



**AGENDA**  
**CITY COUNCIL/SUCCESSOR AGENCY/STANTON HOUSING AUTHORITY**  
**JOINT REGULAR MEETING**  
**STANTON CITY HALL, 7800 KATELLA AVENUE, STANTON, CA**  
**TUESDAY, MAY 24, 2016 - 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, MAY 23, 2016 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](http://www.ci.stanton.ca.us).*

1. **CLOSED SESSION (6:00 PM)**
2. **ROLL CALL**
  - Council Member Ethans
  - Council Member Ramirez
  - Council Member Shawver
  - Mayor Pro Tem Warren
  - Mayor Donahue
3. **PUBLIC COMMENT ON CLOSED SESSION ITEMS**

*Closed Session may convene to consider matters of purchase / sale of real property (G.C. §54956.8), pending litigation (G.C. §54956.9(a)), potential litigation (G.C. §54956.9(b)) or personnel items (G.C. §54957.6). Records not available for public inspection.*

**4. CLOSED SESSION**

**4A. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

(Pursuant to Government Code Section 54957.6)

Title: City Manager

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

**6. ROLL CALL** Agency/Authority Member Ethans  
Agency/Authority Member Ramirez  
Agency/Authority Member Shawver  
Vice Chairman Warren  
Chairman Donahue

**7. PLEDGE OF ALLEGIANCE**

**8. SPECIAL PRESENTATIONS AND AWARDS**                      **None.**

**9. 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

- 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**

**RECOMMENDED ACTION:**

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

- 9B. APPROVAL OF WARRANTS**

City Council approve demand warrants dated May 5, 2016 and May 12, 2016, in the amount of \$1,043,525.62.

- 9C. APPROVAL OF MINUTES**

City Council/Agency/Authority Board approve Minutes of Regular Joint Meeting – May 10, 2016.

- 9D. EXTENSION OF CONTRACT FOR TRAFFIC SIGNAL MAINTENANCE SERVICES WITH SIEMENS INDUSTRY INC. BY THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA**

A contract was awarded at the September 11, 2012 City Council meeting to provide Traffic Signal Maintenance Services for a period of three years. The contract was extended by the Council on August 25, 2015 to terminate on June 30, 2016. Staff recommends the City Council extend the contract for two years at the same unit prices.

**RECOMMENDED ACTION:**

1. City Council declare that the project is categorically exempt under the California Environmental Quality Act, Class 1, Section 15301(b) as maintenance of existing facilities; and
2. Approve a contract extension with Siemens Industry Inc. for traffic signal maintenance services until June 30, 2018.

**9E. APPROVE SUBMITTAL OF THE RENEWED MEASURE M ELIGIBILITY PACKAGE AND ITS COMPONENTS AND ADOPTION OF RESOLUTION NO. 2016-14 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.

**RECOMMENDED ACTION:**

1. City Council find 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. Adopt the Measure M Seven Year Capital Improvement Program (CIP) for fiscal years 2015-16 through 2021-22; and
3. Adopt Resolution No. 2016-14 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. Authorize the submittal of 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. Direct 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.

**9F. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, PRELIMINARILY APPROVING THE ENGINEER'S REPORT FOR THE ANNUAL LEVY OF ASSESSMENTS FOR STANTON LIGHTING AND LANDSCAPING DISTRICT NO. 1 FOR FISCAL YEAR 2016-2017**

On April 12, 2016, the City Council adopted Resolution No. 2016-10, initiating proceedings for the annual levy of assessments and ordered the Engineer to prepare a report in accordance with Section 22565 et seq. of the State of California Streets and Highways Code. The Engineer has filed a report with the City Clerk in compliance with Council direction. The proposed resolution would preliminarily approve the report.

**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(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. 2016-15, preliminarily approving the Engineer's Report for the annual levy of assessments for Stanton Lighting and Landscaping District No. 1 for fiscal year 2016-2017.

**9G. RESOLUTION OF THE CITY COUNCIL DECLARING ITS INTENTION TO LEVY AND COLLECT THE ANNUAL ASSESSMENTS FOR IMPROVEMENT, 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 2016-2017 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND APPOINTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO**

On April 12, 2016, the City Council adopted Resolution No. 2016-10, initiating proceedings for the annual levy of assessments and ordered the Engineer to prepare a report in accordance with Section 22565 et seq. of the State of California Streets and Highways Code. The Engineer has filed a report with the City Clerk in compliance with Council direction. The proposed resolution would declare the Council's intention to levy and collect the assessments and set the required public hearing for Tuesday, June 14, 2016.

**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(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. 2016-16, declaring its intention to levy and collect the annual assessments pursuant to the Landscaping and Lighting Act of 1972; and
3. Schedule the public hearing for June 14, 2016, to consider the annual assessments.

**9H. APRIL 2016 INVESTMENT REPORT**

The Investment Report as of April 30, 2016 has been prepared in accordance with the City's Investment Policy and California Government Code Section 53646.

**RECOMMENDED ACTION:**

1. City Council find 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. Receive and file the Investment Report for the month of April 2016.

**9I. APRIL 2016 INVESTMENT REPORT (SUCCESSOR AGENCY)**

The Investment Report as of April 30, 2016 has been prepared in accordance with the City's Investment Policy and California Government Code Section 53646.

**RECOMMENDED ACTION:**

1. Agency Board find 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. Receive and file the Investment Report for the month of April 2016.

**9J. SELECTION OF FIREWORKS LICENSEES FOR 2016**

Staff is requesting that the City Council select the licensees for 2016 fireworks sales.

**RECOMMENDED ACTION:**

1. City Council declare 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
2. Approve fireworks licenses for 2016 fireworks sales for the following groups: Knights of Columbus #6095, Stanton Lighthouse Church, Boys & Girls Club of Stanton, Kiwanis Club of Greater Stanton, XClaimed Ministries, Stanton Baseball Little League, and Iglesia De Cristo Ministerios Manantial De Vida.

**9K. CONSIDERATION OF A COOPERATION AGREEMENT WITH STANTON ENERGY RELIABILITY CENTER, LLC**

Stanton Energy Reliability Center, LLC ("SERC") requests that the City enter into a "cooperation agreement" with the power plant developer. Later this year, the developer intends to submit an application to the California Energy Commission ("CEC") to construct a battery- and gas turbine-operated thermal power plant on two parcels located at 10711 Dale Avenue and 8230 Pacific Street. The CEC's power plant permitting process takes the place of, and is "*in lieu*" of the City's permitting process. As such, SERC requests that the City cooperate with SERC in the CEC permitting process by, among other things, attending public hearings and workshops on SERC's application and providing the CEC with comments, when necessary. In exchange, SERC proposes to provide the City with certain public benefits.

**RECOMMENDED ACTION:**

1. City Council declare that the project is statutorily exempt from the California Environmental Quality Act ("CEQA") under Section 21080(b)(6) because the proposed thermal power plant project will be the subject of an environmental impact report, negative declaration, or other document, which will be prepared by the California Energy Commission pursuant to a regulatory program certified pursuant to Section 21080.5; and
2. Approve the Cooperation Agreement between the City and the Stanton Energy Reliability Center, LLC.

**END OF CONSENT CALENDAR**

**10. PUBLIC HEARINGS      None.**

**11. UNFINISHED BUSINESS      None.**



## 12. NEW BUSINESS

### 12A. APPROVAL OF ORDINANCE NO. 1051 SETTING REGULATIONS FOR THE USE OF PUBLIC SKATE PARKS

This item is before the City Council to consider adding the proposed ordinance setting regulations for the use of public skate parks and determine the hours of operation for Stanton Central Park's Skate Park.

#### **RECOMMENDED ACTION:**

1. City Council declare 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
2. Introduce Ordinance No. 1051, entitled:  
  
**"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, ADDING CHAPTER 14.08 TO TITLE 14 OF THE STANTON MUNICIPAL CODE REGARDING REGULATIONS FOR THE USE OF PUBLIC SKATE PARKS"; and**
3. Set said Ordinance for adoption at the regular City Council meeting of June 14, 2016; and
4. Determine the hours of operation for the Stanton Central Park Skate Park.

### **13. 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.

### **14. WRITTEN COMMUNICATIONS                      None.**

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

#### **15A. 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.

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

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

**15C. 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.

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

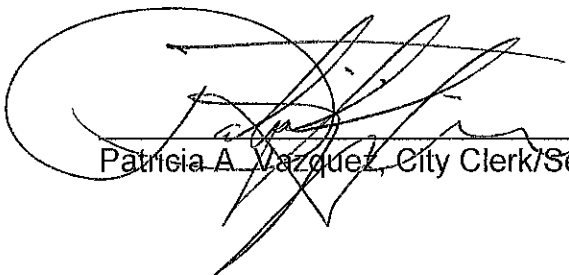
**17. ITEMS FROM CITY MANAGER/EXECUTIVE DIRECTOR**

**17A. 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.

**18. 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 19<sup>th</sup> day of May, 2016.



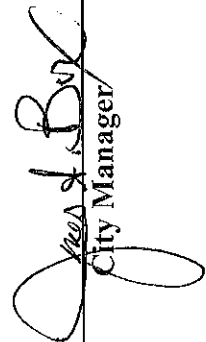
Patricia A. Vazquez, City Clerk/Secretary

# CITY OF STANTON ACCOUNTS PAYABLE REGISTER

May 5, 2016	\$58,671.63
May 12, 2016	\$984,853.99

\$1,043,525.62
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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 JOINT REGULAR MEETING MAY 10, 2016

1. **CLOSED SESSION**      None.
2. **CALL TO ORDER CITY COUNCIL / SUCCESSOR AGENCY / STANTON HOUSING AUTHORITY MEETING**

The meetings were called to order at 6:32 p.m. by Mayor/Chairman Donahue.

3. **PLEDGE OF ALLEGIANCE**

Led by Julie S. Roman, Community Services Director.

4. **ROLL CALL**

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

Absent:      None.

Excused:      None.

5. **SPECIAL PRESENTATIONS AND AWARDS**

- Presentation of city tile of appreciation honoring Sergeant Kurt Bourne, Orange County Sheriff's Department for his fourteen years of service to the City of Stanton.
  - Presentation of award by Lieutenant Sean Howell honoring Sergeant Kurt Bourne, Orange County Sheriff's Department.
  - The City Council expressed their gratitude to Sergeant Kurt Bourne for his service to the City of Stanton and congratulated him on his retirement.
- Presentation of commendation honoring Dr. Robert Cunard, Principal, Magnolia High School for his service to the City of Stanton and on his retirement.
  - City Manager James A. Box, expressed his gratitude to Dr. Robert Cunard for his service to the City of Stanton and congratulated him on his retirement.
  - The City Council expressed their gratitude to Dr. Robert Cunard for his service to the City of Stanton and congratulated him on his retirement.

## **DRAFT**

- The City Council presented a Certificate of Recognition honoring Harry's Café, Andreas Psaras as Business of the Month for the month of May 2016.
  - The City Council expressed their gratitude to Andreas Psaras for his service to the City of Stanton and its residents.
- The City Council presented a Certificate of Recognition honoring Donna McGee as Volunteer of the Month for the month of May 2016.
  - The City Council expressed their gratitude to Donna McGee for her service to the City of Stanton and its residents.

### **6. CONSENT CALENDAR**

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

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

NOES: None

ABSTAIN: None

ABSENT: None

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

### **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**

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

#### **6B. APPROVAL OF WARRANTS**

The City Council approved demand warrants dated April 20, April 25, and April 28, 2016, in the amount of \$1,489,450.47.

#### **6C. APPROVAL OF MINUTES**

1. The City Council/Agency/Authority Board approved Minutes of Regular Joint Meeting – April 26, 2016; and
2. The City Council approved Minutes of Special Meeting – April 27, 2016.

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**THESE MINUTES ARE ISSUED FOR INFORMATION ONLY AND ARE SUBJECT TO  
AMENDMENT AND APPROVAL AT NEXT MEETING**

## **DRAFT**

### **6D. APPROVAL OF AGREEMENT BETWEEN THE CITY OF STANTON AND TRAUMA INTERVENTION PROGRAMS, INC. (TIP)**

The group Trauma Intervention Programs, Inc. (TIP) provides counseling and support services to victims of traumatic incidents, such as a death in the family, witnessed violence or catastrophe, and family violence. TIP has a guaranteed 20-minute response time, 24 hours a day, every day of the year. Due to the varying types of situations in which their services are needed, they maintain a staff of volunteer counselors of all ages from teens to seniors, as well as bilingual personnel.

#### **RECOMMENDED ACTION:**

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 one year agreement with Trauma Intervention Programs, Inc.; and
3. Authorized the Mayor to execute the Agreement on the City's behalf.

### **6E. EXTENSION OF CONTRACT TO GREAT SCOTT TREE SERVICE, INC. TO PROVIDE PROFESSIONAL SERVICES RELATED TO CITYWIDE TREE TRIMMING AND REMOVAL SERVICES**

A contract was awarded to Great Scott Tree Service, Inc. at the October 8, 2013 City Council meeting to provide Citywide Tree Trimming and Removal Services. On August 25, 2015 a ten (10) month extension was granted to the original contract in order to have the contract period coincide with the City's fiscal year. This has allowed for easier tracking of the contract's budget and purchase orders. The current contract will expire on June 30, 2016 and staff recommends an additional extension for the period of July 1, 2016 to June 30, 2017.

1. The City Council declared that the project is categorically exempt under the California Environmental Quality Act ("CEQA"), Class 1, Section 15301(h) as maintenance of existing landscaping; and
2. Approved a contract extension to the firm of Great Scott Tree Service, Inc. for citywide tree trimming and removal services for the third (3) of four (4) allowable contract renewals at identical unit prices for the contract sum of \$53,304 annually.

## **END OF CONSENT CALENDAR**

## **DRAFT**

### **7. PUBLIC HEARINGS**

#### **7A. PERMIT PARKING CONSIDERATION FOR AMY AVENUE, CARLA STREET, 12291 AND 12292 FIELDGATE STREET, GEORGIAN STREET, LAURELTON AVENUE, MARISA STREET AND SANTA ROSALIA STREET**

The City has received a petition to establish a 24-hour permit parking area for Amy Avenue, Carla Street, 12291 Fieldgate Street and 12292 Fieldgate Street, Georgian Street, Laurelton Avenue, Marisa Street and Santa Rosalia Street. The petition is submitted for City Council consideration.

Staff report by Ms. Kelly Hart, Community Development Director.

The public hearing was opened.

- Mr. Frank Aguirre spoke in favor of the permit parking program.
- Mr. Frank Aguirre spoke regarding his concerns/issues with a stop sign located on Santa Rosalia and Bentley.
- Mr. Resident spoke in favor of the permit parking program.
- Mr. Resident spoke regarding his concerns/issues with a stop sign located on Santa Rosalia and Bentley.
- Mr. Tyler spoke in favor of the permit parking program.
- Ms. Resident spoke in favor of the permit parking program.
- Mr. Anh Vo spoke in favor of the permit parking program.
- Mr. Resident spoke in opposition of the permit parking program.
- Mr. Resident spoke in opposition of the permit parking program.
- Ms. My Nguyen expressed her concerns with the permit parking program as presented.
- Ms. Karen Bethel expressed her concerns with the permit parking program as presented.
- Mr. Christopher Nguyen expressed his concerns with the permit parking program as presented.

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



## **DRAFT**

The City Council commented on the permit parking program and informed those in attendance that the City is currently working on finding parking alternatives for residents within the City.

Motion/Second: Shawver/Ethans

Motion unanimously carried by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

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. 2016-11 entitled:

**"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, TO ESTABLISH 24-HOUR PERMIT PARKING FOR AMY AVENUE, CARLA STREET, 12291 FIELDGATE STREET AND 12292 FIELDGATE STREET, GEORGIAN STREET, LAURELTON AVENUE, MARISA STREET AND SANTA ROSALIA STREET".**

## **DRAFT**

### **7B. ADDING A NEW CATEGORY TO THE SCHEDULE OF FEES AND CHARGES FOR CITY SERVICES**

This item is before the City Council to consider revising the City of Stanton Fees and Charges to establish rental fees for the newly constructed Stanton Central Park facilities.

Staff report by Ms. Julie S. Roman, Community Services Director.

The public hearing was opened.

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

Motion/Second: Shawver/Ramirez

Motion unanimously carried by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

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 15378(b)(4) - the creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potential significant physical impact on the environment; and
3. Adopted Resolution No. 2016-12 establishing a new fee category for Stanton Central Park entitled:

**"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, REVISING THE SCHEDULE OF FEES AND CHARGES FOR CITY SERVICES".**

### **8. UNFINISHED BUSINESS                      None.**

## **DRAFT**

### **9. NEW BUSINESS**

#### **9A. ADOPTION OF RESOLUTION NO. 2016-13 APPROVING THE SECOND AMENDMENT TO THE AMENDED AND RESTATED EXCLUSIVE FRANCHISE AGREEMENT WITH CR&R, WHICH PROVIDES FOR A RATE REDUCTION AND SHORT-TERM RATE FREEZE FOR RESIDENTIAL CUSTOMERS AND EXPANDS THE SCOPE OF SERVICES PROVIDED**

The City's waste hauler CR&R has proposed a rate reduction and short-term rate freeze for residential customers. They have also agreed to expand the scope of services provided by CR&R. A franchise agreement amendment is needed to include these changes within the contract scope.

Staff report by Mr. Allan Rigg, Public Works Director/City Engineer.

Motion/Second: Ethans/Shawver

Motion unanimously carried by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

1. The City Council declared that the project is categorically exempt from the California Environmental Quality Act ("CEQA") under Section 15308 – Action by regulatory agencies for protection of the environment; and
2. Adopted Resolution No. 2016-13 approving the Second Amendment to the Amended and Restated Exclusive Franchise Agreement for an Integrated Waste Management System with CR&R to provide for the Separate Collection/Disposal of Organic Materials.

## **DRAFT**

### **10. ORAL COMMUNICATIONS – PUBLIC**

- Mr. Samuel Martinez, Stanton, spoke regarding permit parking on Lowden and expressed his concerns with the permit parking program.
- Ms. Carmen Aguilera, Stanton, spoke regarding permit parking on Lowden and expressed her concerns with the permit parking program.
- Mr. Greg Witz, Stanton, spoke regarding permit parking on Lowden and expressed his concerns with the permit parking program and the parking issues arising within the City.
- Lisa Holmes, Stanton, spoke regarding her concerns with the City's purchase and construction of Stanton Central Park, the interest rate on the bonds used to purchase the land for Stanton Central Park, and the homeless and theft issues within her neighborhood.

### **11. WRITTEN COMMUNICATIONS**                      None.

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

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

- Council Member Shawver reported on his attendance at the Southern California Association of Governments (SCAG) 2016 Regional Conference and General Assembly, which was held on May 5, 2016 and May 6, 2016.
- Mayor Donahue reported on the upcoming 15<sup>th</sup> Annual Spring Car Show and Kids Fair, which is scheduled to be held on May 14, 2016.

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

Council Member Ramirez requested to agendaize discussion regarding the possibility of conducting a traffic study in the Santa Rosalia track.

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

None.

## **DRAFT**

### **12D. CITY COUNCIL INITIATED ITEM — DISCUSSION REGARDING THE POSSIBILITY OF ADOPTING A “GOOD STANDING CLAUSE” FOR NEW INCOMING CITY BUSINESSES**

At the April 12, 2016 City Council meeting, Council Member Ramirez requested that this item be agendaized for discussion.

Consensus unanimously carried:

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

NOES: None

ABSTAIN: None

ABSENT: None

The City Council directed staff to research new criteria and to bring this item back before the City Council for consideration.

### **12E. CITY COUNCIL INITIATED ITEM — DISCUSSION REGARDING THE POSSIBILITY OF THE CITY CONTRIBUTING TO THE ORANGE COUNTY DROWNING PREVENTION TASK FORCE**

At the April 26, 2016 City Council meeting, Council Member Shawver requested that this item be agendaized for discussion.

Consensus unanimously carried:

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

NOES: None

ABSTAIN: None

ABSENT: None

The City Council directed staff to bring this item back before the City Council for consideration once further research has been conducted.

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

None.

### **14. ITEMS FROM CITY MANAGER/EXECUTIVE DIRECTOR**

- Public Works Director/City Engineer Allan Rigg provided the City Council with an update regarding construction on Stanton Central Park.
- Public Works Director/City Engineer Allan Rigg provided the City Council with an update regarding the Beach Boulevard Beautification Project.

## **DRAFT**

### **14A. ORANGE COUNTY FIRE AUTHORITY**

- Chief Dave Steffen provided the City Council with an update on their current operations.
- Mayor Pro Tem Warren expressed her gratitude to the Orange County Fire Authority on their preventative care efforts within the City.

### **15. ADJOURNMENT** Motion/Second: Donahue/ Motion carried at 8:39 p.m.

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MAYOR/CHAIRMAN

ATTEST:

---

CITY CLERK/SECRETARY

# **CITY OF STANTON**

## **REPORT TO CITY COUNCIL**

**TO:** Honorable Mayor and Members of the City Council

**DATE:** May 24, 2016

**SUBJECT: EXTENSION OF CONTRACT FOR TRAFFIC SIGNAL MAINTENANCE SERVICES WITH SIEMENS INDUSTRY INC. BY THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA**

### **REPORT IN BRIEF:**

A contract was awarded at the September 11, 2012 City Council meeting to provide Traffic Signal Maintenance Services for a period of three years. The contract was extended by the Council on August 25, 2015 to terminate on June 30, 2016. Staff recommends the City Council extend the contract for two years at the same unit prices.

### **RECOMMENDED ACTION:**

1. Declare that the project is categorically exempt under the California Environmental Quality Act, Class 1, Section 15301(b) as maintenance of existing facilities.; and
2. City Council to approve a contract extension to Siemens for traffic signal maintenance services until June 30, 2018.

### **BACKGROUND:**

The City is responsible for maintaining 12 signalized intersections throughout the City. Routine preventative maintenance is necessary to keep the City's traffic signal system operational and requires the services of a specialized contractor. The City also owns and operates seven battery back-up systems, two flashing beacons, and one signalized crosswalk that require maintenance as well. In addition, numerous times a year unexpected work is necessary to keep the traffic signal system functioning properly. These unexpected work items are classified as extraordinary maintenance and have been included in this contract. Examples of extraordinary maintenance include replacement of LED signal head lamps, replacement of pedestrian LED modules, replacement of city owned street lights, emergency response and numerous other items.

A request for proposals was advertised on the City website on August 14, 2012 and was due back on August 29, 2012. Staff obtained three (3) proposals to provide traffic signal maintenance services. After reviewing the proposals, staff determined Republic ITS to be the most qualified consultant to provide these services. Republic ITS currently provides traffic signal maintenance services for numerous cities in Orange County.

This maintenance contract consists of a 3-year agreement to provide both routine and extraordinary traffic signal maintenance for all of the city maintained signals throughout the City. The estimated project cost of \$216,884 is as follows:

Maintenance Contract (Republic ITS)	\$ 180,738
Maintenance Contingency – 10 percent	\$ 18,073
Construction Management/Inspection – 10 percent	<u>\$ 18,073</u>
Total Estimated Project Cost	\$ 216,884

In February of 2013 Republic ITS was purchased by Siemens and became the traffic signal maintenance vendor.

Staff has received a letter requesting an extension of the contract at the same prices through the end of fiscal year 2017/18. Staff would like to extend this contract as proposed as the contractor has performed extraordinarily well and does not propose any increases in prices..

#### **ANALYSIS/JUSTIFICATION:**

Since taking over the contract Siemens has performed very well and has been well within budget each year. They have responded quickly to calls for service and have maintained the City's signals in great shape.

#### **FISCAL IMPACT:**

Funds for traffic signal maintenance services are available from account 225-3520-604110.

#### **ENVIRONMENTAL IMPACT:**

This project is categorically exempt under the California Environmental Quality Act, Class 1, Section 15301(b) as maintenance of existing facilities.

#### **LEGAL REVIEW:**

The City Attorney's office has reviewed the contract amendment and the ability to extend the contract for two years.



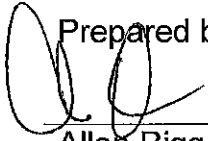
**PUBLIC NOTIFICATION:**

Notifications were performed through normal agenda process.

**STRATEGIC PLAN OBJECTIVE ADDRESSED:**

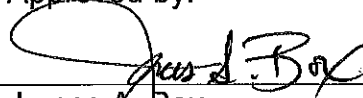
3 - Provide a quality infrastructure.

Prepared by:



Allan Rigg  
Public Works Director

Approved by:



James A. Box  
City Manager

**Attachments:**

- (1) Written Request for Contract Extension
- (2) Second Amendment to Contract

# SIEMENS

Siemens Industry Inc.  
2200 W. Orangewood Ave. Suite 210  
Orange, California 92868  
714.456.9902  
714.456.9905 Fax  
[www.usa-siemens.com/mobility](http://www.usa-siemens.com/mobility)

April 27, 2016

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

Subject: **Traffic Signal Maintenance Contract 2016-2018**

Dear Mr. Rigg,

Please consider this letter as a formal request for the extension of our current Traffic Signal Maintenance Contract. As discussed, we are requesting an extension for an additional two years which will extend the current contract through June 30th, 2018. At this time, we are not requesting an increase and will honor our existing contract rates. The current rate schedule is attached. Please note that the current rate schedule will remain in place until the end of the fiscal year.

We feel we have completed another successful and mutually beneficial year with the City of Stanton. We thank you for your business and we are looking forward to continue servicing the City of Stanton. Please feel free to contact me if you have any questions or concerns.

Thank You,



Jeffrey A. Pierce  
Service Operations Supervisor  
Siemens Industry, Inc. MO/ITS/CS

The foregoing offer is hereby accepted this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

CITY OF STANTON

By: \_\_\_\_\_

Title: \_\_\_\_\_

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Clinton City Hall Station

This image shows a highly magnified, vertical view of a material surface. It features a dense, repeating pattern of small, dark, irregular shapes, possibly representing a microscopic view of a material or a highly magnified texture. The pattern is consistent across the entire length of the image.

Current 2015-2016 2016 Regular Time Rate	Current 2015-2016 Overtime Rate	Current 2015-2016 Premium Time Rate
Disciplinarian		
Corrections Superintendent	\$ 85.00	\$ 125.00
Engineering Technician	\$ 65.00	\$ 95.00
Tractor Signal Technician	\$ 75.00	\$ 110.00
Labrator	\$ 60.00	\$ 85.00

Description	Current 2015-2016 Regular Time Range
Service Vehicle	20.00
Skidder Truck	39.00
Trane	39.00

**CITY OF STANTON**  
**SECOND AMENDMENT TO**  
**AGREEMENT FOR MAINTENANCE SERVICES**

**1. PARTIES AND DATE.**

This Second Amendment to the Agreement for Maintenance Services ("Second Amendment") is entered into on the 24<sup>th</sup> day of May, 2016, by and between the City of Stanton, a California municipal corporation, organized under the laws of the State of California, with its principal place of business at 7800 Katella Avenue, Stanton, CA 90680 ("City") and Siemens Industry, Inc., a California corporation, with its principal place of business at 2200 W. Orangewood Avenue, Suite 210 Orange, CA 92868 ("Consultant"). City and Consultant are sometimes individually referred to herein as "Party" and collectively as "Parties."

**2. RECITALS.**

2.1 Agreement. The Parties entered into that certain Agreement for Maintenance Services with Republic ITS dated September 11, 2012 ("Agreement").

2.2 Assumption of Agreement. In February of 2013 Republic ITS was purchased by Siemens Industry, Inc., at which time Siemens Industry, Inc. assumed the Agreement and became the City's traffic signal maintenance vendor.

2.3 First Amendment. The Parties entered into that certain Letter Agreement dated August 25, 2015 ("First Amendment") in order to extend the term of the Agreement and increase the total amount of compensation under the Agreement.

2.4 Second Amendment. The Parties now desire to amend the Agreement in order to extend the term of the Agreement and increase the total amount of compensation under the Agreement. Neither the Agreement nor the amendments to the Agreement constitute "public works" contracts pursuant to Public Contract Code Section 20161 for which competitive bidding is required. Further, Stanton Municipal Code Section 2.56.110 allows the City to execute contracts for personal, professional, and consultant services without observing the City's bidding procedures.

**3. TERMS.**

3.1 Term. Section 1 of the Agreement is hereby amended in its entirety to read as follows:

"This Agreement shall commence on September 11, 2012 and shall remain and continue in effect until tasks described herein are completed, but in no event later than June 29, 2018 unless sooner terminated pursuant to the provisions of this Agreement."

3.2 Payment. Section 5(a) of the Agreement is hereby amended in its entirety to read as follows:

"The City agrees to pay Consultant monthly, in accordance with the payment rates and terms and the schedule of payment as set forth herein, attached hereto and incorporated

herein by this reference as though set forth in full, based upon actual time spent on the above tasks. This amount shall not exceed One hundred and Twenty Thousand Dollars for the remaining term of the Agreement unless additional payment is approved as provided in this Agreement. This amount includes the cost to provide routine preventative maintenance and any extraordinary maintenance authorized by the City Engineer."

3.3 Remaining Provisions of Agreement. Except as otherwise specifically set forth in this Second Amendment, the remaining provisions of the Agreement shall remain in full force and effect.

**CITY OF STANTON**

**SIEMENS INDUSTRY, INC.**

By: \_\_\_\_\_  
James A. Box  
City Manager

By: \_\_\_\_\_  
Michael Hutchens  
Operations Manager

[If Corporation, TWO SIGNATURES,  
President **OR** Vice President **AND**  
Secretary or Treasurer REQUIRED]

**ATTEST:**

By: \_\_\_\_\_  
Patricia A. Vazquez  
City Clerk

By: \_\_\_\_\_  
[INSERT NAME, TITLE]

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
Best Best & Krieger LLP  
City Attorney

# **CITY OF STANTON**

## **REPORT TO CITY COUNCIL**

**TO:** Honorable Mayor and Members of the City Council

**DATE:** May 26, 2015

**SUBJECT: APPROVE SUBMITTAL OF THE RENEWED MEASURE M ELIGIBILITY PACKAGE AND ITS COMPONENTS AND ADOPTION OF RESOLUTION NO. 2016-14 BY THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA**

### **REPORT IN BRIEF:**

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.

### **RECOMMENDED ACTION:**

1. City Council find 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. Adopt the Measure M Seven Year Capital Improvement Program (CIP) for fiscal years 2015-16 through 2021-22; and
3. Adopt Resolution No. 2016-14 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. Authorize the submittal of 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. Direct 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. Resolution 2016-14 for the MPAH Consistency and Circulation Element.
- d. The Land Use Element of the City's General Plan.
- e. Measure M Eligibility Checklist.

## **BACKGROUND:**

In November of 1990, the voters of Orange County approved Measure M, the Revised Traffic Improvement and Growth Management Ordinance. Measure M created a fund for transportation improvements to mitigate traffic impacts generated by existing and proposed development. Measure M authorizes the imposition of an additional half-cent retail transaction and use tax for a period of twenty (20) years. In November of 2006, renewed Measure M2 was approved by the voters of Orange County, extending the program thirty (30) years.

## **ANALYSIS/JUSTIFICATION:**

Funds identified as M2 fairshare funds are used on local and regional transportation improvement and maintenance projects. Other M2 funds, for transportation related projects, are made available through several competitive programs included in the Combined Transportation Funding Program (CTFP).

The Board of Supervisors of Orange County has designated the OCTA as the Local Transportation Authority. To be eligible to receive M2 fairshare and CTFP funds, the Local Transportation Authority (LTA) must find that the City has satisfied specific requirements on an annual basis. Some items must be renewed or resubmitted annually and some biannually. This year the City of Stanton must submit the following items to OCTA in compliance with LTA Ordinance No. 3 by June 30, 2016:

- A. Measure M Seven-Year Capital Improvement Program.
- B. The Maintenance of Effort Reporting Form.
- C. Resolution of the MPAH Consistency and Circulation Element.
- D. The Land Use Element of the City's General Plan.
- E. Measure M Eligibility Checklist.

A summary explanation of items "A" through "E" is included below:

### **A. MEASURE M SEVEN-YEAR CAPITAL IMPROVEMENT PROGRAM**

The City Council adopts a comprehensive seven-year CIP each year. Staff has prepared an updated seven-year CIP specifically for the transportation facility improvement projects in a form consistent with the latest requirements of OCTA. A summary of the updated seven-year CIP is shown in Table 1.

Please note that the amount within the attachment shows no funds allocated for the Kernmore Lane Improvements. The funding was reflected within a previous year

submittal, although the project is not yet complete.

**Table 1 - Updated Seven-Year CIP**

No.	Project	Program Year	Estimated Cost
1	Citywide Pavement Rehabilitation	FY 2016-2023	\$2,310,000
2	Citywide Sidewalk Repair	FY 2016-2023	\$700,000
3	Citywide Slurry Seal	FY 2016-2023	\$1,400,000
4	Environmental Cleanup Program - Catch Basin Inserts	FY 2016-2023	\$60,000
5	Kermore Lane Improvements	FY 2016-2023	\$568,000
6	Traffic Signal Improvements	FY 2016-2023	\$2,275,000

#### **B. MAINTENANCE OF EFFORT REPORTING FORM**

Local jurisdictions may not use local fairshare or additional gas tax funds to replace existing revenues being used for transportation improvement programs. The purpose of these funds is to supplement existing expenditures of funds for transportation projects. Therefore, the City is required to maintain a predetermined minimum level of Maintenance of Effort (MOE) General Fund expenditures for the maintenance of local streets and roads in order to retain eligibility. The minimum required annual streets and roads expenditure is based upon an average of General Fund Expenditures, for local street and maintenance of construction, over the period extending from FY1985/86 through FY1989/90. The average annual MOE General Fund expenditure required for the City of Stanton, as determined for the Measure M Program, is \$186,035. The soon to be adopted FY2016/17 budget contains a General Fund expenditure for public works/transportation related costs, which exceeds the baseline MOE requirements.

The MOE Reporting Form must be approved by action of the City Council directing the Director of Administrative Services to certify this form.

#### **C. RESOLUTION OF MPAH CONSISTENCY**

The City is required to submit to OCTA a resolution attesting that no reduction of lanes has been made on any MPAH arterial within the City of Stanton on a biennial basis.

#### **D. THE LAND USE ELEMENT OF THE CITY'S GENERAL PLAN**

This section of the City's General Plan includes land use planning strategies that are consistent with OCTA's goals for accommodating transit and non-motorized transportation in the County.



## **E. MEASURE M ELIGIBILITY CHECKLIST**

To assist agencies in complying with Measure M, OCTA has developed checklists to clarify requirements. Staff has completed the checklist and it will be transmitted with all other documents as required by OCTA. It is recommended that these checklists be received and filed for transmitting with other required Measure M documents.

### **FISCAL IMPACT:**

Eligibility for M2 funding will allow the City of Stanton to continue to receive M2 fairshare funds and Gas Tax funds. Additionally, the City of Stanton remains eligible to receive funding for the numerous competitive grants secured within M2.

### **ENVIRONMENTAL IMPACT:**

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.

### **LEGAL REVIEW:**

None.


### **PUBLIC NOTIFICATION:**

Notifications and advertisement were performed as prescribed by law.

### **STRATEGIC PLAN OBJECTIVE ADDRESSED:**

3 - Provide a quality infrastructure.

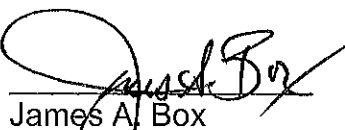
Prepared by:

  
Stephanie Camorlinga  
Engineering Assistant

Concur:

  
Stephen Parker, CPA  
Administrative Services Director

Approved by:

  
James A. Box  
City Manager

**Attachments:**

- A. Measure M Seven-Year Capital Improvement Program.
- B. The Maintenance of Effort Reporting Form.
- C. Resolution 2016-14 for the MPAH Consistency and Circulation Element.
- D. The Land Use Element of the City's General Plan.
- E. Measure M Eligibility Checklist.

# Attachment A

## Measure M

Seven Year Capital Improvement Program (Sorted by Project Name)  
Fiscal Years 2016/2017 through 2022/2023

Agency: Stanton

Project Name: Citywide Pavement Rehabilitation

Project Limits: Various locations throughout the City.

Project Number: N/A

Type of Work (TOW): Road Maintenance

TOW Description: Rehabilitation of roadway

Project Description: Pavement rehabilitation of various roads throughout the City.

FUND NAME	PERCENT	ESTIMATED COST	PROJECTED COST	NOTES
Gas Tax	21.65	\$500,000	\$531,125	Capital Project Fund
M2 Fairshare	78.35	\$1,810,000	\$1,922,671	
		<b>\$2,310,000</b>	<b>\$2,453,795</b>	

Project Phase	16/17	17/18	18/19	19/20	20/21	21/22	22/23	Estimated Cost	Projected Cost
E	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$30,000	\$210,000	\$210,000
R	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
C/I	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$2,100,000	\$2,243,795
O&M	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	<b>\$330,000</b>	<b>\$330,000</b>	<b>\$330,000</b>	<b>\$330,000</b>	<b>\$330,000</b>	<b>\$330,000</b>	<b>\$330,000</b>	<b>\$2,310,000</b>	<b>\$ 2,453,795</b>

Agency: Stanton

Project Name: Citywide Sidewalk Repair

Project Limits: Various locations throughout the City.

Project Number: N/A

Type of Work (TOW): Pedestrian

TOW Description: Reconstruction or rehabilitation of sidewalk

Project Description: Various concrete improvements to repair damaged sidewalk, curb and gutter, and to construct new pedestrian accessibility ramps.

FUND NAME	PERCENT	ESTIMATED COST	PROJECTED COST	NOTES
M2 Fairshare	100.00	\$700,000	\$743,139	
		<b>\$700,000</b>	<b>\$743,139</b>	

Project Phase	16/17	17/18	18/19	19/20	20/21	21/22	22/23	Estimated Cost	Projected Cost
E	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$70,000	\$70,000
R	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
C/I	\$90,000	\$90,000	\$90,000	\$90,000	\$90,000	\$90,000	\$90,000	\$630,000	\$673,139
O&M	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	<b>\$100,000</b>	<b>\$100,000</b>	<b>\$100,000</b>	<b>\$100,000</b>	<b>\$100,000</b>	<b>\$100,000</b>	<b>\$100,000</b>	<b>\$700,000</b>	<b>\$ 743,139</b>

## Measure M

Seven Year Capital Improvement Program (Sorted by Project Name)  
Fiscal Years 2016/2017 through 2022/2023

Agency: Stanton

Project Name: Citywide Slurry Seal

Project Limits: Various locations throughout the City.

Project Number: N/A

Type of Work (TOW): Road Maintenance

TOW Description: Slurry seal of roadway

Project Description: Apply slurry seal to various roads throughout the City.

FUND NAME	PERCENT	ESTIMATED COST	PROJECTED COST	NOTES
Gas Tax	100.00	\$1,400,000	\$1,486,277	
		\$1,400,000	\$1,486,277	

Project Phase	16/17	17/18	18/19	19/20	20/21	21/22	22/23	Estimated Cost	Projected Cost
E	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$20,000	\$140,000	\$140,000
R	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
C/I	\$180,000	\$180,000	\$180,000	\$180,000	\$180,000	\$180,000	\$180,000	\$1,280,000	\$1,346,277
O&M	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$1,400,000	\$1,486,277

Agency: Stanton

Project Name: Environmental Cleanup Program - Catch Basin Inserts

Project Limits: Citywide

Project Number: 13-STAN-ECP-3697

Type of Work (TOW): Environmental Cleanup

TOW Description: Automatic Retractable Screen and other debris screens or inserts

Project Description: Retrofit existing catch basins with new screens.

FUND NAME	PERCENT	ESTIMATED COST	PROJECTED COST	NOTES
General Fund	100.00	\$58,878	\$58,878	
		\$58,878	\$58,878	

Project Phase	16/17	17/18	18/19	19/20	20/21	21/22	22/23	Estimated Cost	Projected Cost
E	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
R	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
C/I	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
O&M	\$9,813	\$9,813	\$9,813	\$9,813	\$9,813	\$9,813	\$0	\$58,878	\$58,878
	\$9,813	\$9,813	\$9,813	\$9,813	\$9,813	\$9,813	\$0	\$58,878	\$58,878

## Measure M

Seven Year Capital Improvement Program (Sorted by Project Name)  
Fiscal Years 2016/2017 through 2022/2023

Agency: Stanton  
Project Name: Kernmore Lane Improvements  
Project Limits: Kernmore Lane  
Project Number: N/A

Type of Work (TOW): Road Maintenance

TOW Description: Rehabilitation of roadway

Project Description: Rehabilitation of Kernmore Lane. This is a carry-over project for FY15/16. Funding is reflected in prior year.

FUND NAME	PERCENT	ESTIMATED COST	PROJECTED COST	NOTES
Other	100.00	\$0	\$0	County of Orange Kernmore Lane Improvement Fund
		\$0	\$0	

Project Phase	16/17	17/18	18/19	19/20	20/21	21/22	22/23	Estimated Cost	Projected Cost
E	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
R	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
C/I	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
O&M	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

Agency: Stanton  
Project Name: Traffic Signal Improvements  
Project Limits: Various Locations with the City  
Project Number: N/A

Type of Work (TOW): Traffic Signals

TOW Description: Replace and upgrade traffic signals and equipment

Project Description: Replace and upgrade traffic signals and equipment.

FUND NAME	PERCENT	ESTIMATED COST	PROJECTED COST	NOTES
Gas Tax	50.00	\$1,137,500	\$1,209,398	
M2 Fairshare	50.00	\$1,137,500	\$1,209,398	
		\$2,275,000	\$2,418,795	

Project Phase	16/17	17/18	18/19	19/20	20/21	21/22	22/23	Estimated Cost	Projected Cost
E	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$25,000	\$175,000	\$175,000
R	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
C/I	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$2,100,000	\$2,243,795
O&M	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	\$325,000	\$325,000	\$325,000	\$325,000	\$325,000	\$325,000	\$325,000	\$2,275,000	\$ 2,418,795

# Attachment B



## Appendix I:

### Maintenance of Effort Reporting Form

**Jurisdiction:** City of Stanton

**Type of GENERAL FUND Transportation Expenditures:**

Please attach supporting budget documentation for each line item listed below.

MAINTENANCE	Total Expenditure
Maintenance	\$ 86,843.00
Subtotal Maintenance	\$ 86,843.00

CONSTRUCTION	Total Expenditure
Subtotal Construction	\$ -

ADMINISTRATIVE/OTHER	Total Expenditure
Personnel	\$ 115,292.00
Subtotal Administration/Other	\$ 115,292.00

Total General Fund Transportation Expenditures	\$ 202,135.00
(Less Total MOE Exclusions*)	\$ -
<b>MOE Expenditures</b>	\$ 202,135.00
<b>MOE Benchmark Requirement</b>	\$ 186,035.00
<b>(Shortfall) / Surplus</b>	\$ 16,100.00

**Certification:**

I hereby certify that the City/County of Stanton has budgeted and will meet the Maintenance of Effort requirement for Fiscal Year 2016/17.

  
Signature (Finance Director)

Administrative Svcs Director  
Title

May 17, 2016  
Date



# Attachment C

## **RESOLUTION NO. 2016-14**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON CONCERNING THE STATUS OF THE CIRCULATION ELEMENT AND MITIGATION FEE PROGRAM FOR THE MEASURE M (M2) PROGRAM.**

**WHEREAS**, the City of Stanton desires to maintain and improve the streets within its jurisdiction, including those arterials contained in the Master Plan of Arterial Highways (MPAH) and

**WHEREAS**, the City of Stanton had endorsed a definition of and process for, determining consistency of the City's Traffic Circulation Plan with the MPAH, and

**WHEREAS**, the City has adopted a General Plan Circulation Element which does not preclude implementation of the MPAH within its jurisdiction, and

**WHEREAS**, the City is required to adopt a resolution biennially informing the Orange County Transportation Authority (OCTA) that the City's Circulation Element is in conformance with the MPAH and whether any changes to any arterial highways of said Circulation Element have been adopted by the City during Fiscal Year(FY) 2014 – 2015 and FY 2015-16, and

**WHEREAS**, the City is required to send biennially to the OCTA all recommended changes to the City Circulation Element and the MPAH for the purposes of re-qualifying for participation in the Combined Transportation Funding Programs, and

**WHEREAS**, the City is required to adopt a resolution biennially to adopt a Mitigation Fee Program, and

**NOW, THEREFORE, BE IT RESOLVED** that the City of Stanton, does hereby inform OCTA that:

- a) The arterial highway portion of the City Circulation Element of the City is in conformance with the MPAH.
- b) The City attests that no unilateral reduction in through lanes has been made on any MPAH arterials during FY 2014-2015 and FY 2015-16.
- c) The City has adopted a uniform setback ordinance providing for the preservation of rights-of-way consistent with the MPAH arterial highway classification.
- d) The City has adopted provisions for the limitation of access to arterial highways in order to protect the integrity of the system.

e) The City reaffirms that Council concurs with the existing Mitigation Fee Program; and

**ADOPTED, SIGNED AND APPROVED** this 24<sup>th</sup> day of May 2016.

\_\_\_\_\_  
Brian Donahue, MAYOR

APPROVED AS TO FORM:

\_\_\_\_\_  
MATTHEW E. RICHARDSON, CITY ATTORNEY

ATTEST:

I, Patricia A. Vazquez, City Clerk of the City of Stanton, California DO HEREBY CERTIFY that the foregoing Resolution, being Resolution No. 2015-yy has been duly signed by the Mayor and attested by the City Clerk, all at a regular meeting of the Stanton City Council, held on May 26, 2015, and that the same was adopted, signed and approved by the following vote to wit:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

\_\_\_\_\_  
PATRICIA A. VAZQUEZ, CITY CLERK

# Attachment D



### CHAPTER 5

#### A. INTRODUCTION

Infrastructure and community services are the underlying components of a well-functioning community. Poorly maintained or inadequate infrastructure can impede the well-being of the community and impair public health and safety.

Local governments can promote appropriate levels of infrastructure by establishing favorable parameters for traffic levels of service (LOS), pedestrian safety, water supply, and solid waste and wastewater removal. Local governments can also promote the expansion of educational facilities, library services, civic events, and other public services. Therefore, the purpose of the Infrastructure & Community Services Element is to:

- Identify the strengths, opportunities, and key issues of the city's infrastructure and public service systems.
- Establish goals, strategies and actions affecting infrastructure and public services.
- Provide a framework for determining appropriate infrastructure improvements and expansion of public services.
- Provide a framework for providing sufficient infrastructure and public services to meet the existing and future needs of the city of Stanton.

The Infrastructure & Community Services Element is to be used as a policy guide for infrastructure and public service improvements by decision makers, city staff, and the community. This Element is closely related to other elements of the Stanton General Plan, especially the Community Development Element. The Community Development Element provides the designations for residential, commercial, industrial and public uses throughout the city, which all require sufficient infrastructure and community services to function properly.

#### B. BACKGROUND

##### TRANSPORTATION

Transportation issues are closely related to other elements of the General Plan, such as the Circulation Element, Land Use Element, Housing Element, Community Health and Safety Element, Community Design Element, and Economic Development Element. With the near build out of the city and the limited space available for transportation related improvements, several key issues arise, including:

- What steps can the city take to best plan for the impacts of the Smart Street Program on Beach Boulevard and Katella Avenue?
- How can the traffic flows along Beach Boulevard and Katella Avenue be improved without negatively affecting businesses within the city?
- How can access from local neighborhoods to the major arterials be improved?
- How can access from major arterials to adjoining businesses be improved?
- What measures can be taken to improve pedestrian safety along major arterials?



- How can the city's transportation system benefit from the reuse of the Pacific Electric Corridor?
- How can the city incorporate Intelligent Transportation Systems (ITS) into future improvements?

This section assesses how the transportation network in the city of Stanton meets current and projected demand. The city's transportation network has changed over the years to accommodate a growing population. However, due to the existing built out fabric of the city, transportation system improvements become increasingly more challenging.

### **Roadway Network**

Roadways are the most visible and frequently used mediums for transportation in the city. A grid of arterials connecting to several local street systems supports the city as shown in Exhibit 5-1, Roadway Classifications, the city has five north-south arterials and six east-west arterials, all of which have between four and eight travel lanes. These arterials carry thousands of commuters, tourists, and residents everyday, and have significant regional visibility. A brief description of the city's arterial streets is contained below.

**Beach Boulevard (SR-39)** is an eight-lane divided roadway with a raised median trending in a north-south direction. Beach Boulevard is designated State Route 39 (SR-39). On-street parking is prohibited on Beach Boulevard (SR-39). The posted speed limit on Beach Boulevard (SR-39) is 40 miles per hour south of Chapman Avenue and 45 miles per hour north of Chapman Avenue.

**Cerritos Avenue** varies from a four-lane undivided roadway to a four-lane divided roadway with a continuous left-turn lane trending in an east-west direction. The posted speed limit on Cerritos Avenue is 40 miles per hour. On-street parking is prohibited on the northern side of Cerritos Avenue between Beach Boulevard (SR-39) and Western Avenue. On-street parking is prohibited on Cerritos Avenue between Western Avenue and Knott Avenue.

**Chapman Avenue** varies from a five-lane divided roadway with a continuous left-turn lane to a four-lane divided roadway with a raised median trending in an east-west direction. The posted speed limit on Chapman Avenue is 40 miles per hour. On-street parking is prohibited on Chapman Avenue west of Beach Boulevard (SR-39) and permitted on the southerly side of Chapman Avenue east of Beach Boulevard (SR-39).

**Dale Avenue** varies from a two-lane undivided roadway to a four-lane divided roadway with a continuous left-turn lane trending in a north-south direction. The posted speed limit on Dale Avenue is 35 miles per hour; on-street parking is prohibited between Cerritos Avenue and Katella Avenue.

**Garden Grove Boulevard** varies from a four-lane divided roadway with a raised median east of Beach Boulevard (SR-39) to a six-lane divided roadway with a continuous left-turn lane west of Beach Boulevard (SR-39) trending in an east-west direction. The posted speed limit on Garden Grove Boulevard is 40 miles per hour; on-street parking is prohibited.

**Katella Avenue** varies from a four-lane divided roadway with a raised median to a six-lane divided roadway with a raised median trending in an east-west direction. The posted speed limit on Katella Avenue is 40 miles per hour; on-street parking is permitted.

**Knott Avenue** is a four-lane divided roadway with a continuous left-turn lane trending in a north-south direction. The posted speed limit on Knott Avenue is 40 miles per hour; on-street parking is permitted.

**Lampson Avenue** is a four-lane undivided roadway west of Beach Boulevard (SR-39) and a two-lane undivided roadway east of Beach Boulevard (SR-39) trending in an east-west direction.



## INFRASTRUCTURE & COMMUNITY SERVICES

On-street parking is permitted intermittently on Lampson Avenue.

**Magnolia Street** is a four-lane divided roadway with a continuous left-turn lane trending in a north-south direction. The posted speed limit on Magnolia Avenue is 40 miles per hour; on-street parking is permitted.

**Orangewood Avenue** is a four-lane undivided roadway trending in an east-west direction. Orangewood Avenue is discontinuous at the Union Pacific Railroad located west of Beach Boulevard (SR-39). The posted speed limit on Orangewood Avenue is 35 miles per hour; on-street parking is prohibited between Western Avenue and Knott Avenue.

**Western Avenue** varies from a four-lane undivided roadway to a four-lane divided roadway with a continuous left-turn lane. The posted speed limit on Western Avenue is 40 miles per hour; on-street parking is prohibited.

Table 5.1 summarizes existing capacity of city of Stanton arterial roadways.

<b>Table 5-1 Existing Study Roadway Lanes &amp; Capacity</b>		
<b>Study Roadway</b>	<b>Existing Roadway Lanes</b>	<b>Capacity (ADT)<sup>1</sup></b>
<b>North-South</b>		
Beach Blvd (SR-39)	8 lanes	75,000
Dale Ave	2 to 4 lanes	12,500/37,500
Knott Ave	4 lanes	37,500
Magnolia Ave	4 lanes	37,500
Western Ave	4 lanes	37,500
<b>East-West Roadways</b>		
Cerritos Ave	4 lanes	37,500
Chapman Ave	4 lanes	37,500
Garden Grove Blvd	4 lanes	37,500
Katella Ave	4 lanes	37,500/56,300
Lampson Ave	2 to 4 lanes	12,500/25,000
Orangewood Ave	2 to 4 lanes	12,500/25,000

<sup>1</sup> = ADT Capacity from *Orange County Highway Design Manual, June 2005*.

Currently, the following two roadway segments within the city operate at an unacceptable level of service (LOS E or worse) based on daily traffic volumes:

- Garden Grove Boulevard east of Beach Boulevard (SR-39) (Note: only a portion of this roadway segment is located within the city of Stanton); and,
- Lampson Avenue east of Beach Boulevard (SR-39).

Orange County Transportation Authority (OCTA) coordinates with local jurisdictions to implement Smart Streets on regional routes of significance. As identified by OCTA, the Smart Street concept seeks to improve roadway traffic capacity and smooth traffic flow through potential measures such as traffic signal synchronization, bus turnouts, intersection improvements and addition of travel lanes. The network as identified by OCTA includes 21 roadways, with Beach Boulevard implementation in 1996 as the first Smart Street. Katella Avenue is the other



designated Smart Street within the city of Stanton, with construction and implementation of Smart Street concepts starting in the summer of 2008. Selection of specific Smart Street concepts for inclusion in the Katella Avenue Smart Street is based on coordination between residents, business owners, and other public stakeholders and agency staff.

### **Planned Roadway Improvements**

Forecast General Plan buildout conditions assume the following circulation system improvements by the city of Stanton, OCTA, or adjacent jurisdictions as identified in the OCTA MPAH:

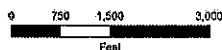
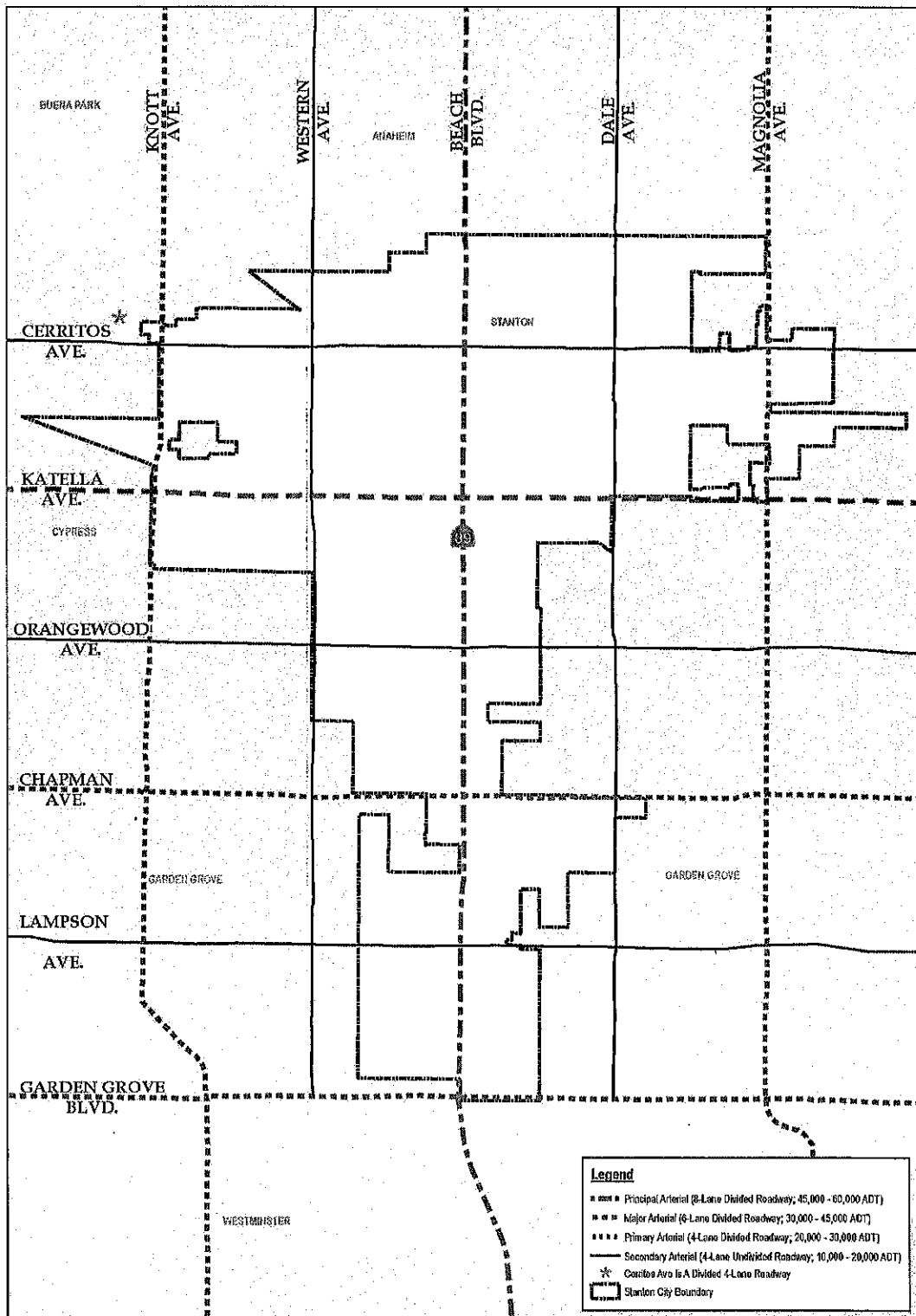
- Improve Katella Avenue from a four-lane divided roadway to a six-lane divided roadway for the following roadway segments:
  - West of Knott Avenue;
  - Between Knott Avenue and Western Avenue;
  - Between Beach Boulevard (SR-39) and Dale Avenue;
  - Between Dale Avenue and Western Avenue; and
  - Between Magnolia Avenue and Gilbert Street.
- Improve Orangewood Avenue from a two-lane undivided roadway to a four-lane undivided roadway for the following roadway segments:
  - Between Knott Avenue and Western Avenue; and
  - Between Dale Avenue and Magnolia Avenue.
- Improve Lampson Avenue from a two-lane undivided roadway to a four-lane undivided roadway for the following roadway segment:
  - Between Beach Boulevard (SR-39) and Dale Avenue.
- Improve Dale Avenue from a two-lane undivided roadway to a four-lane undivided roadway for the following roadway segment:
  - Between Orangewood Avenue and Chapman Avenue; and
  - Between Chapman Avenue and Lampson Avenue.

Based on forecast General Plan buildout traffic volumes, roadway segments within the city are forecast to operate at an acceptable LOS for forecast General Plan buildout conditions.





# INFRASTRUCTURE & COMMUNITY SERVICES



Stanton General Plan Update  
Roadway Classifications

EXHIBIT 5-1

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## **Public Transportation**

Public transportation is available to Stanton's residents through the Orange County Transportation Authority (OCTA) bus service. The OCTA operates five bus routes serving the city of Stanton, including:

- Route 25 runs along Knott Avenue and connects to Fullerton and Huntington Beach.
- Route 29 runs along Beach Boulevard and connects to Brea and Huntington Beach.
- Route 33 runs along Magnolia Avenue and connects to Fullerton and Huntington Beach.
- Route 50 runs along Katella Avenue and connects to Long Beach and Orange.
- Route 54 runs along Chapman Avenue and connects to Garden Grove and Orange.

Nearby routes, not within the city of Stanton include:

- Route 46 (Runs along Ball Road and connects to Los Alamitos and Orange).
- Route 56 (runs along Garden Grove Boulevard and connects to Garden Grove and Orange)
- Route 164 (Runs along Western Avenue, Lampson Avenue and Garden Grove Boulevard and connects to Seal Beach and Westminster).

In addition to bus service, there is an opportunity for the Pacific Electric Corridor and Union Pacific Corridor to serve as a regional mass transit facility for Stanton residents and surrounding communities. The Pacific Electric Corridor is a 100-foot wide linear strip that transects Stanton from northwest to southeast. This corridor once served as the right-of-way for a rail line running between Los Angeles and several cities in Orange County. Now abandoned, this corridor is a visual blight that cuts through the heart of the city's commercial, residential and industrial areas. In addition, the Union Pacific Corridor runs from Huntington Beach to Anaheim with a potential link to the Anaheim Metrolink Station. Both of these corridors have been proposed for reuse as bus rapid transit or light rail. If it is decided that rail is not practical, then the city wishes to encourage better maintenance of these corridors and reuse as a linear park and/or leases for nursery and horticultural interests.

## **Bicycle Facilities**

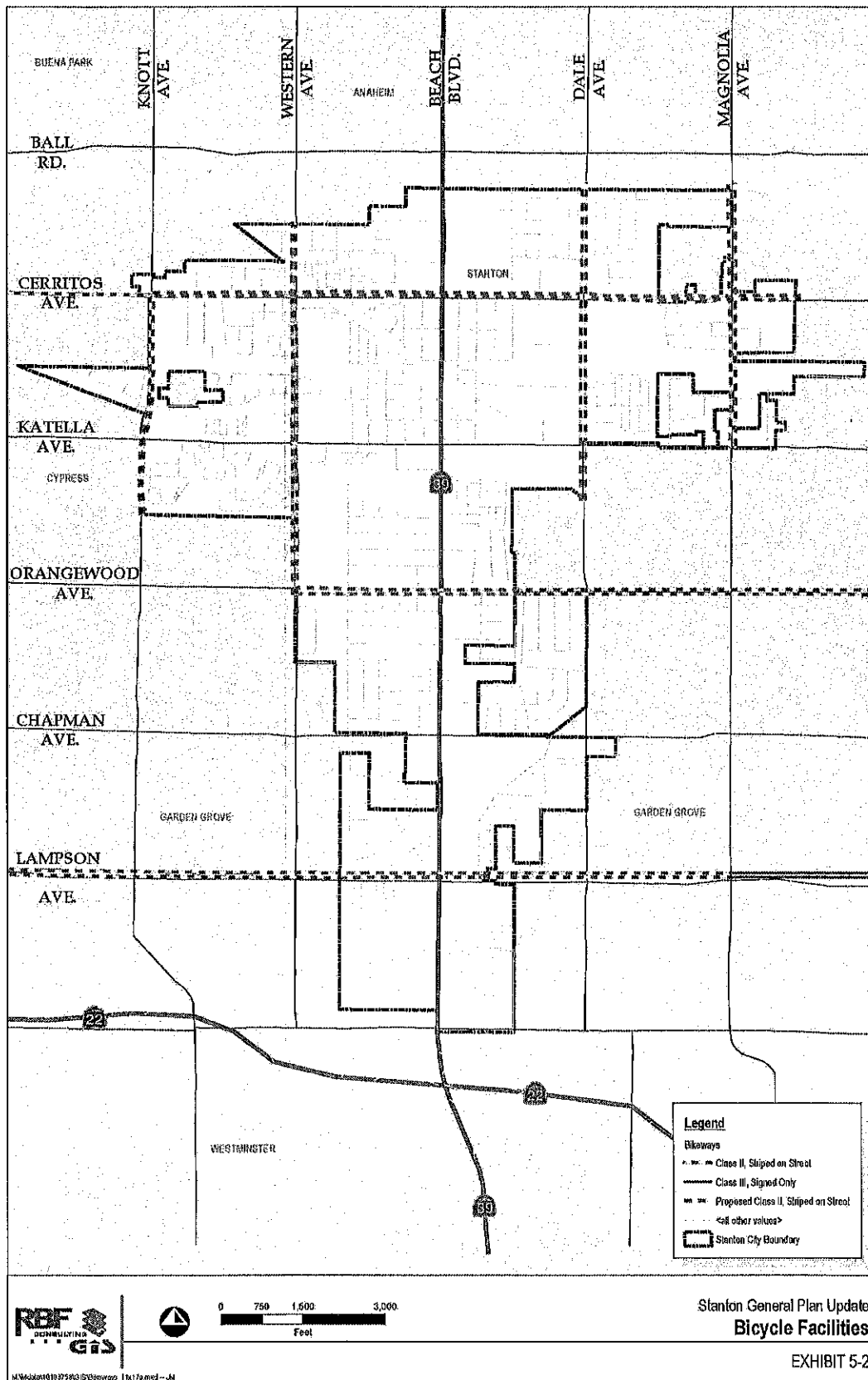
The existing bicycle network around the city of Stanton is as follows:

- A Class II bicycle path is present along Lampson Avenue east and west of city limits.
- A Class I bicycle pathway exists south of the city along Hoover Street south of Garden Grove Boulevard
- A Class II bicycle path along Cerritos Avenue, west of the city limits
- A Class II bicycle pathway on Knott Avenue between Cerritos Avenue and the train tracks
- A Class II bicycle facility along Orangewood Avenue, east of city limits

Exhibit 5-2, Bicycle Facilities, depicts the location of existing and proposed bicycle facilities in and around the city of Stanton.



# INFRASTRUCTURE & COMMUNITY SERVICES





## **LINEAR FACILITIES/SERVICES**

Linear facilities and services – wastewater/sewage, water, stormwater/flood control, solid waste, electricity and gas – are the lifelines of a city. State guidelines prescribe that the General Plan contain "policies and plan proposals for the development, improvement, and timing of major sewer, water and drainage facilities," and standards for location of electrical facilities.

The city of Stanton, in order to adequately serve both existing and future users, must plan for the reliability and accessibility of linear infrastructure and services to accommodate future development opportunities. As infill development continues within this built out city, the capacity and proper planning of city infrastructure systems is increasingly important. Several key issues pertaining to linear facilities and services include:

- How can the city upgrade deficient systems and expand the existing systems for future users?
- How can the city best plan for reliable service delivery to future infill development areas?
- How do planned services and facilities contribute to growth patterns?
- How can development fees best contribute to facility planning and service delivery in future growth areas?

### **Wastewater**

The Orange County Sanitation District (OCSD) is responsible for collecting, treating, and disposing wastewater collected within the central and northwest portions of the County. OCSD has two treatment plants serving the city of Stanton: Reclamation Plant No. 1 in Fountain Valley and Treatment Plant No. 2 in Huntington Beach. Average flows for Reclamation Plant No. 1 and Treatment Plant No. 2 are 81 million gallons per day (mgd) and 151 mgd, respectively. The combined average flow is 239 mgd.

The Public Works Department's Sewer Maintenance Program maintains and operates the sanitary sewer collection system. The Sewer Maintenance Program practices preventative maintenance activities such as continual monitoring and maintenance of the entire system and hydraulic cleaning of the main lines. In addition, the city now operates the portions of the city's sewer system that was previously operated by Stanton County Water District and the Garden Grove Sanitation District. Stanton receives wastewater flows from 3,100 acres of tributary area. The city has three major trunk lines, with one lift station near the intersection of Court Street and Acacia Avenue. Wastewater flows from north to south delivering waste to the County District No. 3 facility.

### **Water**

The city receives water services from the Golden State Water Company's (GSWC) West Orange County System (WOCS). Stanton, through WOCS, obtains water through wells and purchased water connections from the Metropolitan Water District (MWD), which augments water supplied from 21 County wells. Wells have historically supplied 85% of water in the WOCS. Deficient, undersized water mains are present and will need to be replaced. Development projects are assessed fees for new water provision facilities. Future population projections would warrant a 2-million gallon reservoir and pump station within the city.



### Stormwater/Flood Control

The Engineering Division of the Public Works Department manages the City Capital Improvement Program (CIP), which includes storm drains within the city limits. The city is located within the alluvial plains of Santa Ana River and since the city is relatively flat, drainage generally flows northeast to southwest. Storm drainage facilities that serve Stanton include four regional drainage facilities and a network of local drainage facilities. Additionally, the City Yard and Orange County Fire Station provide sand bags during the rain season.

### Solid Waste

CR&R, Incorporated (CR&R) operates Stanton Disposal Services, which handles collection of solid waste within the city. CR&R also operates the Materials Recovery Facility (MRF) and a transfer station located on Knott and Western Avenues. In addition, there are three solid waste disposal facilities in the County of Orange—the Frank R. Bowerman Landfill, the Olinda Alpha Landfill, and the Prima Deshecha Landfill. The Frank R. Bowerman Landfill has a capacity of 8,500 tons per day and an estimated closure date of 2022. The Olinda Alpha Landfill has a capacity of 8,000 tons per day and an estimated closure date of 2013. The Prima Deshecha Landfill has a capacity of 4,000 tons per day and an estimated closure date of 2067.

Other disposal facilities used by the city include the Bakersfield S.L.F. in Kern County, the Otay Annex and Sycamore Sanitary Landfills in San Diego County, and the Puente Hills Landfill #6 in Los Angeles County.

The city is required under State Law to identify quantities of solid waste generated within its jurisdiction. Waste categories include paper, plastics, glass, metals, yard waste, other organics (e.g., food wastes), construction debris, and special wastes (e.g., ash, asbestos). According to the California Integrated Waste Management Board (CIWMB), the city of Stanton buried an estimated 39,749 tons of solid waste in 2005, which amounts to approximately 750 tons per week.

Other requirements under State Law include following priorities for waste management: source reduction, recycling and composting and environmentally safe transformation and disposal. In accordance with the California Integrated Waste Management Act (AB 939) a 25% diversion in solid waste was reached by January 1, 1995. The city was giving a time extension to reach 50% diversion of solid waste by January 1, 2000. In addition, Stanton is also required to develop a Source Reduction and Recycling Element (SRRE) in accordance with Public Resources Code. Current legislation now requires that jurisdictions achieve 50% diversion each year. According to preliminary data by the CIWMB, Stanton diverted 58% of the city's solid waste in 2005.

### Electricity

Southern California Edison (SCE) provides electricity to Stanton residents. The Barre Substation, located at 8662 Cerritos Avenue, including the new peaker plant completed in August 2007, provides power to the area. The peaker unit is fueled by natural gas and is capable of generating approximately 45 MW of electricity when the local electrical system needs power or local voltage support.



## **PUBLIC SERVICES**

Public services provide the "human infrastructure" of a city, and include the activities, programs, and places that promote the physical, cultural, intellectual, and emotional welfare of city residents. Public services, and the facilities within which they occur, provide opportunities for community interaction and places to hold community events. Within Stanton, public services include the city's parks and recreational spaces and programs, the educational system and school districts that serve city residents, the library services available to the community, and the public spaces and activities at the Stanton Civic Center.

Public services and the physical spaces that these services occupy need constant maintenance and upkeep, just like a city's physical infrastructure. Several issues arise with the provision and maintenance of public services, including:

- How can new public spaces be built given the lack of vacant land in Stanton?
- How can the city accommodate increased school enrollment in areas planned for high density uses?
- How can the city best utilize multidisciplinary spaces that jointly serve a diversity of uses?
- How can the city best create aesthetically pleasing, safe, pedestrian friendly public spaces?
- What public services and programs would best serve the community?

### **Stanton Collaborative**

The Stanton Collaborative, part of the Parks and Recreation Services Department is comprised of local Stanton agencies that meet to discuss various community topics, issues, challenges, and successes for youth and family services of the Stanton area. The vision of the Collaborative is to strengthen and celebrate a diverse community where people may have a safe and positive place to grow, build families, and enjoy life. The Collaborative works to linking individuals and families to resources, services, and programs, which encourage self-sufficiency, enhance parenting skills, improve health and welfare and provide neighborhood leisure activities.

### **Parks and Recreation**

The Parks and Recreation Services Department currently operates public park facilities within the city of Stanton. The Stanton park system is comprised of five neighborhood parks, including: Stanton Park, Hollenbeck Park, Stanton Tennis Courts, Norm Ross Sports Fields, Veteran's Memorial Park, and Date & Katella Pocket Park as well as two mini parks, Zuniga and Premier Parks. Stanton Park, is the city's largest, located on land leased from The Edison Company. Because of the presence of high-voltage power lines, only limited passive uses are allowed within this park and Hollenbeck Park.

Elementary and high schools provide an additional amenity to many residents by allowing youth sports leagues to play on their fields and grounds. The city currently has a joint agreement with the Garden Grove School District to use Carter Elementary Schools as an additional facility.

In November 2005, the city adopted the Parks and Recreation Master Plan for the city of Stanton. This plan examines existing parks and recreation facilities as well as plans for future facilities within the city. According to this plan, Stanton has a park ratio of 0.94 acres per 1,000 residents, which is significantly lower than the Subdivision Map Act and Quimby Act (Section 66477 of the



## INFRASTRUCTURE & COMMUNITY SERVICES

Government Code) criteria of three acres per 1,000 people. It indicates that while the city may not realistically be able to meet the state standard of parkland due to its lack of vacant land and natural resources such as beaches, wetlands, state or national parks, the city can develop a standard of providing facilities to meet community demand.

In addition to park facilities, the Parks and Recreation Department operates the 3,500 square-foot Stanton Community Services Center, located at 11822 Santa Paula Avenue. This facility provides a variety of recreational, educational, social and human service programs provided through the efforts of the Stanton Collaborative. Table 5-2, Existing Parks and Recreational Facilities shows the location and size of each of the parks and recreational facilities operated by the Parks and Recreation Department.

<b>Table 5-2 Existing Park and Recreation Facilities</b>			
<b>Park</b>		<b>Size</b>	<b>Location</b>
Stanton Park		5.5 AC	11111 Cedar Street
Hollenbeck Park		10.75 AC	North of Cerritos Avenue, between Magnolia and Dale Avenues
Stanton Tennis Courts		0.5 AC	10660 Western Avenue
Norm Ross Sports Field		5.2 AC	1111 Cedar Street
Veteran's Memorial Park		0.16 AC	10970 Cedar Street
Date & Katella Pocket Park		0.19 AC	10961 Date Street
Zuniga Park		0.25 AC	10902 Date Street
Premier Park		0.85 AC	8340 Briarwood Street
<b>Facility</b>		<b>Size</b>	<b>Location</b>
Stanton Community Services Center		0.65 AC	11822 Santa Paula Avenue
Stanton Community Center		N/A	7800 Katella Avenue

### Education

The city is served by four school districts – Anaheim Union High School, Garden Grove Unified, Magnolia and Savanna School Districts, as well as one private school. There are also two centers for adult education serving Stanton residents – Chapman-Hettinga Education Center and Lincoln Educational Center. Cypress College to the north is the nearest community college. Long range projections to 2009/10 forecast student enrollment in the elementary level to decline, intermediate school enrollment to increase and peak in the 2006/07 school year and high school enrollment to increase and peak in the 2007/08 school year as the enrollment bubbles move through the system. Table 5-3, Existing Enrollment and Enrollment Capacity, shows existing capacities for each of Stanton's school districts.



**Table 5-3  
Existing Enrollment and Enrollment Capacity**

<b>Name</b>	<b>Enrollment</b>	<b>Enrollment Capacity</b>	<b>% Capacity</b>
<b>Anaheim Union High School District<sup>1</sup></b>			
Dale Junior High	1,422	1,420	100%
Magnolia High	2,039	1,860	110%
Orangeview Junior High	1,162	1,140	102%
Western High	2,172	1,831	119%
<b>Garden Grove Unified School District<sup>2</sup></b>			
Bryant Elementary	622	551	113%
Carver (Mabel) Elementary	268	377	71%
Lawrence (Ernest O.) Elementary	612	464	132%
Wakeham Elementary	383	493	78%
Alamitos Intermediate	911	812	112%
Pacifica High	1,955	1,827	107%
Rancho Alamitos High	1,865	1,798	104%
<b>Magnolia School District<sup>3</sup></b>			
Pyles (Robert M.) Elementary	832	1,164	71%
Walter (Esther L.) Elementary	611	863	71%
<b>Savanna School District<sup>4</sup></b>			
Cerritos Elementary	452	540	84%
Hansen Elementary	701	780	90%
Reid (Twila) Elementary	667	804	83%
Note: <sup>1</sup> John Oskoui, AUHSD, School Questionnaire, May 13, 2008 <sup>2</sup> Sue McCann, Assistant Superintendent, Business Services, GGUSD, School Questionnaire, April 29 & May 5, 2008 <sup>3</sup> Cheryl Blount, Sr. Administrative Assistant, Business Department, Magnolia School District, Fax, May 12, 2008 <sup>4</sup> Eric Fano, Accountant, Savanna School District, Fax, April 28, 2008			

## Civic Center

The Stanton Civic Center is meant to play an integral role in the community. Surrounded by several other uses, the Civic Center is conveniently located and should be used for a variety of activities. The Civic Center site is centrally located on the southwest corner of Beach Boulevard and Katella Avenue. The Civic Center consists of:

- **City Hall** – Located at 7800 Katella Avenue, Stanton City Hall provides a full range of municipal services.
- **Stanton Library** – The Stanton Library, located at 7850 Katella Avenue, is part of the Orange County Public Library system, which has over 30 branches. It has over 66,000 items in its collection, including a wide variety of items in Spanish.
- **Cultural Arts & Recreation Center** – Provides facilities for special events and private parties.
- **Boys & Girls Club of Stanton** – Located at 11050 Cedar Street, provides education and recreation programs and services to youth between the ages of 6 to 18 years.





- **Stanton City Park** – Located at 1111 Cedar Street.
- Senior citizen apartment complex, single-family neighborhood, and a commercial center

## C. KEY ISSUES

### ICS-1 Transportation

As the population continues to grow in the Stanton and surrounding communities, so does the amount of traffic on city roadways. Planning for appropriate measures to mitigate the impacts of traffic while accommodating the infrastructure needed to support the increasing volumes will continue to be a challenge in the city. Implementing the following goals, strategies and actions can increase transportation mobility by improving access to all modes of transportation.

#### Goal ICS-1.1

Provide an efficient, coherent, and well-maintained transportation network that adequately supports the General Plan Land Use Concept.

#### Strategy ICS-1.1.1

Ensure sufficient funding for maintenance, enhancement, and expansion of the city's transportation infrastructure.

##### Action ICS-1.1.1 (a)

Identify new funding sources for transportation improvements, including appropriate local, regional, state, and federal level programs and grants.

#### Strategy ICS-1.1.2

Improve efficiency of the city's existing transportation network.

Intelligent transportation systems (ITS) encompass a broad range of wireless and communication-based technologies. When integrated into the transportation system's infrastructure, and in vehicles themselves, these technologies relieve congestion, improve safety and enhance productivity.

##### Action ICS-1.1.2 (a)

Where feasible, explore opportunities for Intelligent Transportation System (ITS) technologies to be incorporated into any future improvements to major primary and secondary corridors.

##### Action ICS-1.1.2 (b)

Direct through traffic from local and collector roadways onto major primary and secondary corridors.



#### **Action ICS-1.1.2 (c)**

Revise parking policies to allow for increased flexibility with parking standards, encourage shared parking between uses, and facilitate the establishment of parking districts to manage and maintain off-street parking locations.

#### **Action ICS-1.1.2 (d)**

Maintain level of service (LOS) D or better on city streets and LOS E or better for CMP or Smart Street roadways.

#### **Action ICS-1.1.2 (e)**

Review and determine if there are corridors or intersections where a future operating condition of LOS E may be acceptable. If the impact of the mitigation to address that condition would prohibit other important goals from being achieved.

### **Strategy ICS-1.1.3**

Integrate OCTA's Smart Street Program with improvements and modifications, such as lot consolidation, coordinated planning of adjacent properties, and driveway consolidation.

#### **Action ICS-1.1.3 (a)**

Ensure improvements and modifications to streets are efficiently integrated within the Smart Street Program.

#### **Action ICS-1.1.3 (b)**

Establish a sign program that is integrated with the Smart Street Program, and includes sign consolidation and directional signs design.

### **Goal ICS-1.2**

Encourage alternatives to the private automobile by increasing access and opportunities to public transit, as well as to other alternative modes of transportation, such as biking and walking.

### **Strategy ICS-1.2.1**

Capitalize on the economic development and community revitalization potential of transit operations.



## INFRASTRUCTURE & COMMUNITY SERVICES

### Action ICS-1.2.1 (a)

Study the planning and development implications of a regional light rail stop in downtown Stanton.

### Action ICS-1.2.1 (b)

Encourage transit supportive uses at key locations, as well as provide appropriate buffers between transit areas and adjoining uses.

### Action ICS-1.2.1 (c)

Require that major roadway projects consider planning for future transit corridors and uses, such as bus rapid transit and future light rail opportunities.

### Action ICS-1.2.1 (d)

Within future design guidelines documents provide appropriate mitigation for the impacts of future light rail uses, such as landscape buffers, urban design consideration and noise mitigation.

### Action ICS-1.2.1 (e)

Develop a citywide framework plan for improving transit.

### Action ICS-1.2.1 (f)

Prepare a Specific Plan or master plan for mixed-use/transit-oriented development at the Pacific Electric Corridor and Beach Boulevard.

### Action ICS-1.2.1 (g)

Prepare and adopt a Bicycle Master Plan.

### Action ICS-1.2.1 (h)

As part of the plan review of future development proposals, the demand for vehicular, pedestrian, bicycle, and other transportation modes shall be reviewed and the city shall determine the appropriate modes applicable to each development project that assist in accomplishing goal ICS-1.2.



## Strategy ICS-1.2.2

Proactively plan for the reuse of the Pacific Electric and Union Pacific Corridors as a light rail facilities, or other alternative transportation use, such as a regional bikeway and linear park.

### Action ICS-1.2.2 (a)

In conjunction with OCTA, conduct preliminary planning for several alternative uses of the Pacific Electric and Union Pacific Corridors that take advantage of future opportunities to place Stanton as a regional mass transit center, and ensure the safety and convenience of Stanton residents.

### Action ICS-1.2.2 (b)

Investigate opportunities for encouraging the lease of portions of the Pacific Electric Corridor for nursery and/or horticultural uses that could compliment a regional bikeway use along this right-of-way.

### Action ICS-1.2.2 (c)

If a light rail station is not feasible, consider entering into a lease agreement with the Union Pacific Railroad to landscape, make improvements such as paved biked trails, and use the right-of-way as a linear park, west of Beach Boulevard.

## ICS-2 Linear Facilities & Services

As the population continues to grow, linear facilities and services will receive additional pressure to serve the city of Stanton. Many resources are limited, and increasing their availability will present new challenges and require creative techniques to effectively serve the residents, businesses, and other facilities in the city.

### Goal ICS-2.1

Provide adequate linear infrastructure to serve new and existing development within the city of Stanton.

### Strategy ICS-2.1.1

Ensure sufficient funding for the maintenance of existing linear facilities and the construction of new linear facilities as needed.



## INFRASTRUCTURE & COMMUNITY SERVICES

### Action ICS-2.1.1 (a)

Require all new development to pay its fair share of the cost of all essential linear infrastructure improvements, including improvements to the sewer, stormwater, and potable water city systems.

### Strategy ICS-2.1.2

Provide for the improvement of facilities and delivery where existing systems are deficient.

### Action ICS-2.1.2 (a)

Implement a continuous six-year Capital Improvement Program (CIP) to upgrade and maintain the city sewer, stormwater, and potable water infrastructure.

### Action ICS-2.1.2 (b)

Monitor the capacity of all linear facilities within the city, to assure that present needs are being met and that future development will be adequately served.

### Action ICS-2.1.2 (c)

Establish and maintain a master record of the capacity of services delivered and monitor impacts and demands of new development on infrastructure systems.

### Action ICS-2.1.2 (d)

Establish timing and phasing requirements for linear facility infrastructure improvements, prioritizing the most important projects based on city needs.

### Action ICS-2.1.2 (e)

Maintain an updated Master Drainage Plan, Master Sewer Plan, and Master Water Plan.

## ICS-3 Resource Conservation

The city of Stanton recognizes the environmental impacts of the city's infrastructure systems. Therefore, protection and conservation of the city's water resources, waster management, and the protection of natural drainage should be a factor in all land use decisions.



## Goal ICS-3.1

Reduce the environmental impacts of the city's infrastructure systems, promoting sustainable continuation of services to Stanton residents.

### Strategy ICS-3.1.1

Reduce the quantity of waste generated by the city of Stanton by increasing the city's role in the source reduction and recycling components of waste management.

#### Action ICS-3.1.1 (a)

Provide an implementation schedule for the city Source Reduction and Recycling Element (SRRE).

#### Action ICS-3.1.1 (b)

Distribute information bulletins about solid waste management to residents, business and industries.

#### Action ICS-3.1.1 (c)

Explore ways to increase the capacity of recycling and composting systems within the city, for the collection, processing, and use in manufacturing of discarded items.

#### Action ICS-3.1.1 (d)

Investigate and adopt, if feasible, a green building program for public and private development projects.

### Strategy ICS-3.1.2

Promote opportunities to decrease demand on the city's potable water supply and infrastructure.

#### Action ICS-3.1.2 (a)

Explore and adopt, if feasible, recycled water infrastructure and landscaping program.

#### Action ICS-3.1.2 (b)

Incorporate water conservation measures in day-to-day city operations such as xeriscaping and adopting water-efficient standards for new developments.



## INFRASTRUCTURE & COMMUNITY SERVICES

### Action ICS-3.1.2 (c)

Adopt a new landscaping ordinance including water budgets for new development.

### Action ICS-3.1.2 (d)

Encourage new development and redevelopment to incorporate water conservation principles into landscaping design, including the use of drought tolerant plants, limited turf areas, and other water conserving techniques.

### Action ICS-3.1.2 (e)

Develop a program to assist property and homeowners in installing energy and water-saving devices in their homes.

### Strategy ICS-3.1.3

Encourage the protection of natural drainage methods.

### Action ICS-3.1.3 (a)

Require new development to incorporate environmentally friendly designs, such as detention systems, metered-release watering devices, porous or vegetative drain liners, and the minimization of impervious surfaces.

### Strategy ICS-3.1.4

Encourage the mitigation of waterborne pollutants.

### Action ICS-3.1.4 (a)

Require, as feasible, opportunities for incorporating stormwater management retention and detention features into the design of new parks, trails, commons, and open space areas.

### Action ICS-3.1.4 (b)

Discourage the widespread application of broad spectrum pesticides in parks and other landscaped areas throughout Stanton.

## ICS-4 Public Services

The need for public services will continue to grow with Stanton's population. Maintaining a high ratio of park space per capita, sufficient classroom space, and adequate facilities for community



events and interaction are all city priorities. Future development within the city will place greater demands on each of these public services and the facilities that house them.

### **Goal ICS-4.1**

Create and maintain a system of public parks that are accessible to all residents, and provide a range of recreational amenities and opportunities.

### **Strategy ICS-4.1.1**

Seize opportunities to expand park acreage and maintain a higher ratio of park acreage per resident.

#### **Action ICS-4.1.1 (a)**

Create a park acquisition strategy that identifies prioritized uses for money received as park dedication fees, state grants, and other funding sources.

#### **Action ICS-4.1.1 (b)**

Update the Parks and Recreation Master Plan to explore opportunities for neighborhood "pocket parks", utilization of existing vacant land, land condemnation, and the provision of recreational opportunities for residents of all ages.

#### **Action ICS-4.1.1 (c)**

Design multi-purpose recreational facilities and, wherever possible, encourage the joint use of schools and other community facilities as city recreational amenities and parkland.

### **Strategy ICS-4.1.2**

Continue to improve existing parkland and recreational facilities as appropriate.

#### **Action ICS-4.1.2 (a)**

Maintain a city inventory of public parks and open space that details each area's amenities, conditions, and needed improvements.





## INFRASTRUCTURE & COMMUNITY SERVICES

### Goal ICS-4.2

Support efforts to maintain and improve facilities in local school districts.

#### Strategy ICS-4.2.1

Work with the Garden Grove Unified, Magnolia, and Savanna School Districts, and Anaheim Union High School to properly serve the educational needs of Stanton's youth.

##### Action ICS-4.2.1 (a)

Continue efforts to cooperatively resolve service demands for educational facilities.

##### Action ICS-4.2.1 (b)

Continue to monitor the impacts of new development and redevelopment on city-serving school districts.

### Goal ICS-4.3

Promote life-long learning opportunities within the city of Stanton for learners of all ages.

#### Strategy ICS-4.3.1

Support local school districts in providing both youth and adult education programs.

##### Action ICS-4.3.1 (a)

Continue to support the efforts of the Stanton Collaborative to provide youth and family services that meet the needs of Stanton's residents.

##### Action ICS-4.3.1 (b)

Initiate joint programs between both the school districts and the city for topics of interest to both, such as parks and recreation programs, after school programs, crime and gang suppression programs, etc.

#### Strategy ICS-4.3.2

Encourage educational and cultural opportunities for residents outside of the local school system.



### **Action ICS-4.3.2 (a)**

Promote a range of cultural opportunities within the city to entertain, enlighten and inform residents.

### **Action ICS-4.3.2 (b)**

Promote the continued expansion of library services within the city.

## **Goal ICS-4.4**

Provide a Civic Center that instills pride in residents and provides a space for the continuing education, entertainment, and enlightenment of the community.

### **Strategy ICS-4.4.1**

Continue to provide space for community activities and actively promote Civic Center events to the community.

### **Action ICS-4.4.1 (a)**

Develop a marketing plan for activities at the Civic Center.

### **Action ICS-4.4.1 (b)**

Establish a program for maintenance of existing facilities.

### **Action ICS-4.4.1 (c)**

Continue to look for ways to expand facilities and improve activities.

# Attachment E



## Appendix D: Eligibility Checklist

Supplanting of Developer Commitments	YES	NO	N/A
9. Has your jurisdiction insured they have not supplanted developer commitments for transportation projects and funding with Measure M funds?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Mitigation Fee Program	YES	NO	N/A
10. Does your jurisdiction currently have a defined development impact mitigation fee program in place?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a. If you answered yes to question 10, have you included a copy of your current impact fee schedule; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. If you answered yes to question 10, have you provided OCTA with a copy of your mitigation fee nexus study; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. If you answered yes to question 10, have you included a copy of your council approved policy; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. If you answered yes to question 10, have you provided OCTA with a copy of your council resolution approving the mitigation fee program?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Planning Strategies	YES	NO	N/A
11. Does your jurisdiction consider as part of its General Plan, land use planning strategies that accommodate transit and non-motorized transportation ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. Have you provided a letter identifying land use planning strategies that accommodate transit and non-motorized transportation consideration in the general plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Traffic Forums	YES	NO	N/A
13. Did representatives of your jurisdiction participate in the regional traffic forum(s)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
a. If you answered yes, provide date of attendance: 10/7/2015			

Congestion Management Program	YES	NO	N/A
14. Has your jurisdiction completed the required CMP checklist? (Appendix C)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### Submitted By:

Allan Rigg

Name (Print)

Signature

Director of Public Works

Title

City of Stanton

Jurisdiction

Date

arigg@ci.stanton.ca.us

Contact E-mail



## Appendix D: Eligibility Checklist

Responsibility: Cities, County

Jurisdiction:	City of Stanton
---------------	-----------------

Capital Improvement Program	YES	NO	N/A
1. Did you submit your draft Renewed Measure M seven-year Capital Improvement Program (CIP) to OCTA by June 30?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
a. Did you utilize the required Web Smart CIP?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Have you indicated what percentage of funding will come from each source for each of the projects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Have you listed projects in current year dollars?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
d. Did you include all projects that are partially, fully, or potentially funded by Measure M?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
e. The council approval date to adopt the final 7-Year CIP is: <u>5/24/16</u> (Must be prior to July 31)			

Maintenance of Effort	YES	NO	N/A
2. Did you submit your Maintenance of Effort certification form (Appendix I) and supporting budget documentation to OCTA by June 30?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
a. Did you use the Maintenance of Effort Reporting Form included in the M2 Eligibility Guidelines?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

Pavement Management Program (PMP)	YES	NO	N/A
3. Are you required to submit a PMP update to OCTA for this eligibility cycle? (Refer to Exhibit 3 for local agency PMP submittal schedule) If you are not required to submit a PMP update, check N/A.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. If yes, did you use the current PMP Certification form (Appendix F)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. If yes, is the PMP consistent with the OCTA Countywide Pavement Management Program?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. If you answered "no" or "n/a" to question 3, did you submit a PMP Update to OCTA through the previous eligibility cycle by June 30?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Resolution of Master Plan of Arterial Highways (MPAH) Consistency	YES	NO	N/A
5. Did you submit a resolution demonstrating consistency with the MPAH?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Have you enclosed a figure representing your most current circulation element?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Do you have a current Local Signal Synchronization Plan that is consistent with the Regional Traffic Signal Synchronization Master Plan?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Time Limits For Use of Net Revenues	YES	NO	N/A
8. Has your jurisdiction observed the time limits for the use of net revenues over the last year per the requirements outlined in the ordinance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

# **CITY OF STANTON**

## **REPORT TO CITY COUNCIL**

**TO:** Honorable Mayor and Members of the City Council

**DATE:** May 24, 2016

**SUBJECT: RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, PRELIMINARILY APPROVING THE ENGINEER'S REPORT FOR THE ANNUAL LEVY OF ASSESSMENTS FOR STANTON LIGHTING AND LANDSCAPING DISTRICT NO. 1 FOR FISCAL YEAR 2016-2017**

### **REPORT IN BRIEF:**

On April 12, 2016, the City Council adopted Resolution No. 2016-10, initiating proceedings for the annual levy of assessments and ordered the Engineer to prepare a report in accordance with Section 22565 et seq. of the State of California Streets and Highways Code. The Engineer has filed a report with the City Clerk in compliance with Council direction. The proposed resolution would preliminarily approve the report.

### **RECOMMENDED ACTION:**

That City Council:

1. 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(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).
2. Adopt Resolution No. 2016-15, preliminarily approving the Engineer's Report for the annual levy of assessments for Stanton Lighting and Landscaping District No. 1 for fiscal year 2016-2017.

### **BACKGROUND:**

The Stanton Lighting and Landscaping District No.1 was formed March 10, 1981, and currently provides funding for street lighting, traffic signals and landscape servicing and maintenance of medians within the City. Each parcel in the City is assessed a proportionate share of the District's costs each year. The assessment appears on the property tax bill. Assessments are established based upon an Engineer's assessment

of each property's relative benefit from the services provided by the District. In 1997-98, parks and greenbelts were removed from the District as a result of Proposition 218, and are now budgeted from the General Fund.

Each year, an update to the Engineer's report must be produced relative to the annual assessments for the Stanton Lighting and Landscaping District No.1. Council has previously taken action to contract with Harris and Associates to perform the required work. The Engineer's Report was submitted by the Engineer to the City Clerk on May 18, 2016, and has been submitted to Council for approval at tonight's meeting with proposed Resolution No. 2016-15.

**ANALYSIS/JUSTIFICATION:**

Approval of the report is recommended. This action does not put the assessment amount in place. That decision will be made after the required public hearing.

**FISCAL IMPACT:**

The proposed assessments will provide funding to maintain and service street lighting, traffic signals, and median maintenance.

**ENVIRONMENTAL IMPACT:**

None.

**LEGAL REVIEW:**

None.

**PUBLIC NOTIFICATION:**

Through the regular agenda process.

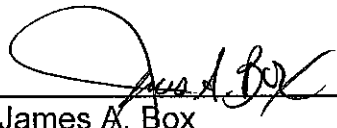
**STRATEGIC PLAN OBJECTIVE ADDRESSED:**

4. Ensure Fiscal Stability and Efficiency in Governance.

Prepared by:

Approved by:

  
\_\_\_\_\_  
Stephen M. Parker  
Administrative Services Director

  
\_\_\_\_\_  
James A. Box  
City Manager

**Attachments:**

Exhibit 1: Resolution No. 2016-15  
Attachment A: Engineer's Report for Stanton Lighting and Landscaping  
District No. 1



**RESOLUTION NO. 2016-15**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, PRELIMINARILY APPROVING THE ENGINEER'S REPORT FOR THE ANNUAL LEVY OF ASSESSMENTS FOR STANTON LIGHTING AND LANDSCAPING DISTRICT NO. 1 FOR FISCAL YEAR 2016-2017**

**WHEREAS**, on April 12, 2016, the City Council of the City of Stanton adopted Resolution No. 2016-10, initiating proceedings for the annual levy of assessments within Stanton Lighting and Landscaping District No. 1 and ordered the Engineer to prepare a report in accordance with Section 22565 et seq. of the State of California Streets and Highways Code; and

**WHEREAS**, pursuant to said Resolution, the Engineer has filed a report (the "Engineer's Report"), with the City Clerk on the 18<sup>th</sup> day of May, 2016; and

**WHEREAS**, the City Clerk has submitted the report to the City Council and the City Council now has reviewed and examined the report as so submitted.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STANTON DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1:** The City Council finds that this item 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(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).

**SECTION 2:** The Report prepared by the Engineer for fiscal year 2016-2017 in connection with Stanton Lighting and Landscaping District No. 1, including the description of the improvements, estimated costs and explanations as filed with the City Clerk on the 18<sup>th</sup> day of May, 2016 is hereby preliminarily approved. The report shall stand as the Engineer's Report for the purposes of all subsequent proceedings pursuant to the City Council's Resolution of Intention.

**SECTION 3:** A copy of this report shall remain on file in the office of the City Clerk.

**ADOPTED, SIGNED AND APPROVED** this 24<sup>th</sup> day of May, 2016.

---

BRIAN DONAHUE, MAYOR

APPROVED AS TO FORM:

\_\_\_\_\_  
MATTHEW E. RICHARDSON, CITY ATTORNEY

ATTEST:

I, Patricia A. Vazquez, City Clerk of the City of Stanton, California DO HEREBY CERTIFY that the foregoing Resolution, being Resolution No. 2015-16 has been duly signed by the Mayor and attested by the City Clerk, all at a regular meeting of the Stanton City Council, held on May 24, 2016, and that the same was adopted, signed and approved by the following vote to wit:

AYES: \_\_\_\_\_

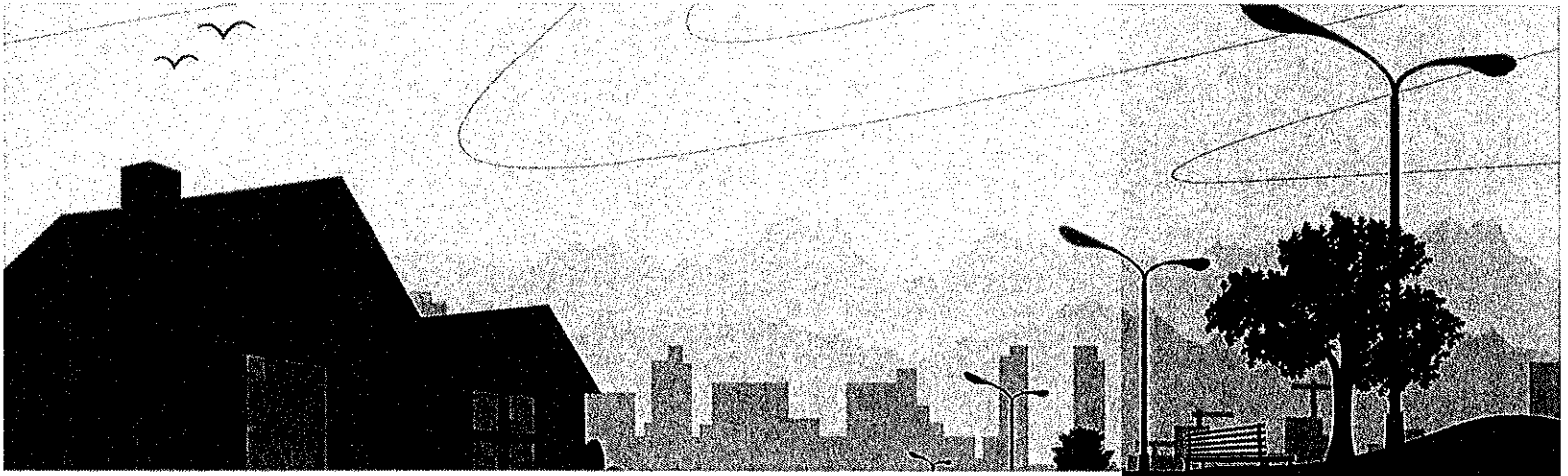
NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

\_\_\_\_\_  
PATRICIA A. VAZQUEZ, CITY CLERK

*Exhibit A: Engineer's Report*



# **DRAFT ENGINEER'S REPORT**

## **Lighting and Landscaping District No. 1**

### **Fiscal Year 2016-17**

For the

**City of Stanton**

**Orange County, California**

**May 18, 2016**



**Harris & Associates**

## ENGINEER'S REPORT

### City of Stanton Lighting and Landscaping District No. 1

The undersigned respectfully submits the enclosed report as directed by the City Council.

DATED: May 18, 2016

BY: K. Dennis Klingelhofer  
R.C.E. No. 50255



**ENGINEER'S REPORT**  
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## Introduction

The purpose of this report is to set forth findings and engineering analysis for the Stanton Lighting and Landscaping District No. 1 for the 2016-17 fiscal year. This District, utilizing direct benefit assessments, (1) supplements revenue generated by the existing 1919 Act Stanton Municipal Lighting District to finance the cost of providing maintenance and operation of a street lighting system and covers the costs of providing maintenance and operation of the traffic signals in the City, and (2) covers the costs of maintaining the median landscaping in the City of Stanton.

The City Council of Stanton adopted Resolution No. 81-20 on March 10, 1981, which formed the Stanton Lighting and Landscaping District No. 1 and confirmed assessments for the first fiscal year, 1981-82. This report covers the levy of annual assessments for the 2016-17 fiscal year.

This report, as signed and presented to the Council for approval, has been prepared according to the methodology and rates approved by the City Council in 1981. Article XIID of the California Constitution exempted certain assessments which were in existence prior to the passage of Proposition 218 in November, 1996. The City has determined that all of the improvements and the annual assessments for the District are for the maintenance and operation of lighting and landscaping within the public street right-of-way. As such, the current assessment amount is exempt from the procedures and approval process set forth in Article XIID Section 4.



**CITY OF STANTON  
FISCAL YEAR 2016-17**

**ENGINEER'S REPORT  
PREPARED PURSUANT TO THE PROVISIONS OF THE  
LANDSCAPING AND LIGHTING ACT OF 1972  
SECTION 22500 THROUGH 22679  
OF THE CALIFORNIA STREETS AND HIGHWAYS CODE**

Pursuant to Part 2 of Division 15 of the Streets and Highways Code of the State of California, and in accordance with the Resolution of Initiation adopted by the City Council of the City of Stanton, State of California, in connection with the proceedings for:

**CITY OF STANTON  
LIGHTING AND LANDSCAPING DISTRICT NO. 1**

hereinafter referred to as the "Assessment District" or "District", I, K. Dennis Klingelhofer, P.E., the authorized representative of Harris & Associates, the duly appointed ENGINEER OF WORK, submit herewith the "Report" consisting of six (6) parts as follows:

**PART A  
PLANS AND SPECIFICATIONS**

Plans and specifications for the improvements are as set forth on the lists thereof, attached hereto, and are on file in the Office of the City Engineer and are incorporated herein by reference.

**PART B  
ESTIMATE OF COST**

An estimate of the costs of the proposed improvements, including incidental costs and expenses in connection therewith, is as set forth on the lists thereof, attached hereto, and are on file in the Office of the City Clerk and incorporated herein by reference.

**PART C  
ASSESSMENT ROLL**

An assessment of the estimated cost of the improvements on each benefited lot or parcel of land within the Assessment District.



**PART D**  
**METHOD OF APPORTIONMENT**

The method of apportionment of assessments, indicating the proposed assessment of the net amount of the costs and expenses of the improvements to be assessed upon the several lots and parcels of land within the Assessment District, in proportion to the estimated benefits to be received by such lots and parcels. The Assessment Roll is filed in the Office of the City Clerk and by reference is made a part hereof.

**PART E**  
**PROPERTY OWNER LIST**

A list of the names and addresses of the owners of real property within this Assessment District, as shown on the last equalized roll of the Assessor of the County of Orange. The list is keyed to the records of the Assessor of the County of Orange which are incorporated herein by reference.

**PART F**  
**ASSESSMENT DISTRICT DIAGRAM**

The Diagram of the Assessment District Boundaries showing the exterior boundaries of the Assessment District, the boundaries of any zones within the Assessment District and the lines and dimensions of each lot or parcel of land within the Assessment District is on file in the Office of the City Engineer and incorporated herein by reference.

The lines and dimensions of each lot or parcel within the Assessment District are those lines and dimensions shown on the maps of the Assessor of the County of Orange for the fiscal year to which this Report applies. The Assessor's maps and records are incorporated by reference herein and made part of this Report.





## **PART A**

### **Plans and Specifications**

The facilities, which have been constructed within the City of Stanton, and those which may be subsequently constructed, will be serviced and maintained as generally described as follows:

#### **DESCRIPTION OF IMPROVEMENTS FOR THE CITY OF STANTON LIGHTING AND LANDSCAPING MAINTENANCE DISTRICT NO. 1 FISCAL YEAR 2016-17**

The proposed improvements for FY 2016-17 may be generally described as the continued maintenance and operation of streets and sidewalks within the District, including the operation, servicing and maintenance of landscaping, lighting and appurtenant facilities that are located in and along such streets and sidewalks, including but not limited to, personnel, electrical energy, utilities such as water, materials, contracting services, and other items necessary for the satisfactory operation of these services. The District will supplement revenue generated by the existing 1919 Act Stanton Municipal Lighting District.

Median landscaping areas maintained by the City and funded through this District are located as follows:

<u>Area</u>	<u>Street</u>	<u>Limits</u>
0.92 Ac.	Katella Avenue	West City Limits to Beach Boulevard
2.52 Ac.	Beach Boulevard	South City Limits to North City Limits
0.16 Ac.	Village Center Drive	South City Limits to Beach Boulevard

Reference is made to Part "D" of this report for a discussion of the Zones of Benefit and the facilities associated with them which are serviced and maintained. The facilities are described as follows:

#### Landscaping and Appurtenant Facilities

Facilities include but are not limited to: Landscaping, planting, shrubbery, trees, irrigation systems, hardscapes, fixtures, sidewalk maintenance resulting from landscape growth and appurtenant facilities, in public street and sidewalk rights-of-way, including medians, parkways and dedicated easements within the boundaries of said Assessment District.

#### Lighting, Traffic Signals and Appurtenant Facilities

Facilities include but are not limited to: Poles, fixtures, bulbs, conduits, conductors, equipment including guys, anchors, posts and pedestals, metering devices and appurtenant facilities as



required to provide lighting and traffic signals in public street and sidewalk rights-of-way and dedicated easements within the boundaries of said Assessment District.

The public lighting system shall be maintained to provide adequate illumination. The traffic signal system shall be maintained based on the City specifications and current industry standards. Electricity for street lights and traffic signals shall be furnished by the Southern California Edison Company, and it shall be adequate for the intended purpose. Rates for power shall be those authorized by the California Public Utilities Commission.

Maintenance means the furnishing of services and materials for the ordinary and usual operation, maintenance and servicing of the landscaping, public lighting facilities, including repair, removal or replacement of all or part of any of the landscaping and public lighting facilities; providing for the life, growth, health and beauty of the landscaping, including cultivation, irrigation, trimming, spraying, fertilizing and treating for disease or injury; the removal of trimmings, rubbish, debris and other solid waste; and the cleaning, sandblasting and painting of walls and other improvements to remove or cover graffiti.

Servicing means the furnishing of water for the irrigation of the landscaping and the maintenance of any of the public lighting facilities, and the furnishing of electric energy for the public lighting facilities, or for the lighting or operation of landscaping or appurtenant facilities.

The plans and specifications for the improvements, showing the general nature, location, and the extent of the improvements, are on file in the office of the City Engineer and are by reference herein made a part of this report.



## PART B Estimate of Cost

The City's budget for the operations and services costs of the street and sidewalk improvements, shown below, detail the estimated costs and fund balances for Fiscal Year 2016-17 as available at the time of preparation of this report.

The 1972 Act provides that the total cost can be recovered in the assessment spread including incidental expenses. The latter can include engineering fees, legal fees, printing, mailing, postage, publishing, and all other related costs identified with the district proceedings.

Estimated expenditures and revenues for the maintenance and operation for FY 2016-17 are as follows:

OPERATIONS AND SERVICE COST SUMMARY BY BUDGET CATEGORY			
	Street Lighting System	Traffic Signals	Maintenance of all Medians
Expenditures - O & M	\$ 180,000.00	\$ 205,000.00	\$ 186,000.00
Expenditures - Capital	\$ -	\$ -	
Capital Landscape Replacement/Upgrade Program	\$ -	\$ -	\$ 50,000.00
Administrative Cost Allocation	\$ 16,254.59	\$ 18,512.18	\$ 66,463.23
<b>Total Expenditures</b>	<b>\$ 196,254.59</b>	<b>\$ 223,512.18</b>	<b>\$ 302,463.23</b>
Revenues - 1919 Act	\$ (194,254.59)	\$ (173,236.41)	\$ -
Median Reserves	\$ -	\$ -	\$ (103,155.70)
Lighting Reserves	\$ -	\$ (50,275.77)	\$ -
Interest		\$ -	\$ -
1919 Act Fund	\$ (2,000.00)		
1972 Act Fund			\$ (6,000.00)
City Contribution	\$ -	\$ -	\$ -
<b>Total Revenues</b>	<b>\$ (196,254.59)</b>	<b>\$ (223,512.18)</b>	<b>\$ (109,155.70)</b>
<b>2015-16 NET ASSESSMENT</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 193,307.53</b>

District Fund Balance Summary			
	1919 Act	LLMD	Total
Beginning Fund Balance	\$ 831,470.46	\$ 1,283,889.30	\$ 2,115,359.76
Less Transfers			
Street Lighting	\$ -	\$ -	\$ -
Traffic Signals	\$ (50,275.77)		\$ (50,275.77)
Median Maintenance		\$ (103,155.70)	\$ (103,155.70)
Estimated Ending Fund Balance	\$ 781,194.69	\$ 1,180,733.60	\$ 1,961,928.29



The 1972 Act requires that a special fund be set-up for the revenues and expenditures of the District. Funds raised by assessment shall be used only for the purpose as stated herein. A contribution to the District by the City may be made to reduce assessments, as the City Council deems appropriate. Any balance or deficit remaining on July 1 must be carried over to the next fiscal year.



## **PART C**

### **Assessment Roll**

The proposed assessment and the amount of assessment for Fiscal Year 2016-17 apportioned to each lot or parcel, as shown on the latest roll at the Assessor's Office are contained in the Assessment Roll on file in the office of the City Clerk of the City of Stanton, which is incorporated herein by reference.

The description of each lot or parcel is part of the records of the Assessor of the County of Orange and these records are, by reference, made part of this Report.



## **PART D**

### **Method of Apportionment of Assessment**

#### **GENERAL**

Part 2 of Division 15 of the Streets and Highways Code, the Landscaping and Lighting Act of 1972, permits the establishment of assessment districts by cities for the purpose of providing certain public improvements which include the construction, maintenance and servicing of street lights, traffic signals and landscaping.

Section 22573, Landscaping and Lighting Act of 1972 requires that maintenance assessments be levied according to benefit rather than according to assessed value. This section states:

"The net amount to be assessed upon lands within an assessment district may be apportioned by any formula or method which fairly distributes the net amount among all assessable lots or parcels in proportion to the estimated benefits to be received by each such lot or parcel from the improvements.

Because assessments are levied on the basis of benefit, they are not a tax, and, therefore, are not governed by Article XIII A of the California Constitution.

The Act permits the designation of zones of benefit within any individual assessment district if "by reason of variations in the nature, location, and extent of the improvements, the various areas will receive different degrees of benefit from the improvements." (Sec. 22574). Thus, the 1972 Act requires the levy of a true "assessment" rather than a "special tax."

The Act also permits certain parcels to be exempt from assessment. Excepted from these assessments are areas of all publicly owned property such as: public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, all public easements and rights-of-way, all public parks, green belts and parkways, and all public property being used for public purposes.

#### **BENEFIT ANALYSIS**

All parcels in the City of Stanton derive benefit from the street lighting system and arterial highway median maintenance on Beach and on Katella. The intent of this report is to establish a methodology that fairly distributes the cost of the system in relation to the benefits received. One-fourth the cost of arterial median maintenance is considered a special benefit to abutting properties. As these medians are on regional arterial highways, a benefit accrues to the entire City as well, and the remaining 75% of the cost is assessed on that basis. Median maintenance on Village Center Drive, a local street, benefits only the abutting properties and will be assessed on that basis. Lands and rights-of-way owned by railroads and public utilities are included in this proposed assessment district as permitted by Section 22595 of the Streets and Highways Codes.



The assessment ratio for each single family residential parcel, including condominiums, is one equivalent unit (EQU); the assessment ratio for each acre of commercial, industrial, church, apartment, duplex, triplex, mobile home park, and other developed land is six equivalent units (EQU). This relationship is based on the City's typical standard residential lot area and the number of lots that could be subdivided into an acre of land. This proration accounts for an adjustment for street rights-of-way and public easements.

#### **Street Lighting and Traffic Signals**

The proper functioning of street lighting and traffic signals is imperative for the welfare and safety of the public and property throughout the City. Proper maintenance and servicing of the street lighting system benefits properties within the District by providing proper illumination for ingress and egress and safe traveling at night. Properties within the District also benefit from the proper functioning of the District's traffic signal system. Proper operation of the street light and traffic signal systems is imperative to public convenience, orderly traffic flow, enhanced congestion management and safety. Improved security, fuel conservation, protection of property from crime and vandalism, and reduction of traffic accidents, are special and direct benefits to all properties within the City; lighting benefits are directly related to public safety and property protection and therefore increase property values. The City costs to administer the improvements are also considered a benefit to all properties.

All parcels within the City are deemed to benefit from the street lighting and traffic signal system.

#### **Median Landscaping**

Trees, landscaping, hardscaping and appurtenant facilities, if well maintained, provide beautification, shade and enhancement of the desirability of the surroundings, and therefore increase property value. The median improvements are located as follows:

##### **Beach Boulevard and Katella Avenue Medians**

These improvements provide a Citywide Benefit and a direct Local Benefit, therefore the costs for maintaining and servicing these improvements has been divided into two categories:

- Seventy-five percent (75%) of the Beach and Katella medians are deemed to be of Citywide Benefit; therefore, the proportionate cost of median service is assessed based on Equivalent Units to all assessable parcels in the City which do not abut the Beach and/or Katella medians.
- Twenty-five percent (25%) of Beach and Katella median improvements provide a direct Local Benefit. Each parcel fronting the improvements is assessed for the Local Benefit based on the parcel's respective front footage. This method provides a fair and equitable way of spreading the costs when localized improvements front specific parcels because the more a parcel fronts the median improvements, the more benefit the parcel receives from the enhanced aesthetics of the improvements.



### **Village Center Medians**

These improvements provide a Local Benefit only. One hundred percent (100%) of the Village Center Medians is deemed to be of direct benefit to only those parcels abutting these medians. Therefore, the cost of servicing the Village Center Medians is assessed to the abutting parcels based on these parcel's respective front footage.

### **ZONE CLASSIFICATIONS**

The land-use classification for each parcel has been based on the 2014-15 Orange County Assessor's Roll.

**Zone R** - This zone includes all single family residential properties, including condominiums, except those abutting the Beach and Katella Medians and/or Village Center Medians. They are assessed lighting, traffic signals, and general median costs on an equivalent unit basis. There are 4,957 single family residential parcels, including condominiums, in this zone.

**Zone R1** - This zone includes Zone R type properties abutting the Beach and Katella Medians. They are assessed lighting and traffic signals costs on an equivalent unit basis, and Beach and Katella Median costs on a front foot basis. There are 112 parcels in this zone with 1,295.95 feet of frontage.

**Zone R2** - This zone includes Zone R type properties abutting the Village Center Median. They are assessed lighting, traffic signals and general median costs on an equivalent unit basis, and Village Center Median costs on a front foot basis. There are 495 parcels in this zone with 895.95 feet of frontage.

**Zone C** - This zone includes commercial, industrial, church, apartment, duplex, triplex, mobile home park and all other non-residential properties except those abutting the Beach and Katella Medians and the Village Center Medians. They are assessed lighting, traffic signals and general median costs on an equivalent unit basis. There are 714 parcels in this zone with 554.37 acres.

**Zone C1** - This zone includes Zone C type properties abutting the Beach and Katella Medians. They are assessed lighting and traffic signals costs on an equivalent unit basis, and Beach and Katella Median costs on a front foot basis. There are 205 parcels in this zone with 165.56 acres and 27,713.15 feet of frontage.

**Zone C2** - This zone includes Zone C type properties abutting both the Beach and Village Center Medians. They are assessed lighting and traffic signals costs on an equivalent unit basis, and median costs on a front foot basis. There are 2 parcels in this zone with 17.76 acres and 1,524.00 feet of frontage.

**Zone E** - Exempt property. This includes publicly owned property and common areas used in conjunction with adjacent residential sites.





Apportionment of Assessments

Category Budgets		Category Proposed Assessment Rates			Maximum Assessment Rate
Street Lighting Budget	\$0	Street Lighting Asmt. Rate	=	\$0.00 / Equivalent Unit	
Traffic Signal Budget	\$0	Traffic Signal Asmt. Rate	=	\$0.00 / Equivalent Unit	
Beach & Katella Medians Budget		Beach & Katella Medians Rate			
City-Wide Benefit (75%)	\$139,590	City-Wide Benefit Asmt.	=	\$15.90 / Equivalent Unit	\$16.59
Local Benefit (25%)	\$45,189	Local Benefit Asmt. Rate	=	\$1.48 / Front Foot	\$1.55
	\$184,779				
Village Center Medians Budget	\$8,446	Village Center Medians			
		Local Benefit Asmt. Rate	=	\$3.49 / Front Foot	\$3.49

Total Assessments per Category and Zone

Zone	Unit Count	Factor	Equivalent Units	St. Light Asmt.	Traffic Signal Asmt.	Citywide Median Asmt.	Front Footage	Beach/Katella Local Median Asmt.	Village Center Local Median Asmt.
R	4,978 pcls	1	4,984.00			\$79,245.60			
R1	112 pcls	1					1,295.95	\$1,918.01	
R2	495 pcls	1	495.00			\$7,870.50	895.95		\$3,126.87
C	550.91 ac	6	3,305.46			\$52,556.81			
C1	165.56 ac	6					27,713.15	\$41,015.46	
C2	17.76 ac	6					1,524.00	\$2,255.52	\$5,318.76
Totals			8,784.46			\$139,672.91		\$45,188.99	\$8,445.63



### ASSESSMENT SUMMARY

The following table summarizes the different assessments for the different Zone Classifications, and compares the proposed assessments with last year's assessments.

ASSESSMENT SUMMARY AND COMPARISON for the different Zone Classifications within the District*						
Zone	Asmt Year	Street Lighting	Traffic Signals	Beach & Katella Medians	Village Center Medians	Proposed Rate
R	FY 2016-17	\$0.00	\$0.00	\$15.90	--	\$15.90
	FY 2015-16	\$0.00	\$0.00	\$15.90	--	\$15.90
R1	FY 2016-17	\$0.00	\$0.00	\$74.00	--	\$74.00
	FY 2015-16	\$0.00	\$0.00	\$74.00	--	\$74.00
R2	FY 2016-17	\$0.00	\$0.00	\$15.90	\$174.50	\$190.40
	FY 2015-16	\$0.00	\$0.00	\$15.90	\$174.50	\$190.40
C	FY 2016-17	\$0.00	\$0.00	\$15.90	--	\$15.90
	FY 2015-16	\$0.00	\$0.00	\$15.90	--	\$15.90
C1	FY 2016-17	\$0.00	\$0.00	\$74.00	--	\$74.00
	FY 2015-16	\$0.00	\$0.00	\$74.00	--	\$74.00
C2	FY 2016-17	\$0.00	\$0.00	\$74.00	\$174.50	\$248.50
	FY 2015-16	\$0.00	\$0.00	\$74.00	\$174.50	\$248.50

\* Assessments shown are for Single Family Homes or Commercial parcels of 0.17 acres (1 EQU), and frontage assessments are shown for a 50 ft. wide parcel.



## **PART E**

### **Property Owner List**

A list of names and addresses of the owners of all parcels within this District is shown on the last equalized Property Tax Roll of the Assessor of the County of Orange, which by reference is hereby made a part of this report. This list is keyed to the Assessor's Parcel Numbers as shown on the Assessment Roll on file in the Office of the Clerk of the City of Stanton.

## **PART F**

### **Assessment District Diagram**

The boundaries of the District are coterminous with the boundaries of the City of Stanton. A diagram showing the exterior boundaries of the District, the boundaries of any zones within the Assessment District and the lines and dimensions of each lot or parcel of land within the District is on file in the Office of the City Engineer and incorporated herein by reference.

The lines and dimensions of each lot or parcel within the District are those lines and dimensions shown on the maps of the Assessor of the County of Orange for the fiscal year to which this report applies. The Assessor's maps and records are incorporated by reference herein and made part of this report.



# **CITY OF STANTON**

## **REPORT TO CITY COUNCIL**

**TO:** Honorable Mayor and Members of the City Council

**DATE:** May 24, 2016

**SUBJECT: RESOLUTION OF THE CITY COUNCIL DECLARING ITS INTENTION TO LEVY AND COLLECT THE ANNUAL ASSESSMENTS FOR IMPROVEMENT, 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 2016-2017 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND APPOINTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO**

### **REPORT IN BRIEF:**

On April 12, 2016, the City Council adopted Resolution No. 2016-10, initiating proceedings for the annual levy of assessments and ordered the Engineer to prepare a report in accordance with Section 22565 et seq. of the State of California Streets and Highways Code. The Engineer has filed a report with the City Clerk in compliance with Council direction. The proposed resolution would declare the Council's intention to levy and collect the assessments and set the required public hearing for Tuesday, June 14, 2016.

### **RECOMMENDED ACTION:**

That City Council:

1. 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(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).
2. Adopt Resolution No. 2016-16, declaring its intention to levy and collect the annual assessments pursuant to the Landscaping and Lighting Act of 1972; and
3. Schedule the public hearing for June 14, 2016, to consider the annual assessments.

**BACKGROUND:**

The Stanton Lighting and Landscaping District No.1 was formed March 10, 1981, to provide funding for street lighting, park and greenbelt maintenance, traffic signal maintenance, and median maintenance services within the City. In 1997-98, park and greenbelt maintenance was removed from the District based upon Proposition 218, and was budgeted in the General Fund. Each parcel in the City is assessed a proportionate share of the district's costs each year. The assessment appears on the property tax bill. Assessments are established based upon an Engineer's assessment of each property's relative benefit for the services provided by the District.

Each year an update to the Engineer's Report must be produced relative to the annual assessments for the Stanton Lighting and Landscaping District No.1. Council has previously taken action to contract with Harris and Associates, to perform the required work. The Engineer's Report was submitted by the Engineer to the City Clerk on May 18, 2016, and has been submitted to Council for approval at tonight's meeting with proposed Resolution 2016-15.

If the Council approves the Engineer's Report, the Council must give notice of its intention to levy the assessments and must conduct a public hearing prior to giving its final approval. The proposed resolution would set the required public hearing for Tuesday, June 14, 2016, at 6:30 p.m.

**FISCAL IMPACT:**

The proposed resolution is necessary in order to provide funds for Fiscal-Year 2016-2017 Lighting and Landscaping Maintenance division.

**ENVIRONMENTAL IMPACT:**

None.

**LEGAL REVIEW:**

None.

**PUBLIC NOTIFICATION:**

Through the regular agenda process.

**STRATEGIC PLAN OBJECTIVE ADDRESSED:**

4. Ensure Fiscal Stability and Efficiency in Governance.

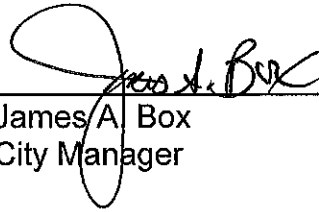
Prepared by:



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Stephen M. Parker, CPA  
Administrative Services Director

Approved by:



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James A. Box  
City Manager

**Attachment:**

Resolution No. 2016-16

## **RESOLUTION NO 2016-16**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA DECLARING ITS INTENTION TO LEVY AND COLLECT ANNUAL ASSESSMENTS FOR IMPROVEMENT, 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 2016-2017 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972 AND APPOINTING A TIME AND PLACE FOR HEARING OBJECTIONS THERETO**

**WHEREAS**, on April 12, 2016, the City Council of the City of Stanton adopted Resolution No. 2016-10, initiating proceedings for the annual levy of assessments for fiscal year 2016-2017 for the Stanton Lighting and Landscaping District No. 1 pursuant to the provisions of the Landscaping and Lighting Act of 1972 (Part 2, Division 15 of the California Streets and Highways Code) ("the Act"); and

**WHEREAS**, pursuant to said Resolution No. 2016-10, the City Council ordered the Engineer to prepare a report pursuant to 22565 et seq. of the Act; and

**WHEREAS**, the Engineer did prepare and file such a report (the "Engineer's Report") and same was preliminarily approved by the City Council of the City of Stanton on the 24<sup>th</sup> day of May, 2016, by Resolution No. 2016-15.

**NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1:** The City Council finds that this item 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(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).

**SECTION 2:** The public interest and convenience require and it is the intention of the City Council of the City of Stanton to order the annual levy of assessments and to levy and collect said assessments within the existing assessment district designated "Stanton Lighting and Landscaping District No. 1" (the "Assessment District") for the fiscal year commencing July 1, 2016 and ending June 30, 2017 pursuant to the provisions of the Landscaping and Lighting Act.

**SECTION 3:** The improvements to be undertaken consist of the installation, maintenance, servicing and operations of those certain public lighting facilities and median islands located within the boundaries of the territory included in the Assessment District. The Assessment District designated as Stanton Lighting and Landscaping

District No. 1 generally encompasses all of the territories within the City of Stanton, excepting from the assessment of said costs and expenses within the area described, the area of all public streets, public avenues, public lanes, public roads, public drives, public courts, public alleys, all public easements and public rights-of-way, all public parks, greenbelts and parkways and all public property being used for public purposes, provided however notwithstanding the foregoing, property owned by railroad and public utility companies not used for public purposes shall be included in the Assessment District and not be excluded from assessment pursuant to the aforesaid exceptions.

**SECTION 4:** That reference is hereby made to the report of the Engineer on file with the City Clerk and open for inspection, for a full and detailed description of the improvements, the boundaries of the Assessment District and any zones therein, and the proposed assessments upon assessable lots and parcels of land within the District. The Office of the City Clerk is located at 7800 Katella Avenue, Stanton, California.

**SECTION 5:** That said proposed installation, maintenance, servicing and operation in the opinion of the City Council of the City of Stanton will be of direct and special benefit to the property lying within the described boundaries of the Assessment District, as said Assessment District is described and defined in the Engineer's Report.

**SECTION 6:** Pursuant to 22624 et seq. of the Act, the annual assessments for fiscal year 2015-2016 are not proposed to increase from the previous year.

**SECTION 7:** NOTICE IS HEREBY GIVEN THAT TUESDAY, JUNE 14, 2016, AT THE HOUR OF 6:30 P.M. IN THE CITY COUNCIL CHAMBERS, 7800 KATELLA AVENUE, STANTON, CALIFORNIA 90680, IS FIXED AS THE TIME AND PLACE WHERE ALL INTERESTED PERSONS MAY APPEAR BEFORE THE CITY COUNCIL AND BE HEARD 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. WRITTEN PROTESTS MUST BE FILED WITH THE CITY CLERK PRIOR TO THE CONCLUSION OF THE HEARING. ANY SUCH PROTEST SHALL STATE GROUNDS OF THE OBJECTION AND IF FILED BY THE PROPERTY OWNER, SHALL CONTAIN A DESCRIPTION SUFFICIENT TO IDENTIFY THE PROPERTY.

**SECTION 8:** The City Clerk shall give notice of the date, time and place of the hearing pursuant to law.

**SECTION 9:** All work proposed shall be done in accordance with the Act.

**SECTION 10:** The City Clerk shall certify the adoption of this Resolution.



**ADOPTED, SIGNED AND APPROVED** this 24<sup>th</sup> day of May, 2016.

\_\_\_\_\_  
BRIAN DONAHUE, MAYOR

APPROVED AS TO FORM:

\_\_\_\_\_  
MATTHEW E. RICHARDSON, CITY ATTORNEY

ATTEST:

I, Patricia A. Vazquez, City Clerk of the City of Stanton, California DO HEREBY CERTIFY that the foregoing Resolution, being Resolution No. 2016-16 has been duly signed by the Mayor and attested by the City Clerk, all at a regular meeting of the Stanton City Council, held on May 24, 2016, and that the same was adopted, signed and approved by the following vote to wit:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_

\_\_\_\_\_  
PATRICIA A. VAZQUEZ, CITY CLERK

# **CITY OF STANTON**

## **REPORT TO THE CITY COUNCIL**

**TO:** Honorable Mayor and City Council

**DATE:** May 24, 2016

**SUBJECT:** APRIL 2016 INVESTMENT REPORT

### **REPORT IN BRIEF:**

The Investment Report as of April 30, 2016 has been prepared in accordance with the City's Investment Policy and California Government Code Section 53646.

### **RECOMMENDED ACTION:**

That the City Council:

- 1) Find 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) Receive and file the Investment Report for the month of April 2016.

### **BACKGROUND:**

The attached reports summarize the City investments and deposit balances as of April 2016. 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 April 2016 was 0.525%. The City's other investments are shown on Attachment B and have a weighted investment yield of 1.31%. Including LAIF, the Stanton Central Park depository account and the City's deposit in the Bank of the West money market account, the weighted investment yield of the portfolio is 0.64%, which exceeds the benchmark LAIF return of 0.525%.

The weighted average maturity of the City's investments at April 30, 2016 is 908 days. Including LAIF, the Stanton Central Park depository account and a money market account, it is 251 days. LAIF's average maturity at April 30, 2016 was approximately 179 days.

The City was able to exceed the LAIF benchmark return, through Chandler Asset Management's diversification of the portfolio and pushing the weighted average maturity to more than quintuple the LAIF average maturity.

#### **FISCAL IMPACT:**

All deposits and investments have been made in accordance with the City's 2015-16 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 controls the City's \$9.4 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.

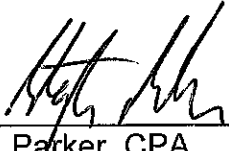
#### **PUBLIC NOTIFICATION:**

Through the agenda posting process.

#### **STRATEGIC PLAN OBJECTIVE ADDRESSED**

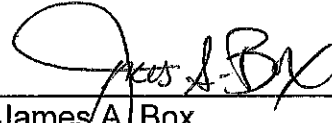
4. Ensure Fiscal Stability and Efficiency in Governance

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  
April 30, 2016**

Investment Type	Issuer	Date of Maturity	Interest Rate	Par Value	Cost	% of Total	Market Value	Market Value Source
State Pool (LAIF) - City portion <sup>1</sup>	State of California	On Demand	0.53%	\$ 20,488,825	\$ 13,957,779	59.79%	\$ 13,960,865	LAIF
Investments <sup>2</sup>	Various	Various	Various	\$ 9,322,264	9,385,349	40.21%	9,388,597	US Bank
Subtotal - Investments					\$ 23,343,128	100.00%	\$ 23,349,462	
Demand Deposits/Main Checking - City portion	Bank of the West	On Demand	N/A	N/A	\$ (3,281,990)		\$ (3,281,990)	Bank of the West
Money Market Account	Bank of the West	On Demand	0.29%	\$ 7,962,602	7,962,602		7,962,602	Bank of the West
Imprest Accts & Petty Cash	Bank of the West	On Demand	N/A	N/A	66,824		66,824	Bank of the West
Stanton Park Depository Account	US Bank	On Demand	0.02%	\$ 2,733,429	2,733,429		2,733,429	
Subtotal - Deposits					\$ 7,480,866		\$ 7,480,866	

Total Cash Investments and Deposits <sup>3</sup>

Weighted Average Maturity (days)	251	Weighted Average Yield	0.64%
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\$ 30,823,994

\$ 30,830,328

<sup>1</sup> Par Value amount represents entire LAIF balance, including City and Successor Agency portions

<sup>2</sup> Cost amount includes \$25,395 adjustment made to City's books at 8/30/15 to adjust portfolio to market value, per GASB 31

<sup>3</sup> 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 2015-16 Investment Policy.

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

**CITY OF STANTON  
INVESTMENTS  
April 2016**

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
<b>State Treasurer's Pool</b>	Local Agency Investment Fund (LAIF)		0.53%				5/1/2016	NC	20,488,825	13,957,779	13,990,865	41.04%	100%
<b>Cash Equivalents</b>													
Chandler Asset Management	First American Government Obligation	31845VZ03							33,628	33,628	33,628	0.10%	100%
<b>Negotiable Certificates of Deposit:</b>													
Multi-Bank Securities	CD - CIT Bank	17284AVP0	1.85%	1.850%	100	08/10/11	08/10/16	NC	148,000	148,000	148,530		
Multi-Bank Securities	CD - EnerBank USA	29266NRX7	1.75%	1.750%	100	08/15/11	08/15/16	NC	248,000	248,000	248,856		
First Empire Securities	CD - Camden National Bk	133033DL1	1.75%	1.750%	100	08/17/11	08/17/16	NC	248,000	248,000	248,870		
First Empire Securities	CD - Discover Bank	254670Q54	1.75%	1.750%	100	08/17/11	08/17/16	NC	140,000	140,000	140,494		
Time Value Investments	CD - GE Capital Bank	36160YS00	1.35%	1.350%	100	10/19/12	10/19/16	NC	248,000	248,000	248,895		
First Empire Securities	CD - Goldman Sachs Bank	38143ARY3	1.85%	1.850%	100	05/09/12	05/09/17	NC	97,000	97,000	98,085		
First Empire Securities	CD - Discover Bank	254671AT7	1.75%	1.750%	100	05/09/12	05/09/17	NC	100,000	100,000	101,099		
Multi-Bank Securities	CD - Sallie Mae Bank	795450PJ8	1.60%	1.600%	100	10/01/12	10/01/17	NC	100,000	100,000	101,154		
Multi-Bank Securities	CD - American Express	02587JLD8	1.55%	1.550%	100	10/04/12	10/04/17	NC	248,000	248,000	250,681		
Time Value Investments	CD - HSBC	40431G300	0.75%	Variable	100	10/26/12	10/26/17	NC	248,000	248,000	244,702		
First Empire Securities	CD - Everbank	29976DPY0	1.10%	1.100%	100	11/30/12	11/30/17	NC	248,000	248,000	248,441		
									2,073,000	2,073,000	2,079,787	6.09%	30%
<b>U.S. Government Agency Securities:</b>													
Chandler Asset Management	FHLB	3130A0J0R2	1.65%	2.375%	103,068	11/23/15	12/13/19	NC	200,000	205,698	208,616		
Chandler Asset Management	FHLB	3133782M2	1.16%	1.500%	101,226	02/01/16	03/08/19	NC	185,000	186,930	187,412		
Chandler Asset Management	FHLB	3130A7CV5	1.46%	1.375%	98,768	02/17/16	02/18/21	NC	160,000	159,354	160,002		
Chandler Asset Management	FHLB	313382K69	1.53%	1.750%	101,716	03/23/16	03/12/21	NC	190,000	192,005	193,141		
Chandler Asset Management	FHLB	3130A7PV1	1.33%	1.375%	99,796	04/12/16	04/05/21	NC	200,000	200,432	199,592		
Chandler Asset Management	FHLMC	3137EADK2	1.57%	1.250%	98,94	06/18/15	06/01/19	NC	180,000	177,745	181,006		
Chandler Asset Management	FHLMC	3137EADM8	1.25%	1.250%	98,15	08/31/15	10/02/19	NC	190,000	188,394	190,946		
Chandler Asset Management	FNMA	3135G0E58	1.20%	1.125%	100,42	9/30/2015	10/19/2018	NC	195,000	195,014	196,078		
Chandler Asset Management	FNMA	3135G0G72	1.17%	1.125%	99,39	10/30/2015	12/14/2018	NC	195,000	194,709	195,864		
Chandler Asset Management	FNMA	3135G0J20	1.31%	1.375%	100,01	4/12/2016	2/26/2021	NC	200,000	200,630	200,026		
Chandler Asset Management	FNMA	3135G0D75	1.27%	1.500%	100,90	2/24/2016	6/22/2020	NC	200,000	201,962	202,020		
Chandler Asset Management	FNMA	3130A3U05	1.49%	1.875%	102,16	2/1/2016	12/11/2020	NC	185,000	188,349	189,122		
Chandler Asset Management	FNMA	3135G0F73	1.50%	1.500%	100,36	1/20/2016	11/30/2020	NC	190,000	190,035	191,182		
Chandler Asset Management	FNMA	3135G0H55	1.50%	1.875%	102,11	1/20/2016	12/28/2020	NC	190,000	193,386	194,402		
									2,660,000	2,674,641	2,689,409	7.96%	100%
<b>US Treasury</b>													
Chandler Asset Management	US Treasury	912828VG2	0.45%	0.500%	100,10	06/13/14	06/15/16	NC	150,000	150,147	150,048		
Chandler Asset Management	US Treasury	912828A59	0.58%	0.625%	100,12	05/29/14	12/15/16	NC	165,000	165,200	165,104		
Chandler Asset Management	US Treasury	912828C73	0.71%	0.875%	100,47	05/29/14	04/15/17	NC	190,000	190,885	190,542		
Chandler Asset Management	US Treasury	912828VA5	1.28%	1.125%	99,86	02/01/16	04/30/20	NC	100,000	99,356	99,930		
Chandler Asset Management	US Treasury	912828N69	1.21%	1.375%	100,65	02/24/16	01/31/21	NC	200,000	201,555	200,962		
Chandler Asset Management	US Treasury	912828U00	1.68%	1.125%	97,75	12/22/15	03/31/20	NC	200,000	195,907	200,016		
Chandler Asset Management	US Treasury	912828VV9	1.76%	2.125%	101,61	12/22/15	08/31/20	NC	200,000	203,790	207,632		
Chandler Asset Management	US Treasury	912828W00	1.78%	1.750%	99,84	12/22/15	10/31/20	NC	200,000	200,262	204,390		
Chandler Asset Management	US Treasury	912828TH3	1.19%	0.875%	98,89	09/29/15	07/31/19	NC	190,000	187,769	189,369		
Chandler Asset Management	US Treasury	912828UB4	1.37%	1.000%	98,48	10/29/15	11/30/19	NC	110,000	108,402	109,802		
Chandler Asset Management	US Treasury	912828ST8	1.25%	1.250%	100,16	05/28/15	04/30/19	NC	160,000	160,007	161,538		
Chandler Asset Management	US Treasury	912828L65	1.36%	1.375%	100,84	03/23/16	19/03/20	NC	190,000	190,090	191,180		
Chandler Asset Management	US Treasury	912828SX3	1.33%	1.125%	99,52	05/27/15	05/31/19	NC	185,000	183,541	186,027		
									2,240,000	2,236,950	2,256,539	6.58%	100%

CITY OF STANTON  
INVESTMENTS  
April 2016

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
<b>Medium-Term Corporate Notes:</b>													
Chandler Asset Management	Berkshire Hathaway Note	084654BX8	0.70%	0.950%	100.55	01/14/14	08/15/16	NC	150,000	150,972	150,098		
Chandler Asset Management	Coca Cola Company Note	191216AU4	0.59%	1.800%	102.87	01/14/14	09/01/16	NC	150,000	154,311	150,648		
Chandler Asset Management	Intel Corp Note	458140AH3	0.85%	1.950%	102.93	01/14/14	10/01/16	NC	150,000	154,388	150,819		
Chandler Asset Management	John Deere Capital Corp Note	244222ERL5	1.11%	2.000%	102.61	01/15/14	01/13/17	NC	150,000	153,909	151,208		
Chandler Asset Management	Occidental Petroleum Note	674598CB9	1.05%	1.750%	102.10	01/24/14	02/15/17	NC	150,000	153,147	151,263		
Chandler Asset Management	Wells Fargo Corp Note	949748FD7	1.28%	2.100%	102.67	01/24/14	05/08/17	NC	150,000	154,005	151,584		
Chandler Asset Management	US Bancorp MTN	911591HD5	1.16%	1.650%	101.59	02/03/14	05/15/17	4/15/2017	150,000	152,368	150,953		
Chandler Asset Management	Qualcomm Inc	747525AG8	1.45%	1.400%	99.87	05/28/15	05/18/18	NC	135,000	134,787	135,778		
Chandler Asset Management	Apple Inc	037833BQ2	1.71%	1.010%	100.87	02/16/16	02/22/19	NC	115,000	114,980	116,572		
Chandler Asset Management	Exxon Mobil Corp	30231GAV4	2.18%	2.222%	101.77	02/29/16	03/01/21	NC	45,000	45,000	45,845		
Chandler Asset Management	Chase CHAT	161571GC2	0.59%	1.010%	100.239	09/04/15	10/15/18	NC	125,000	125,107	125,179		
Chandler Asset Management	JP Morgan Note	48126EAA5	1.63%	2.000%	101.28	01/24/14	08/15/17	NC	150,000	151,925	151,448		
Chandler Asset Management	Bank of New York	06406HCUI	1.85%	2.200%	100.56	02/01/16	05/15/19	NC	115,000	116,290	117,217		
									1,735,000	1,761,189	1,748,611	5.18%	30%
<b>Asset-Backed Securities:</b>													
Chandler Asset Management	Toyota Auto Receivables 2015A	89236WAC2	1.44%	1.12%	99.99	03/04/15	02/15/19	NC	85,000	84,987	85,062		
Chandler Asset Management	Toyota Auto Receivables	89231TAB6	0.93%	0.92%	99.99	08/26/15	02/15/18	NC	51,505	51,501	51,499		
Chandler Asset Management	Honda Auto Receivables	43813NAC0	1.05%	1.04%	100.01	05/13/15	02/21/19	NC	105,000	104,984	104,943		
Chandler Asset Management	Honda Auto Receivables	4384NAB1	1.02%	1.01%	99.88	02/16/16	06/18/18	NC	75,000	74,993	75,018		
Chandler Asset Management	Toyota Auto Receivables 2014A	89231MAC9	0.69%	0.67%	99.98	03/11/14	12/15/17	NC	43,098	43,090	43,062		
Chandler Asset Management	John Deere Owner Trust	47787VAC5	0.93%	0.92%	99.98	04/02/14	04/15/18	NC	68,548	68,537	68,548		
Chandler Asset Management	Honda Auto Receivables	43814HAC2	0.89%	0.88%	99.98	08/20/14	08/15/18	NC	67,483	67,470	67,504		
Chandler Asset Management	John Deere Owner Trust	47787TAD6	1.07%	0.998%	99.78	09/03/14	11/15/18	NC	85,000	84,981	84,987		
									580,635	580,544	580,623	1.71%	10%
<b>Subtotal Investments</b>													
<b>Prior Year Adjustment GASB 31</b>													
<b>Investments Held With US Bank</b>													
<b>LAIF</b>													
<b>Total Investments</b>													
			1.31%	Weighted Average Yield				908 days	9,322,264	9,359,954	9,388,597		
			0.02%					WAM	9,322,264	25,395	0		
			0.29%						9,322,264	9,385,349	9,388,597		
			0.64%	incl LAIF, investments depository account				5/1/2016	20,488,825	13,957,779	13,960,865		
			0.29%					5/1/2016	29,811,089	23,343,128	23,349,462		
			0.64%	Weighted Average and money market Yield				5/1/2016	2,733,429	2,733,429	2,733,429	8.04%	100%
								5/1/2016	7,962,602	7,962,602	7,962,602	23.41%	100%
								251 days	0	0	0	0.00%	
								WAM	40,507,120	34,013,764	34,045,493	100.00%	

Total Money Market, LAIF Depository Account and Investments

**CITY OF STANTON**  
**CASH AND INVESTMENT BALANCES BY FUND TYPE**  
**April 30, 2016**

Fund Type	Cash and Investments	Totals
<b>General Fund:</b>		
Pooled	\$ (3,296,077)	
Other Accounts *	20,148,204	\$ 16,852,128
<b>Special Revenue, Capital Projects and Enterprise Funds:</b>		
Gas Tax	1,503,676	
Proposition 1B	-	
Measure M	962,954	
Fire Emergency Services	22,571	
Lighting & Median Maint.	2,225,458	
Sewer Maintenance	3,343,270	
Other	4,289,053	12,346,984
<b>Internal Service Funds</b>		<b>1,382,159</b>
<b>Trust Funds</b>		<b>242,724</b>
<b>Total Cash and Investment Balances</b>		<b>\$ 30,823,994</b>

\* 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:** May 24, 2016

**SUBJECT: APRIL 2016 INVESTMENT REPORT**

### **REPORT IN BRIEF:**

The Investment Report as of April 30, 2016 has been prepared in accordance with the City's Investment Policy and California Government Code Section 53646.

### **RECOMMENDED ACTION:**

That the Successor Agency:

- 1) Find 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) Receive and file the Investment Report for the month of April 2016.

### **BACKGROUND:**

The attached reports summarize the Successor Agency investments and deposit balances as of April 2016. 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 April 2016 was 0.525%.

The Agency began making investments in reserve funds other than those held by bond trustees in October 2015 for the first time. The Agency's other investments are shown on Attachment A and have a weighted investment yield of 1.84%. Including LAIF and

the Agency's portion of the Bank of the West checking and money market accounts, the weighted investment yield of the portfolio is 1.25%, which is well above the benchmark LAIF return of 0.525%.

The weighted average maturity of the Agency's investments at April 30, 2016 is 1,223 days, or almost three and a half years, as there is no immediate need for funds held in the reserve account. Including LAIF, and the checking and money market accounts, the weighted average maturity is 515 days. LAIF's average maturity at April 30, 2016 is approximately 179 days.

**FISCAL IMPACT:**

All deposits and investments have been made in accordance with the City's 2015-16 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.

**STRATEGIC PLAN OBJECTIVE ADDRESSED:**

4. Ensure Fiscal Stability and Efficiency in Governance

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  
April 30, 2016**

Investment Type	Institution	Issuer/ Broker	Date of Maturity	Interest Rate	Par Value	Cost	Market Value	MV Source
State Treasurer's Pool - SA portion	Local Agency Investment Fund (LAIF)	State of California	On Demand	0.53%	\$ 6,531,046	\$ 6,531,046	\$ 6,532,830	LAIF
Imprest Account - SA portion	Bank of the West	Bank of the West	On Demand	N/A	(1,535,690)	(1,535,690)	(1,535,690)	Bank of the West
Clawback - Demand Deposits/Money Market Account	Bank of the West Money Market	Bank of the West	On Demand	0.29%	9,088,517	9,088,517	9,088,517	Bank of the West

Total Cash Investments and Deposits

**\$ 14,083,872 \$ 14,085,657**

Bond Funds Held by Trustees:

Investment Type	Institution	Issuer/ Broker	CUSIP Number	Date of Maturity	Interest Rate	Par Value	Cost	Market Value	MV Source
<b>2005 Tax Allocation Bonds - Series A (Taxable)</b>									
Principal:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$ 1.23	\$ 1.23	\$ 1.23	US Bank
Interest:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$ 2.92	\$ 2.92	\$ 2.92	US Bank
Special Fund:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$ 1.11	1.11	1.11	US Bank
Reserve Account:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	202.61	202.61	202.61	US Bank
Redevelopment Fund:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	-	-	-	US Bank

Total 2005 Tax Allocation Bonds - Series A (Taxable)

**\$ 208 \$ 208**

Investment Type	Institution	Issuer/ Broker	CUSIP Number	Date of Maturity	Interest Rate	Par Value	Cost	Market Value	MV Source
<b>2005 Tax Allocation Bonds - Series B (Tax-Exempt)</b>									
Principal									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$ 0.88	\$ 0.88	\$ 0.88	US Bank
Interest									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$ 1.39	\$ 1.39	\$ 1.39	US Bank
Special Fund									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$ 0.72	\$ 0.72	\$ 0.72	US Bank
Reserve Account:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	112.40	112.40	112.40	US Bank
Redevelopment Fund:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	-	-	-	US Bank

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

\$ 115 \$ 115

115

Investment Type	Institution	Issuer/ Broker	CUSIP Number	Date of Maturity	Interest Rate	Par Value	Cost	Market Value	MV Source
<b>2010 Tax Allocation Bonds (Tax-Exempt)</b>									
Principal									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$3.84	\$3.84	\$3.84	US Bank
Interest									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$5.26	\$5.26	\$5.26	US Bank
Special Fund									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$3.97	\$3.97	\$3.97	US Bank
Reserve Account:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$6,973.44	\$6,973.44	\$6,973.44	US Bank
US Gov't Agency Security	Federal Home Loan Banks	Stern Agee	313380FB8	9/13/2019	1.38%	\$525,000.00	\$530,184.23	\$529,945.50	US Bank
US Gov't Agency Security	FNMA	Stern Agee	3135G0F73	11/30/2020	1.50%	\$530,000.00	\$532,368.90	\$533,296.60	US Bank
Negotiable Certificate of Deposit	Firstbank Puerto Rico	First Empire	33767ARS2	11/19/2018	1.50%	\$99,000.00	\$99,000.00	\$99,924.66	US Bank
Wells Fargo Bank Na	Wells Fargo Bank NA	MBS	9497482T3	11/19/2018	1.55%	\$249,000.00	\$249,000.00	\$251,323.17	US Bank
Goldman Sachs Bank USA	Goldman Sachs Bank USA	First Empire	38148JY6	11/26/2018	1.70%	\$150,000.00	\$150,000.00	\$151,381.50	US Bank
Redevelopment Fund:									
US Bank Money Market Fund	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$0.00	\$0.00	\$0.00	US Bank

Total 2010 Tax Allocation Bonds (Tax-Exempt)

\$1,567,539.64

\$1,572,857.94

Investment Type	Institution	Issuer/ Broker	CUSIP Number	Date of Maturity	Interest Rate	Par Value	Cost	Market Value	MV Source
<b>2011 Tax Allocation Bonds - Series A (Taxable)</b>									
Principal:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$1.07	\$1.07	\$1.07	US Bank
Interest Fund:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$4.63	\$4.63	\$4.63	US Bank
Reserve Fund:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$13,833.97	\$13,833.97	\$13,833.97	US Bank
US Gov't Agency Security	Federal Home Loan Banks	Stern Agee	313380FB8	9/13/2019	1.38%	\$490,000.00	\$494,694.01	\$494,615.80	US Bank
US Gov't Agency Security	Private Export Funding Corp	Stern Agee	742651DV1	9/15/2020	2.30%	\$470,000.00	\$483,304.30	\$486,337.20	US Bank
Negotiable Certificate of Deposit	Ally Bank	Stern Agee	02006LUX9	10/22/2018	1.60%	\$246,000.00	\$246,782.00	\$248,649.42	US Bank
Negotiable Certificate of Deposit	Comenity Capital Bank	Stern Agee	20033ANK8	11/2/2018	1.40%	\$244,000.00	\$243,085.00	\$246,627.88	US Bank
Project Account:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$4,728,580.66	\$4,728,580.66	\$4,728,580.66	US Bank
DS Fund									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$1.96	\$1.96	\$1.96	US Bank

Total 2011 Tax Allocation Bonds - Series A (Taxable)

\$6,210,287.60 \$6,218,652.59

Investment Type	Institution	Issuer/ Broker	CUSIP Number	Date of Maturity	Interest Rate	Par Value	Cost	Market Value	MV Source
<b>2011 Tax Allocation Bonds - Series B (Taxable)</b>									
Principal:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$0.00	\$1.10	\$1.10	US Bank
Interest Fund:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$5.17	\$5.17	\$5.17	US Bank
Special Fund:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$2.56	\$2.56	\$2.56	US Bank
Bond Reserve Fund:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$22,479.78	\$22,479.78	\$22,479.78	US Bank
US Gov't Agency Security	Federal Home Loan Banks	Stern Agee	313380FB8	9/13/2019	1.38%	\$455,000.00	\$459,358.30	\$459,286.10	US Bank
Negotiable Certificate of Deposit	Capital One Bank	Stern Agee	140420WJ5	10/9/2018	1.65%	\$218,000.00	\$219,120.00	\$220,350.04	US Bank
Negotiable Certificate of Deposit	Capital One NA	Stern Agee	14042RB19	10/29/2018	1.65%	\$213,000.00	\$212,811.00	\$215,289.75	US Bank
US Gov't Agency Security	Private Export Funding Corp	Stern Agee	742651DV1	9/15/2020	2.30%	\$430,000.00	\$442,171.70	\$444,946.80	US Bank
Redevelopment Account:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$1,582,916.25	\$1,582,916.25	\$1,582,916.25	US Bank

Total 2011 Tax Allocation Bonds - Series B (Taxable)

\$ 2,938,866 \$ 2,945,278

Investment Type	Institution	Issuer/ Broker	CUSIP Number	Date of Maturity	Interest Rate	Par Value	Cost	Market Value	MV Source
2016 Series A and B									
Interest Fund:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$248.43	\$248.43	\$248.43	US Bank
Reserve Fund:									
Insurance Commitment	Build America Mutual	BAM	98INP3YD7	N/A	0.00%	\$1,656,074.91	\$1.00	\$1,656,074.91	US Bank
Cost of Issuance Fund:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$11,168.51	\$11,168.51	\$11,168.51	US Bank
2005A Refunding Fund:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$0.00	\$0.00	\$0.00	US Bank
2005B Refunding Fund:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$0.00	\$0.00	\$0.00	US Bank

Total 2016 Series A and B

\$11,417.94 \$1,667,491.85

### Total Bond Fund Investments and Deposits (3)

\$ 10,728,434 \$ 12,404,603

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  
April 30, 2016**

<b>Fund</b>	<b>Cash Balance</b>
710 Project 2000 Debt Service Fund	-
711 Redevelopment Debt Service Fund	-
712 Redevelopment Obligation Retirement Fund	5,071,047
720 Low and Moderate Income Housing Fund	-
721 Housing Successor Fund	-
730 Community Redevelopment Administration Fund	-
731 Successor Agency Admin Fund	(75,791)
740 Redevelopment Project Fund	-
741 Successor Agency Project Fund	100
741 Cash DDR Clawback	9,088,517

**TOTAL CASH BALANCE****\$ 14,083,872**

# **CITY OF STANTON**

## **REPORT TO THE CITY COUNCIL**

TO: Honorable Mayor and Members of City Council

DATE: May 24, 2016

SUBJECT: **SELECTION OF FIREWORKS LICENSEES FOR 2016**

### **REPORT IN BRIEF:**

Staff is requesting that the City Council select the licensees for 2016 fireworks sales.

### **RECOMMENDED ACTION:**

1. City Council declare 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
2. Approve fireworks licenses for 2016 fireworks sales for the following groups: Knights of Columbus #6095, Stanton Lighthouse Church, Boys & Girls Club of Stanton, Kiwanis Club of Greater Stanton, XClaimed Ministries, Stanton Baseball Little League, and Iglesia De Cristo Ministerios Manantial De Vida.

### **BACKGROUND:**

Chapter 17.04 (Safe and Sane Fireworks) in the Stanton Municipal Code sets forth the requirements for the application and selection procedures to sell State approved ("Safe and Sane") fireworks in the City. As stipulated, non-profit organizations with the principle place of business located within the City may apply for a permit to sell fireworks for the period of July 1st through July 4th. The City Council must review the applications and have the authority to approve up to eight permits each year.



## **ANALYSIS/JUSTIFICATION:**

For this application year, a total of seven applications were submitted by eligible applicants including:

- Knights of Columbus #6095
- Stanton Lighthouse Community Church
- Boys & Girls Club of Stanton
- Kiwanis Club of Greater Stanton
- Xclaimed Ministries
- Stanton Little League Baseball
- Iglesia De Cristo Ministerios Manantial De Vida

Staff has determined that all seven of the organizations applying for licenses meet the criteria as stipulated in Chapter 17.04 the SMC to conduct fireworks sales.

All applicants have demonstrated that they have adequate insurance coverage, have posted the required \$236.25 permit fee, and prepared a statement describing how their organization benefits the community. Also, all returning applicants for 2016 did submit their 2015 financial statements on time last year by the September 28, 2015 deadline.

This year, Stanton Baseball Little League has resubmitted an application after withdrawing from selling fireworks in 2015, due to lack of volunteers. Moreover, a new group has applied, called Inglesia De Cristo Minsterios Manatial De Vida, which is a religious organization that has Spanish services and has been established and located in Stanton for several years. They provide a monthly family night, youth outings and have church events and services.

### ***Selection Procedures***

In accordance with Chapter 17.04 of the SMC, the City Council shall determine the organizations to which licenses would be granted. Such determination must be made at a regular or special meeting of the City Council in accordance with procedures established by the City Council, and Stanton Municipal Code.

The City Council may choose to approve all non-profit groups as a whole, or if it is the desire of the City Council to vote on each non-profit application individually, the following selection process would be utilized:

- The City Clerk will prepare a series of ballots for use by the City Council.
- Each ballot will contain the names of all pre-qualified community organizations applying for fireworks sales licenses.
- Should the City Council decide to award seven licenses, on the first ballot each Council Member will designate his/her selections for seven organizations to

receive licenses and deliver the ballot to the City Clerk.

- The City Clerk will then announce each Councilmember's selection.
- Organizations receiving a majority (3 or more) votes would be deemed selected.

**FISCAL IMPACT:**

Each licensee is required to pay a \$236.25 fee to the City of Stanton for the cost recovery associated with the processing, and licensing, and inspection of the fireworks permits.

**ENVIRONMENTAL IMPACT:**

In accordance with the requirements of CEQA, this project has been determined to be exempt under section 15061(b)(3).

**LEGAL REVIEW:**

The City Attorney has reviewed staff's report.

**PUBLIC NOTIFICATION:**

Direct correspondence to licensee applicants and through normal agenda posting process.

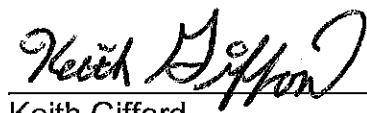
**STRATEGIC PLAN OBJECTIVE ADDRESSED:**

5- Provide a High Quality of Life.

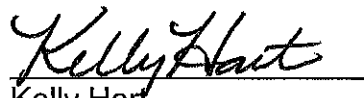
Prepared By:

Concurred by:

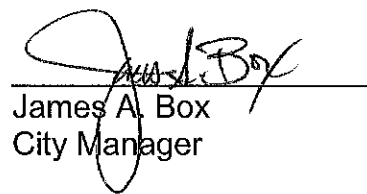
Approved by:



Keith Gifford  
Code Enforcement  
Supervisor



Kelly Hart  
Community Development  
Director



James A. Box  
City Manager

**Attachments:**

- A. SMC Section 17.04
- B. 2016 Fireworks Applications

Stanton Municipal Code							
<a href="#">Up</a>	<a href="#">Previous</a>	<a href="#">Next</a>	<a href="#">Main</a>	<a href="#">Collapse</a>	<a href="#">Search</a>	<a href="#">Print</a>	<a href="#">No Frames</a>
Title 17 FIRE							

## Chapter 17.04 SAFE AND SANE FIREWORKS

### 17.04.010 Sale and discharge prohibited—Sale to minors prohibited.

A. It is unlawful for any person, firm or corporation to sell, display, dispose of, give away, store, keep or stock, or to discharge, explode, fire or set off any fireworks in the city except in strict accordance with the terms and conditions of this chapter. For purposes of this chapter, the terms “fireworks” or “safe and sane fireworks” shall have the meaning as set forth in Part 2 of Division 11 of the California Health and Safety Code.

B. It is unlawful to sell fireworks to any person under the age of eighteen years.

C. No person under the age of eighteen years shall purchase any fireworks, including safe and sane fireworks.

D. No person under the age of eighteen years shall discharge any fireworks, including safe and sane fireworks, except when under the direct supervision and in the presence of an adult. (Ord. 935 § 2, 2007; Ord. 774 § 2, 1995; Ord. 759 § 2, 1994)

### 17.04.020 Organizations which may be licensed.

A. Licenses provided by this chapter shall be issued only to nonprofit organizations or corporations which have obtained tax-exempt status from the State Franchise Tax Board and which are organized primarily for veteran, patriotic, social welfare, civic or business betterment, fraternal, religious or charitable purposes.

B. Each such organization shall have a principal place of business, principal meeting place or a location for the conduct of its primary activities within the city limits and shall have been established and licensed under Chapter 5.04 (if required) within the city continuously for a minimum of one year prior to the filing of the application for the license.

C. Licenses provided by this chapter shall be issued only to organizations which qualify pursuant to the requirements set forth in this section. Each applicant organization shall submit a verified statement with its application describing and confirming its compliance with this subsection. (Ord. 774 § 2, 1995; Ord. 759 § 2, 1994)

### 17.04.030 Procedure for applications.

A. Applications for licenses shall be filed on forms provided by the city with the office of the city manager not later than the end of business day of the first Thursday in May of the year in which the application is made. A deposit in an amount equal to the license fee established by resolution of the city council shall be submitted with the application. The deposit shall be refunded in the event the organization is not licensed by the city council.

B. The application shall be accompanied by all documentation required by the city manager and shall include but not be limited to the following: proof of general liability insurance coverage, the certified statement required by Section 17.04.020(C), documentation demonstrating tax-exempt status, a seller's permit issued to the organization requesting the application, and a written statement describing the benefits the

organization provides to the community which will be used by the city council to make the determination on whether to grant a license.

C. The application shall be signed by an authorized officer or director of the organization who shall warrant to the city the veracity of all statements contained therein. If any material statement in the application is determined by the city manager to be false or misleading, he or she may forthwith revoke the license issued by the city council. Written authorization from the nonprofit organization authorizing the named individual to apply for a license on behalf of the organization shall also be provided.

D. The city manager shall review all applications for sufficiency and completeness within ten days of filing and promptly notify applicants of any defects, disqualifying factors or omissions. All applications and required accompanying documentation shall be in final form and shall be filed in the office of the city manager by five p.m. on May 8th. The city manager shall not be required to accept any additional documentation after May 8th but may request information clarifying or additionally explaining the applicant's proposal.

E. All organizations meeting the requirements for a license under this section shall be prequalified by the city manager provided they comply with the filing and compliance schedule set forth in this chapter. (Ord. 1033 § 2, 2015; Ord. 774 § 2, 1995; Ord. 759 § 2, 1994)

#### **17.04.040 Terms and conditions of license to sell.**

A. The license issued by the city council shall permit the sale of safe and sane fireworks only on July 1st from twelve noon to ten p.m. and from July 2nd through and including July 4th, from nine a.m. to ten p.m.

B. Every licensee shall be responsible for continuing compliance with all the terms and conditions contained in the license. In this regard, each licensee shall designate a responsible contact person who will be in attendance at the licensed stand or on-call from the time the stand is erected and until it is removed and the site location is cleaned to the satisfaction of the city.

C. No licensee shall sell any fireworks except from inside the licensed stand.

D. No person other than individuals who are adult members of the licensee organization, or their approved adult volunteers, shall sell or otherwise participate in the sale of fireworks. At all times during sales hours at least one adult member of the licensee organization must be located at the stand to oversee operations.

E. All licensees shall also:

1. Not install or locate a stand on the licensed premises before June 20th and shall cause it to be removed and the site location cleaned on or before July 8th;

2. Provide the city with proof of public liability, property damage and product liability insurance with policy limits of at least one million dollars per occurrence and naming the city as an additional insured for the duration of the license;

3. Provide the city with written consent of the owner of the property where the stand is to be located;

4. Provide the city with a sales tax permit issued to the organization by the State Board of Equalization;

5. Provide the city with a detailed report on revenue, expenditures and net profit earned by the organization in the sale of fireworks. The report shall be submitted to the city manager's office by the end of business day on the fourth Thursday in September of each year. Failure to submit the report shall be grounds for denial of any future fireworks sales license;

6. Provide the city with a bond or other surety device in an amount established by the city council and sufficient to assure removal of the structure and cleanup of the site.

F. Sales shall be made only from freestanding structures erected and located solely for the purpose of fireworks sales.

G. Fireworks stands shall comply with standards adopted by the city manager which may include size of stands, structure material, building code compliance and signage.

H. The city manager may call meetings of all licensees to describe the licensing process and to provide information with regard to city and county requirements. The failure of any licensee to attend meetings or meet established deadlines shall constitute grounds for nonacceptance of the application or revocation of the license by the city manager.

I. Licenses are not transferable or assignable, and are only valid for the dates specified in the permit and are subject to all conditions set forth in the permit. (Ord. 1033 § 3, 2015; Ord. 774 § 2, 1995; Ord. 759 § 2, 1994)

#### **17.04.050 Grant of approval by city council.**

A. The city council shall in its sole discretion determine the organizations to which licenses will be granted in accordance with this chapter. Such determination shall be made at a regular or special meeting of the city council in accordance with procedures established by the city council.

B. The city council may, but shall not be required to, issue up to eight licenses for the sale of fireworks in the city.

C. In determining the organizations to be licensed the council shall consider the following factors:

1. Only organizations prequalified by the city manager pursuant to Section 17.04.040(E) shall be considered;
2. The contributions the organization has made or is proposing to make to the city's civic pride or betterment; youth activities and programs; care or assistance to the elderly, infirm or disabled; assistance to or support of the business community, charitable efforts and any other community contributions deemed beneficial by the city council;
3. The location and suitability of the premises where the organization proposes to operate;
4. Other factors deemed appropriate by the city council. (Ord. 774 § 2, 1995; Ord. 759 § 2, 1994)

#### **17.04.060 Compliance with requirements of fire authority.**

All applicants for a license to sell safe and sane fireworks in the city shall comply with all requirements imposed by the Orange County fire authority.

A. The city shall provide applicants with copies of said requirements.

B. An Orange County fire authority permit shall be required and all required fire authority fees shall be paid and all inspections shall be completed before commencement of sales.

C. All stands and personnel involved in sales shall at all times be in compliance with the Orange County fire authority requirements for public fireworks stands. (Ord. 774 § 2, 1995; Ord. 759 § 2, 1994)

#### **17.04.070 Discharge permitted on certain days and times.**

It is unlawful for any person, firm or corporation to discharge any fireworks, including safe and sane fireworks, except as follows: safe and sane fireworks may be discharged between July 1st and July 4th between the hours of ten a.m. and eleven p.m. (Ord. 982 § 2, 2011)

**17.04.075 Discharge of fireworks prohibited—Exceptions.**

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A. It is unlawful for any person, firm or corporation to use or discharge any fireworks, including safe and sane fireworks as defined in Part 2 of Division 11 of the California Health and Safety Code, within the following areas of the city:

1. Any public property, including, but not limited to, public streets, highways, alleys, sidewalks, parks or other publicly owned property, buildings or facilities;
2. Any property within a commercial district of the city (defined in Section 20.215.010 of this code) except for any nonconforming residential use within such district used for residential purposes as of the effective date of the ordinance codified in this section;
3. Any property within an industrial/manufacturing district of the city (defined in Section 20.220.010 of this code) except for any nonconforming residential use within such district used for residential purposes as of the effective date of the ordinance codified in this section.

B. Nothing in this section shall preclude the use or discharge of safe and sane fireworks, consistent with this chapter, on appropriate privately owned areas within a residential district (defined in Section 20.210.010 of this code) or the presentation of any public fireworks display authorized by the city. (Ord. 910 § 2, 2005)

**17.04.080 Gas stations.**

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It is unlawful for any person, firm or corporation to sell, offer for sale, store, display or discharge any fireworks of any type in any public oil or gasoline station, or on any premises where gasoline or other inflammable liquids are stored or dispensed. (Ord. 774 § 2, 1995; Ord. 759 § 2, 1994)

**17.04.090 Penalty for violations.**

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The violations of any of the provisions of this chapter shall constitute a misdemeanor, and the penalty for violation shall be as set forth in Section 1.04.080 of the Stanton Municipal Code. (Ord. 774 § 2, 1995; Ord. 759 § 2, 1994)

**17.04.100 Administrative penalty.**

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In addition, and as an alternative, to the penalty set forth in Section 17.04.090, any person violating the provisions of this chapter may be issued an administrative citation by an enforcement officer in accordance with the provisions of Chapter 1.12 of this code. The administrative fine for a violation of this chapter shall be assessed in the amount of one thousand dollars for each violation. (Ord. 940 § 4, 2007; Ord. 935 § 4, 2007)

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View the [mobile version](#).

# CITY OF STANTON, CALIFORNIA

## FIREWORKS STAND APPLICATION (JULY 4<sup>TH</sup> 2016)

NAME OF ORGANIZATION: Knights of Columbus of Stanton #6095

ADDRESS OF ORGANIZATION: 8100 Chapmen Ave, Stanton, CA 90680

OFFICERS OF ORGANIZATION: Grand Knight - Marky Weigel  
Trustee - John Norton.

LOCATION OF PRIMARY ACTIVITIES (IF DIFFERENT THAN ABOVE ADDRESS):

N/A

PHONE # (ORGANIZATION):

RESPONSIBLE PERSON PHONE #: (HOME): 714-799-5357 (WORK): 714-553-4312

NAME OF COMPANY SUPPLYING BOOTH & FIREWORKS: Phantom

ADDRESS: 2023 Chicago Ave. Suite B13 Riverside, CA. 92507

PHONE #: 951-680-9790

BOOTH LOCATION: 11951 Beach Blvd.

- 
- ☐ ATTACH PROOF OF GENERAL LIABILITY INSURANCE IN THE AMOUNT OF \$1 MILLION DOLLARS.
- ☐ ATTACH STATEMENT DESCRIBING THE BENEFITS YOUR ORGANIZATION PROVIDES TO THE COMMUNITY. INCLUDE SPECIFIC INFORMATION ABOUT EVENTS SPONSORED, INDIVIDUALS AND/OR GROUPS BENEFITTED; AND PROPOSED DISTRIBUTION OF FIREWORKS SALE PROCEEDS.
- ☐ ATTACH CHECK FOR (\$236.25) MADE PAYABLE TO THE CITY OF STANTON. (CHECK WILL BE REFUNDED IF YOUR ORGANIZATION IS NOT SELECTED.)

[ ] WRITTEN PERMISSION FROM PROPERTY OWNER AUTHORISING BOOTH LOCATION

[ ] PROVIDE WRITTEN DOCUMENTATION OF ACTIVE NON PROFIT TAX EXEMPT STATUS FOR CHARITABLE PURPOSES, FROM THE CALIFORNIA STATE FRANCHISE TAX BOARD

+UNDER SECTION 17.04.020 OF THE STANTON MUNICIPAL CODE LICENSES SHALL BE ISSUED ONLY TO NON-PROFIT ORGANIZATIONS OR CORPORATIONS WHICH HAVE OBTAINED TAX-EXEMPT STATUS FROM THE STATE FRANCHISE TAX BOARD AND WHICH ARE ORGANIZED PRIMARILY FOR VETERAN, PATRIOTIC, SOCIAL WELFARE, CIVIC OR BUSINESS BETTERMENT, FRATERNAL, RELIGIOUS OR CHARITABLE PURPOSES. EACH ORGANIZATION SHALL HAVE A PRINCIPLE PLACE OF BUSINESS, PRINCIPLE MEETING PLACE OR A LOCATION FOR THE CONDUCT OF ITS PRIMARY ACTIVITIES WITHIN THE CITY LIMITS AND SHALL HAVE BEEN ESTABLISHED AND LICENSED UNDER CHAPTER 5.04 (IF REQUIRED) WITHIN THE CITY CONTINUOUSLY FOR A MINIMUM OF ONE (1) YEAR PRIOR TO THE FILING OF THE APPLICATION FOR THE LICENSE.

STATE RESALE NUMBER WILL BE REQUIRED FROM CALIFORNIA STATE BOARD OF EQUALIZATION. THE ORGANIZATION LISTED AS THE LICENSEE SHALL BE THE SAME ORGANIZATION LISTED ON THE SELLER'S PERMIT. A SELLER'S PERMITS SHALL NOT BE PROVIDED FOR A THIRD PARTY.

LICENSES ARE NOT TRANSFERABLE OR ASSIGNABLE AND WILL ONLY BE VALID FOR THE DATES SPECIFIED IN THE PERMIT AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THEIR PERMIT.

APPLICATIONS AND SUPPORTING DOCUMENTS MUST BE FILED IN THE CITY MANAGER'S OFFICE BY NO LATER THAN 5:00 P.M., MAY 5, 2016. **NO LATE APPLICATIONS WILL BE ACCEPTED.**

**FAILURE TO FILE BY THE DEADLINE OR MEET ANY OF THE ABOVE REQUIREMENTS WILL RESULT IN THE DISQUALIFICATION OF YOUR ORGANIZATION.**



AS DULY AUTHORIZED OFFICER OF THE ABOVE NAMED ORGANIZATION, I  
HEREBY SUBMIT THE ABOVE APPLICATION AND ALL REQUIRED DOCUMENTS  
TO OBTAIN A CITY BUSINESS LICENSE TO CONDUCT THE SALE OF "SAFE AND  
SANE" FIREWORKS. I UNDERSTAND THAT FAILURE TO CORRECTLY  
COMPLETE THIS APPLICATION WILL RESULT IN ITS DISQUALIFICATION.

THE ORGANIZATION AND ITS WORKERS AGREE TO ABIDE BY ALL PROVISIONS  
OF THE CITY'S ORDINANCES AND RULES AND REGULATIONS, AS WELL AS THE  
COUNTY OF ORANGE REGULATIONS AND FEDERAL AND STATE LAWS.

---

"I DECLARE ALL OF THE INFORMATION CONTAINED IN OR SUBMITTED WITH  
THIS APPLICATION IS TRUE AND CORRECT".

SIGNATURE OF OFFICER

*John Norton* TREASURER

DATE

4/25/16



# Knights of Columbus

## Fr. Robert Ross Council



No. 6095  
8100 Chapman Avenue Stanton, CA 90680

April 28, 2011

City of Stanton  
7800 Katella Avenue  
Stanton, CA 90680  
Attn. Keith Gifford, Code Enforcement Officer

Subject: 2011 Safe and Sane Fireworks

Dear Mr. Gifford,

The Knights of Columbus Fr. Robert Ross Council # 6095 is a catholic service organization located in the city of Stanton, California. The programs and organizations funded by the sale of Safe and Sane fireworks include; the Family Support Center which serves the underprivileged of the community, The Wheelchair Foundation which provides wheelchairs to the needy, St. Polycarp Church, St. Polycarp School, St. Polycarp Religious Education programs and many other community organizations.

Please contact us at the above address or you may contact me directly at (714) 553-4312 if you have any questions.

May God bless you,

Mike Kovacs  
Program Chairman/Grand Knight  
Knights of Columbus  
Fr. Robert Ross Council # 6095

Cc: Scott Paxton-Phantom Fireworks

Attachment 1



Office of  
Commissioner of Internal Revenue  
and the Bureau of  
Internal Revenue Administration  
and the Bureau of  
Internal Revenue Administration

IT:P:11  
HIC

TREASURY DEPARTMENT  
WASHINGTON

OCT 25 1940

Knights of Columbus,  
c/o Mr. Luke E. Hart,  
Supreme Advocate,  
LaSalle Building,  
St. Louis, Missouri.

Sirs:

Reference is made to the information submitted by you for use in determining your status and the status of your local subordinate councils for Federal income and employment tax purposes.

It is the opinion of this office, based upon the evidence presented, that you and your subordinate councils listed in the "Directory of Councils and Officers, 1939-40" are exempt from Federal income tax under the provisions of section 101(3) of the Internal Revenue Code and the corresponding provisions of prior revenue acts.

Accordingly, you and your subordinate councils will not be required to file returns of income unless there is a change in the character of your organization, the purposes for which you were organized or your method of operation, or that of your subordinate councils. Any such changes should be immediately reported by you to this Bureau in order that the effect of such changes upon the present exempt status may be determined. You should furnish the Bureau annually, on the calendar year basis, lists in quadruplicate showing the names and addresses of any councils which were chartered during the calendar year and the names and addresses of any councils which for any reason ceased to exist. Such annual lists should be accompanied by a statement, sworn to by one of your principal officers, as to whether or not the information heretofore submitted by you and on which this ruling is based, is applicable in all respects to the new councils appearing on the lists, and should be forwarded so as to reach this office not later than February 15 of the following year.

The exemption evidenced by this letter relates specifically to Federal income tax, but since any organization which is exempt from such tax under the provisions of section 101 of the Internal

- 2 -

Knights of Columbus,  
St. Louis, Missouri.

Revenue Code also is entitled to exemption from the capital stock tax pursuant to the express provisions of section 1201(a)(1) of the Internal Revenue Code, you and your subordinate councils will not be required to file capital stock tax returns for future years so long as the exemption from income tax is effective.

The determination of the status of your organization and subordinate councils for Federal employment tax purposes will be made the subject of a separate communication.

A copy of this ruling is being transmitted to the collectors of Internal Revenue for the several districts in which you and your subordinate councils are located.

By direction of the Commissioner.

Respectfully,

Deputy Commissioner.

ATTACHMENT 1



DEPARTMENT OF THE TREASURY  
INTERNAL REVENUE SERVICE  
WASHINGTON, D.C. 20224

OCT 15 2008

Knights of Columbus Supreme Council  
One Columbus Plaza  
New Haven, CT 06510-3325

Dear Sir or Madam:

This letter is in response to your request for a letter from the Internal Revenue Service confirming your exempt status and the exempt status of your subordinate units.

Our records indicate your Employee Identification Number is \_\_\_\_\_ and that a group ruling issued in October 1940, recognized your organization and subordinate councils as being exempt from federal income tax under what is now section 501(c)(8) of the Internal Revenue Code (IRC). Your Group Exemption Number is 0188. The group ruling is still in effect.

Sincerely,

A handwritten signature in cursive script, appearing to read "Harold N. Toppall".

Harold N. Toppall  
Chief, Projects Branch 2  
Exempt Organizations Division

# CITY OF STANTON, CALIFORNIA

## FIREWORKS STAND APPLICATION (JULY 4<sup>TH</sup> 2016)

NAME OF ORGANIZATION: IGLESIA DE CRISTO MINISTERIOS MANANTIAL DE VIDA

ADDRESS OF ORGANIZATION: 10871 WESTERN AVE. STANTON, CA 90680

OFFICERS OF ORGANIZATION: ARTURO MORENO - PASTOR;

MARCELINO MARTINEZ - ASSOCIATE PASTOR; LIZBETH BAHENA-BRICENO - SEC/TREASURER

LOCATION OF PRIMARY ACTIVITIES (IF DIFFERENT THAN ABOVE ADDRESS):  
10871 WESTERN AVE. STANTON, CA 90680

PHONE # (ORGANIZATION):  
714-851-5652

RESPONSIBLE PERSON PHONE #: (HOME):- 714-240-5861 (WORK): \_\_\_\_\_

NAME OF COMPANY SUPPLYING BOOTH & FIREWORKS: TNT FIREWORKS

ADDRESS: 555 N. GILBERT STREET FULLERTON, CA 92833

PHONE #: 714-738-1002

BOOTH LOCATION: 10499 BEACH BLVD. STANTON CA 90680

☒ ATTACH PROOF OF GENERAL LIABILITY INSURANCE IN THE AMOUNT OF \$1 MILLION DOLLARS.

☒ ATTACH STATEMENT DESCRIBING THE BENEFITS YOUR ORGANIZATION PROVIDES TO THE COMMUNITY. INCLUDE SPECIFIC INFORMATION ABOUT EVENTS SPONSORED, INDIVIDUALS AND/OR GROUPS BENEFITTED; AND PROPOSED DISTRIBUTION OF FIREWORKS SALE PROCEEDS.

☒ ATTACH CHECK FOR (\$236.25) MADE PAYABLE TO THE CITY OF STANTON. (CHECK WILL BE REFUNDED IF YOUR ORGANIZATION IS NOT SELECTED.)

**(CONTINUED ON BACK)**

[ X ] WRITTEN PERMISSION FROM PROPERTY OWNER AUTHORISING BOOTH LOCATION

[ X ] PROVIDE WRITTEN DOCUMENTATION OF ACTIVE NON PROFIT TAX EXEMPT STATUS FOR CHARITABLE PURPOSES, FROM THE CALIFORNIA STATE FRANCHISE TAX BOARD

+UNDER SECTION 17.04.020 OF THE STANTON MUNICIPAL CODE LICENSES SHALL BE ISSUED ONLY TO NON-PROFIT ORGANIZATIONS OR CORPORATIONS WHICH HAVE OBTAINED TAX-EXEMPT STATUS FROM THE STATE FRANCHISE TAX BOARD AND WHICH ARE ORGANIZED PRIMARILY FOR VETERAN, PATRIOTIC, SOCIAL WELFARE, CIVIC OR BUSINESS BETTERMENT, FRATERNAL, RELIGIOUS OR CHARITABLE PURPOSES. EACH ORGANIZATION SHALL HAVE A PRINCIPLE PLACE OF BUSINESS, PRINCIPLE MEETING PLACE OR A LOCATION FOR THE CONDUCT OF ITS PRIMARY ACTIVITIES WITHIN THE CITY LIMITS AND SHALL HAVE BEEN ESTABLISHED AND LICENSED UNDER CHAPTER 5.04 (IF REQUIRED) WITHIN THE CITY CONTINUOUSLY FOR A MINIMUM OF ONE (1) YEAR PRIOR TO THE FILING OF THE APPLICATION FOR THE LICENSE.

STATE RESALE NUMBER WILL BE REQUIRED FROM CALIFORNIA STATE BOARD OF EQUALIZATION. THE ORGANIZATION LISTED AS THE LICENSEE SHALL BE THE SAME ORGANIZATION LISTED ON THE SELLER'S PERMIT. A SELLER'S PERMITS SHALL NOT BE PROVIDED FOR A THIRD PARTY.

LICENSES ARE NOT TRANSFERABLE OR ASSIGNABLE AND WILL ONLY BE VALID FOR THE DATES SPECIFIED IN THE PERMIT AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THEIR PERMIT.

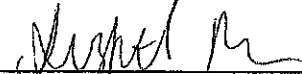
APPLICATIONS AND SUPPORTING DOCUMENTS MUST BE FILED IN THE CITY MANAGER'S OFFICE BY NO LATER THAN 5:00 P.M., MAY 5, 2016. **NO LATE APPLICATIONS WILL BE ACCEPTED.**

**FAILURE TO FILE BY THE DEADLINE OR MEET ANY OF THE ABOVE REQUIREMENTS WILL RESULT IN THE DISQUALIFICATION OF YOUR ORGANIZATION.**

AS DULY AUTHORIZED OFFICER OF THE ABOVE NAMED ORGANIZATION, I HEREBY SUBMIT THE ABOVE APPLICATION AND ALL REQUIRED DOCUMENTS TO OBTAIN A CITY BUSINESS LICENSE TO CONDUCT THE SALE OF "SAFE AND SANE" FIREWORKS. **I UNDERSTAND THAT FAILURE TO CORRECTLY COMPLETE THIS APPLICATION WILL RESULT IN ITS DISQUALIFICATION.**

THE ORGANIZATION AND ITS WORKERS AGREE TO ABIDE BY ALL PROVISIONS OF THE CITY'S ORDINANCES AND RULES AND REGULATIONS, AS WELL AS THE COUNTY OF ORANGE REGULATIONS AND FEDERAL AND STATE LAWS.

**"I DECLARE ALL OF THE INFORMATION CONTAINED IN OR SUBMITTED WITH THIS APPLICATION IS TRUE AND CORRECT".**

SIGNATURE OF OFFICER  DATE 5-2-16

**Iglesia De Cristo Ministerios Manantial De Vida**  
**10871 Western Ave**  
**Stanton, CA 90680**  
**714-851-5652**

May 2, 2016

To Whom It May Concern:

I, Arturo Moreno pastor and board leader make Lizbeth Bahena-Briceno the authorized representative for Iglesia De Cristo Ministerios Manantial De Vida, which is a religious outreach non-profit organization. I give authorization to use our non-profit entity status to conduct the fireworks fundraiser for Iglesia De Cristo Ministerios Manantial De Vida and submit and application to the City of Stanton.

If I can be of further help, please don't hesitate to call me at 714-737-0016. Thank you for your assistance.

Sincerely,



Arturo Moreno / Lizbeth Briceno  
Pastor Ministerios Manantial De Vida  
Tax ID # 26-3695734

**Iglesia De Cristo Ministerios Manantial De Vida**  
**10871 Western Ave**  
**Stanton CA 90680**  
**714-851-5652**

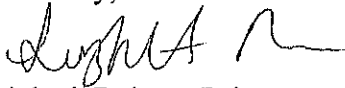
To Whom It May Concern:

We, Iglesia De Cristo Ministerios Manantial De Vida, are a bonafide non-profit religious organization within the city of Stanton, servicing the latin community through our Spanish services. We operate from 10871 Western Ave and provide many social events for our church members. Below are just a few of the events we help host for our congregation to celebrate together.

Monthly Family Night Gatherings: (provide refreshments and prizes)	\$1,000.00
Youth Outings: (help fund the outings for our youth to socialize)	\$1,000.00
Church Events & Facilities Use: ( funding for general events & facilities)	\$1,000.00

If you would like to know more about our church please feel free to contact me at 714-851-5652

Sincerely,



Lizbeth Bahena-Briceno



# CITY OF STANTON, CALIFORNIA

## FIREWORKS STAND APPLICATION (JULY 4<sup>TH</sup> 2016)

NAME OF ORGANIZATION: STANTON BASEBALL LITTLE LEAGUE

ADDRESS OF ORGANIZATION: P.O. BOX 1220 STANTON, CA 90608-1220

OFFICERS OF ORGANIZATION: PRESIDENT-RICK FINLEY; VP-MIKE MOORE  
SEC.-ANGELA KELLER; TREASURER - LISA MOORE

LOCATION OF PRIMARY ACTIVITIES (IF DIFFERENT THAN ABOVE ADDRESS):  
VOLUNTEER PARK ; 3665 WEST CERRITOS ANAHEIM, CA 92804

PHONE # (ORGANIZATION):  
800-527-5392

RESPONSIBLE PERSON PHONE #: (HOME): 714-390-8579 (WORK): \_\_\_\_\_

NAME OF COMPANY SUPPLYING BOOTH & FIREWORKS: TNT FIREWORKS

ADDRESS: 555 N. GILBERT STREET FULLERTON, CA 92833

PHONE #: 714-738-1002

BOOTH LOCATION: 10500 S. KNOTT AVE

☒ ATTACH PROOF OF GENERAL LIABILITY INSURANCE IN THE AMOUNT OF \$1 MILLION DOLLARS.

☒ ATTACH STATEMENT DESCRIBING THE BENEFITS YOUR ORGANIZATION PROVIDES TO THE COMMUNITY. INCLUDE SPECIFIC INFORMATION ABOUT EVENTS SPONSORED, INDIVIDUALS AND/OR GROUPS BENEFITTED; AND PROPOSED DISTRIBUTION OF FIREWORKS SALE PROCEEDS.

☒ ATTACH CHECK FOR (\$236.25) MADE PAYABLE TO THE CITY OF STANTON. (CHECK WILL BE REFUNDED IF YOUR ORGANIZATION IS NOT SELECTED.)

(CONTINUED ON BACK)

[ X ] WRITTEN PERMISSION FROM PROPERTY OWNER AUTHORISING BOOTH LOCATION

[ X ] PROVIDE WRITTEN DOCUMENTATION OF ACTIVE NON PROFIT TAX EXEMPT STATUS FOR CHARITABLE PURPOSES, FROM THE CALIFORNIA STATE FRANCHISE TAX BOARD

+UNDER SECTION 17.04.020 OF THE STANTON MUNICIPAL CODE LICENSES SHALL BE ISSUED ONLY TO NON-PROFIT ORGANIZATIONS OR CORPORATIONS WHICH HAVE OBTAINED TAX-EXEMPT STATUS FROM THE STATE FRANCHISE TAX BOARD AND WHICH ARE ORGANIZED PRIMARILY FOR VETERAN, PATRIOTIC, SOCIAL WELFARE, CIVIC OR BUSINESS BETTERMENT, FRATERNAL, RELIGIOUS OR CHARITABLE PURPOSES. EACH ORGANIZATION SHALL HAVE A PRINCIPLE PLACE OF BUSINESS, PRINCIPLE MEETING PLACE OR A LOCATION FOR THE CONDUCT OF ITS PRIMARY ACTIVITIES WITHIN THE CITY LIMITS AND SHALL HAVE BEEN ESTABLISHED AND LICENSED UNDER CHAPTER 5.04 (IF REQUIRED) WITHIN THE CITY CONTINUOUSLY FOR A MINIMUM OF ONE (1) YEAR PRIOR TO THE FILING OF THE APPLICATION FOR THE LICENSE.

STATE RESALE NUMBER WILL BE REQUIRED FROM CALIFORNIA STATE BOARD OF EQUALIZATION. THE ORGANIZATION LISTED AS THE LICENSEE SHALL BE THE SAME ORGANIZATION LISTED ON THE SELLER'S PERMIT. A SELLER'S PERMITS SHALL NOT BE PROVIDED FOR A THIRD PARTY.

LICENSES ARE NOT TRANSFERABLE OR ASSIGNABLE AND WILL ONLY BE VALID FOR THE DATES SPECIFIED IN THE PERMIT AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THEIR PERMIT.

APPLICATIONS AND SUPPORTING DOCUMENTS MUST BE FILED IN THE CITY MANAGER'S OFFICE BY NO LATER THAN 5:00 P.M., MAY 5, 2016. **NO LATE APPLICATIONS WILL BE ACCEPTED.**

**FAILURE TO FILE BY THE DEADLINE OR MEET ANY OF THE ABOVE REQUIREMENTS WILL RESULT IN THE DISQUALIFICATION OF YOUR ORGANIZATION.**

AS DULY AUTHORIZED OFFICER OF THE ABOVE NAMED ORGANIZATION, I HEREBY SUBMIT THE ABOVE APPLICATION AND ALL REQUIRED DOCUMENTS TO OBTAIN A CITY BUSINESS LICENSE TO CONDUCT THE SALE OF "SAFE AND SANE" FIREWORKS. I UNDERSTAND THAT FAILURE TO CORRECTLY COMPLETE THIS APPLICATION WILL RESULT IN ITS DISQUALIFICATION.

THE ORGANIZATION AND ITS WORKERS AGREE TO ABIDE BY ALL PROVISIONS OF THE CITY'S ORDINANCES AND RULES AND REGULATIONS, AS WELL AS THE COUNTY OF ORANGE REGULATIONS AND FEDERAL AND STATE LAWS.

**"I DECLARE ALL OF THE INFORMATION CONTAINED IN OR SUBMITTED WITH THIS APPLICATION IS TRUE AND CORRECT".**

SIGNATURE OF OFFICER Lisa Moore DATE 4/13/16



STANTON BASEBALL  
LITTLE LEAGUE *est. 1953*  
P.O. Box 1220, Stanton CA 90680-1220  
800.527.5392

To Whom It May Concern:

I, Lisa Moore, am the board treasurer and have been made an authorized representative for Stanton Baseball Little League, which is a youth oriented athletic non-profit organization. I have been given authorization by the board to use our non-profit entity status to conduct the fireworks fundraiser for the Stanton Baseball Little League and submit an application to the City of Stanton.

If I can be of further help, please don't hesitate to call me at (714) 390-8579.  
Thank you for your assistance.

Sincerely,  
Lisa Moore  
Stanton Baseball Little League



# STANTON BASEBALL LITTLE LEAGUE *est. 1953*

P.O. Box 1220, Stanton CA 90680-1220  
800.527.5392

## SPONSORSHIP LETTER

Dear Community Neighbors:

2016 is very exciting for us at **Stanton Baseball Little League** as we are **celebrating our 63rd year** in existence making us one of the oldest Little Leagues in Southern California.

**Stanton Baseball Little League** is the home of **Volunteer Park** and we have been seeing many volunteers come to lend a hand to our league throughout the years. Many of our volunteers are our baseball players from past years coming back to teach the children about baseball, sportsmanship, and fair play. It gives us a good feeling that many people want to give back to their community and are choosing to do so by working with our children.

We are asking for businesses/organizations such as yours to support our Little League with a tax-deductible donation. If you choose to donate, any monetary amount would be greatly appreciated. Depending on the amount of the donation\*, we would in turn award you or your business with a banner created showing your support for our league. We would proudly display the banner at our field for the duration of the season for all to see. We also accept non-monetary donations such as Little League baseballs, bats, chalk, gloves, mops, paper products etc. or anything that would allow us to sustain our Little League. See a complete listing of donation benefits below.

On the behalf of all the children, parents, managers/coaches, board and volunteers of **Stanton Baseball Little League** would like to take this opportunity to thank you in advance for your consideration in donating a gift of any amount or any kind for our League. It is through the generosity of community members and businesses such as yours that our League is able to provide a place for our children to learn baseball and grow as individuals.

Gratefully yours,  
Rick Finlay  
President  
[Rick@stantonlittleleague.com](mailto:Rick@stantonlittleleague.com)

P.O. Box 1220, Stanton CA, 90680-1220  
ATTN: Sponsorship  
**Stanton Baseball Little League**  
Federal Tax ID# 46-2007420

# CITY OF STANTON, CALIFORNIA

## FIREWORKS STAND APPLICATION (JULY 4<sup>TH</sup> 2016)

NAME OF ORGANIZATION: BOYS & GIRLS CLUB OF STANTON

ADDRESS OF ORGANIZATION: 11050 CEDAR ST., STANTON CA 90680

OFFICERS OF ORGANIZATION: PAMELA SCHOONOVER,  
LINDA GALLAGHER; TIM SCHOONOVER

LOCATION OF PRIMARY ACTIVITIES (IF DIFFERENT THAN ABOVE ADDRESS):  
11050 CEDAR ST., STANTON CA 90680

PHONE # (ORGANIZATION):  
714-891-0740

RESPONSIBLE PERSON PHONE #: (HOME): 714-727-9530 (WORK): 714-891-0704

NAME OF COMPANY SUPPLYING BOOTH & FIREWORKS: TNT FIREWORKS

ADDRESS: 555 N. GILBERT STREET FULLERTON, CA 92833

PHONE #: 714-738-1002

BOOTH LOCATION: 7910 KATELLA AVE., STANTON CA 90680

☒ ATTACH PROOF OF GENERAL LIABILITY INSURANCE IN THE AMOUNT OF \$1 MILLION DOLLARS.

☒ ATTACH STATEMENT DESCRIBING THE BENEFITS YOUR ORGANIZATION PROVIDES TO THE COMMUNITY. INCLUDE SPECIFIC INFORMATION ABOUT EVENTS SPONSORED, INDIVIDUALS AND/OR GROUPS BENEFITTED; AND PROPOSED DISTRIBUTION OF FIREWORKS SALE PROCEEDS.

☒ ATTACH CHECK FOR (\$236.25) MADE PAYABLE TO THE CITY OF STANTON. (CHECK WILL BE REFUNDED IF YOUR ORGANIZATION IS NOT SELECTED.)

(CONTINUED ON BACK)

[ X ] WRITTEN PERMISSION FROM PROPERTY OWNER AUTHORISING BOOTH LOCATION

[ X ] PROVIDE WRITTEN DOCUMENTATION OF ACTIVE NON PROFIT TAX EXEMPT STATUS FOR CHARITABLE PURPOSES, FROM THE CALIFORNIA STATE FRANCHISE TAX BOARD

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AS DULY AUTHORIZED OFFICER OF THE ABOVE NAMED ORGANIZATION, I HEREBY SUBMIT THE ABOVE APPLICATION AND ALL REQUIRED DOCUMENTS TO OBTAIN A CITY BUSINESS LICENSE TO CONDUCT THE SALE OF "SAFE AND SANE" FIREWORKS. I UNDERSTAND THAT FAILURE TO CORRECTLY COMPLETE THIS APPLICATION WILL RESULT IN ITS DISQUALIFICATION.

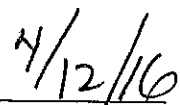
THE ORGANIZATION AND ITS WORKERS AGREE TO ABIDE BY ALL PROVISIONS OF THE CITY'S ORDINANCES AND RULES AND REGULATIONS, AS WELL AS THE COUNTY OF ORANGE REGULATIONS AND FEDERAL AND STATE LAWS.

**"I DECLARE ALL OF THE INFORMATION CONTAINED IN OR SUBMITTED WITH THIS APPLICATION IS TRUE AND CORRECT".**

SIGNATURE OF OFFICER



DATE





To Whom It May Concern:

I, Pamela Schoonover, am the Executive Director of the Boys & Girls Club of Stanton and have been made an authorized representative for the Boys & Girls Club of Stanton, which is a youth oriented non-profit organization. I have been given authorization by the board to use our non-profit entity status to conduct the fireworks fundraiser for the Boys & Girls Club of Stanton and submit an application to the City of Stanton.

If I can be of further help, please don't hesitate to call me at (714) 891-0704.  
Thank you for your assistance.

Sincerely,

A handwritten signature in cursive script that reads "Pamela Schoonover". The signature is written in dark ink and is positioned above the printed name.

Pam Schoonover  
Executive Director  
Boys and Girls Club of Stanton



The Boys & Girls Club of Stanton Mission Statement is;

To enable all young people, especially those who need us most, to reach their full potential as productive, caring, responsible citizens.

That is what we do daily, we help youth age 6 to 18 to become responsible citizens, to reach their full potential and one day be productive adults.

The selling of fireworks will help the Club to raise much needed funds that will help support our programs and activities. The Boys & Girls Club of Stanton serves the community youth in educational, sports, fitness, arts, recreation, intervention and prevention programs. We keep the cost of membership low so that parents can afford the cost of our programs. We will never turn a child away due to financial hardship of their family.

A handwritten signature in black ink that reads "Pam Schoonover". The signature is fluid and cursive, with the first name "Pam" and last name "Schoonover" clearly distinguishable.

Pam Schoonover  
Executive Director  
Boys and Girls Club of Stanton



# CITY OF STANTON, CALIFORNIA

## FIREWORKS STAND APPLICATION (JULY 4<sup>TH</sup> 2016)

NAME OF ORGANIZATION: XCLAIMED MINISTRIES INC.

ADDRESS OF ORGANIZATION: 10871 WESTERN AVE STANTON CA 90680

OFFICERS OF ORGANIZATION: PAUL KARANICK; CHRISTINA KARANICK  
PHIL EYSKENS; CHAZE KARANICK; BRIANNA KARANICK; ED MOO

LOCATION OF PRIMARY ACTIVITIES (IF DIFFERENT THAN ABOVE ADDRESS):  
10871 WESTERN AVE STANTON CA 90680

PHONE # (ORGANIZATION):  
(714) 803-9692

RESPONSIBLE PERSON PHONE #: (HOME): 714-803-9692 (WORK): \_\_\_\_\_

NAME OF COMPANY SUPPLYING BOOTH & FIREWORKS: TNT FIREWORKS

ADDRESS: 555 N. GILBERT STREET FULLERTON, CA 92833

PHONE #: 714-738-1002

BOOTH LOCATION: 7001 KATELLA AVE.

☒ ATTACH PROOF OF GENERAL LIABILITY INSURANCE IN THE AMOUNT OF \$1  
MILLION DOLLARS.

☒ ATTACH STATEMENT DESCRIBING THE BENEFITS YOUR ORGANIZATION  
PROVIDES TO THE COMMUNITY. INCLUDE SPECIFIC INFORMATION ABOUT  
EVENTS SPONSORED, INDIVIDUALS AND/OR GROUPS BENEFITTED; AND  
PROPOSED DISTRIBUTION OF FIREWORKS SALE PROCEEDS.

☒ ATTACH CHECK FOR (\$236.25) MADE PAYABLE TO THE CITY OF STANTON.  
(CHECK WILL BE REFUNDED IF YOUR ORGANIZATION IS NOT SELECTED.)

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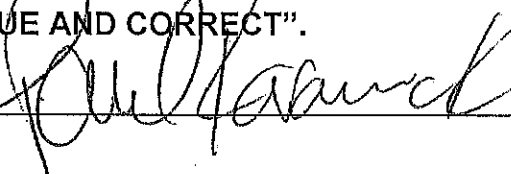
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**"I DECLARE ALL OF THE INFORMATION CONTAINED IN OR SUBMITTED WITH THIS APPLICATION IS TRUE AND CORRECT".**

SIGNATURE OF OFFICER



DATE

4/12/16



To Whom It May Concern:

I, Paul Karanick, am the ministry board leader and have been made an authorized representative for Xclaimed Ministries, which is a religious outreach non-profit organization. I have been given authorization by the board to use our non-profit entity status to conduct the fireworks fundraiser for the Xclaimed Ministries and submit an application to the City of Stanton.

If I can be of further help, please don't hesitate to call me at (714) 803-9692.  
Thank you for your assistance.

Sincerely,  
Paul Karanick  
Xclaimed Ministries

~10871 Western Ave., Stanton, CA 90680~  
(714) 828-3899



April 2016

CITY OF STANTON  
7800 Katella Avenue  
Stanton, CA 90680

Re: 2016 Stanton Firework's Stand

Dear City of Stanton Council,

Xclaimed Ministries is a young but flourishing non-profit Stanton blessing. This ministry has been built on the success of the Stanton Lighthouse Church food program, but stretches to reach the portion of Stanton's community that is struggling.

Xclaimed Ministries seeks to move beyond the church walls and serve people where they are. Another focus has been young adults that are struggling to begin their adult lives and Xclaimed provides safe and fun social activities that offer an alternative to destructive options many fall into. These activities range from concerts in the park, food giveaways, to bicycle giveaways for young kids.

This new opportunity for the community has grown and will continue to serve more niches of the Stanton population with each coming day! We would like to thank you for considering our non-profit organization to continue to host a Fireworks stand and receive a permit and welcome your support in helping us grow in this beautiful community through this fundraiser.

God Bless,  
Xclaimed Ministries Board

~10871 Western Ave., Stanton, CA 90680~  
(714) 828-3899

# CITY OF STANTON, CALIFORNIA

## FIREWORKS STAND APPLICATION (JULY 4<sup>TH</sup> 2016)

NAME OF ORGANIZATION: STANTON LIGHTHOUSE COMMUNITY CHURCH

ADDRESS OF ORGANIZATION: 10871 WESTERN AVE STANTON CA 90680

OFFICERS OF ORGANIZATION: PASTOR BILLY KARANICK; PAUL KARANICK  
CHRISTINA KARANICK; CHAR LARUE

LOCATION OF PRIMARY ACTIVITIES (IF DIFFERENT THAN ABOVE ADDRESS):  
10871 WESTERN AVE STANTON CA 90680

PHONE # (ORGANIZATION):  
(714) 828-3899

RESPONSIBLE PERSON PHONE #: (HOME): 714-803-9692 (WORK): 714-828-3899

NAME OF COMPANY SUPPLYING BOOTH & FIREWORKS: TNT FIREWORKS

ADDRESS: 555 N. GILBERT STREET FULLERTON, CA 92833

PHONE #: 714-738-1002

BOOTH LOCATION: 10500 S. MAGNOLIA AVE., STANTON, CA 90680

☒ ATTACH PROOF OF GENERAL LIABILITY INSURANCE IN THE AMOUNT OF \$1 MILLION DOLLARS.

☒ ATTACH STATEMENT DESCRIBING THE BENEFITS YOUR ORGANIZATION PROVIDES TO THE COMMUNITY. INCLUDE SPECIFIC INFORMATION ABOUT EVENTS SPONSORED, INDIVIDUALS AND/OR GROUPS BENEFITTED; AND PROPOSED DISTRIBUTION OF FIREWORKS SALE PROCEEDS.

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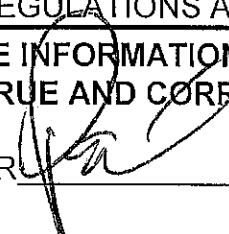
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**"I DECLARE ALL OF THE INFORMATION CONTAINED IN OR SUBMITTED WITH THIS APPLICATION IS TRUE AND CORRECT".**

SIGNATURE OF OFFICER  DATE 4/12/16



**STANTON LIGHTHOUSE  
COMMUNITY CHURCH  
OF THE NAZARENE**

April 2016

To Whom It May Concern:

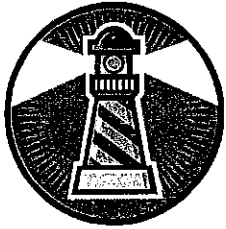
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If I can be of further help, please don't hesitate to call me at (714) 803-9692. Thank you for your assistance.

A handwritten signature in black ink, appearing to read 'Paul Karanick', written over the printed name.

Sincerely,  
Paul Karanick  
Stanton Lighthouse Community Church

**10871 WESTERN AVENUE  
STANTON, CALIFORNIA 92608  
(714)828-3899**



# STANTON LIGHTHOUSE COMMUNITY CHURCH OF THE NAZARENE

April 12, 2016

CITY OF STANTON  
7800 Katella Avenue  
Stanton, CA 90680

Re: Stanton Firework's Stand

Dear City of Stanton Council,

We would like to thank you for the honor and opportunity to represent the city of Stanton by selling Safe and Sane fireworks this year.

Stanton Lighthouse Community Church is a non-profit church that focuses on helping the community of Stanton through programs focusing on youth, homeless/hungry and seniors. Our very aim is to feed this community with physical food as well as activities for social development while prayerfully enhancing the moral values of those around this community ministry. We are blessed with the opportunity to touch the lives of many through our Stanton-based programs!

STANTON residents that benefit from our community involvement (FREE programs) with the sale of Safe and Sane fireworks are estimated as follows:

Teens attending weeklong summer camp	18 (\$300 per child paid in full)
Vacation Bible School week (meeting childcare/food needs)	35
Hot meal distribution	250 people per week
Groceries distribution (homeless/families in need)	10 families per week
Youth Six Flags trip	57
August park/picnic for community	80
Seniors San Diego trip	32
Homeless shelter assistance	30 families
Church bus service	100+ people per week
Youth video games & outdoor equipment	55
After-school program	10 children per week

God Bless,  
Church Board of Directors  
Stanton Lighthouse Community Church of the Nazarene

10871 WESTERN AVENUE  
STANTON, CALIFORNIA 90608  
(714)828-3899



# CITY OF STANTON, CALIFORNIA

## FIREWORKS STAND APPLICATION (JULY 4<sup>TH</sup> 2016)

NAME OF ORGANIZATION: KIWANIS CLUB OF GREAT STANTON

ADDRESS OF ORGANIZATION: 8131 BEVER PLACE STANTON CA 90680

OFFICERS OF ORGANIZATION: DAVE SHAWVER; NANCY HEITMAN;  
BOB WILLIAMS

LOCATION OF PRIMARY ACTIVITIES (IF DIFFERENT THAN ABOVE ADDRESS):  
11052 BEACH BLVD., STANTON CA 90680 (GOLDEN STEER)

PHONE # (ORGANIZATION):  
714-600-5063 - NANCY HEITMAN

RESPONSIBLE PERSON PHONE #: (HOME): 714-600-5063 (WORK): \_\_\_\_\_

NAME OF COMPANY SUPPLYING BOOTH & FIREWORKS: TNT FIREWORKS

ADDRESS: 555 N. GILBERT STREET FULLERTON, CA 92833

PHONE #: 714-738-1002

BOOTH LOCATION: 12640 BEACH BLVD. STANTON CA 90680

☒ ATTACH PROOF OF GENERAL LIABILITY INSURANCE IN THE AMOUNT OF \$1 MILLION DOLLARS.

☒ ATTACH STATEMENT DESCRIBING THE BENEFITS YOUR ORGANIZATION PROVIDES TO THE COMMUNITY. INCLUDE SPECIFIC INFORMATION ABOUT EVENTS SPONSORED, INDIVIDUALS AND/OR GROUPS BENEFITTED; AND PROPOSED DISTRIBUTION OF FIREWORKS SALE PROCEEDS.

☒ ATTACH CHECK FOR (\$236.25) MADE PAYABLE TO THE CITY OF STANTON. (CHECK WILL BE REFUNDED IF YOUR ORGANIZATION IS NOT SELECTED.)

(CONTINUED ON BACK)

[ X ] WRITTEN PERMISSION FROM PROPERTY OWNER AUTHORISING BOOTH LOCATION

[ X ] PROVIDE WRITTEN DOCUMENTATION OF ACTIVE NON PROFIT TAX EXEMPT STATUS FOR CHARITABLE PURPOSES, FROM THE CALIFORNIA STATE FRANCHISE TAX BOARD

+UNDER SECTION 17.04.020 OF THE STANTON MUNICIPAL CODE LICENSES SHALL BE ISSUED ONLY TO NON-PROFIT ORGANIZATIONS OR CORPORATIONS WHICH HAVE OBTAINED TAX-EXEMPT STATUS FROM THE STATE FRANCHISE TAX BOARD AND WHICH ARE ORGANIZED PRIMARILY FOR VETERAN, PATRIOTIC, SOCIAL WELFARE, CIVIC OR BUSINESS BETTERMENT, FRATERNAL, RELIGIOUS OR CHARITABLE PURPOSES. EACH ORGANIZATION SHALL HAVE A PRINCIPLE PLACE OF BUSINESS, PRINCIPLE MEETING PLACE OR A LOCATION FOR THE CONDUCT OF ITS PRIMARY ACTIVITIES WITHIN THE CITY LIMITS AND SHALL HAVE BEEN ESTABLISHED AND LICENSED UNDER CHAPTER 5.04 (IF REQUIRED) WITHIN THE CITY CONTINUOUSLY FOR A MINIMUM OF ONE (1) YEAR PRIOR TO THE FILING OF THE APPLICATION FOR THE LICENSE.

STATE RESALE NUMBER WILL BE REQUIRED FROM CALIFORNIA STATE BOARD OF EQUALIZATION. THE ORGANIZATION LISTED AS THE LICENSEE SHALL BE THE SAME ORGANIZATION LISTED ON THE SELLER'S PERMIT. A SELLER'S PERMITS SHALL NOT BE PROVIDED FOR A THIRD PARTY.

LICENSES ARE NOT TRANSFERABLE OR ASSIGNABLE AND WILL ONLY BE VALID FOR THE DATES SPECIFIED IN THE PERMIT AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THEIR PERMIT.

APPLICATIONS AND SUPPORTING DOCUMENTS MUST BE FILED IN THE CITY MANAGER'S OFFICE BY NO LATER THAN 5:00 P.M., MAY 5, 2016. **NO LATE APPLICATIONS WILL BE ACCEPTED.**

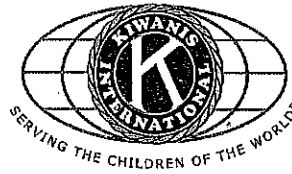
**FAILURE TO FILE BY THE DEADLINE OR MEET ANY OF THE ABOVE REQUIREMENTS WILL RESULT IN THE DISQUALIFICATION OF YOUR ORGANIZATION.**

AS DULY AUTHORIZED OFFICER OF THE ABOVE NAMED ORGANIZATION, I HEREBY SUBMIT THE ABOVE APPLICATION AND ALL REQUIRED DOCUMENTS TO OBTAIN A CITY BUSINESS LICENSE TO CONDUCT THE SALE OF "SAFE AND SANE" FIREWORKS. **I UNDERSTAND THAT FAILURE TO CORRECTLY COMPLETE THIS APPLICATION WILL RESULT IN ITS DISQUALIFICATION.**

THE ORGANIZATION AND ITS WORKERS AGREE TO ABIDE BY ALL PROVISIONS OF THE CITY'S ORDINANCES AND RULES AND REGULATIONS, AS WELL AS THE COUNTY OF ORANGE REGULATIONS AND FEDERAL AND STATE LAWS.

**"I DECLARE ALL OF THE INFORMATION CONTAINED IN OR SUBMITTED WITH THIS APPLICATION IS TRUE AND CORRECT".**

SIGNATURE OF OFFICER Nancy R. Neitman DATE 4/12/16



Kiwanis Club of Greater Stanton

April 2016

City of Stanton  
7800 Katella Ave.  
Stanton, CA 90680

RE: Fireworks Booth – Authorization Letter

Dear City of Stanton,

I, Nancy Heitman, am the board treasurer and have been made an authorized representative for Kiwanis Club of Greater Stanton, which is a community oriented non-profit organization. I have been given authorization by the board to use our non-profit entity status to conduct the fireworks fundraiser for the Kiwanis Club of Greater Stanton and submit an application to the City of Stanton.

If I can be of further help, please don't hesitate to call me at (714) 600-5063. Thank you for your assistance.

Sincerely,  
Nancy Heitman – Treasurer  
Kiwanis Club of Greater Stanton

Kiwanis Club of Greater Stanton  
8131 Bever Place., Stanton, CA 90680



Kiwanis Club of Greater Stanton

April 2016

City of Stanton  
7800 Katella Ave.  
Stanton, CA 90680

RE: Fireworks Booth – Written Statement

Dear City of Stanton,

I'm writing to you, to let you know what we are planning on doing with the profits from the fireworks stand this year. We will donate all or most of the money generated from the fireworks stand to the Stanton Santa's Siren. The money will be used to purchase toys for our event. Any left over money will be donated to the Boys and Girls Clubs and any other Stanton non-profit that we see is in need of funds.

Thank you,

Kiwanis Club of Greater Stanton

Kiwanis Club of Greater Stanton  
8131 Bever Place., Stanton, CA 90680

# CITY OF STANTON

## REPORT TO STANTON CITY COUNCIL

**TO:** Honorable Mayor and Members of the City Council

**DATE:** May 24, 2016

**SUBJECT: CONSIDERATION OF A COOPERATION AGREEMENT WITH STANTON ENERGY RELIABILITY CENTER, LLC**

### REPORT IN BRIEF:

Stanton Energy Reliability Center, LLC ("SERC") requests that the City enter into a "cooperation agreement" with the power plant developer. Later this year, the developer intends to submit an application to the California Energy Commission ("CEC") to construct a battery- and gas turbine-operated thermal power plant on two parcels located at 10711 Dale Avenue and 8230 Pacific Street. The CEC's power plant permitting process takes the place of, and is "*in lieu*" of the City's permitting process. As such, SERC requests that the City cooperate with SERC in the CEC permitting process by, among other things, attending public hearings and workshops on SERC's application and providing the CEC with comments, when necessary. In exchange, SERC proposes to provide the City with certain public benefits.

### RECOMMENDED ACTION:

1. City Council declare that the project is statutorily exempt from the California Environmental Quality Act ("CEQA") under Section 21080(b)(6) because the proposed thermal power plant project will be the subject of an environmental impact report, negative declaration, or other document, which will be prepared by the California Energy Commission pursuant to a regulatory program certified pursuant to Section 21080.5; and
2. Approve the Cooperation Agreement between the City and the Stanton Energy Reliability Center, LLC.

### BACKGROUND:

The Stanton Energy Reliability Center, LLC ("SERC") plans to submit an application to the California Energy Commission to develop a thermal power plant at a site situated between Dale Avenue and Pacific Street. The site addresses are 10711 Dale Avenue and 8230 Pacific Street. SERC describes the project as a "state-of-the-art" power plant project in which technology is used in a hybrid configuration—a combination of batteries and traditional natural gas turbines—to provide electric energy and other electrical system characteristics.

The proposed power plant is unique in that it is a "reliability" project that will not necessarily burn natural gas when in operation. When Southern California Edison or the California Independent System Operator, which jointly manage SCE's local energy grid, order SERC to operate the plant, the facility will oftentimes only rely on its battery energy storage system rather than the facility's natural gas-fired gas turbines. The plant's purpose is to provide system reliability, not to continuously generate power. SERC estimates that it will only operate the plant approximately 25 percent of the time.

Pursuant to State law, the CEC has the exclusive authority to certify and approve power plants and their related facilities. (Pub. Res. Code §§ 25500 *et seq.*) That means that the CEC's approval is "*in lieu*" of any City-required permit, certificate, or entitlement. Similarly, the CEC's regulatory approval process will include a comprehensive environmental review which takes the place of the City's CEQA review. (Pub. Res. Code §§ 21080.5 and 25519(c).) For example, the CEC's review will take into account potential project impacts such as air quality, public health, and facility design.

SERC requests that the City execute a cooperation agreement with the power plant developer. The proposed Cooperation Agreement (Attachment 1) is for a term of 20 years. If the City executes the Agreement, the City's obligations include partnering with SERC in community outreach regarding the project, which includes allowing SERC to use City property to conduct community workshops and hearings. In addition, the City would be obligated to provide comments to the CEC. However, the City would retain discretion in the substance of its comments.

In exchange, under the Agreement SERC would provide public benefits to the City including:

- Paying a one-time \$50,000 contribution to the City upon the Agreement's execution for the purchase and planting of trees; and
- Paying \$50,000 annually to the City for park maintenance and park improvements upon the later of (1) SERC's receipt of the CEC permit, or (2) SERC's close of financing of the project; and
- Implementing and paying for a scholarship program in which SERC annually pays for two, \$1,000 scholarships for one Magnolia High School senior and one Rancho Alamitos High School senior. The scholarship payments would begin the later of (1) SERC's receipt of the CEC permit, or (2) SERC's close of financing of the project; and
- Designating the City (and requiring SERC vendors to designate the City) to receive use taxes from purchases for the project that are made outside of the City.

**ANALYSIS/JUSTIFICATION:**

Whether the City approves the Cooperation Agreement or not, the City will have the ability to participate in the CEC permitting for this project. However, entering into the Cooperation Agreement provides the City with the public benefits, detailed above. If the City enters into the Cooperation Agreement to jointly work with SERC in public outreach and in coordinating comments to the CEC, the City will retain control over its public comments and CEC comments. Section 3.2 of the Agreement provides that the City maintains "sole and absolute discretion as to the form and content" of its testimony and project input.

SERC has indicated that it plans to submit its power plant application to the CEC in the third quarter of 2016. Once the application has been submitted, the CEC will conduct about three to five public workshops and hearings in the City. Though the CEC is statutorily required to make a decision on power plant applications within 12 months, the process usually takes 18 months. Even if the CEC approves the power plant application, SERC will still need to obtain its financing for the project, which could take one or more months based on, among other things, money market conditions.

**FISCAL IMPACT:**

None. SERC will execute a reimbursement agreement with the City to pay for City staff's review of the proposed Cooperation Agreement. Under the reimbursement agreement, SERC will also pay for City staff's review of SERC's CEC application.

**ENVIRONMENTAL IMPACT:**

The proposed ordinance has been determined to be statutorily exempt from CEQA pursuant to Section 21080(b)(6) because the proposed project is related to a thermal power plant site and facility, and the power plant and related facility will be subject to an environment impact report, negative declaration, or functional equivalent document under a certified regulatory program through the California Energy Commission.

**LEGAL REVIEW:**

The City Attorney's Office has drafted and reviewed the staff report and has drafted the attached Cooperation Agreement.

**PUBLIC NOTIFICATION:**

Through the regular agenda posting process.

**STRATEGIC PLAN OBJECTIVE ADDRESSED:**

Objective 2: Promote a Strong Local Economy.

Objective 3: Provide a quality infrastructure.

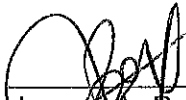
Prepared By:

\_\_\_\_\_  
Matthew E. Richardson  
City Attorney

Concurred By:

  
\_\_\_\_\_  
Kelly Hart  
Community Development  
Director

Approved By:

  
\_\_\_\_\_  
James A. Box  
City Manager

**Attachment:**

A. Cooperation Agreement



RECORDED AT REQUEST OF  
AND WHEN RECORDED RETURN TO:  
City of Stanton  
7800 Katella Avenue  
Stanton, California 90680  
Attn: City Manager

Fee Exempt - Gov't Code §6103  
(Space above for Recorder's Use)

## **COOPERATION AGREEMENT**

**between**

**THE CITY OF STANTON,  
a California municipal corporation**

**and**

**STANTON ENERGY RELIABILITY CENTER, LLC  
a Delaware limited liability company**

THIS COOPERATION AGREEMENT ("Agreement") is made as of this \_\_\_\_\_ day of \_\_\_\_\_, 2016 ("Effective Date") by and between the CITY OF STANTON, a California municipal corporation ("City"), and the STANTON ENERGY RELIABILITY CENTER, LLC, a Delaware limited liability company ("SERC"). City and SERC are sometimes individual referred to herein as "Party" and collectively as "Parties."

#### RECITALS.

A. The City is committed to assuring a reliable energy source to help meet regional energy needs.

B. SERC has a legal or equitable interest in that certain real property consisting of approximately two parcels and approximately 3.9 acres of land located in the City of Stanton, County of Orange, State of California, more particularly described in Exhibit "A" ("Property").

C. SERC proposes to construct the "Stanton Energy Reliability Center," an all-purpose energy reliability resource using EGT™ hybrid technology, which includes a 20 MW, 10 MWh Battery system with 4 quadrant inverters, and two General Electric LM6000 gas turbines (nominally 98 MW) with clutches for synchronous condensing and inertia ("Project") on the Property. A preliminary general arrangement drawing and map of potential linear features of the Project, as well as a preliminary visual simulation of the Project building are attached as Exhibit "B".

D. Under the Warren-Alquist State Energy Resources Conservation and Development Act ("Warren-Alquist Act"), beginning at Section 25500 of the Public Resources Code, construction and operation of the Project is subject to approval by the California Energy Commission ("CEC"), which is given the exclusive authority to certify (approve) sites and related facilities for any proposed thermal power plant over 50-megawatts in generating capacity. Under the Warren-Alquist Act, such approval by the CEC is *in lieu of* any permit, certificate, or similar document required by any state, local or regional agency, or federal agency to the extent permitted by federal law, for such use of the site and related facilities, and supersedes any applicable statute, ordinance, or regulation of any state, local, or regional agency, or federal agency to the extent permitted by federal law.

E. Pursuant to Sections 21080.5 and 25519(c) of the Public Resources Code, the power plant siting process of the CEC is a certified state regulatory program under the California Environmental Quality Act ("CEQA"). Thus, for power plant siting applications such as for the Project, including all related facilities, the CEC is the lead agency for all matters of compliance with CEQA. The CEC is not required to issue or certify an Environmental Impact Report ("EIR") for the Project, but will issue (through its staff) a comprehensive environmental document (the "Presiding Member's Proposed Decision"), and the CEC's review and permitting processes require extensive review of all environmental matters concerning the Project, including potential project impacts (such as air quality, public health, hazardous materials usage, waste management, biological and cultural resources, facility design, plant safety and reliability, land use,

noise, socioeconomic effects, visual impacts, water and soils, and local system effects), and conformance with local, state and federal legal requirements; and project alternatives. In considering SERC's application, the CEC must ensure that the Project conforms to all applicable laws, ordinances, regulations and standards ("LORS"). If the CEC cannot make the finding that the project will comply with all applicable LORS or potential significant impacts to the environment cannot be mitigated, it must make specific findings in order to approve the project.

F. As a responsible agency, the City will, in accordance with CEQA, utilize the Presiding Member's Proposed Decision, rather than an EIR or other environmental clearance, in the processing of any applications or approvals that are not otherwise exempt from CEQA.

G. If the CEC approves the Project, it will adopt a final decision (the "Final Decision") certifying the Project on the Property and related facilities on the rights of way for overhead and underground linear facilities supporting the Project, including electrical transmission lines, fiber optic lines, natural gas lines, raw water lines, sewer lines and storm drainage lines. The Final Decision will include extensive environmental mitigation requirements, project design, construction and operation requirements, compliance verification, and other conditions of certification of the Project, which may be modified by the CEC from time to time in accordance with its rules and procedures (collectively, the "Conditions of Certification"). The Final Decision, including all such Conditions of Certification, is sometimes referred to as the "CEC Permit" in this Agreement. SERC and the Project will be required to strictly comply with all Conditions of Certification contained in the CEC Permit.

H. SERC desires to enter into a cooperation agreement to memorialize the City's obligations for the timely delivery of services and actions in connection with such an agreement, to establish a cooperative working relationship between the Parties, and to avoid delays and expedite the permitting of the Project, where feasible.

I. The City desires to enter into a cooperation agreement with SERC in furtherance of the City's commitment to a reliable power supply to meet regional energy needs, to establish a cooperative working relationship between the Parties, and to achieve additional benefits for the local community, that will allow the City to realize economic, recreational, park, educational, and social benefits.

NOW, THEREFORE, in consideration of the foregoing and the promises contained herein, and subject to the terms, provisions, and conditions hereinafter set forth, the Parties agree as follows:

## AGREEMENT

### **ARTICLE 1 TERM**

#### **1. TERM**

- 1.1 Term of Agreement. The Term shall commence on the Effective Date. The Term shall continue for a period of twenty (20) years from the Effective Date, unless earlier terminated as provided here. In the event that SERC, during the Term of the Agreement, enters into an agreement with a public utility provider in which the utility provider agrees to purchase power from SERC ("Purchase Agreement"), the City Council may, in its sole and absolute discretion, extend the Term of the Agreement to coincide with the term of the Purchase Agreement.
- 1.2 Termination. This Agreement shall be deemed terminated and of no further effect upon (a) the expiration of the Term or any extension thereof, as set forth in Section 1.1, (b) SERC's withdrawal of its application for a CEC Permit or final and unappealable denial of the CEC Permit, (c) SERC does not construct the Project, or (d) entry of a final judgement setting aside, voiding, or annulling the Agreement.
- 1.3 Effect of Termination. Upon any termination of this Agreement, the only rights or obligations under this Agreement which either Party shall have are:
- 1.3.1 The completion of obligations which were to have been performed prior to termination;
  - 1.3.2 The performance and cure rights set forth in Section 8; and
  - 1.3.3 Those obligations that are specifically set forth as surviving this Agreement, such as those described in Section 7.1 through 7.6 and Section 9.
  - 1.3.4 Notwithstanding the foregoing, termination of this Agreement shall not invalidate any land use approvals vested in the Property and regulatory approvals vested in the Project.

### **ARTICLE 2 COOPERATIVE EFFORTS**

#### **2. CITY PARTICIPATION IN COMMUNITY RELATIONS.**

- 2.1 Joint Participation. City shall participate in community outreach with SERC regarding the Project. To that end, the City designates James A. Box, or his designee, to act as its representative in all matters pertaining to the administration and performance of this Agreement ("City's

Representative”), including, attending community meetings or workshops conducted by SERC regarding the Project.

- 2.2 Use of City Property. City shall provide City facilities for SERC to conduct community outreach meetings, workshops, and hearings, as reasonably necessary. Such use of City facilities shall not conflict with regular City business.

### 3. CITY PARTICIPATION IN CEC PROCESS

- 3.1 Staffing and Expedited Processing. City shall employ all lawful actions capable of being undertaken by City to promptly receive and review applications, information, and documents or data related to the Project, as requested or required by the CEC, SERC, or other regulatory agencies during the CEC permitting process and during the development, design, construction, and operation of the Project.

3.1.1 In order to expedite the review of SERC’s, the CEC’s, or other regulatory agencies’ applications, information, and documents or data, SERC may request the City to retain a consultant or other third party to supplement the work of City staff. Upon such request, the City shall inform SERC within twenty (20) days of the estimated cost of retaining such assistance. If SERC agrees in writing to pay the full cost of retaining such assistance within ten (10) days after the City informs SERC of that estimated cost, the City shall immediately retain the consultant or other third party to provide that assistance. Under such circumstances, the City shall continue to use its best efforts to undertake the most accelerated review and processing of SERC’s, the CEC’s, or other regulatory agencies’ applications, information, and documents or data related to the Project which the law permits. The City may require SERC to tender deposits against the estimated cost of retaining such assistance, and may further require SERC to make periodic payments of the costs of retaining such assistance in accordance with a separate reimbursement agreement as identified in Section 6.1 below.

- 3.2 Cooperation in Securing Other Governmental Approvals and Permits. City agrees to make its staff available, at SERC’s cost, to assist SERC in securing permits and approvals required by other governmental agencies to support SERC’s goal of receiving a CEC Permit for the Project and to ensure that SERC may perform its obligations under this Agreement in a timely manner. Such City cooperation provided under this Section 3.2 may include providing written or oral testimony to the CEC and other governmental agencies, as requested by SERC, but in the City’s sole and absolute discretion as to the form and content of such testimony or input. City waives its right to file a petition to intervene in the CEC permitting

process, as authorized under 20 CCR 1211.7. City does not warrant or represent that any governmental or regulatory permits or approvals will be granted, including, without limitation, a CEC Permit.

- 3.3 Cooperation in Coordinating with Other Agencies. City agrees to make its staff available, at SERC's cost, to assist SERC in coordinating with other governmental agencies regarding water supply, waste water disposal, sanitation issues, and interpretation of City ordinances and policies for the Project. However, SERC is solely responsible for ensuring that the Project is served by any and all necessary utilities and services. City does not warrant or represent that any governmental or regulatory permits or approvals will be granted or that any utilities or services will be provided for the Project.

#### 4. SERC PROJECT OBLIGATIONS

- 4.1 Noise Abatement. If the CEC Permit does not impose a more stringent limitation, SERC agrees to limit the noise levels from the Project's power plant and related facilities so as not to exceed 55 dBA LEQ between the hours of 7:00 am and 10:00 pm and 50 dBA LEQ between the hours of 10:00 pm and 7:00 am at the Property line of the residential development located east of the project at the southeast corner of the intersection of Dale Avenue and the existing rail line bordering the southern extents of the Property. If the CEC Permit imposes a more stringent limitation, SERC shall comply with the CEC Permit limitation.
- 4.2 Fire & Safety Monitoring. SERC's application to the CEC shall include provisions for continuous monitoring of the Project's fire, security, and hazardous materials monitoring systems, and also to require SERC to retain personnel adequately trained and licensed (as needed) to oversee the transport and handling of hazardous materials on site.
- 4.3 Architecture and Landscaping. SERC's application to the CEC shall provide an architectural design that considers the input of the City's elected officials and staff. To meet the Project's schedule, SERC shall submit conceptual architecture, conceptual landscape and elevation designs to the City's Representative in a timely manner that enables the City to expedite review and SERC to consider the City recommendations and still meet the Project schedule. The architectural design and conceptual landscape plans submitted to the CEC shall substantially reflect the design concepts illustrated in the preliminary visual simulations included in Exhibit "B". The parties acknowledge that the preliminary visual simulations included in Exhibit "B" are preliminary and a work in progress and further agree that the final Project architectural and landscaping design will incorporate the mutually acceptable design concepts of (i) incorporation of a clock tower appearance for the stacks,

(ii) use of faux windows on the main enclosure, and (iii) incorporation of a minimum of 20 feet of landscaping along front property line.

SERC shall construct the Project to conform to the plans and designs approved pursuant to the CEC Permit.

4.4 Expansion. SERC agrees that it will not expand the Project's physical plant other than additional energy storage, which takes it beyond the "footprint" for the plant as permitted by the CEC in the CEC Permit for the Project, or increase allowable emission or noise levels that would cause significant unmitigated impacts, without prior approval of the City, which approval shall not be unreasonably withheld, conditioned, or delayed.

5. CEC Approval. The Project, if approved, will be regulated by the CEC, shall be subject to all CEC procedural requirements, and must strictly comply with the CEC Permit. Nothing contained in this Agreement is intended to lessen or avoid any requirements that may be imposed on the Project by the CEC or other regulatory agencies. All terms and conditions in this Agreement are to be interpreted in a manner which is consistent with the final CEC Permit, including the Conditions of Certification, and in the event of any conflict, the CEC Permit shall control. To the extent this Agreement specifically provides for additional conditions or restrictions that are more stringent than the CEC Permit, SERC shall conform to this Agreement

### **ARTICLE 3 PUBLIC BENEFITS**

#### **6. Public Benefits**

6.1 Reimbursement to City. In a separate reimbursement agreement, SERC has agreed to pay for all of City staff and City consultants' time spent on, including but not limited to, review and preparation of documents and items required to process and evaluate the Project, attendance at meetings with SERC and SERC's representatives, attendance at public meetings related to the Project, legal costs of drafting and reviewing any agreement, including without limitation this Agreement between the City and SERC, and any other costs and expenses necessary to assist Applicant in the CEC Permit process, all in the City's sole and absolute discretion.

6.2 Initial Tree Planting Fee. Upon the Parties' execution of the Agreement, SERC shall pay City a one-time fee of Fifty Thousand Dollars (\$50,000) to be utilized by the City to purchase and plant trees in the City.

6.3 Annual Park Maintenance Fee. Upon the later of (1) SERC's receipt of the CEC Permit, or (2) SERC's close of financing for the Project ("Annual Park Fee Date"), SERC shall annually pay to the City, for the Term of the Agreement and any extensions thereof, an amount of Fifty Thousand Dollars (\$50,000) to be utilized by the City to pay for park maintenance

and park improvements, in the City's sole and absolute discretion. Such annual payment shall be made on or before the anniversary of the Annual Park Fee Date.

- 6.4 High School Scholarships. Upon the later of (1) SERC's receipt of the CEC Permit, or (2) SERC's close of financing for the Project ("Annual High School Scholarship Date"), SERC shall implement an annual college scholarship program in which a One Thousand Dollar (\$1,000) college scholarship is awarded to (a) one (1) Magnolia High School senior student, and (b) one (1) Rancho Alamitos High School senior student, for a total of Two Thousand Dollars (\$2,000) awarded in scholarships, annually, for the Term of the Agreement and any extensions thereof. Such annual scholarships shall be made on or before the anniversary of the Annual High School Scholarship Date or a date requested by the school administration. Nothing in this provision prohibits SERC from voluntarily providing the scholarships prior to the Annual High School Scholarship Date.
- 6.5 Use Tax. SERC shall apply for a "Use Tax Direct Payment Permit" from the State of California. If granted a Use Tax Direct Payment Permit, SERC shall provide all out of State vendors from which qualifying Use Tax purchases are made, the Use Tax Direct Payment Permit and shall then self-report the purchase or lease so as to designate the City as the jurisdiction to receive any and all use taxes from the purchases or leases made from out of State vendors. If SERC is not able to obtain a Use Tax Direct Payment Permit, SERC will communicate with all vendors charging applicable California Sales Tax on purchases by SERC that the location of the project is within the City of Stanton to ensure the appropriate district tax allocation. SERC also certifies that it will accrue any applicable California Use Tax on purchases from vendors not having nexus in California, and appropriately allocate the local tax on those purchases to the City of Stanton on the Computation Schedule for District Tax for each associated California Use Tax Return.

#### **ARTICLE 4 MISCELLANEOUS PROVISIONS**

##### **7. Third Party Litigation**

7.1 Third Party Litigation Concerning Agreement. SERC shall, at SERC's expense, defend, indemnify, and hold City, its officers, employees and independent contractors engaged in Project planning or implementation, harmless from any third-party claim, action or proceeding against City, its agents, officers or employees to attack, set aside, void, or annul the approval of this Agreement. City shall promptly notify SERC of any such claim, action or proceeding, and City shall cooperate in the defense. City may in its discretion participate in the defense of any such claim, action or proceeding.



7.2 Indemnity. In addition to the provisions of Section 7.1, SERC shall indemnify and hold City, its officers, agents, employees and independent contractors, engaged in this Agreement, Project planning or implementation, free and harmless from any third-party liability or claims based or alleged upon any act or omission of SERC, its officers, agents, employees, subcontractors and independent contractors, for property damage, bodily injury or death (SERC's employees included) or any other element of damage of any kind or nature, relating to or arising from this Agreement, the Project, or the CEC Permit and CEC permit process, except for claims for damages arising through active negligence or willful misconduct of City, its officers, agents, employees and independent contractors. SERC shall defend, at SERC's expense, including attorneys' fees, City, its officers, agents, employees and independent contractors in any legal action based upon such alleged acts or omissions of SERC. City may in its discretion participate in the defense of any such legal claim, action, or proceeding.

7.3 Environmental Contamination. SERC shall indemnify and hold City, its officers, agents, and employees free and harmless from any liability, based or alleged, upon any act or omission of SERC, its officers, agents, employees, subcontractors, predecessors in interest, successors, assigns, and independent contractors, resulting in any violation of any federal, state or local law, ordinance or regulation relating to industrial hygiene or to environmental conditions on, under, or about the Property, including, but not limited to, soil and groundwater conditions, and SERC shall defend, at its expense, including attorneys' fees, City, its officers, agents and employees in any action based or asserted upon any such alleged act or omission. City may in its discretion participate in the defense of any such claim, action, or proceeding, but must assume its own costs in participating in the defense.

7.4 City to Approve Counsel; Conduct of Litigation. With respect to Sections 7.1 through 7.3, City reserves the right either (a) to approve the attorney(s) that SERC selects, hires, or otherwise engages to defend City, which approval shall not be unreasonably withheld or delayed, or (b) if SERC is not agreeable to City's disapproval of counsel, to conduct its own defense. If City elects to conduct its own defense, SERC shall reimburse City for reasonable costs and fees. To the extent that SERC does not timely pay its full share of attorneys' fees and court costs, the City reserves the right to reduce or abandon its defense of any litigation. SERC shall have the right to audit all billings for such fees and expenses. City shall not have the right to approve counsel selected by SERC to represent SERC's interests in any litigation. In any joint defense between the City and SERC of matters arising under this Agreement, City shall cooperate fully with SERC's counsel. To the extent that SERC has failed to timely pay its full share of attorneys' fees and court costs under this Section 7.4, SERC shall be deemed to have waived any right to participate in the selection of counsel and/or be involved in establishing and implementing litigation strategy, and SERC's

rights under this Agreement shall be suspended until SERC has fully reimbursed the City to make up a funding shortfall created by SERC's failure to timely pay.

**7.5 Processing During Third Party Litigation.** The filing of any third party lawsuit(s) against City or SERC relating to this Agreement shall not delay or stop the development, processing, or construction of the Project, or issuance of "Ministerial Approvals," unless the third party obtains a court order preventing the activity or invalidating this Agreement or any provision thereof. City shall not stipulate to the issuance of any such order without SERC's prior written consent. For purposes of this Section 7.5, the term "Ministerial Approvals" shall mean the issuance of approvals or permits requiring the determination of conformance with the City's land use regulations including, without limitation, grading permits, building permits, and related matters as may be necessary for the completion of the Project.

**7.6 Survival.** The provisions of Section 7.1- through 7.6, inclusive, shall survive the termination, cancellation, or expiration of this Agreement.

**8. Default.** Before either Party may declare a default, which is a material breach, of this Agreement, the procedures of this Section 8 must be followed.

**8.1 Notice.** The Party asserting a default (the "Non-Defaulting Party") may elect to do so by providing written notice to the Party alleged to be in default of this Agreement (the "Defaulting Party") setting forth the nature of the default and the actions, if any, required by the Defaulting Party to cure the default. The Defaulting Party shall be deemed in default if the Defaulting Party fails to cure the default within thirty (30) business days after the date of such notice (for monetary defaults), within sixty business (60) days after the date of such notice (for non-monetary defaults), or within an extended period if authorized in writing by the Non-Defaulting Party ("cure periods"). If the nature of the alleged default is such that it cannot reasonably be cured within the applicable cure period, the Defaulting Party shall not be deemed to be in default if it has commenced efforts to cure the default within the applicable cure period and continues to diligently pursue completion of the cure.

**8.2 Default Remedies.** If such material breach is not corrected or corrective action commenced within the cure periods and the Non-Defaulting Party has complied with the notice of default and opportunity to cure requirements of this Section 8, the Non-Defaulting Party may, at its option, institute legal action to cure, correct, or remedy the alleged default, enjoin any threatened or attempted violation, enforce the terms of this Agreement by specific performance, or pursue any other legal or equitable remedy. These remedies shall be cumulative rather than exclusive, except as otherwise provided by law.

- 8.3 Waiver; Remedies Cumulative. All waivers of performance must be in a writing signed by the Party granting the waiver. There are no implied waivers. Failure by City or SERC to insist upon the strict performance of any provision of this Agreement, irrespective of the length of time for which such failure continues, shall not constitute a waiver of the right to demand strict compliance with this Agreement in the future.

A written waiver affects only the specific matter waived and defines the performance waived and the duration of the waiver. Unless expressly stated in a written waiver, future performance of the same or any other condition is not waived.

A Party who complies with the notice of default and opportunity to cure requirements of Section 8, where applicable, and elects to pursue a legal or equitable remedy available under this Agreement does not waive its right to pursue any other remedy available under this Agreement, unless prohibited by statute, court rules, or judicial precedent.

- 8.4 Alternative Dispute Resolution. Any dispute between the Parties may, upon the mutual agreement of the Parties, be submitted to mediation, binding arbitration, or any other mutually agreeable form of alternative dispute resolution. While an alternative dispute process is pending, the statute of limitation shall be tolled for any claim or cause of action which either of the Parties may have against the other.

9. Future Litigation Expenses.

9.1 Payment to Prevailing Party. If either Party brings a legal or equitable proceeding against the other Party which arises in any way out of this Agreement, the prevailing Party shall be entitled to recover its reasonable attorneys' fees and all other reasonable costs and expenses incurred in that proceeding.

9.2 Scope of Fees. Attorneys' fees under this Section 9 shall include attorneys' fees on any appeal and in any post-judgment proceedings to collect or enforce the judgment. This provision is separate and several and shall survive the termination of this Agreement.

10. Encumbrances, Assignments, and Releases

10.1 Discretion to Encumber. This Agreement shall not prevent or limit SERC, in any manner, at SERC's sole discretion, from encumbering some or all of the Property or any improvement on the Property by any mortgage, deed of trust, or other security device to secure financing related to the Property or the Project.

10.2 Transfer or Assignment. This Agreement shall be binding upon, and inure to the benefit of, each of the Parties and their respective successors and

permitted assigns. Neither Party shall assign this Agreement or its rights or interests hereunder without the prior written consent of the other Party, which consent shall not be unreasonably withheld, conditioned, or delayed. In any request by SERC to assign SERC's rights hereunder, SERC shall provide the City assurances reasonably satisfactory to the City that SERC's proposed assignee or transferee will be financially and technically capable of performing SERC's obligations under this Agreement, and SERC's assignee or transferee shall expressly and unconditionally assume all duties and obligations of SERC under this Agreement remaining to be performed at the time of the Agreement. Any assignment of this Agreement by SERC shall be in a form substantially similar to Exhibit "C", attached hereto and incorporated herein by reference.

**10.3 Effect of Assignment.** Unless otherwise stated within the Assignment, upon an Assignment, the assignee shall be liable for the performance of all obligations of SERC, and shall be subject to the terms of this Agreement to the same extent as if the assignee were SERC.

**10.4 Assignment for Purposes of Project Financing.**

10.4.1 "Project Financing" means any construction and long-term project financing or other type of financing (including leasing) as may be necessary for the Project or any refinancing thereof, in each case as SERC may determine.

10.4.2 "Project Lenders" means lenders and other providers from time to time of Project Financing.

10.4.3 The Parties acknowledge that the development and construction of the Project may be financed by a finance facility or by other financing arranged by SERC, or through Project Financing by Project Lenders. Each party agrees in good faith to consider changes or additions to this Agreement that may be reasonably requested by the Project Lenders in order to support the Project Financing. The parties also agree that, notwithstanding Section 10.2, SERC may assign this Agreement to the Project Lenders as collateral to support the Project Financing. In connection with any such assignment, the City agrees to enter into a three-party agreement with SERC and the Project Lenders under which the City shall consent to any such assignment and shall agree to other customary and reasonable provisions for the benefit of the Project Lenders, including, without limitation, provisions under which the Project Lenders or their designees (a) may exercise and receive the rights and benefits of SERC under this Agreement, (b) shall be entitled to receive copies of any notices hereunder that the City might provide to SERC, (c) shall be given the right to consent to any proposed changes to or modifications of this Agreement, (d) may, to the extent agreed to by the City, have extended cure periods to cure any defaults by SERC hereunder and (e) may, to the extent agreed to by the City, have other similar or

related benefits or protections as reasonably requested by the Project Lenders to support the Project Financing. In exchange for the City's agreement of such a Project Financing Assignment Agreement, SERC shall agree to retain and continue to be liable for all the duties, liabilities, and obligations of SERC under this Agreement. Such Project Financing Assignment Agreement shall be in a form substantially similar to Exhibit "D", attached hereto and incorporated herein by reference. Without limiting the generality of the foregoing, in connection with any collateral assignment by SERC of this Agreement to the Project Lenders as set forth in this Section 10.4.3, the City further agrees to furnish the Project Lenders with such other documents as may be reasonably requested by the Project Lenders upon payment of copying costs, as well as the resolution of the City Council authorizing the execution and delivery of this Agreement and the aforementioned agreement with the Project Lenders.

11. Entire Agreement. This Agreement constitutes the entire understanding and agreement of City and SERC with respect to the matters set forth in this Agreement. This Agreement supersedes all negotiations or previous agreements between City and SERC respecting the subject matter of this Agreement.
12. Exhibits. All exhibits attached to this Agreement are incorporated herein as a part of this Agreement.
13. Project as a Private Undertaking. It is specifically understood by City and SERC that (i) the Project is a private development; (ii) City has no interest in or responsibilities for or duty to third parties concerning any improvements to the Property; and (iii) SERC shall have the full power and exclusive control of the Property, subject to the obligations of SERC set forth in this Agreement.
14. Incorporation of Recitals. Each of the Recitals set forth at the beginning of this Agreement are part of this Agreement.
15. Captions. The captions of this Agreement are for convenience and reference only and shall not define, explain, modify, construe, limit, amplify, or aid in the interpretation, construction, or meaning of any of the provisions of this Agreement.
16. Consent. Where the consent or approval of City or SERC is needed to implement this Agreement, the consent or approval shall not be unreasonably withheld, delayed, or conditioned.
17. Covenant of Cooperation. City and SERC shall cooperate and deal with each other in good faith and assist each other in the performance of the provisions of this Agreement.
18. Execution and Recording. This Agreement shall be recorded against the Property and shall run with the land. The City Clerk shall cause a copy of this

Agreement to be signed by the appropriate representatives of the City and recorded with the Office of the County Recorder of Orange County, California, within ten (10) days following the effective date of the Effective Date. The failure of the City to sign and/or record this Agreement shall not affect the validity of and binding obligations set forth within this Agreement.

19. Delay for Events Beyond the Parties' Control. Performance by either Party of its obligations under this Agreement shall be excused, and the Term shall be extended, for periods equal to the time during which a delay is caused by reason of any event beyond the control of City or SERC which prevents or delays performance by City or SERC of obligations under this Agreement. Such events shall include, by way of example and not limitation, acts of nature, enactment of new conflicting federal or state laws or regulations, judicial actions such as the issuance of restraining orders and injunctions, and riots, strikes, or damage to work in process by reason of fire, mud, rain, floods, earthquake, or other such casualties. If City or SERC seeks excuse from performance, it shall provide written notice of such delay to the other within thirty (30) days of the commencement of such delay.

If the delay, whether material or immaterial, is beyond the control of City or SERC it shall be excused, and an extension of time for such cause shall be granted in writing for the period of the enforced delay, or longer as may be mutually agreed upon. Any disagreement between the Parties with respect to whether this Section 19 applies to a particular delay is subject to the filing by either Party of an action for judicial review of the matter, including requests for declaratory and/or injunctive relief.

20. Interpretation and Governing Law. In any dispute regarding this Agreement, the Agreement shall be governed and interpreted in accordance with the laws of the State of California. Venue for any litigation concerning this Agreement shall be in Orange County, California.
21. Time of Essence. Time is of the essence in the performance of the provisions of this Agreement as to which time is an element.
22. Successors and Assigns. This Agreement shall be binding upon and inure to the benefit of the Parties and their respective successors and assigns, subject to the provisions of Section 10.
23. Estoppel Certificate. Within ten (10) business days following a written request by either of the Parties, the other Party shall execute and deliver to the requesting Party a statement certifying that (i) either this Agreement is unmodified and in full force and effect or there have been specified (date and nature) modifications to the Agreement, but it remains in full force and effect as modified; and (ii) either there are no known current uncured defaults under this Agreement or that the responding Party alleges that specified (date and nature) defaults exist. The statement shall also provide any other reasonable information requested. The

failure to timely deliver this statement shall constitute a conclusive presumption that this Agreement is in full force and effect without modification, except as may be represented by the requesting Party and that there are no uncured defaults in the performance of the requesting Party, except as may be represented by the requesting Party. SERC shall pay to City all reasonable administrative costs incurred by City in connection with the issuance of estoppel certificates under this Section 23 prior to City's issuance of such certificates.

24. Relationship of City and SERC. The contractual relationship between City and SERC arising out of this Agreement is one of independent contractor and not agency. This Agreement does not create any third-party beneficiary rights
25. Waiver of Right to Protest. Execution of this Agreement is made by SERC without protest. SERC knowingly and willingly waives any rights it may have under California Government Code Section 66020 or any other provision of law to protest the imposition of any fees, dedications, reservations, or other exactions imposed on the Project as authorized by this Agreement.
26. Notices. All notices, demands, and correspondence required or permitted by this Agreement shall be in writing and delivered in person or mailed by first class or certified mail, postage prepaid, addressed as follows:

If to City, to:  
City of Stanton  
7800 Katella Avenue  
Stanton, California 90680  
Attn: City Manager

With a copy to:  
Matthew E. Richardson  
Best Best & Krieger LLP  
18101 Von Karman Avenue, Suite 1000  
Irvine, California 92612

If to SERC, to:  
Stanton Energy Reliability Center, LLC  
650 Bercut Drive, Suite A  
Sacramento, California 95811

With a copy to:  
Scott A. Galati  
DayZen LLC  
2501 Capitol Avenue, Suite 201  
Sacramento, California 95816

City or SERC may change its address by giving notice in writing to each of the other names and addresses listed above. Thereafter, notices, demands, and correspondence shall be addressed and transmitted to the new address. Notice shall be deemed given upon personal delivery or, if mailed, two (2) business days following deposit in the United States mail.

SERC and City have executed this Agreement on the dates set forth below.

CITY

SERC

City of Stanton, a California municipal corporation

Stanton Energy Reliability Center, LLC, a Delaware limited liability company

By: \_\_\_\_\_  
Brian Donahue  
Mayor

By: \_\_\_\_\_  
Kara Miles  
Its: President

Date:

Date:

ATTEST:

By: \_\_\_\_\_  
Patricia A. Vazquez, CMC  
City Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Matthew E. Richardson  
City Attorney



STATE OF CALIFORNIA  
COUNTY OF ORANGE

On \_\_\_\_\_, 2016, before me, \_\_\_\_\_, (here insert  
name and title of the officer), personally appeared  
\_\_\_\_\_, who proved to me on the basis of satisfactory  
evidence to be the person(s) whose names(s) is/are subscribed to the within instrument  
and acknowledged to me that he/she/they executed the same in his/her/their authorized  
capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or  
the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(seal)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.
---

STATE OF CALIFORNIA  
COUNTY OF ORANGE

On \_\_\_\_\_, 2016, before me, \_\_\_\_\_, (here insert  
name and title of the officer), personally appeared  
\_\_\_\_\_, who proved to me on the basis of  
satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the  
within instrument and acknowledged to me that he/she/they executed the same in  
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the  
instrument the person(s), or the entity upon behalf of which the person(s) acted,  
executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(seal)

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**Parcel One:**

All that certain real property in the County of ORANGE, State of California, described as follows:

PARCEL 1 OF PARCEL MAP NO. 2010-120, IN THE CITY OF STANTON, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP FILED IN BOOK 372, PAGES 36 AND 37 OF PARCEL MAPS, RECORDS OF ORANGE COUNTY, CALIFORNIA.

EXCEPT THEREFROM ALL MINERALS AND ALL MINERAL RIGHTS OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED, INCLUDING, WITHOUT LIMITATION, OIL AND GAS AND RIGHTS THERETO, TOGETHER WITH THE SOLE, EXCLUSIVE AND PERPETUAL RIGHT TO EXPLORE FOR, REMOVE AND DISPOSE OF SAID MINERALS BY ANY MEANS OR METHODS SUITABLE TO GRANTOR, ITS SUCCESSORS AND ASSIGNS, BUT WITHOUT ENTERING UPON OR USING THE SURFACE OF THE PROPERTY, AND IN SUCH MANNER AS NOT TO DAMAGE THE SURFACE OF THE PROPERTY OR TO INTERFERE WITH THE USE OF THE PROPERTY BY GRANTEE, HIS SUCCESSORS OR ASSIGNS, AS RESERVED BY UNION PACIFIC RAILROAD COMPANY, A DELAWARE CORPORATION, IN GRANT DEED RECORDED JANUARY 23, 2013 AS INSTRUMENT NO. 2013000042481 OF OFFICIAL RECORDS.

APN: 126-531-43

**Parcel Two:**

THAT CERTAIN REAL PROPERTY LOCATED IN THE CITY OF STANTON, COUNTY OF ORANGE, STATE OF CALIFORNIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 2 OF PARCEL MAP NO. 92-193, IN THE CITY OF STANTON, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON MAP RECORDED IN BOOK 278, PAGES 36 AND 37 OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF ORANGE COUNTY, CALIFORNIA.

EXCEPT ALL MINERALS, OIL, GAS AND OTHER HYDROCARBON SUBSTANCES, IN AND UNDER SAID LAND HOWEVER, WITHOUT THE RIGHT OF SURFACE ENTRY AS RESERVED BY SOUTHERN PACIFIC TRANSPORTATION COMPANY, A DELAWARE CORPORATION, OR ITS SUCCESSORS AND ASSIGNS, BY DEED RECORDED JANUARY 10, 1994 AS INSTRUMENT NO. 94-0018303 OF OFFICIAL RECORDS.

APN: 126-531-40 & 126-553-18

**EXHIBIT "B"**

**PRELIMINARY GENERAL ARRANGEMENT OF PROJECT,  
MAP OF POTENTIAL LINEAR FEATURES OF THE PROJECT AND PRELIMINARY  
VISUAL SIMULATION OF THE PROJECT BUILDING**

## EXHIBIT "C"

### ASSIGNMENT AND ASSUMPTION AGREEMENT

#### ASSIGNMENT AND ASSUMPTION OF COOPERATION AGREEMENT BETWEEN CITY OF STANTON AND STANTON ENERGY RELIABILITY CENTER, LLC

THIS ASSIGNMENT AND ASSUMPTION OF COOPERATION AGREEMENT BETWEEN CITY OF STANTON AND STANTON ENERGY RELIABILITY CENTER, LLC ("**Assignment**") is made as of the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ ("**Effective Date**"), by and among [ENTITY] ("[ENTITY]") a [LEGAL DESIGNATION] ("**Assignor**") and \_\_\_\_\_ ("**Assignee**"). Assignor and Assignee are sometimes individually referred to as "Party" and collectively as "Parties."

#### RECITALS

A. Stanton Energy Reliability Center, LLC ("**SERC**"), a Delaware limited liability company entered into that certain Cooperation Agreement, dated \_\_\_\_\_, 2016 with the City of Stanton ("**City**") ("**Agreement**") related to certain real property consisting of approximately 3.9 acres of land located in the City, more particularly described in Exhibit "A" ("**Property**").

B. [ENTITY] desires to assign and delegate, and Assignee desires to accept and assume, all of [ENTITY'S] rights and obligations under the Agreement in accordance with the terms and conditions set forth herein.

C. City has approved the Assignment in accordance with the terms and conditions set forth herein and in the Agreement.

#### AGREEMENT

**NOW, THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, [ENTITY] and Assignee do hereby agree as follows:

1. Assignment and Assumption. Effective as of the Effective Date, [ENTITY] hereby assigns, transfers, and conveys to Assignee all of [ENTITY'S] rights, interest, duties, liabilities, and obligations in, to, and under the Agreement, and Assignee hereby accepts and assumes all such rights, interests, duties, liabilities, and obligations under the Agreement from [ENTITY] for the Property.

2. City Consent to Assignment. Effective as of the Effective Date, City hereby consents to the Assignment and hereby fully releases and forever discharges [ENTITY] from any and all obligations to City under the Agreement for the Assigned

Property. **[\*\*TO BE OMITTED UNLESS OWNER IS IN MAJOR DEFAULT. IF INCLUDED, ADD CITY SIGNATURE BLOCK\*\*]**

3. Entire Agreement. This Agreement represents the final and entire agreement between the parties in connection with the subject matter hereof, and may not be modified except by a written agreement signed by both [ENTITY] and Assignee.

4. Governing Law. This Agreement has been prepared, negotiated, and executed in, and shall be construed in accordance with, the laws of the State of California, without regard to conflict of law rules. Venue for any litigation concerning this Agreement shall be in Orange County, California.

**IN WITNESS WHEREOF**, the parties hereto have executed this Agreement as of the date first above written.

**Assignor:**

[ENTITY]  
a [LEGAL DESIGNATION]

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

**Assignee:**

\_\_\_\_\_  
\_\_\_\_\_

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

## EXHIBIT "D"

### ASSIGNMENT AND ASSUMPTION AGREEMENT (FOR PROJECT FINANCING PURPOSES)

#### ASSIGNMENT AND ASSUMPTION OF COOPERATION AGREEMENT BETWEEN CITY OF STANTON, STANTON ENERGY RELIABILITY CENTER, LLC, and \_\_\_\_\_

THIS ASSIGNMENT AND ASSUMPTION OF COOPERATION AGREEMENT BETWEEN THE CITY OF STANTON AND STANTON ENERGY RELIABILITY CENTER, LLC, ("**Assignment**") is made as of the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ ("**Effective Date**"), by and among THE CITY OF STANTON, a California municipal corporation ("**City**"), STANTON ENERGY RELIABILITY CENTER, LLC, a Delaware limited liability company ("**SERC**") and \_\_\_\_\_, a \_\_\_\_\_ ("**Assignee**"). City, Assignor, and Assignee are sometimes individually referred to as "Party" and collectively as "Parties."

#### RECITALS

A. SERC and City entered into that certain Cooperation Agreement, dated \_\_\_\_\_, 2016 by and between the City, on the one hand, and SERC, on the other hand ("**Cooperation Agreement**") for the development of certain real property consisting of approximately 3.9 acres of land located in the City, more particularly described in Exhibit "A" ("**Property**").

B. SERC entered into that certain financing agreement, dated \_\_\_\_\_ by and between SERC on the one hand, and Assignee, on the other hand ("Financing Agreement"), in connection with an arrangement to provide financing for SERC's construction of the "Stanton Energy Reliability Center" on the Property. Pursuant to such arrangement, [INSERT DESCRIPTION OF FINANCIAL ARRANGEMENT].

C. In order to facilitate the financing transaction contemplated by the Financing Agreement, SERC desires to assign and delegate, and Assignee desires to accept and assume, all of SERC's rights under the Cooperation Agreement in accordance with the terms and conditions set forth herein, and subject to SERC's continued responsibility for all obligations under the Cooperation Agreement.

D. City has approved the Assignment in accordance with the terms and conditions set forth herein and in this Assignment Agreement.

#### AGREEMENT

**NOW, THEREFORE**, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, SERC and Assignee do hereby agree as follows:

1. Incorporation of Recitals. The above referenced Recitals are a substantive part of this Assignment and are incorporated herein by reference.

2. Assignment and Assumption. Effective as of the Effective Date, SERC hereby assigns, transfers, and conveys to Assignee all of SERC's rights and interest in, to, and under the Cooperation Agreement, and Assignee hereby accepts and assumes all such rights and interests under the Cooperation Agreement from SERC for the Property ("Assigned Property").

3. SERC's Continued Liability. Notwithstanding the assignment and assumption set forth in Section 2, SERC and Assignee expressly agree that as a condition to the consent of City to this Assignment, SERC, as the developer and owner of the Property, shall continue to be fully responsible for all of the duties, liabilities, and obligations in, to, and under the Cooperation Agreement for the Assigned Property. This Assignment shall not discharge SERC from any or all obligations to City under the Cooperation Agreement for the Assigned Property. In the event of any default under such obligations, City agrees to give notice to both SERC and Assignee and each of them shall be entitled to cure such default within the designated cure period. SERC and Assignee shall be responsible for coordinating such cure and neither shall be entitled to any additional cure period. For the purposes of this Section 3, SERC shall remain a primary obligor and not a guarantor of Assignee's obligations under this Assignment. The terms of this Section 3 are solely for the benefit of the City and nothing contained in this Assignment shall alter any liability, indemnity or other contractual obligation as between SERC and Assignee.

4. City Consent to Assignment. Effective as of the Effective Date, City hereby consents to the Assignment and provided that no default has occurred under the Cooperation Agreement.

5. City's Right to Enforce. The Parties agree that the City may enforce its rights under the Cooperation Agreement against SERC.

6. Indemnification. To the fullest extent permitted by law, SERC and Assignee shall defend, indemnify and hold the City, its directors, officials, officers, employees, volunteers and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury of any kind, in law or equity, to property or persons, including wrongful death, in any manner arising out of, pertaining to, or incident to any alleged acts, errors or omissions, or willful misconduct of SERC or Assignee or their officials, officers, employees, subcontractors, consultants or agents in connection with this Assignment and Assignment Agreement, including without limitation the payment of all consequential damages, expert witness fees and attorneys' fees and other related costs and expenses.

7. Attorneys' Fees. If any Party commences an action against another Party, either legal, administrative or otherwise, arising out of or in connection with this Assignment, the prevailing party in such litigation shall be entitled to have and recover from the losing party reasonable attorney's fees and all other costs of such action.

8. Entire Agreement. This Assignment Agreement represents the final and entire agreement between the parties in connection with the subject matter hereof, and may not be modified except by a written agreement signed by City, Meritage, and the Assignee.

9. Governing Law. This Assignment Agreement has been prepared, negotiated, and executed in, and shall be construed in accordance with, the laws of the State of California, without regard to conflict of law rules. Venue for any litigation concerning this Assignment Agreement shall be in Orange County, California.

**IN WITNESS WHEREOF**, the Parties hereto have executed this Assignment Agreement as of the date first above written.

**CITY:**

CITY OF STANTON

a California municipal corporation

By: \_\_\_\_\_  
James A. Box  
City Manager

**SERC:**

STANTON ENERGY RELIABILITY CENTER,  
LLC

a Delaware limited liability company

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Patricia A. Vazquez, CMC  
City Clerk

**ASSIGNEE:**

\_\_\_\_\_  
a \_\_\_\_\_

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_



A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA  
COUNTY OF ORANGE

On \_\_\_\_\_, 20\_\_, before me, \_\_\_\_\_, (here insert name and title of the officer), personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(seal)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA  
COUNTY OF ORANGE

On \_\_\_\_\_, 20\_\_\_\_, before me, \_\_\_\_\_, (here insert name and title of the officer), personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

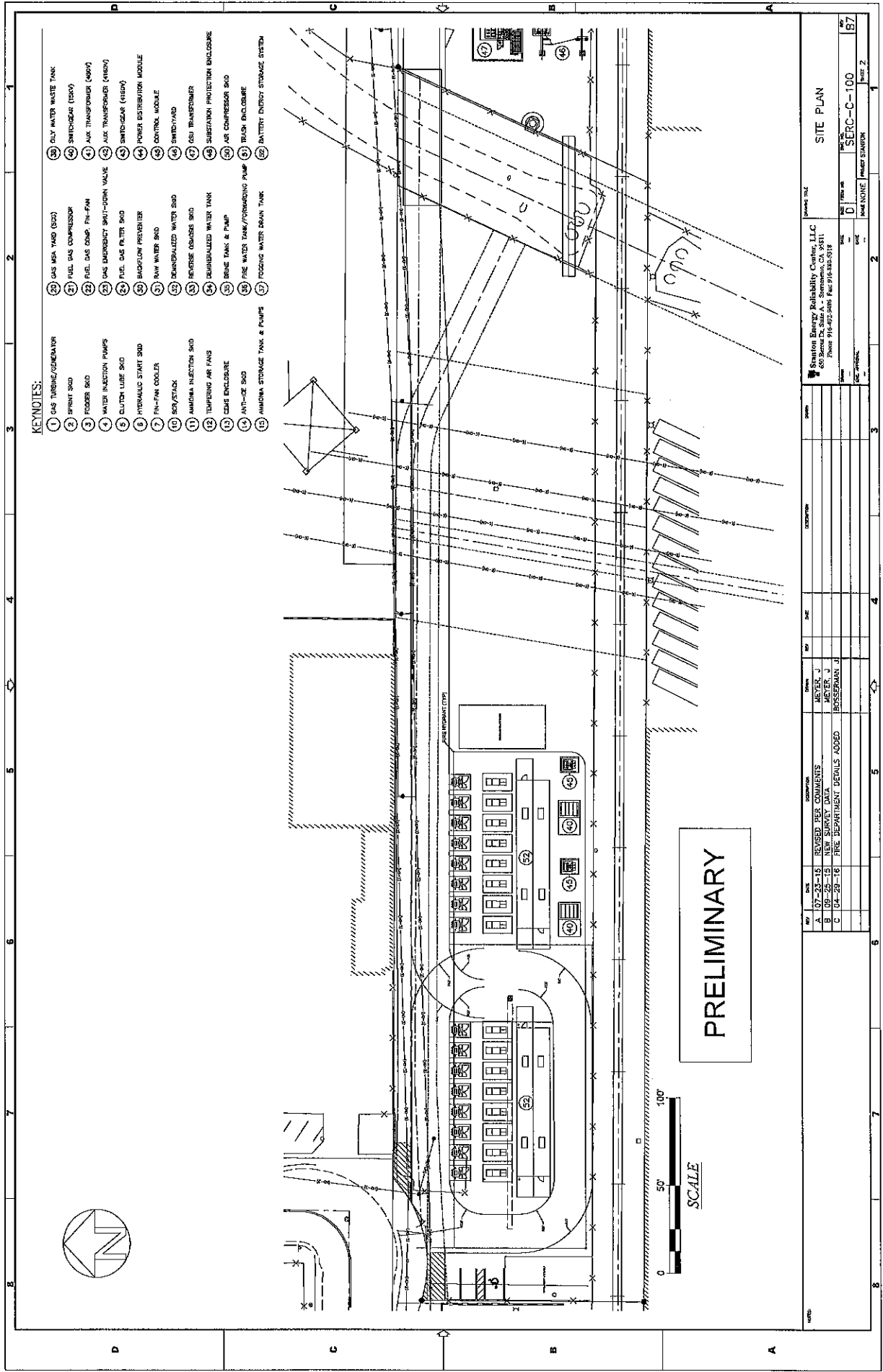
I certify under penalty of perjury under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

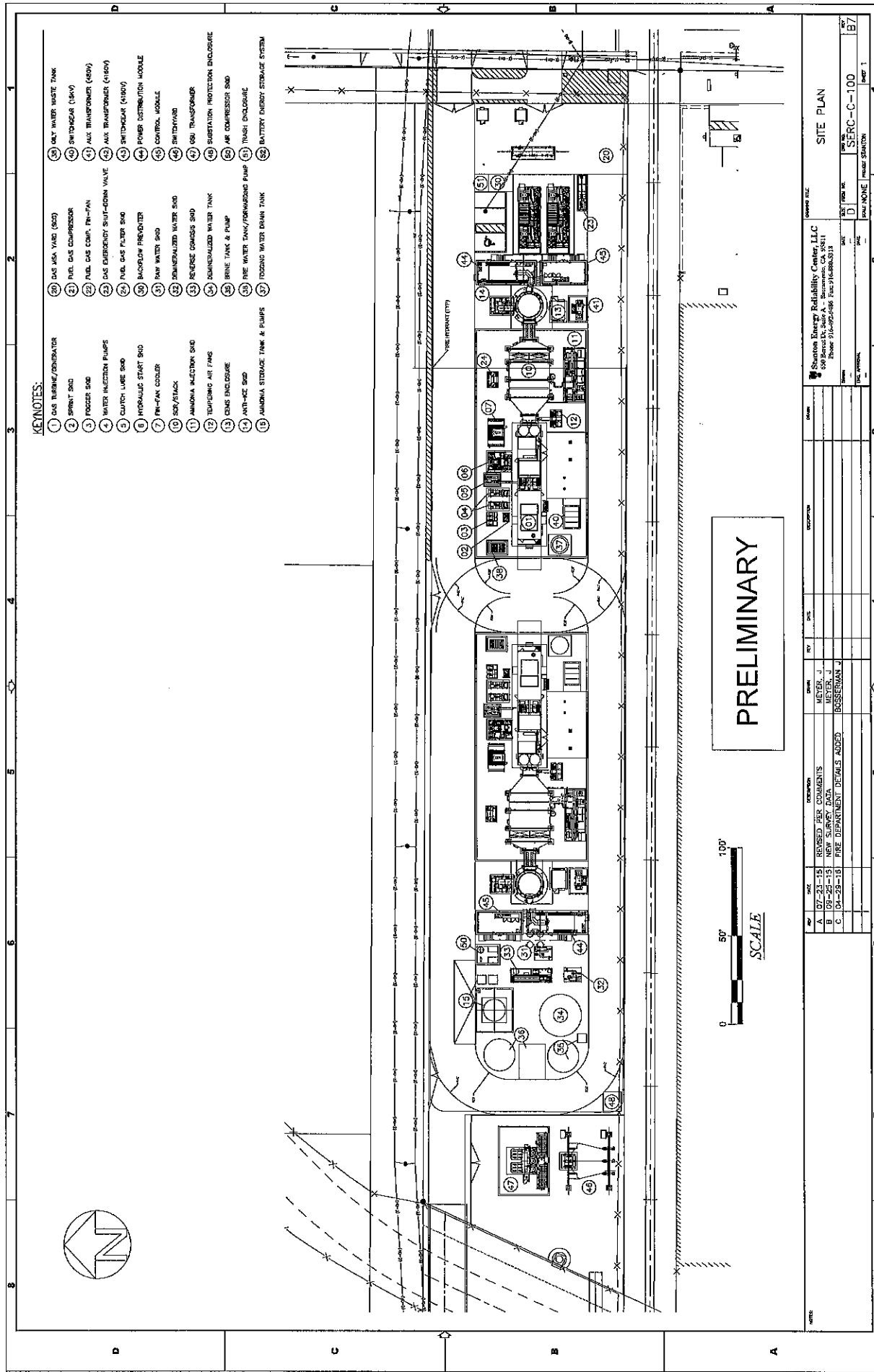
Signature \_\_\_\_\_

(seal)





STANTON ENERGY RELIABILITY CENTER, LLC 600 BENTON DR, SUITE A - STANTON, CA 95111 PHONE: 916-472-6885 FAX: 916-834-5318										DRAWING TITLE <b>SITE PLAN</b>	
DATE: 07-23-15 BY: MEYER, J DESCRIPTION: RAISED PER COMMENTS										DATE: 07-23-15 BY: MEYER, J DESCRIPTION: RAISED PER COMMENTS	
DATE: 09-29-15 BY: MEYER, J DESCRIPTION: NEW SURVEY DATA										DATE: 09-29-15 BY: MEYER, J DESCRIPTION: NEW SURVEY DATA	
DATE: 04-29-16 BY: BROSEMAN, J DESCRIPTION: FIRE DEPARTMENT DETAILS ADDED										DATE: 04-29-16 BY: BROSEMAN, J DESCRIPTION: FIRE DEPARTMENT DETAILS ADDED	
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**KEYNOTES:**

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|---------------------------------|------------------------------------|------------------------------------|
| 1 GAS TURBINE GENERATOR         | 26 GAS AREA YARD (S&D)             | 50 OILY WATER WASTE TANK           |
| 2 SPIRIT S&D                    | 27 FUEL GAS COMPRESSOR             | 51 SWITCHGEAR (15KV)               |
| 3 FODDER S&D                    | 28 FUEL GAS COMP. FAN-FAN          | 52 AUX. TRANSFORMER (480V)         |
| 4 WATER INJECTION PUMPS         | 29 GAS EMERGENCY SHUT-DOWN VALVE   | 53 AUX. TRANSFORMER (480V)         |
| 5 CLUTCH LINE S&D               | 30 FUEL GAS FILTER S&D             | 54 SWITCHGEAR (480V)               |
| 6 HYDRAULIC START S&D           | 31 BACKFLOW PREVENTER              | 55 POWER DISTRIBUTION MODULE       |
| 7 FAN-FAN COOLER                | 32 RAW WATER S&D                   | 56 CONTROL MODULE                  |
| 8 S&D/BLACK                     | 33 DEMINERALIZED WATER S&D         | 57 SWITCHGEAR                      |
| 9 AMMONIA INJECTION S&D         | 34 REVERSE OSMOSIS S&D             | 58 OIL TRANSFORMER                 |
| 10 LIGHTING AIR FANS            | 35 DEMINERALIZED WATER TANK        | 59 SUBSTATION PROTECTION ENCLOSURE |
| 11 COND. ENCLOSURE              | 36 BRINE TANK & PUMP               | 60 AIR COMPRESSOR S&D              |
| 12 ANTI-ICE S&D                 | 37 FINE WATER TANK/FORWARDING PUMP | 61 TRASH ENCLOSURE                 |
| 13 AMMONIA STORAGE TANK & PUMPS | 38 FODDERING WATER DRAIN TANK      | 62 BATTERY ENERGY STORAGE SYSTEM   |

**PRELIMINARY**



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# **CITY OF STANTON**

## **REPORT TO CITY COUNCIL**

**TO:** Honorable Mayor and Members of the City Council

**DATE:** May 24, 2016

**SUBJECT: ORDINANCE SETTING REGULATIONS FOR THE USE OF PUBLIC SKATE PARKS**

### **REPORT IN BRIEF:**

This item is before the City Council to consider adding the proposed ordinance setting regulations for the use of public skate parks and determine the hours of operation for Stanton Central Park's Skate Park.

### **RECOMMENDED ACTION:**

1. City Council declare 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.
2. Introduce Ordinance No. 1051, entitled:  
  
**"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, ADDING CHAPTER 14.08 TO TITLE 14 OF THE STANTON MUNICIPAL CODE REGARDING REGULATIONS FOR THE USE OF PUBLIC SKATE PARKS"; and**
3. Set said Ordinance for adoption at the regular City Council meeting of June 14, 2016; and
4. Determine the hours of operation for the Stanton Central Park Skate Park.

### **BACKGROUND:**

When the construction of Stanton Central Park is complete, the City will have an additional facility to reserve, schedule and monitor. Stanton Central Park will have many amenities for residents to enjoy including a Skate Park. To prepare for this amenity, the City must modify the Municipal Code to set rules and regulations for the use of skate parks in the City. This ordinance is intended to regulate the use of all

Council  
Agenda Item #

12A

permanent public skate parks.

In addition to adding chapter 14.08 to the Stanton Municipal Code, the hours of operation need to be determined. To assist with this process, staff has reached out to eight Orange County cities that operate skate parks to determine the best recommendation for the hours of operation, while also taking into consideration the community that surrounds the park and the noise the skate park will generate:

**Option 1: All Year:**

Monday – Friday	10 a.m.-8 p.m.
Saturday & Sunday	9 a.m.-5 p.m.

**Option 2: School Year:**

Monday – Friday	2-8 p.m.
Saturday & Sunday	9 a.m.-5 p.m.

**Summer Winter, Spring Breaks:**

Monday – Friday	10 a.m.-8 p.m.
Saturday & Sunday	9 a.m.-5 p.m.

Option 1 is in line with most of the skate parks surveyed. Option 2 is designed to deter the use of the Skate Park while school is in session. The Skate Park has functional lighting and can be utilized after dark.

Since this is a new process changes and/or additions may be needed as we move forward, staff will return to City Council in six to eight months to give an overview of how the rules, regulations and hours of operation are meeting the needs of the community and make recommendations if changes or additions are recommended.

## **ANALYSIS/JUSTIFICATION:**

Currently, the Stanton Municipal Code does not address skate parks or their usage. Skate parks are very popular, and it is necessary for the City to establish rules and regulations to provide a safe environment for participants, spectators and neighbors. The ordinance will set the park rules and regulations and is also necessary to allow enforcement of the rules by Stanton Police Services, Code Enforcement, Park Rangers and other City Staff. In conjunction with the ordinance, the City will post general rules at several locations around the Skate Park to inform participants and spectators on the proper use of the facility, and general park behavior. The rules sign is drawn from those regulations established in the ordinance.

“Under certain conditions, the City is immune from liability for injuries to skateboarders and skaters using the Skate Park. Government Code section 831.7 provides cities with immunity from liability arising from “hazardous recreational activities”. Health and Safety Code section 115800 defines hazardous recreational activity to include skateboarding and skating under certain conditions. Those conditions include, among other things, that (1) the public facility is designed and maintained for skateboarding or skating, (2) that the public

agency has adopted an ordinance requiring skateboarders and skaters to wear a helmet, elbow pads, and knee pads, and (3) that the agency has posted signs at the facility giving users notice that they have to wear the latter safety gear when using the facility."

The attached ordinance and sign are intended to comply with these statutes.

In regards to the hours of operation, a recommendation is needed in order to operate the Skate Park effectively.

**FISCAL IMPACT:**

The cost of the signs has been budgeted in the FY15-16 Stanton Central Park line item.

**ENVIRONMENTAL IMPACT:**

In accordance with the requirements of the CEQA, this project has been determined to be exempt under Section 15061(b)(3).

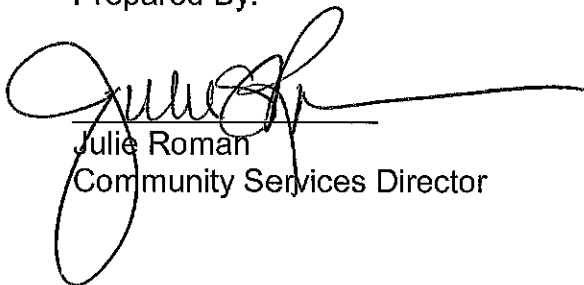
**PUBLIC NOTIFICATION:**

Through the regular agenda process.

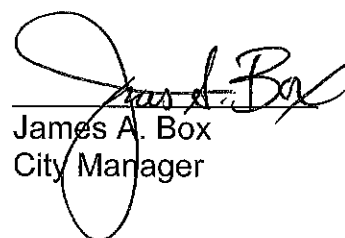
**STRATEGIC PLAN OBJECTIVE ADDRESSED:**

5 – Provide a High Quality of Life.

Prepared By:

  
Julie Roman  
Community Services Director

Approved By:

  
James A. Box  
City Manager

Attachments:

- A. Proposed Ordinance No. 1051
- B. Skate Park Rules and Regulations



## **ORDINANCE NO. 1051**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, ADDING CHAPTER 14.08 TO TITLE 14 OF THE STANTON MUNICIPAL CODE REGARDING REGULATIONS FOR THE USE OF PUBLIC SKATE PARKS**

**WHEREAS**, the City of Stanton, California (the "City") is a municipal corporation, duly organized under the constitution and laws of the State of California; and

**WHEREAS**, the City Council of the City of Stanton, California desires to make a wealth of recreational opportunities available to the residents of the City; and

**WHEREAS**, the City has established a public Skate Park at Stanton Central Park to create a safe and accessible place for residents of the City and other people to skateboard and in-line skate in a safe, clean, enjoyable environment; and

**WHEREAS**, the City wishes to regulate the activities at the public skate park to ensure it remains a safe, clean, enjoyable environment; and

**WHEREAS**, City staff has researched various skate park ordinances, regulations and policies in other nearby cities and has prepared the attached proposed Ordinance adopting Skate Park regulations suited to the City's needs and goals; and

**WHEREAS**, on May 24, 2016, the City Council considered the Ordinance, staff report, recommendations by staff and the City Attorney regarding amendments to Title 14 of the Municipal Code and conducted a first reading of the Ordinance; and

**WHEREAS**, on June 14, 2016, the City Council conducted a second reading of the Ordinance; and

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

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

**SECTION 1. Municipal Code Amendment.** Chapter 14.08 entitled "Skate Park Regulations" is hereby added to Title 14 of the Stanton Municipal Code to read in its entirety as follows:

#### **"Chapter 14.08 – SKATE PARK REGULATIONS**

##### **Sections:**

14.08.010 – Definitions.

14.08.020 – Skate Park Regulations.

14.08.030 – Implementation.

14.08.040 – Penalty for Violation.

**14.08.010 – Definitions.**

“In-line skates” shall mean in-line skates, also known as rollerblades, which are footwear containing four (4) or more axles mounted in a straight line extending generally from the heel of the footwear to the toe of the footwear with a single wheel attached to each axle.

“Roller skate” shall mean any footwear or device that may be attached to the foot or footwear, to which non-metallic wheels are attached and such wheels may be used by the wearer for moving or propulsion.

“Safety Equipment” shall mean, at a minimum, legal or approved helmets, elbow pads and knee pads that are commercially manufactured and in good condition.

“Skateboard” shall mean all non-metallic wheeled objects, coasters, conveyances, or similar devices used for transportation or sport which are propelled by human power and which are not classified as bicycles or roller skates.

“Skate Park” shall mean an unsupervised public facility that is designed for use by persons riding skateboards, in-line skates, or other approved additional uses that the City Manager or his or her designee may allow or prohibit from time to time, and that is designated a “skate park” by the Community Services Director.

**14.08.020 – Skate Park Regulations.**

The following regulations shall apply for all Skate Parks:

A. No person shall use a Skate Park for uses other than for skateboarding, in-line skating or engaging in other approved uses that the City Manager or his or her designee may allow or prohibit from time to time at a Skate Park.

B. No person shall skateboard, in-line skate or engage in other approved uses without wearing the required Safety Equipment as posted at a Skate Park.

C. No person under the age of twelve (12) years old shall be permitted to utilize a Skate park unless accompanied by an adult.

D. No person shall skateboard, in-line skate or engage in other approved uses when the skating surface is wet.

E. No person shall engage in intimidation, hazing, fighting, reckless or boisterous behavior (including, but not limited to, tandem riding, pushing, horseplay and bullying) or any other activity that could endanger the safety of persons using a Skate Park or spectators at a Skate Park.

F. Only skateboards, in-line skates, and other approved uses, as approved by the City Manager or his or her designee, will be allowed to be used in a Skate Park. Prohibited devices include, but are not limited to, bicycles and any motorized device whether electric or gas powered.

G. No person shall use, consume or possess food, beverages, glass bottles or any breakable glass item on the skating surface.

H. No person shall place or utilize additional equipment, obstacles, apparatuses or other materials, including, but not limited to, ramps or jumps, at a Skate Park.

I. No person shall use, or be under the influence of, alcohol, controlled substances or illegal drugs while using a Skate Park.

J. No person shall enter the skating surface area of a Skate Park unless actively skateboarding, in-line skating or engaging in another approved use in accordance with these regulations.

K. No person shall use portable or personal radios, stereos, CD players, speakers, MP3 players, headphones or other amplified music in the Skate Park or at its perimeter.

L. No person shall have a dangerous weapon in his or her possession. Deadly weapons shall include, but not be limited to guns, knives, bats, clubs or martial arts weapons.

M. No person shall litter or place trash or debris in or on the skating surface. All trash shall be placed in a designated trash receptacle.

N. No person shall apply, or cause to be applied, any vandalism, including but not limited to graffiti, tagging, littering, gum, stickers or decals, to any facilities in the Skate Park. Any defacing of the Skate Park is strictly prohibited.

O. All persons shall skateboard, in-line skate, or engage in other approved uses only on the skating surface and shall not skateboard, in-line skate or engage in other approved uses on the curbs, planters,

benches, steps, railing, parking lots or driveways of a Skate Park or other City-owned area surrounding a Skate Park.

P. No person shall skateboard, in-line skate or engage in other approved uses at a Skate Park at any times other than those established as the hours of operation.

Q. No special events or contests are allowed in the Skate Park unless authorized by the City.

#### **14.08.030 – Implementation.**

A. The Community Services Director or his or her designee shall post signs at the entrance to each Skate Park and at other locations at each Skate Park which the Director determines are appropriate and adequate. The content of the signs shall be determined by the Director, but the signs shall generally cover the regulations in this Chapter.

B. The Community Services Director or his or her designee shall cause to be maintained a record of all known or reported injuries incurred by a person riding a skateboard, in-line skates, bikes, scooters, or wheelchairs in a Skate Park. The City Clerk shall also maintain a record of all claims, paid and not paid, including any lawsuits and their results, arising from those incidents that were filed against the City. The Director and Clerk shall file copies of such reports annually, no later than January 30 each year, with the State Assembly Committee on Judiciary and the Senate Committee on Judiciary.

#### **14.08.040 – Penalty for Violation.**

A. Any violation of the provisions of this article shall be subject to citation and deemed to be an infraction or misdemeanor at the discretion of the City Attorney or District Attorney, and punishable as such. The complaint charging such violation shall specify whether the violation is a misdemeanor or an infraction. Each day a violation of any provision of this article continues shall be a new and separate violation.

B. Any person violating or failing to follow and comply with any of the regulations set forth in this Chapter 14.08 may be removed from a Skate Park. Any person cited and convicted of three or more infractions of this article shall be permanently barred from the use of or entrance to a Skate Park.

C. In addition to the penalties so described, any police officer or other person authorized to issue citations shall have the authority to impound

any skateboard, bicycle, scooter, in-line skates or roller skates of a person found violating this article. Upon impoundment of any skateboard, bicycle, scooter, in-line skates or roller skates as provided herein, the owner of such device shall be issued a receipt. Said receipt shall state the days, hours, location, and manner for claiming the impounded skateboard, bicycle, scooter, in-line skates or roller skates, as provided in subparagraphs (1) and (2) of this paragraph.

(1) Upon presentation of the receipt, the owner may claim the impounded skateboard, bicycle, scooter, in-line skates or roller skates at the police department during business hours. If the owner is a minor, such owner may claim the impounded skateboard, bicycle, scooter, in-line skates or roller skates if accompanied by a parent or guardian. No fee may be assessed on the owner, parent or guardian.

(2) If the impounded skateboard, bicycle, scooter, in-line skates or roller skates is/are not claimed within sixty (60) days after the date of impoundment, the City may dispose of the unclaimed item(s) by destruction or public sale at auction."

**SECTION 2. CEQA.** The City Council finds that this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to 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.

**SECTION 3. Severability.** If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance for any reason is 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 hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

**SECTION 4. Certification; Publication.** The City Clerk shall certify as to the adoption of this Ordinance and shall cause a summary thereof to be published within fifteen (15) days of the adoption and shall post a Certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

**SECTION 5. Custodian of Records.** The documents and materials that constitute the record of proceedings on which this Ordinance is based are located at the City Clerk's office located at Stanton City Hall, 7800 Katella Ave., Stanton, California 90680.

**SECTION 6. Effective Date.** This Ordinance shall become effective thirty (30) days following its adoption.

**PASSED, APPROVED, AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
BRIAN DONAHUE  
MAYOR

ATTEST:

\_\_\_\_\_  
PATRICIA A. VAZQUEZ, CMC  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
MATTHEW E. RICHARDSON  
CITY ATTORNEY

COUNTY OF ORANGE     ) SS  
CITY OF STANTON        )

I, Patricia A. Vazquez, City Clerk of the City of Stanton, California do hereby certify that the foregoing Ordinance No. \_\_\_\_ was duly introduced and placed upon its first reading at a regular meeting of the City Council on the \_\_\_\_ day of \_\_\_\_\_ 2016, and thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2016, by the following vote, to wit:

AYES:       COUNCIL MEMBERS:  
NOES:       COUNCIL MEMBERS:  
ABSENT:     COUNCIL MEMBERS:  
ABSTAIN:    COUNCIL MEMBERS:

\_\_\_\_\_  
PATRICIA A. VAZQUEZ, CMC  
CITY CLERK



## Stanton Central Park

### Skate Park Rules & Regulations

WELCOME to the City of Stanton's Skate Park. Our goal is for your safe enjoyment of this facility. The City of Stanton is proud to present this Skate Park to you. Please be courteous of others and have a safe skating experience.

- 1. Skateboarding is a Hazardous Activity. – Skate at your own risk. The City of Stanton is not liable for injuries pursuant to California Health and Safety Code 115800.**
- 2. Only Skateboards and in-line skates are allowed. All other uses are prohibited. Bicycles, BMX bikes, and roller skates are prohibited.**
3. Skate Park hours are\_\_\_\_\_.
4. Helmets, elbow pads and knee pads that are commercially manufactured and in good condition must be worn at all times while skating. All helmets and pads must be fastened while skating.
5. Failure to wear helmets, kneepads, and elbow pads in the designated skate park area will subject persons to citation and/or removal from the Skate Park (Stanton Municipal Code Sec. 14.08.040).
6. No unauthorized pieces of equipment, obstacles, or apparatus may be brought into the designated skate park area.
7. Skating is prohibited on curbs, planters, benches, steps, railing, parking lot and driveways of the park and other City owned areas.
8. No alcohol, drugs, tobacco are allowed in the Skate Park. Being under the influence of alcohol and /or drugs is prohibited while in the Skate Park.
9. No intimidation, hazing, or fighting.
10. No graffiti, tagging, littering, gum, stickers, or other items are allowed in the Skate Park. No part of the Skate Park can be defaced by any means.
11. No portable or personal radios, stereos, CD players, speakers, MP3 players, headphones or other amplified music is allowed in the Skate Park.
12. Spectators are not allowed in the bowls, features, elements, or on the skate surface or Skate Park area.
13. All trash must be placed within the trash receptacles provided. No glass containers, food or drink are allowed in the Skate Park.
14. No skateboarding or in-line skating on wet surfaces.
15. The Skate Park will be closed during inclement weather.
16. No trespassing while the facility is closed.
17. No special events or contests are allowed in the designated skate park area unless authorized by the City.
18. The City of Stanton is not responsible for loss or damage to personal property.
- 19. The City reserves the right to eject anyone from the skate park at any time for any reason.**