

MINUTES OF THE CITY COUNCIL / SUCCESSOR AGENCY / HOUSING AUTHORITY
OF THE CITY OF STANTON
REGULAR JOINT MEETING JUNE 23, 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 Ramirez, Council Member Shawver, Mayor Pro Tem Donahue, and Mayor Ethans

Absent: None.

Excused: Council Member Warren.

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:

**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

**4B. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9 (d)
(2)**

Number of Potential Cases: 1

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

The meetings were called to order at 6:33 p.m. by Mayor/Chairman Ethans.

6. ROLL CALL

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

Absent: None.

Excused: Agency/Authority Member Warren.

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.

7. PLEDGE OF ALLEGIANCE

Led by Edith Keller, Parks and Recreation Commissioner.

8. SPECIAL PRESENTATIONS AND AWARDS

1. Presentation by Maya Dunne, Maya Dunne and Associates, sharing their mission with the City Council and provided information regarding the Green Planning Academy.
 - Presentation of Certificates of Recognition to Green Planning Academy graduates.
2. Mayor Ethans proclaimed the month of July 2015 to be Parks and Recreation Month and presented a proclamation to the Stanton Parks and Recreation Commission; and
3. Presentation by Soo Kim and Julie S. Roman, Parks and Recreation Department; sharing their mission with the City Council and providing information on current summer programming.
 - Jamie Clements, Coordinator of Special Services, Savanna School District, spoke regarding the programs offered in her district and the benefits of those programs to their students and staff.

9. CONSENT CALENDAR

Mayor Pro Tem Donahue pulled item 9I from the Consent Calendar for separate discussion.

Council Member Shawver pulled items 9G and 9H from the Consent Calendar for separate discussion.

Motion/Second: Donahue/Ramirez

Motion to approve the balance of the Consent Calendar passed unanimously by the following vote:

Council Member Shawver abstained on Minutes of June 9, 2015 (Special) and June 9, 2015 (Regular Joint Meeting).

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

NOES: None

ABSTAIN: 1 (Shawver on Minutes of June 9, 2015 (Special) and June 9, 2015 (Regular).

ABSENT: 1 (Warren)

The City Council/Agency Board/Authority 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 June 4, June 11, and June 23, 2015, in the amount of \$1,054,452.84.

9C. APPROVAL OF MINUTES

1. The City Council approved Minutes of Special Meeting – June 9, 2015; and
2. The City Council/Agency/Authority Board approved Minutes of Regular Joint Meeting – June 9, 2015; and
3. The City Council approved Minutes of Special Meeting – June 16, 2015.

9D. MAY 2015 INVESTMENT REPORT

The Investment Report as of May 31, 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 May 2015.

9E. MAY 2015 INVESTMENT REPORT (SUCCESSOR AGENCY)

The Investment Report as of May 31, 2015 has been prepared in accordance with the City's Investment Policy and California Government Code Section 53646.

1. The Successor Agency Board 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. Receives and files the Investment Report for the month of May 2015.

9F. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON APPROVING FINAL TRACT MAP NO. 17764 AND SUBDIVISION AGREEMENT

The final tract map for the development located at 7172, 7192, and 7232 Kermore Lane has been completed and reviewed by all required departments and agencies. This final tract map is in compliance with the City's General Plan and zoning land use designations.

1. The City Council declared that the project is exempt from the California Environmental Quality Act ("CEQA") under Section 15268(b)(3) Ministerial Projects; and
2. Adopted Resolution No. 2015-21, approving Final Tract Map No. 17764; and
3. Finds that the recordation of Tract Map No. 17764 will not be in violation of any of the provisions of Section 66474, 66474.1, and 66474.2 of the Subdivision Map Act; and
4. Finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan required by Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of the Government Code, and any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of the Government Code; and
5. Directed the City Clerk to endorse on the face of the map of Tract Map No. 17764, the certificate which embodies the approval of said map, and submit the map to the County Recorder of Orange County for recording; and
6. Authorized the Mayor to execute the attached Subdivision Improvement Agreement for Tract No. 17764.

END OF CONSENT CALENDAR

9G. STANTON CENTRAL PARK – APPROVAL OF SCOPE INCREASE TO DAVID VOLZ DESIGN FOR CONSTRUCTION PERIOD SERVICES

Staff recommends a scope increase to David Volz Design for construction period services during the bidding and construction of Stanton Central Park.

Motion/Second: Shawver/Donahue

Motion unanimously carried by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: 1 (Warren)

1. The City Council declared that the award of contract is consistent with the Initial Study/Mitigated Negative Declaration, previously reviewed and adopted for the project on June 23, 2013; and
2. Approved a Second Amendment to the Agreement for design consultant services between the City and David Volz Design to extend the term, expand the scope of work, and increase the fee to David Volz Design for construction period services for the Stanton Central Park Project in the amount of \$154,753; and
3. Authorized the City Manager to execute the Second Amendment to Agreement for Design Consultant Services Pertaining to the Design and Construction of Stanton Central Park.

9H. RENEWAL OF CONTRACT TO JOHN L. HUNTER AND ASSOCIATES, INC. TO PROVIDE PROFESSIONAL CONSULTING SERVICES RELATED TO NPDES AND FOG PROGRAMS

The City maintains several environmental programs including the National Pollutant Discharge Elimination System (NPDES) and Fats, Oils, & Grease (FOG). These programs are effective in controlling pollution, but are also mandated by the state environmental agency and the Santa Ana Regional Water Quality Control Board (SARWQCB). In an attempt to keep staffing at a minimum, the City of Stanton has brought onboard assistance from a highly specialized consultant familiar with these programs. A contract was awarded to John L. Hunter and Associates, Inc. at the October 23, 2007 Council meeting to provide these services. The firm was chosen through a Qualifications Based Selection process in which they were found to be the best-qualified firm to provide these services. A renewal to the contract was approved on June 24, 2012 for three years. It is recommended that the contract be renewed for three additional years.

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

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

1. The City Council declared that the project is exempt from the California Environmental Quality Act ("CEQA") under Section 15378(b)(5) – Organizational or administrative activities of governments that will not result in direct or indirect physical change in the environment; and
2. Approved a contract renewal to the firm of John L. Hunter and Associates, Inc. for NPDES & FOG services for a 3 year period for the maximum contract sum of \$114,565 annually.

9I. FY 2015-16 INVESTMENT POLICY

The Investment Policy for the City of Stanton provides guidelines for the prudent investment of City funds and outlines the procedures for efficient cash management. This policy is updated annually to incorporate any needed provisions or amendments necessitated by changes in state law or City investment philosophy, after which it is reviewed by the City Council. The current policy is identical to the revised FY 2014-15 policy adopted in November 2014.

Motion/Second: Donahue/Shawver

Motion unanimously carried by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: 1 (Warren)

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. Approved the FY 2015-16 Investment Policy as presented and amended with the following change:

Investment Policy Section 6.211:

"Collateralized Bank Deposits such as a passbook savings account, money market account or other demand deposits in state or federally chartered banks, savings and loans, or credit unions in excess of insured amounts which are fully collateralized in accordance with California law, provided that:

- *The maximum maturity does not exceed five years."*

10. PUBLIC HEARINGS

10A. PERMIT PARKING CONSIDERATION FOR A PORTION OF YANA DRIVE FROM CHANTICLEER DRIVE TO THE ALLEYWAY JUST SOUTH OF 10451 YANA DRIVE AND THE HARRIET LANE AND LULLABY LANES CUL-DE-SACS EAST OF YANA DRIVE

The City has received a petition to establish permit parking area for a portion of Yana Drive from Chanticleer Drive to the north to the alleyway just south of 10451 Yana Drive. The proposed permit parking area also includes the Harriet and Lullaby Lane cul-de-sacs east of Yana Drive. The petition is submitted for City Council consideration.

The public hearing was opened.

1. Victor Barrios, resident, spoke in favor of the permit parking program and requested that in the future the City research the possibility of expanding the program into his neighborhood.
2. Lullaby Lane Resident, spoke in favor of the permit parking program.

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

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

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

1. The City Council conducted a public hearing; and
2. Declared that the project is exempt from the California Environmental Quality Act ("CEQA") under Section 15061(b)(3) as the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and
3. Adopted Resolution No. 2015-22 establishing 24-hour permit parking area for a portion of Yana Drive from Chanticleer Drive to the alleyway just south of 10451 Yana Drive and the Harriet and Lullaby Lane cul-de-sacs east of Yana Drive.

10B. PUBLIC HEARING -- INTRODUCTION OF ORDINANCE ESTABLISHING A SEWER USER FEE UNIT RATE FOR SEWER SERVICES

On March 1, 1988, the City of Stanton assumed operation and maintenance of sanitary sewer system improvements within its jurisdictional boundary under Orange County Reorganization No. 88. In order to provide sufficient revenue for the operation of the Stanton Sewer Department the City Council must annually adopt an ordinance to establish a user fee rate for sewer services for each fiscal year.

The public hearing was opened.

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

Motion/Second: Donahue/Ramirez

Motion unanimously carried by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: 1 (Warren)

1. The City Council declared 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
2. Conducted a public hearing to receive public comment regarding the two percent reduction of the fiscal year 2014-2015 Sewer User Fee unit rate until such time as the sewer rates are otherwise revised by a subsequent ordinance of the City Council; and
3. Approved the fiscal year 2015-2016 parcel list for levying of the annual Sewer User Fee unit rate (on file in the City Clerk's office); and
4. Introduced Ordinance No. 1035 and set said ordinance for adoption at the regular City Council meeting of July 14, 2015.

10C. A PUBLIC HEARING TO CONSIDER TWO ALTERNATIVE INTERIM URGENCY ORDINANCES WHICH WOULD EITHER PROHIBIT THE ESTABLISHMENT OF ADULT-ORIENTED FOOD AND BEVERAGE ESTABLISHMENTS PENDING STUDY AND ADOPTION OF REGULATORY AND ZONING STANDARDS OR TEMPORARILY REQUIRE A CONDITIONAL USE PERMIT FOR THE ESTABLISHMENT OF COFFEE SHOPS, TEA HOUSES, JUICE BARS, AND OTHER BEVERAGE ESTABLISHMENTS IN THE CITY

Due to numerous issues reported by local jurisdictions regarding adult-oriented food and beverage establishments, the City Council is asked to consider interim urgency ordinances to either prohibit the establishment of such businesses in the City to provide the City sufficient time to study the potential impacts and adopt appropriate regulatory and zoning standards or to require such business to obtain a Conditional Use Permit prior to operation.

The public hearing was opened.

Adam Ontiveros, resident, spoke in favor of prohibiting the listed types of establishments from the City.

Victor Barrios, resident, spoke in favor of prohibiting the listed types of establishments from the City.

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

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

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

1. The City Council conducted a public hearing; and
2. Tabled this item as presented; and
3. Directed staff to bring this item back before the City Council for consideration once further research has been conducted.

11. UNFINISHED BUSINESS None.

12. NEW BUSINESS

12A. FY 2015-2017 BUDGET ADOPTION FOR THE CITY OF STANTON AND STANTON HOUSING AUTHORITY

On June 9, 2015 City Council was presented the City Manager's Proposed Fiscal Year 2015-2017 Two-Year Budget. The balanced budget includes \$28.2 million in revenues, \$22.7 million in appropriations, a capital budget of \$14.5 million and transfers in of \$6.5 million for FY 2015-16, with \$18.6 million in revenues, \$18.6 million in appropriations and \$0.5 million in net transfers in for the General Fund in FY 15/16.

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

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

1. City Council/Housing Authority Board find that these items are 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(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. Adopt Resolution No. 2015-23 authorizing the City Treasurer safekeeping and investment authority; and
3. Adopt Resolution No. 2015-24 establishing the Appropriations Limit for Fiscal Year 2015-16; and
4. Adopt Resolution No. SHA 2015-01 adopting the Fiscal Year 2015-2017 Housing Authority Budget; and
5. Adopt Resolution No. 2015-25 adopting the Fiscal Year 2015-2017 Operating and Capital Budget.

13. ORAL COMMUNICATIONS – PUBLIC

- Daniel Park, representing Shema Presbyterian Church, spoke in regards to the construction of Stanton Central Park and requested that the City Council grant his church an extension, so that they may stay on the City's premises until they are able to locate a suitable location.
- Phil Anh, spoke in regards to the construction of Stanton Central Park and requested that the City Council grant his church an extension, so that they may stay on the City's premises until they are able to locate a suitable location.

14. WRITTEN COMMUNICATIONS None.

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

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

None.

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

Council Member Shawver requested to agendize the following items:

- Discussion regarding Assembly Bill 1217 (DALY).
- Discussion regarding Animal Control Service – in house service provided by the City.
- Discussion regarding the Village Center and Development Opportunities.

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

None.

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

None.

17. ITEMS FROM CITY MANAGER/EXECUTIVE DIRECTOR

- City Manager Box reported that "Save the Dates" have gone out for the celebration of the Stanton Central Park groundbreaking ceremony, which will be held on July 7, 2015 at 4:00 p.m. and encouraged all to attend.
- City Manager Box informed the Council that he would be out of the office from Thursday June 25th through Thursday July 2nd, and that Community Development Director Omar Dadabhoy will serve as Acting City Manager in his absence.

17A. ORANGE COUNTY SHERIFF'S DEPARTMENT

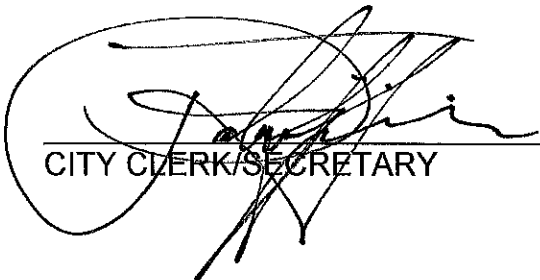
Lieutenant Jim England provided the City Council with an update on their current operations.

- 18. ADJOURNMENT** Motion/Second: Ethans/
Motion carried at 8:15 p.m.



MAYOR/CHAIRMAN

ATTEST:



CITY CLERK/SECRETARY

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