

MINUTES OF THE CITY COUNCIL / SUCCESSOR AGENCY  
OF THE CITY OF STANTON  
REGULAR JOINT MEETING MAY 26, 2015

**1. CALL TO ORDER / CLOSED SESSION**

The City Council meeting was called to order at 6:00 p.m. by Mayor Ethans.

**2. ROLL CALL**

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

Absent: Council Member Shawver.

Excused: Council Member Ramirez.

**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 discussion regarding:

Council Member Shawver arrived at 6:01 p.m.

**4A. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
(Pursuant to Government Code Section 54956.9(a))**

Planet Aid vs. City of Stanton Civil Action Number: 8:15-cv-00634-CJC-AS

**5. CALL TO ORDER / SUCCESSOR AGENCY / STANTON HOUSING AUTHORITY  
MEETING**

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

The City Attorney reported that the Stanton City Council met in closed session from 6:00 to 6:30 p.m.

The City Attorney reported that there was no reportable action.

**6. ROLL CALL**

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

Absent: None.

Excused: Agency Member Ramirez.

**7. PLEDGE OF ALLEGIANCE**

Led by Brandon Martinez, Student.

**8. SPECIAL PRESENTATIONS AND AWARDS**

Presentation by Jamie Song, President, YLOC (Young Leaders of Orange County); sharing their mission with the City Council and providing information on their current operations.

**9. CONSENT CALENDAR**

Motion/Second: Shawver/Donahue  
Motion unanimously carried by the following vote:

AYES: 4 (Donahue, Ethans, Shawver, and Warren)

NOES: None

ABSTAIN: None

ABSENT: 1 (Ramirez)

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

**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**

The City Council approved demand warrants dated May 7, May 14, and May 26, 2015, in the amount of \$223,895.39.

**9C. APRIL 2015 INVESTMENT REPORT**

The Investment Report as of April 30, 2015 has been prepared in accordance with the City's Investment Policy and California Government Code Section 53646.

1. The City Council finds that this item is not subject to California Environmental Quality Act ("CEQA") pursuant to Sections 15378(b)(5)(Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment); and
2. Received and filed the Investment Report for the month of April 2015.

**9D. APRIL 2015 INVESTMENT REPORT - SUCCESSOR AGENCY**

The Investment Report as of April 30, 2015 has been prepared in accordance with the City's Investment Policy and California Government Code Section 53646.

1. The Successor Agency finds that this item is not subject to California Environmental Quality Act ("CEQA") pursuant to Sections 15378(b)(5)(Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment); and
2. Received and filed the Investment Report for the month of April 2015.

**9E. RESOLUTION DIRECTING THE AUDITOR OF THE COUNTY OF ORANGE TO ADD THE PROTECTIVE SERVICES TAX TO THE 2015-2016 TAX ROLL**

On August 6, 1985, the voters of Stanton adopted an initiative measure establishing a Protective Services Tax. Each year the City Council must adopt a Resolution directing the Auditor Controller to place this assessment on the tax rolls.

1. The City Council finds 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(b)(4) 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. 2015-18 directing the County Auditor Controller to place the Protective Services Tax on the 2015-2016 Tax Roll.

**9F. ACCEPTANCE OF THE FY 14-15 CITYWIDE SLURRY SEAL PROJECT BY THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA**

The FY 14-15 Citywide Slurry Seal Project has been completed in accordance with the plans and specifications. The final construction and inspection cost for the project was \$393,310.20. The City Engineer, in his judgment, certifies that the work was satisfactorily completed as of May 26, 2015 and recommends that the City Council accept the completed work performed on this project.

1. The City Council declared this project categorically exempt under the California Environmental Quality Act, Class 1, and Section 15301; and
2. Accepted the completion of improvements for the FY 14-15 Citywide Slurry Seal Project, as certified by the City Engineer, and affixed the date of May 26, 2015 as the date of completion of all work on this project; and
3. Approved the final construction contract amount of \$379,070.20 with American Asphalt South, Inc.; and
4. Directed the City Clerk within ten (10) days from the date of acceptance to file the Notice of Completion (Attachment) with the County Recorder of the County of Orange; and
5. Directed City staff, upon expiration of the thirty-five (35) days from the filing of the "Notice of Completion," to make the retention payment to American Asphalt South, Inc. in the amount of \$18,953.50.

**9G. ACCEPTANCE OF THE PREMIER PARK WALL EXTENSION PROJECT BY THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA**

The Premier Park Wall Extension Project has been completed in accordance with the plans and specifications. The final construction cost for the project was \$85,750.00. The City Engineer, in his judgment, certifies that the work was satisfactorily completed as of May 26, 2015 and recommends that the City Council accept the completed work performed on this project.

1. The City Council declared that the project is exempt per the California Environmental Quality Act (CEQA) under Section 15301; and
2. Accepted the completion of improvements for the Premier Park Wall Extension Project, as certified by the City Engineer, and affixed the date of May 26, 2015 as the date of completion of all work on this project; and
3. Approved the final construction contract amount of \$85,750.00 with Jitney Company, Inc.; and
4. Directed the City Clerk within ten (10) days from the date of acceptance to file the Notice of Completion (Attachment) with the County Recorder of the County of Orange; and
5. Directed City staff, upon expiration of the thirty-five (35) days from the filing of the "Notice of Completion," to make the retention payment to Jitney Company, Inc. in the amount of \$4,287.50.

**9H. CONSIDERATION OF PROGRAM TO PURCHASE STREETLIGHTS FROM SOUTHERN CALIFORNIA EDISON**

On May 12, 2015, staff reported to the City Council on the program for cities to purchase streetlights owned by Southern California Edison. The City Council has asked that staff bring the item back to the City Council regarding the option to begin the valuation study of the streetlights.

1. The City Council determined that In accordance with the requirements of the California Environmental Quality Act, the action would not be deemed to be a project per Section 15378(b)(4): ["Project" does not include] The creation of a government funding mechanism or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment; and
2. Directed staff to engage Southern California Edison to conduct a valuation study of the streetlights in the City at a cost of \$10,000.

**91. APPROVE SUBMITTAL OF THE RENEWED MEASURE M ELIGIBILITY PACKAGE AND ITS COMPONENTS AND ADOPTION OF RESOLUTION 2015-17 BY THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA**

The Orange County Transportation Authority (OCTA) requires that local jurisdictions comply with a variety of requirements to remain eligible to receive renewed Measure M2 funding. The proposed action will approve the submittal of items to keep the City eligible to receive annual fairshare and competitive grant funds. The Public Works Department has prepared all the requested documents and is prepared to submit them to OCTA upon approval by the City Council.

1. The City Council finds the submittal, adoption, and resolution exempt from CEQA per Section 15378(b)(5) [Project does not include]: organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment; and
2. Adopted the Measure M Seven Year Capital Improvement Program (CIP) for fiscal years 2015-16 through 2021-22; and
3. Adopted Resolution 2015-17 attesting that no reduction of lanes has been made on any MPAH arterial within the City of Stanton, that the City's Circulation Element is in conformance with the Master Plan of Arterial Highways, and that the existing Mitigation Fee Program is adequate; and
4. Submitted the Maintenance of Effort Reporting Form and supporting documentation for the City of Stanton to OCTA, and direct the Director of Administrative Services to certify this form; and
5. Directed the City Engineer to file the adopted CIP and the Measure M eligibility documents with OCTA in compliance with the requirements of OCTA Ordinance No. 3. The eligibility submittal consists of:
  - a. Measure M Seven-Year Capital Improvement Program.
  - b. The Maintenance of Effort Reporting Form.
  - c. Pavement Management Program.
  - d. Resolution 2015-17 for the MPAH Consistency and Circulation Element.
  - e. Mitigation Fee Program and Nexus Study.
  - f. The Land Use Element of the City's General Plan.
  - g. Measure M Eligibility Checklist.
  - h. CMP Monitoring Checklist.

**END OF CONSENT CALENDAR**

**10. PUBLIC HEARINGS**

**10A. PUBLIC HEARING RELATIVE TO THE ANNUAL LEVY OF ASSESSMENTS FOR THE INSTALLATION, MAINTENANCE, AND SERVICING OF PUBLIC LIGHTING FACILITIES AND MEDIAN ISLANDS WITHIN THE BOUNDARIES OF THE TERRITORY INCLUDED IN THE STANTON LIGHTING AND LANDSCAPING DISTRICT NO. 1 FOR FISCAL YEAR 2015-2016 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972**

On May 12, 2015, the City Council adopted Resolution No. 2015-15, approving the Engineers report, and Resolution No. 2015-16, declaring its intention to levy and collect the annual assessments for installation, maintenance and servicing of Lighting and Landscaping District No. 1 for Fiscal Year 2015-2016 pursuant to the Landscaping and Lighting Act of 1972. This is the time and date scheduled to conduct the Public Hearing concerning the annual levy of assessments of the District, the extent of the District, the improvements and the proposed assessments and all other matters pertaining thereto.

The public hearing was opened.

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

Motion/Second: Donahue/Shawver  
Motion unanimously carried by the following vote:

AYES: 4 (Donahue, Ethans, Shawver, and Warren)  
NOES: None  
ABSTAIN: None  
ABSENT: 1 (Ramirez)

1. The City Council conducted the required public hearing concerning the annual levy of assessments for the District, the extent of the District, the improvements and the proposed assessments and all other matters pertaining thereto; and
2. Finds 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(b)(4) 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 Resolution No. 2015-19, confirming the assessments for installation, maintenance, and servicing of lighting and landscaping within the boundaries of the territory included in the Stanton Lighting and Landscaping District No. 1, for fiscal year 2014-2015.

**11. UNFINISHED BUSINESS**                      None.

**12. NEW BUSINESS**

**12A. SELECTION OF FIREWORKS LICENSEES FOR 2015**

Staff is requesting that the City Council select the licensees for 2015 fireworks sales.

The public hearing was opened.

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

Motion/Second: Shawver/Warren  
Motion unanimously carried by the following vote:

AYES: 4 (Donahue, Ethans, Shawver, and Warren)  
NOES: None  
ABSTAIN: None  
ABSENT: 1 (Ramirez)

1. The 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. Approved fireworks licenses for the following groups: Knights of Columbus #6095, Stanton Lighthouse Church, Boys & Girls Club of Stanton, Kiwanis Club of Greater Stanton and XClaimed Ministries.

**13. ORAL COMMUNICATIONS – PUBLIC**

Sou Moua, Resident/Planning Commissioner, expressed this gratitude to the City Council and staff in regards to a successful repaving project that took place in Stanton Park near Western/Cerritos.

**14. WRITTEN COMMUNICATIONS** None.

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

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

- Mayor Pro Tem Donahue reported on the success of the 14<sup>th</sup> Annual Stanton Spring Car Show / Kids Fair, which was held on May 16, 2015 and expressed his gratitude to all that were involved in the organization and execution of the event.
- Mayor Ethans expressed his gratitude to the Stanton Lions Club for their participation in the 14<sup>th</sup> Annual Stanton Spring Car Show / Kids Fair, which was held on May 16, 2015.



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

Council Member Shawver requested to agendize discussion regarding the passage of AB1217.

Council Member Warren invited all to view the video proceedings of the passage of AB1217 on the Assembly website and expressed her concerns in regards to how AB1217 passed with such opposition being expressed beforehand.

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

Currently Scheduled:

- Budget Study Session (June 9, 2015 at 5:00 p.m.)

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

None.

**17. ITEMS FROM CITY MANAGER/EXECUTIVE DIRECTOR**


None.

**17A. ORANGE COUNTY SHERIFF'S DEPARTMENT**

Sergeant Kurt Bourne provided the City Council with an update on their current operations.

Council Member Shawver requested for staff to research the possibility of the Orange County Sheriff's Department booking arrested persons into the Westminster jail system.

**18. ADJOURNMENT** Motion/Second: Ethans/  
Motion carried at 7:07 p.m.



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MAYOR/CHAIRMAN

ATTEST:



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CITY CLERK/SECRETARY

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