended to restrict parking on the south side of Lola Avenue, approximately 65 feet from the curb return, to ensure visibility for vehicles traveling on Lola Avenue, as well as vehicles on Wasco Road.

MULTIWAY STOP ANALYSIS SUMMARY (continued)

Further intersection information was obtained from the field in regards to pedestrian and bicycle activity. Field observations confirmed a low-to-moderate activity of both. Additionally, intersection lighting was verified and found to be adequate as there was typical local roadway lighting on one street light pole located on the northeast corner area. As a result, at this time engineering judgment does not support a multiway stop sign installation at this intersection.

As this intersection currently has no traffic control, if a stop sign were further considered, in most cases the roadway carrying the lowest volume of traffic (Wasco Road) should be controlled. Moreover, in terms of right-of-way, the California MUTCD guidelines provide for the use of STOP signs on a street entering a designated through street. At this location, Wasco Road enters Lola Avenue, which acts as a through collector street leading to the collector/arterial roadways of Dale Street and Magnolia Avenue. Therefore, at minimum, a one-way STOP sign installation controlling Wasco Road may be considered.

CONCLUSION / RECOMMENDATION

In overall consideration of the existing conditions at the intersection of Lola Avenue and Wasco Road, a one-way stop sign installation on Wasco Road is recommended in order to better define right-of-way at this T-intersection. If approved by the City, the cost for installation of a one-way stop sign installation, including design, administration, and construction, is estimated at \$1,300.00.

If the City may find that on-street parking may contribute to a sight-distance issue, it is recommended to restrict parking on the south side of Lola Avenue, for at least 65 feet from the curb returns, to ensure visibility for both vehicles traveling on Lola Avenue, as well as stopped vehicles on Wasco Road.

APPENDIX A

**MULTIWAY STOP APPLICATIONS
GUIDELINES:**

CALIFORNIA MUTCD

Standard:

03 Except as provided in Paragraphs 4 and 5, the minimum sizes for regulatory signs facing traffic on multi-lane conventional roads shall be as shown in the Multi-lane column of Table 2B-1 and 2B-1(CA).

Option:

04 Where the posted speed limit is 35 mph or less on a multi-lane highway or street, other than for a STOP sign, the minimum size shown in the Single Lane column in Table 2B-1 and 2B-1(CA) may be used.

05 Where a regulatory sign, other than a STOP sign, is placed on the left-hand side of a multi-lane roadway in addition to the installation of the same regulatory sign on the right-hand side of the roadway, the size shown in the Single Lane column in Table 2B-1 and 2B-1(CA) may be used for both the sign on the right-hand side and the sign on the left-hand side of the roadway.

Standard:

06 A minimum size of 36 x 36 inches shall be used for STOP signs that face multi-lane approaches.

07 Where side roads intersect a multi-lane street or highway that has a speed limit of 45 mph or higher, the minimum size of the STOP signs facing the side road approaches, even if the side road only has one approach lane, shall be 36 x 36 inches.

08 Where side roads intersect a multi-lane street or highway that has a speed limit of 40 MPH or lower, the minimum size of the STOP signs facing the side road approaches shall be as shown in the Single Lane or Multi-lane columns of Table 2B-1 and 2B-1(CA) based on the number of approach lanes on the side street approach.

Guidance:

09 The minimum sizes for regulatory signs facing traffic on exit and entrance ramps should be as shown in the column of Table 2B-1 and 2B-1(CA) that corresponds to the mainline roadway classification (Expressway or Freeway). If a minimum size is not provided in the Freeway column, the minimum size in the Expressway column should be used. If a minimum size is not provided in the Freeway or Expressway Column, the size in the Oversized column should be used.

Section 2B.04 Right-of-Way at Intersections

Support:

01 State or local laws written in accordance with the "Uniform Vehicle Code" (see Section 1A.11) establish the right-of-way rule at intersections having no regulatory traffic control signs such that the driver of a vehicle approaching an intersection must yield the right-of-way to any vehicle or pedestrian already in the intersection. When two vehicles approach an intersection from different streets or highways at approximately the same time, the right-of-way rule requires the driver of the vehicle on the left to yield the right-of-way to the vehicle on the right. The right-of-way can be modified at through streets or highways by placing YIELD (R1-2) signs (see Sections 2B.08 and 2B.09) or STOP (R1-1) signs (see Sections 2B.05 through 2B.07) on one or more approaches.

Guidance:

02 Engineering judgment should be used to establish intersection control. The following factors should be considered:

- A. Vehicular, bicycle, and pedestrian traffic volumes on all approaches;*
- B. Number and angle of approaches;*
- C. Approach speeds;*
- D. Sight distance available on each approach; and*
- E. Reported crash experience.*

03 YIELD or STOP signs should be used at an intersection if one or more of the following conditions exist:

- A. An intersection of a less important road with a main road where application of the normal right-of-way rule would not be expected to provide reasonable compliance with the law;**
- B. A street entering a designated through highway or street, and/or;**
- C. An unsignalized intersection in a signalized area.**

04 In addition, the use of YIELD or STOP signs should be considered at the intersection of two minor streets or local roads where the intersection has more than three approaches and where one or more of the following conditions exist:

A. The combined vehicular, bicycle, and pedestrian volume entering the intersection from all approaches averages more than 2,000 units per day;

B. The ability to see conflicting traffic on an approach is not sufficient to allow a road user to stop or yield in compliance with the normal right-of-way rule if such stopping or yielding is necessary; and/or

C. Crash records indicate that five or more crashes that involve the failure to yield the right-of-way at the intersection under the normal right-of-way rule have been reported within a 3-year period, or that three or more such crashes have been reported within a 2-year period;

05 YIELD or STOP signs should not be used for speed control.

Support:

06 Section 2B.07 contains provisions regarding the application of multi-way STOP control at an intersection.

Guidance:

07 Once the decision has been made to control an intersection, the decision regarding the appropriate roadway to control should be based on engineering judgment. In most cases, the roadway carrying the lowest volume of traffic should be controlled.

08 A YIELD or STOP sign should not be installed on the higher volume roadway unless justified by an engineering study.

Support:

09 The following are considerations that might influence the decision regarding the appropriate roadway upon which to install a YIELD or STOP sign where two roadways with relatively equal volumes and/or characteristics intersect:

A. Controlling the direction that conflicts the most with established pedestrian crossing activity or school walking routes;

B. Controlling the direction that has obscured vision, dips, or bumps that already require drivers to use lower operating speeds; and

C. Controlling the direction that has the best sight distance from a controlled position to observe conflicting traffic.

Standard:

10 Because the potential for conflicting commands could create driver confusion, YIELD or STOP signs shall not be used in conjunction with any traffic control signal operation., except in the following cases:

A. If the signal indication for an approach is a flashing red at all times;

B. If a minor street or driveway is located within or adjacent to the area controlled by the traffic control signal, but does not require separate traffic signal control because an extremely low potential for conflict exists; or

C. If a channelized turn lane is separated from the adjacent travel lanes by an island and the channelized turn lane is not controlled by a traffic control signal.

10a STOP signs shall not be erected at any entrance to an intersection controlled by traffic signals. Refer to CVC 21355(a).

Option:

10b YIELD or STOP signs may be used at a channelized turn lane if it is separated from the adjacent travel lanes moving in same direction by an island and the channelized turn lane is not controlled by a traffic control signal.

Standard:

11 Except as provided in Section 2B.09, STOP signs and YIELD signs shall not be installed on different approaches to the same unsignalized intersection if those approaches conflict with or oppose each other.

12 Portable or part-time STOP or YIELD signs shall not be used except for emergency and temporary traffic control zone purposes.

13 A portable or part-time (folding) STOP sign that is manually placed into view and manually removed from view shall not be used during a power outage to control a signalized approach unless the maintaining agency establishes that the signal indication that will first be displayed to that approach upon restoration of power is a flashing red signal indication and that the portable STOP sign will be manually removed from view prior to stop-and-go operation of the traffic control signal.

Option:

¹⁴ A portable or part-time (folding) STOP sign that is electrically or mechanically operated such that it only displays the STOP message during a power outage and ceases to display the STOP message upon restoration of power may be used during a power outage to control a signalized approach.

Support:

¹⁵ Section 9B.03 contains provisions regarding the assignment of priority at a shared-use path/ roadway intersection.

Section 2B.05 STOP Sign (R1-1) and ALL WAY Plaque (R1-3P)

Standard:

⁰¹ When it is determined that a full stop is always required on an approach to an intersection, a STOP (R1-1) sign (see Figure 2B-1) shall be used.

⁰² The STOP sign shall be an octagon with a white legend and border on a red background.

⁰³ Secondary legends shall not be used on STOP sign faces.

⁰⁴ At intersections where all approaches are controlled by STOP signs (see Section 2B.07), an ALL WAY supplemental plaque (R1-3P) shall be mounted below each STOP sign. The ALL WAY plaque (see Figure 2B-1) shall have a white legend and border on a red background.

⁰⁵ The ALL WAY plaque shall only be used if all intersection approaches are controlled by STOP signs.

⁰⁶ Supplemental plaques with legends such as 2-WAY, 3-WAY, 4-WAY, or other numbers of ways shall not be used with STOP signs.

Support:

⁰⁷ The use of the CROSS TRAFFIC DOES NOT STOP (W4-4P) plaque (and other plaques with variations of this word message) is described in Section 2C.59.

Guidance:

⁰⁸ Plaques with the appropriate alternative messages of *TRAFFIC FROM LEFT (RIGHT) DOES NOT STOP (W4-4aP)* or *ONCOMING TRAFFIC DOES NOT STOP (W4-4bP)* should be used at intersections where STOP signs control all but one approach to the intersection, unless the only non-stopped approach is from a one-way street.

Option:

⁰⁹ An EXCEPT RIGHT TURN (R1-10P) plaque (see Figure 2B-1) may be mounted below the STOP sign if an engineering study determines that a special combination of geometry and traffic volumes is present that makes it possible for right-turning traffic on the approach to be permitted to enter the intersection without stopping.

Support:

¹⁰ The design and application of Stop Beacons are described in Section 4L.05.

¹¹ A STOP (R1-1) sign is not a "cure-all" and is not a substitute for other traffic control devices. Often, the need for a STOP (R1-1) sign can be eliminated if the sight distance is increased by removing obstructions.

Through Highways

Option:

¹² STOP (R1-1) signs may be installed either at or near the entrance to a State highway, except at signalized intersections, or at any location so as to control traffic within an intersection. Refer to CVC 21352 and 21355. See Section 1A.11 for information regarding this publication.

Support:

¹³ When STOP (R1-1) signs or traffic control signals have been erected at all entrances, a highway constitutes a through highway. Refer to CVC 600.

¹⁴ Authority to place STOP (R1-1) signs facing State highway traffic is delegated to the Caltrans District Directors.

Option:

¹⁵ Local authorities may designate any highway under their jurisdiction as a through highway and install STOP (R1-1) signs in a like manner. Refer to CVC 21354.

Standard:

¹⁶ No local authority shall erect or maintain any STOP (R1-1) sign or other traffic control device requiring a stop, on any State highway, except by permission of Caltrans. Refer to CVC 21353.

Support:

17 Caltrans will grant such permission only when an investigation indicates that the STOP (R1-1) sign will benefit traffic.

Section 2B.06 STOP Sign Applications

Guidance:

- 01 At intersections where a full stop is not necessary at all times, consideration should first be given to using less restrictive measures such as YIELD signs (see Sections 2B.08 and 2B.09).
- 02 The use of STOP signs on the minor street approaches should be considered if engineering judgment indicates that a stop is always required because of one or more of the following conditions:
 - A The vehicular traffic volumes on the through street or highway exceed 6,000 vehicles per day.
 - B A restricted view exists that requires road users to stop in order to adequately observe conflicting traffic on the through street or highway, and/or
 - C Crash records indicate that three or more crashes that are susceptible to correction by the installation of a STOP sign have been reported within a 12-month period, or that five or more such crashes have been reported within a 2-year period. Such crashes include right-angle collisions involving road users on the minor street approach failing to yield the right-of-way to traffic on the through street or highway.

Support:

03 The use of STOP signs at grade crossings is described in Sections 8B.04 and 8B.05.

Section 2B.07 Multi-Way Stop Applications

Support:

01 Multi-way stop control can be useful as a safety measure at intersections if certain traffic conditions exist. Safety concerns associated with multi-way stops include pedestrians, bicyclists, and all road users expecting other road users to stop. Multi-way stop control is used where the volume of traffic on the intersecting roads is approximately equal.

02 The restrictions on the use of STOP signs described in Section 2B.04 also apply to multi-way stop applications.

Guidance:

- 03 The decision to install multi-way stop control should be based on an engineering study.
- 04 The following criteria should be considered in the engineering study for a multi-way STOP sign installation:
 - A Where traffic control signals are justified, the multi-way stop is an interim measure that can be installed quickly to control traffic while arrangements are being made for the installation of the traffic control signal.
 - B Five or more reported crashes in a 12-month period that are susceptible to correction by a multi-way stop installation. Such crashes include right-turn and left-turn collisions as well as right-angle collisions.
 - C Minimum volumes:
 - 1 The vehicular volume entering the intersection from the major street approaches (total of both approaches) averages at least 300 vehicles per hour for any 8 hours of an average day, and
 - 2 The combined vehicular, pedestrian, and bicycle volume entering the intersection from the minor street approaches (total of both approaches) averages at least 200 units per hour for the same 8 hours, with an average delay to minor-street vehicular traffic of at least 30 seconds per vehicle during the highest hour, but
 - 3 If the 85th-percentile approach speed of the major-street traffic exceeds 40 mph, the minimum vehicular volume warrants are 70 percent of the values provided in Items 1 and 2.
 - D Where no single criterion is satisfied, but where Criteria B, C 1, and C 2 are all satisfied to 80 percent of the minimum values, Criterion C 3 is excluded from this condition.

Option:

- 05 Other criteria that may be considered in an engineering study include:
 - A The need to control left-turn conflicts;
 - B The need to control vehicle/pedestrian conflicts near locations that generate high pedestrian volumes;
 - C Locations where a road user, after stopping, cannot see conflicting traffic and is not able to negotiate the intersection unless conflicting cross traffic is also required to stop; and

D. An intersection of two residential neighborhood collector (through) streets of similar design and operating characteristics where multi-way stop control would improve traffic operational characteristics of the intersection.

Section 2B.08 YIELD Sign (R1-2)

Standard:

01 The YIELD (R1-2) sign (see Figure 2B-1) shall be a downward-pointing equilateral triangle with a wide red border and the legend YIELD in red on a white background.

Support:

02 The YIELD sign assigns right-of-way to traffic on certain approaches to an intersection. Vehicles controlled by a YIELD sign need to slow down to a speed that is reasonable for the existing conditions or stop when necessary to avoid interfering with conflicting traffic.

Section 2B.09 YIELD Sign Applications

Option:

01 YIELD signs may be installed:

A. On the approaches to a through street or highway where conditions are such that a full stop is not always required.

B. At the second crossroad of a divided highway, where the median width at the intersection is 30 feet or greater. In this case, a STOP or YIELD sign may be installed at the entrance to the first roadway of a divided highway, and a YIELD sign may be installed at the entrance to the second roadway.

C. For a channelized turn lane that is separated from the adjacent travel lanes by an island, even if the adjacent lanes at the intersection are controlled by a highway traffic control signal or by a STOP sign.

D. At an intersection where a special problem exists and where engineering judgment indicates the problem to be susceptible to correction by the use of the YIELD sign.

E. Facing the entering roadway for a merge-type movement if engineering judgment indicates that control is needed because acceleration geometry and/or sight distance is not adequate for merging traffic operation.

Standard:

02 A YIELD (R1-2) sign shall be used to assign right-of-way at the entrance to a roundabout. YIELD signs at roundabouts shall be used to control the approach roadways and shall not be used to control the circulatory roadway.

03 Other than for all of the approaches to a roundabout, YIELD signs shall not be placed on all of the approaches to an intersection.

Section 2B.10 STOP Sign or YIELD Sign Placement

Standard:

01 The STOP or YIELD sign shall be installed on the near side of the intersection on the right-hand side of the approach to which it applies. When the STOP or YIELD sign is installed at this required location and the sign visibility is restricted, a Stop Ahead sign (see Section 2C.36) shall be installed in advance of the STOP sign or a Yield Ahead sign (see Section 2C.36) shall be installed in advance of the YIELD sign.

02 The STOP or YIELD sign shall be located as close as practical to the intersection it regulates, while optimizing its visibility to the road user it is intended to regulate.

02a YIELD signs shall not be erected upon the approaches to more than one of the intersecting streets. Refer to CVC 21356.

03 STOP signs and YIELD signs shall not be mounted on the same post.

04 No items other than inventory stickers, sign installation dates, and bar codes shall be affixed to the fronts of STOP or YIELD signs, and the placement of these items shall be in the border of the sign.

05 No items other than official traffic control signs, inventory stickers, sign installation dates, anti-vandalism stickers, and bar codes shall be mounted on the backs of STOP or YIELD signs.

06 No items other than retroreflective strips (see Section 2A.21) or official traffic control signs shall be mounted on the fronts or backs of STOP or YIELD sign supports.

APPENDIX B

SWITRS COLLISION HISTORY

City of Stanton
SWITRS Collision Database
Jan. 1, 2009 - Sep. 30, 2014
Intersection of Lola Avenue and Wasco Road

CASE ID	DATE	TIME	COLLISION	COLL.	PRIMARY ROAD	SECONDARY ROAD	DISTANCE	DIRECTION	INTERSECTION	WEATHER	COLL. SEVERITY	PRIMARY COLL. FACTOR	PCF VIOL. CAT.	PCF VIOL.	HIT AND RUN	TYPE OF COLL.	MOTOR VEHICLE INVOLVED WITH	ROAD SURF.
NO COLLISIONS REPORTED.																		

NOTES:

Weather 1	Collision Severity	Primary Collision Factor	PCF Violation Category	Hit and Run	Type of Collision
A - Clear	1 - Fatal	A - (Vehicle) Code Violation	01 - Driving or Bicycling Under Influence	F - Felony	A - Head-On
B - Cloudy	2 - Injury (Severe)	B - Other Improper Driving	02 - Impeding Traffic	M - Misdemeanor	B - Sideswipe
C - Raining	3 - Injury (Other Visible)	C - Other Than Driver	03 - Unsafe Speed	N - Not Hit & Run	C - Rear-End
D - Snowing	4 - Injury (Complaint of Pain)	D - Unknown	04 - Following Too Closely		D - Broadside
E - Fog	0 - PDO (Property Damage Only)	E - Fell Asleep	05 - Wrong Side of Road		E - Hit Object
F - Other		-- Not Stated	06 - Improper Passing		F - Overturned
G - Wind			07 - Unsafe Lane Change		G - Vehicle/Pedestrian
-- Not Stated			08 - Improper Turning		H - Other
			09 - Automobile ROW		-- Not Stated
			10 - Pedestrian ROW		
	Motor Vehicle Involved With:		11 - Pedestrian Violation	Road Surface	
	A - Non-Collision		12 - Traffic Signals and Signs	A - Dry	
	B - Pedestrian		13 - Hazardous Parking	B - Wet	
	C - Other Motor Vehicle		14 - Lights	C - Snowy or Icy	
	D - Motor Vehicle on Other Roadway		15 - Brakes	D - Slippery	
	E - Parked Motor Vehicle		16 - Other Equipment	-- Not Stated	
	F - Train		17 - Other Hazardous Violation		
	G - Bicycle		18 - Other Than Driver (or Ped)		
	H - Animal		19 -		
	I - Fixed Object		20 -		
	J - Other Object		21 - Unsafe Starting or Backing		
	-- Not Stated		22 - Other Improper Driving		
			23 - Pedestrian or "Other" Under the Influence		
			24 - Fell Asleep		
			00 - Unknown		
			-- Not Stated		

APPENDIX C

AVERAGE DAILY TRAFFIC (ADT)

INTERSECTION COUNT DATA

&

24-HOUR SPEED COUNTS ON LOLA AVENUE

Prepared by NDS/ATD

VOLUME

Wasco Rd S/O Lola Ave

Day: Thursday
Date: 11/20/2014City: Stanton
Project #: CA14_1307_001

DAILY TOTALS					NB	SB	EB		WB		Total
					126	112	0		0		238
AM Period	NB	SB	EB	WB	TOTAL	PM Period	NB	SB	EB	WB	TOTAL
00:00	0	0			0	12:00	0	1			1
00:15	0	1			1	12:15	1	0			1
00:30	0	0			0	12:30	3	2			5
00:45	0	0	1		1	12:45	4	8	2	5	19
01:00	0	0			0	13:00	0	2			2
01:15	0	0			0	13:15	3	0			3
01:30	0	0			0	13:30	3	1			4
01:45	0	0			0	13:45	1	7	2	5	15
02:00	0	0			0	14:00	1	4			5
02:15	0	1			1	14:15	5	1			6
02:30	0	0			0	14:30	1	2			3
02:45	0	0	1		1	14:45	3	10	1	8	22
03:00	0	0			0	15:00	2	2			4
03:15	0	0			0	15:15	5	0			5
03:30	1	1			2	15:30	3	0			3
03:45	0	1	0	1	2	15:45	0	10	2	4	16
04:00	1	0			1	16:00	1	5			6
04:15	0	0			0	16:15	3	5			8
04:30	1	0			1	16:30	1	2			3
04:45	1	3	0		4	16:45	3	8	2	14	27
05:00	1	0			1	17:00	2	3			5
05:15	0	0			0	17:15	2	1			3
05:30	1	1			2	17:30	1	3			4
05:45	2	4	0	1	7	17:45	1	6	4	11	22
06:00	1	1			2	18:00	2	1			3
06:15	2	1			3	18:15	1	2			3
06:30	2	0			2	18:30	4	3			7
06:45	4	9	4	6	17	18:45	0	7	2	8	17
07:00	1	0			1	19:00	4	2			6
07:15	3	1			4	19:15	1	3			4
07:30	8	1			9	19:30	2	4			6
07:45	3	15	0	2	18	19:45	2	9	3	12	26
08:00	0	3			3	20:00	1	0			1
08:15	2	1			3	20:15	0	2			2
08:30	0	0			0	20:30	3	2			5
08:45	1	3	0	4	8	20:45	2	6	3	7	18
09:00	1	1			2	21:00	1	1			2
09:15	1	1			2	21:15	0	0			0
09:30	2	1			3	21:30	0	0			0
09:45	2	6	0	3	11	21:45	2	3	1	2	8
10:00	1	0			1	22:00	0	1			1
10:15	1	0			1	22:15	1	1			2
10:30	2	4			6	22:30	0	2			2
10:45	2	6	2	6	16	22:45	0	1	1	5	6
11:00	2	2			4	23:00	0	1			1
11:15	0	1			1	23:15	0	0			0
11:30	0	1			1	23:30	1	1			2
11:45	1	3	0	4	8	23:45	0	1	0	2	3
TOTALS	50	29			79	TOTALS	76	83			159
SPLIT %	63.3%	36.7%			33.2%	SPLIT %	47.8%	52.2%			66.8%

DAILY TOTALS					NB	SB	EB	WB	Total
					126	112	0	0	238
AM Peak Hour	06:45	10:30	06:45	PM Peak Hour	14:45	15:45	16:00		
AM Pk Volume	16	9	22	PM Pk Volume	13	14	22		
Pk Hr Factor	0.500	0.563	0.611	Pk Hr Factor	0.650	0.700	0.688		
7 - 9 Volume	18	6	24	4 - 6 Volume	14	25	39		
7 - 9 Peak Hour	07:00	07:15	07:15	4 - 6 Peak Hour	16:15	16:00	16:00		
7 - 9 Pk Volume	15	5	19	4 - 6 Pk Volume	9	14	22		
Pk Hr Factor	0.469	0.417	0.528	Pk Hr Factor	0.750	0.700	0.688		

Prepared by NDS/ATD

VOLUME

Lola Ave E/O Wasco Rd

Day: Thursday

Date: 11/20/2014

City: Stanton

Project #: CA14_1307_002

DAILY TOTALS					NB	SB	EB		WB		Total
					0	0	637	747			1,384
AM Period	NB	SB	EB	WB	TOTAL	PM Period	NB	SB	EB	WB	TOTAL
00:00			1	4	5	12:00			12	4	16
00:15			2	3	5	12:15			5	5	10
00:30			0	3	3	12:30			6	6	12
00:45			1	4	5	12:45			8	31	39
01:00			0	0	0	13:00			8	9	17
01:15			1	1	2	13:15			11	10	21
01:30			2	2	4	13:30			8	7	15
01:45			1	4	5	13:45			9	36	45
02:00			1	1	2	14:00			7	13	20
02:15			0	1	1	14:15			7	18	25
02:30			0	2	2	14:30			14	14	28
02:45			0	1	1	14:45			21	49	70
03:00			2	0	2	15:00			9	15	24
03:15			1	0	1	15:15			7	7	14
03:30			1	0	1	15:30			15	10	25
03:45			1	5	6	15:45			9	40	49
04:00			0	1	1	16:00			18	15	33
04:15			3	1	4	16:15			14	18	32
04:30			1	0	1	16:30			11	11	22
04:45			2	6	8	16:45			12	55	67
05:00			3	0	3	17:00			12	16	28
05:15			0	5	5	17:15			17	16	33
05:30			2	6	8	17:30			14	15	29
05:45			6	11	17	17:45			16	59	75
06:00			7	5	12	18:00			15	9	24
06:15			8	7	15	18:15			15	18	33
06:30			7	7	14	18:30			12	25	37
06:45			8	30	38	18:45			11	53	64
07:00			8	9	17	19:00			14	9	23
07:15			13	15	28	19:15			8	13	21
07:30			20	46	66	19:30			8	9	17
07:45			11	52	63	19:45			8	38	46
08:00			12	11	23	20:00			3	5	8
08:15			9	9	18	20:15			12	7	19
08:30			7	7	14	20:30			7	7	14
08:45			3	31	34	20:45			9	31	40
09:00			5	5	10	21:00			7	7	14
09:15			4	9	13	21:15			5	3	8
09:30			2	4	6	21:30			4	10	14
09:45			7	18	25	21:45			5	21	26
10:00			4	6	10	22:00			1	2	3
10:15			3	6	9	22:15			5	4	9
10:30			6	4	10	22:30			2	4	6
10:45			4	17	21	22:45			7	15	22
11:00			11	8	19	23:00			3	3	6
11:15			7	7	14	23:15			3	4	7
11:30			2	11	13	23:30			1	2	3
11:45			2	22	24	23:45			1	8	9
TOTALS			201	284	485	TOTALS			436	463	899
SPLIT %			41.4%	58.6%	35.0%	SPLIT %			48.5%	51.5%	65.0%

DAILY TOTALS					NB	SB	EB	WB	Total
					0	0	637	747	1,384
AM Peak Hour	07:15	07:15	07:15	PM Peak Hour	17:15	17:45	17:45		
AM Pk Volume	56	97	153	PM Pk Volume	62	64	122		
Pk Hr Factor	0.700	0.527	0.580	Pk Hr Factor	0.912	0.640	0.824		
7 - 9 Volume	83	130	213	4 - 6 Volume	114	112	226		
7 - 9 Peak Hour	07:15	07:15	07:15	4 - 6 Peak Hour	17:00	17:00	17:00		
7 - 9 Pk Volume	56	97	153	4 - 6 Pk Volume	59	59	118		
Pk Hr Factor	0.700	0.527	0.580	Pk Hr Factor	0.868	0.922	0.894		

Prepared by National Data & Surveying Services

SPEED

Lola Ave W/O Wasco Rd

Day: Thursday

Date: 11/20/2014

City: Stanton

Project #: CA14_1307_003e

East Bound

Time	< 15	15 - 19	20 - 24	25 - 29	30 - 34	35 - 39	40 - 44	45 - 49	50 - 54	55 - 59	60 - 64	65 - 69	70 +	Total
00:00 AM	0	0	1	3	1	1	0	0	0	0	0	0	0	6
01:00	0	1	1	0	2	0	0	0	0	0	0	0	0	4
02:00	0	0	0	2	0	0	0	0	0	0	0	0	0	2
03:00	0	1	2	1	2	0	0	0	0	0	0	0	0	6
04:00	0	3	2	0	0	0	0	0	0	0	0	0	0	5
05:00	0	0	5	2	2	0	0	0	0	0	0	0	0	9
06:00	1	3	13	4	3	0	0	0	0	0	0	0	0	24
07:00	3	13	9	14	7	1	0	0	0	0	0	0	0	47
08:00	4	0	6	12	7	1	0	0	0	0	0	0	0	32
09:00	1	5	3	4	1	3	0	0	0	0	0	0	0	14
10:00	0	2	7	1	4	2	1	0	0	0	0	0	0	17
11:00	1	4	2	5	5	1	1	0	0	0	0	0	0	19
12:00 PM	1	7	5	8	4	4	0	0	0	0	0	0	0	29
13:00	0	4	7	14	8	3	0	0	0	0	0	0	0	36
14:00	1	6	11	17	9	3	0	0	0	0	0	0	0	47
15:00	0	3	15	12	5	1	1	0	0	0	0	0	0	37
16:00	0	5	18	24	7	5	0	0	0	0	0	0	0	59
17:00	1	5	16	24	5	1	2	0	0	0	0	0	0	54
18:00	0	3	13	23	10	0	0	0	0	0	0	0	0	49
19:00	2	0	15	15	3	1	0	0	0	0	0	0	0	37
20:00	0	2	8	12	6	3	0	0	0	0	0	0	0	31
21:00	1	1	7	3	6	2	0	0	0	0	0	0	0	20
22:00	1	0	3	4	8	2	0	0	0	0	0	0	0	18
23:00	0	2	0	5	3	0	0	0	0	0	0	0	0	10
Totals	17	70	169	209	108	33	6	0	0	0	0	0	0	612
% of Totals	3%	11%	28%	34%	18%	5%	1%	0%	0%	0%	0%	0%	0%	100%

AM Volumes	10	37	51	48	34	3	2	0	0	0	0	0	0	185
% AM	2%	5%	8%	8%	6%	1%	0%	0%	0%	0%	0%	0%	0%	30%
AM Peak Hour	08:00	07:00	06:00	07:00	07:00	08:00	10:00							07:00
Volume	4	13	13	14	7	3	1							47
PM Volumes	7	39	118	163	74	25	4	0	0	0	0	0	0	427
% PM	1%	6%	19%	26%	12%	4%	1%	0%	0%	0%	0%	0%	0%	70%
PM Peak Hour	19:00	12:00	16:00	16:00	18:00	16:00	17:00							16:00
Volume	2	7	18	24	10	5	2							59
Directional Peak Periods	AM 7-9				NOON 12-2			PM 4-6			Off Peak Volumes			
All Speeds	Volume 79 ↔ % 13%				Volume 65 ↔ % 11%			Volume 113 ↔ % 18%			Volume 355 ↔ % 58%			

Street Name	Direction	15th	50th	Average	85th	95th	ADT
Lola Ave	East Bound	20	26	26	33	36	612
Lola Ave	West Bound	20	26	26	32	35	736

Day: Thursday
Date: 11/20/2014

Prepared by National Data & Surveying Services
SPEED
Lola Ave W/O Wasco Rd

City: Stanton
Project #: CA14_1307_003w

West Bound

Time	< 15	15 - 19	20 - 24	25 - 29	30 - 34	35 - 39	40 - 44	45 - 49	50 - 54	55 - 59	60 - 64	65 - 69	70 +	Total
00:00 AM	1	2	4	6	0	0	0	0	0	0	0	0	0	13
01:00	0	0	2	1	1	0	0	0	0	0	0	0	0	4
02:00	0	0	1	3	1	0	0	0	0	0	0	0	0	5
03:00	0	0	0	1	0	0	0	0	0	0	0	0	0	2
04:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0
05:00	1	2	1	3	1	1	0	0	0	0	0	0	0	10
06:00	1	5	11	6	5	1	0	0	0	0	0	0	0	31
07:00	4	4	22	11	5	2	0	0	0	0	0	0	0	48
08:00	1	3	6	18	19	1	0	0	0	0	0	0	0	58
09:00	1	1	7	5	7	1	0	0	0	0	0	0	0	23
10:00	3	0	6	18	7	1	0	0	0	0	0	0	0	35
11:00	1	4	6	6	7	2	0	0	0	0	0	0	0	26
12:00 PM	0	1	12	7	8	2	0	0	0	0	0	0	0	23
13:00	2	7	8	10	5	1	0	0	0	0	0	0	0	33
14:00	2	10	13	5	3	0	0	0	0	0	0	0	0	33
15:00	2	8	20	19	3	1	0	0	0	0	0	0	0	53
16:00	1	6	17	17	7	3	0	0	0	0	0	0	0	41
17:00	3	5	16	16	9	1	0	0	0	0	0	0	0	50
18:00	0	8	14	15	8	0	0	0	0	0	0	0	0	35
19:00	2	5	14	15	15	0	0	0	0	0	0	0	0	41
20:00	0	1	7	10	14	1	0	0	0	0	0	0	0	26
21:00	1	4	5	12	8	1	0	0	0	0	0	0	0	21
22:00	1	2	4	6	3	0	0	0	0	0	0	0	0	16
23:00	1	1	7	3	10	2	0	0	0	0	0	0	0	23
Totals	27	79	201	254	140	30	0	0	0	0	0	0	0	736
% of Totals	4%	11%	27%	35%	19%	4%	1%	0%	0%	0%	0%	0%	0%	100%

AM Volumes	12	21	73	113	59	17	0	0	0	0	0	0	0	299
% AM	2%	3%	10%	15%	8%	2%	0%	0%	0%	0%	0%	0%	0%	41%
AM Peak Hour	07:00	06:00	07:00	07:00	07:00	07:00	08:00	0	0	0	0	0	0	107
Volume	4	5	22	47	19	6	2	0	0	0	0	0	0	103
PM Volumes	15	58	128	141	81	19	1	0	0	0	0	0	0	437
% PM	2%	8%	17%	19%	11%	2%	0%	0%	0%	0%	0%	0%	0%	59%
PM Peak Hour	17:00	14:00	14:00	14:00	18:00	14:00	21:00	0	0	0	0	0	0	140
Volume	3	10	20	19	14	3	1	0	0	0	0	0	0	61
Directional Peak Periods														
All Speeds														
AM 7-9														
Volume 141 ↔ % 19%														
NOON 12-2														
Volume 63 ↔ % 9%														
PM 4-6														
Volume 91 ↔ % 12%														
Off Peak Volumes														
Volume 441 ↔ % 60%														
Street Name	Direction	15th	50th	Average	Percentiles									
Lola Ave	East Bound	20	26	20	25									
Lola Ave	West Bound	20	26	20	25									

Prepared by National Data & Surveying Services

SPEED

Lola Ave W/O Wasco Rd

Day: Thursday
Date: 11/20/2014

City: Stanton
Project #: CA14_1307_003

Summary

Time	< 15	15 - 19	20 - 24	25 - 29	30 - 34	35 - 39	40 - 44	45 - 49	50 - 54	55 - 59	60 - 64	65 - 69	70 +	Total
00:00 AM	1	2	5	9	1	1	0	0	0	0	0	0	0	19
01:00	0	1	3	1	3	0	0	0	0	0	0	0	0	8
02:00	0	0	1	5	1	0	0	0	0	0	0	0	0	7
03:00	0	1	3	1	2	1	0	0	0	0	0	0	0	8
04:00	0	3	2	3	1	1	0	0	0	0	0	0	0	10
05:00	0	2	6	8	7	2	0	0	0	0	0	0	0	25
06:00	2	8	24	15	8	1	0	0	0	0	0	0	0	58
07:00	7	17	31	61	26	7	1	0	0	0	0	0	0	150
08:00	5	3	12	30	14	4	2	0	0	0	0	0	0	70
09:00	2	6	10	9	8	2	0	0	0	0	0	0	0	37
10:00	3	2	13	7	12	4	1	0	0	0	0	0	0	42
11:00	2	8	14	12	10	2	2	0	0	0	0	0	0	50
12:00 PM	1	8	13	18	9	4	0	0	0	0	0	0	0	53
13:00	2	11	20	27	11	4	0	0	0	0	0	0	0	75
14:00	3	16	31	36	16	6	0	0	0	0	0	0	0	108
15:00	2	11	32	29	14	2	1	0	0	0	0	0	0	91
16:00	1	11	34	40	15	5	0	0	0	0	0	0	0	106
17:00	4	10	30	39	10	3	2	0	0	0	0	0	0	98
18:00	0	11	27	40	24	1	0	0	0	0	0	0	0	103
19:00	4	5	22	25	12	2	1	0	0	0	0	0	0	71
20:00	0	3	13	24	14	4	0	0	0	0	0	0	0	58
21:00	2	5	11	9	16	4	1	0	0	0	0	0	0	48
22:00	2	2	10	7	8	2	0	0	0	0	0	0	0	31
23:00	1	3	3	8	6	1	0	0	0	0	0	0	0	22
Totals	14	149	370	483	248	63	11							1348
% of Totals	3%	11%	27%	34%	18%	5%	1%							100%

AM Volumes	22	53	124	161	93	25	16	0	0	0	0	0	0	484
% AM	2%	4%	9%	12%	7%	2%	0%							36%
AM Peak Hour	07:00	07:00	07:00	07:00	07:00	07:00	08:00							07:00
Volume	7	17	31	61	26	7	2							150
PM Volumes	22	96	246	302	155	38	5	0	0	0	0	0	0	864
% PM	2%	7%	18%	22%	11%	3%	0%							64%
PM Peak Hour	17:00	14:00	16:00	16:00	18:00	14:00	17:00							14:00
Volume	4	16	34	40	24	6	2							108
Directional Peak Periods			AM 7-9			NOON 12-2			PM 4-6			Off Peak Volumes		
All Speeds			Volume			Volume			Volume			Volume		
			220			128			204			796		
			↔			↔			↔			↔		
			16%			9%			15%			59%		

Street Name	Direction	Percentiles				
		15th	50th	Average	85th	95th
Lola Ave	Summary	20	26	26	32	36
		ADT				
		1348				

APPENDIX D

STOPPING SIGHT DISTANCE AS A FUNCTION OF SPEED

CALIFORNIA MUTCD

Table 6C-1. Recommended Advance Warning Sign ~~Minimum~~ Spacing

Road Type	Distance Between Signs**		
	A	B	C
Urban (low speed) 25 mph or less***	100 feet	100 feet	100 feet
Urban - more than 25 mph to 40 mph***	250 feet	250 feet	250 feet
Urban (high speed) - more than 40 mph***	350 feet	350 feet	350 feet
Rural	500 feet	500 feet	500 feet
Expressway / Freeway	1,000 feet	1,500 feet	2,640 feet

* ~~Speed category to be determined by the highway agency.~~

** The column headings A, B, and C are the dimensions shown in Figures 6H-1 through 6H-46. The A dimension is the distance from the transition or point of restriction to the first sign. The B dimension is the distance between the first and second signs. The C dimension is the distance between the second and third signs. (The "first sign" is the sign in a three-sign series that is closest to the TTC zone. The "third sign" is the sign that is furthest upstream from the TTC zone.)

*** Posted speed limit, off-peak 85th-percentile speed prior to work starting, or other anticipated operating speed in mph.

**Table 6C-2. Stopping Sight Distance as a Function of Speed on Level Roads.
(Used as suggested longitudinal buffer space length or location for flagger station)**

Speed*	Distance
20 mph	115 feet
25 mph	155 feet
30 mph	200 feet
35 mph	250 feet
40 mph	305 feet
45 mph	360 feet
50 mph	425 feet
55 mph	495 feet
60 mph	570 feet
65 mph	645 feet
70 mph	730 feet
75 mph	820 feet

* Posted speed, off-peak 85th-percentile speed prior to work starting, or the anticipated operating speed in mph.

**Table 6C-3. Taper Length Criteria for
Temporary Traffic Control Zones**

Type of Taper	Taper Length
Merging Taper	at least L
Shifting Taper	at least 0.5 L
Shoulder Taper	at least 0.33 L
One-Lane, Two-Way Traffic Taper	50 feet minimum, 100 feet maximum
Downstream Taper	50 feet minimum, 100 feet maximum

Note: Use Table 6C-4 to calculate L