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- 1. CLOSED SESSION (5:30 PM)
- 2. ROLL CALL Council Member Donahue Council Member Ethans Council Member Ramirez Mayor Pro Tem Shawver Mayor Warren

3. PUBLIC COMMENT ON CLOSED SESSION ITEMS

<u>Closed Session</u> 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. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION Significant exposure to litigation pursuant to Government Code Section 54956.9 (d) (2)

Number of Potential Cases: 2

4B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Existing litigation pursuant to Government Code section 54956.9(d)(1) Number of cases: 2

City of Stanton vs. Green Tree Remedy et al, Orange County Superior Court Case Number: 30-2015-00813225-CU-JR-CJC

Kieu Kim Tran vs. City of Stanton, Orange County Superior Court Case Number: 30-2017-00949238-CL-JR-CJC

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

Property: 10632 Beach Boulevard, Stanton, CA (APN 126-434-15)

Negotiating Parties: James A. Box, Executive Director, Stanton Housing Authority Royal Crown Development, Inc., Owner County of Orange, Negotiating Party

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

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

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

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 October 5, 2017 and October 10, 2017, in the amount of \$3,176,774.53.

9C. SEPTEMBER 2017 INVESTMENT REPORT

The Investment Report as of September 30, 2017 has been prepared in accordance with the City's Investment Policy and California Government Code Section 53646.

RECOMMENDED ACTION:

- 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 September 2017.

9D. SEPTEMBER 2017 INVESTMENT REPORT (SUCCESSOR AGENCY)

The Investment Report as of September 30, 2017 has been prepared in accordance with the City's Investment Policy and California Government Code Section 53646.

RECOMMENDED ACTION:

- 1. Successor Agency 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 September 2017.

9E. SEPTEMBER 2017 INVESTMENT REPORT (HOUSING AUTHORITY)

The Investment Report as of September 30, 2017 has been prepared in accordance with the City's Investment Policy and California Government Code Section 53646.

RECOMMENDED ACTION:

- Stanton Housing Authority 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 September 2017.

9F. AGREEMENT WITH HINDERLITER, DE LLAMAS & ASSOCIATES

Hinderliter, de Llamas & Associates (HdL) has been the City's sales, property tax, and transactions and use tax consultants since 1987. Over the past 29 years, HdL's service fee has been held at the same constant rate since its original contract was first enacted. HdL is now requesting that a new Agreement for Sales, and Transactions Tax Audit and Information Services be adopted to reflect increasing service costs and more modern contract terms.

RECOMMENDED ACTION:

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

9G. RESOLUTION NO. 2017-44 OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 2014-146 FOR THE PROPERTY LOCATED AT 8771 KATELLA

The final parcel map for the development located at 8771 Katella has been completed and reviewed by all required departments and agencies. This final parcel map is in compliance with the City's General Plan and zoning land use designations.

RECOMMENDED ACTION:

1. City Council adopt Resolution No. 2017-44 approving Final Parcel Map No. 2014-146, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 2014-146 FOR THE PROPERTY LOCATED AT 8771 KATELLA AVENUE"; and

- Find that the recordation of Final Parcel Map No. 2014-146 will not be in violation of any of the provisions of Section 66474, 66474.1, and 66474.2 of the Subdivision Map Act; and
- 3. Find that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan required by Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of the Government Code, and any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of the Government Code.

9H. APPROVAL OF THE STANTON SEWER SERVICE CHARGE ADJUSTMENT POLICY

On August 2017, the City held a second reading of Ordinance No. 1068 which established a sewer user fee unit rate for sewer services. During that second reading, staff presented a recommendation from Harris & Associates' to establish an appeal process for residents wishing to obtain a rate adjustment or refund from the newly adopted Annual Sewer Service Charge methodology.

In order to comply with the recommendation from Harris & Associates' of establishing an appeal process as put forth in the second hearing of Ordinance No. 1068, staff is presenting a complete Sewer Service Charge Adjustment Policy as an exhibit to Resolution No. 2017-42 for City Council's review and approval.

RECOMMENDED ACTION:

- 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. Adopt Resolution 2017-42 entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, APPROVING A CITY OF STANTON SEWER SERVICE ADJUSTMENT POLICY".

END OF CONSENT CALENDAR

10. PUBLIC HEARINGS None.

11. UNFINISHED BUSINESS

11A. CONSIDERATION OF TRAFFIC CALMING MEASURES ON LOLA AVENUE BETWEEN DALE AVENUE AND MAGNOLIA AVENUE

Based on concerns at a recent Talk on the Block, the City Council directed staff to determine potential traffic calming measures on Lola Avenue. Staff engaged the City's traffic engineering consultant to prepare a report on Lola Avenue with potential traffic calming measures. A meeting with residents was held on Lola to explain the different measures and their locations. A vote was conducted of the residents on Lola and the results are being presented to the City Council with recommended traffic calming measures.

RECOMMENDED ACTION:

- City Council declare that the project is exempt from the California Environmental Quality Act ("CEQA") under Section 15301(c) - consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination; and
- 2. Review the staff report and direct staff regarding the installation of traffic calming measures on Lola Avenue.

12. NEW BUSINESS

12A. AN ORDINANCE REGULATING ACCESSORY DWELLING UNITS, FORMERLY KNOWN AS SECONDARY DWELLING UNITS

Introduce the Ordinance which will amend the Stanton Municipal Code pertaining to Accessory Dwelling Units. The purpose of the proposed amendment is to bring the City's Ordinance into compliance with requirements contained in Assembly Bill 2299 and Senate Bill 1069.

RECOMMENDED ACTION:

- City Council declare that the project is not subject to CEQA in accordance with Section 15282(h) as the actions of this Ordinance are taken to implement the provisions of State Government Code 65852.2 as set forth in Section 21080.17 of the Public Resources Code; and
- 2. Introduce Ordinance No. 1071, entitled:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA AMENDING SECTION 20.205.040, SECTION 20.210.010, TABLE 2-2 OF SECTION 20.210.020, TABLE 3-6 OF SECTION 20.320.030, SECTION 20.400.330, SECTION 20.410.020, SECTION 20.410.030, SECTION 20.410.050, AND SECTION 20.700.900 OF TITLE 20 OF THE STANTON MUNICIPAL CODE REGULATING ACCESSORY DWELLING UNITS"; and

- 3. Set Ordinance for adoption at the November 14, 2017 regular City Council meeting.
 - ROLL CALL Council Member Donahue Council Member Ethans Council Member Ramirez Mayor Pro Tem Shawver Mayor Warren

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.

15D. LOCAL VENDOR PREFERENCE DISCUSSION

This report is intended to provide options to consider the revision of the City's existing local vendor preference section of the Stanton Municipal Code.

RECOMMENDED ACTION:

- Declare that the project is not subject to 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. Receive and file report and provide staff with direction.

15E. CITY COUNCIL INITIATED ITEM — DISCUSSION REGARDING MOTEL 6

At the October 10, 2017 City Council meeting, Mayor Pro Tem Shawver requested that this item be agendized for discussion.

RECOMMENDED ACTION:

City Council provide direction to staff.

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 19th day of October, 2017.

s/ Patricia A. Vazquez, City Clerk/Secretary

ACCOUNTS PAYABLE REGISTER **CITY OF STANTON**

October 5, 2017

October 10, 2017

\$3,041,103.44

\$135,671.09

\$3,176,774.53

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

Council Agenda Item #



City Manager

Administ/ative Services Director

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

CITY OF STANTON

REPORT TO THE CITY COUNCIL

TO: Honorable Mayor and City Council

DATE: October 24, 2017

SUBJECT: SEPTEMBER 2017 INVESTMENT REPORT

REPORT IN BRIEF:

The Investment Report as of September 30, 2017 has been prepared in accordance with the City's Investment Policy and California Government Code Section 53646.

RECOMMENDED ACTION:

- 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 September 2017.

BACKGROUND:

The attached reports summarize the City investments and deposit balances as of September 2017. 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 September 2017 was 1.11%. All City investments have safekeeping with Bank of the West. The City's investments are shown on Attachment B and have a weighted investment yield of 1.87%. Including LAIF and the City's deposit in the Bank of the West money market account, the weighted investment yield of the portfolio is 1.58%, which exceeds the benchmark LAIF return of 1.11%.

The weighted average maturity of the City's investments on September is 1,110 days. Including LAIF and a money market account, it is 939 days. LAIF's average maturity on September 30, 2017 was approximately 190 days.

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The City has exceeded the LAIF benchmark return by increasing the weighted average maturity. With a weighted average maturity of 2.57 years, the City is well within the investment policy restriction of 3.5 years.

FISCAL IMPACT:

All deposits and investments have been made in accordance with the City's 2017-18 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.

The City Treasurer controls a \$25.0 million portfolio with \$20.9 million in investments that has safekeeping with Bank of the West.

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

Attachments:

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

Approved:

James A. Box City Mahager

Attachment A

CITY OF STANTON, CA INVESTMENTS AND DEPOSITS September 30, 2017

Investment Type	lssuer	Date of Maturity	Interest Rate	Par Value	Cost	% of Total	Market Value	Market Value Source
State Pool (LAIF) - City portion ¹	State of California	On Demand	111%	\$ 3,696,757	\$ 3,696,757	7 14.89%	\$	LAIF
Investments ²	Various	Various	Various	\$ 20,951,802	20,952,327	84.37%		20,946,220 Bank of the West
Monev Market Account	Bank of the West	On Demand	0.29%	\$186,122	186,122	0.75%		186,122 Bank of the West
Subtotal - Investments.					\$ 24,835,205	100.00%	\$ 24,829,099	
		-						
Demand Deposits/Main Checking - City portion	Bank of the West	On Demand	N/A	N/A	\$ (36,252)		\$ (36,252)	(36,252) Bank of the West
Imprest Accts & Petty Cash	Bank of the West	On Demand	N/A	N/A	209,705		209,705	209,705 Bank of the West
Suhtofal - Denosits					\$ 173,453		\$ 173,453	

Total Cash Investments and Deposits 3

939 1.58% Weighted Average Weighted Average Maturity (days) Yield

25,002,552

25,008,658

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

² Cost amount includes \$58,005 adjustment made to City's books at 6/30/17 to adjust portfolio to market value, per GASB 31

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

NOTES:

The City's portfolio is in compliance with the City's 2017-18 Investment Policy.

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

CITY OF STANTON INVESTMENTS SEPTEMBER 2017

Maximum Percent		100%		100%	
Percent of Portfolio		13.66%		17.83%	
Current Market Value	194, 330 186, 080 198, 080 198, 080 198, 944 199, 980 199, 980 199, 980 199, 980 199, 980 199, 980 199, 990 199, 546 199, 546 199, 546 199, 546 199, 556	4,595,473	1,006,166 251,843 246,840 500,110 253,588 353,588 257,462 257,462 358,571 358,571 468,665 468,665 468,665 358,571 358,572 358,572 358,572 358,572 358,572 358,572 358,572 358,572 358,572 358,572 358,572 358,572 358,572 357,572 358,572 358,572 358,572 357,572 357,572 357,572 358,572 357,572 357,572 357,572 357,572 358,572 357,572 355,572 357,572 357,572 355,5772 355,57772 355,57772 355,57772 355,57772 355,57772 355,57772 355,57772 355,57772 355,577772 355,57777772 355,57777777777777777777777777777777777	4,402,365	247, 126 249, 995 248, 995 248, 995 247, 757 248, 995 248, 172 248, 172 248, 173 248, 173 248, 420 248, 420 248, 554 248, 556 248, 556 248
Purchase Amount	195,014 194,709 186,930 206,698 201,688 201,688 188,336 198,035 198,336 198,336 192,005 192,005 198,898 198,898 198,898 198,898 500,000	4,633,746	1,007,462 249,157 249,157 352,625 352,625 257,777 253,013 406,684 406,684 260,000 590,000	4,428,466	247,000 249,00
Par Value	195,000 195,000 195,000 200,000 190,000 190,000 190,000 200,00000000	4,620,000	1,005,000 250,000 250,000 350,000 350,000 2555,000 2656,000 2600,000 2000,000,	4,390,000	247,000 249,000 249,000 249,000 248,000 249,000 249,000 249,000 249,000 249,000 249,000 249,000 249,000 249,000 249,000 249,000 249,000 249,000 248,00
Next Call Date (NC=noncallable)	222320 N N N N N N N N N N N N N N N N N N N	1 1	<u> </u>	2	NC NC NC NC NC NC NC NC NC NC NC NC NC N
Date of Maturity	10/19/2018 12/14/2018 06/03/19 06/03/19 12/13/19 12/13/19 12/13/19 05/12/20 02/14/21 02/14/22 03/12/21 03/14/22 03/12/21 05/12/22 05/12/21 07/14/22 05/12/21 07/14/22 05/12/21 07/14/22 05/12/21 07/14/22 05/12/21 07/14/22 05/12/21 07/14/22 05/12/21 07/14/22 05/12/21 07/14/22 05/12/21 07/14/22 07/12/2/		9/1/2018 8/1/2020 9/1/2020 8/1/2021 8/1/2021 8/1/2021 9/1/2021 9/1/2021	770711 10	8/17/2018 8/17/2018 6/28/2019 3/22/2020 3/22/2020 3/30/2020 9/30/2020 9/30/2020 9/30/2020 9/30/2020 3/15/2021 1/1/20/2020 3/15/2021 7/1/2/2020 7/1/2/2020
Date Purchased	9/30/2015 9/30/2015 02/01/16 10/25/16 03/37/15 11/22/15 21/20/2016 02/17/16 03/12/16 04/12/16 03/22/16 03/22/16 03/22/16 03/22/16 03/22/16 03/22/16 03/22/16 03/22/16 03/22/16 03/22/16 03/22/17		7/25/2017 7/24/2017 9/28/2017 6/23/2017 7/124/2017 8/15/2017 8/15/2017 8/15/2017 7/124/2017	1107/271	8/15/2017 8/15/2017 5/28/2017 5/28/2017 5/28/2017 05/26/17 05/26/17 05/26/17 05/2017 05/2017 05/2017 05/2017 7/6/2017 7/2/2017 7/2/2017 7/2/2017 7/2/2017 7/2/2017 7/2/2017
Purchase Price	100.42 99.39 99.15 100.20 100.30 100.30 100.30 100.33 100.33 100.33 99.35 99.35 99.35 99.35 99.35 99.35 99.35 99.35		100.25 900.75 900.60 100.75 101.65 101.67 101.67 101.67		100.00 100.000 100.000 100.000 100.000 100.000 100.00000000
Coupon Rate	1.13% 1.13% 1.15% 1.05% 1.50% 1.50% 1.50% 1.50% 1.50% 1.25% 1.25% 1.25% 1.75% 1.138% 1.138% 1.75% 1.75%		1.75% 2.30% 2.30% 2.51% 2.51% 2.55% 2.56% 2.56% 2.56% 2.56%	8/ DC-7	1.50% 1.55% 1.55% 1.55% 1.55% 1.55% 1.55% 2.10% 2.00% 2.10% 2.00% 2.10% 2.00% 2.10% 2.00% 2.10% 2.00% 2.10% 2.00% 2.10% 2.00% 2.10% 2.00%
Purchase Yield	1.20% 1.15% 1.16% 1.65% 1.55% 1.55% 1.50% 1.50% 1.50% 1.59% 1.23% 1.59% 1.23% 1.59% 1.55%		1.52% 2.04% 2.02% 2.32% 2.32% 2.00% 2.00% 2.108%	0/ 0+-7	1.55% 1.55% 1.75% 1.55% 1.55% 1.55% 1.55% 1.59% 1.85% 1.85% 1.85% 2.00% 2.10%2
CUSIP Number	3135G0E58 3135G0E58 3135G0G72 3135762M2 3135GC73 3135GC73 3135G0F75 3136A0LR2 3136A0LR2 3136A0L527 3136A0L527 3135G0H55 3135A0L527 3135A0C727 3135A00C727 3135A00C727 3135A00C727 3135A00C727 3135A00C727 3135A00C727 3135A00C727 3135A00C727 3135A00C727 3135A00C727 3135A00C727 3135A00C727 3135A00C727 3135A00C727 3135A00C7		105710AA5 13034PZF7 13034PZF7 066616AD5 73208MCX4 13034PZH3 13034PZH3 13034PZH3 13034PZH3 13034PZH3 13034PZH3 13034F	80000000	465076JVD 33767A4E8 37743A4E8 2549617A39 25733AE14 020061-Y72 947547JJN6 947547JN6 949763FQ4 57054N4F0 657054N4F0 65505AG71 949763FQ4 949763FQ4 515068VCA9 55266CVV2 55266CV2 55266CV2 55266CV2 55266CV2 55266CV2 55266CV2 55266CV2 55266CV2 55266CV2 55266CV2 55266CV2 55266CV2 55266CV2 55266CV2 55266CV2 55266CV2 55266CV2 55266CV2 55266CV2 55267CV2 55267CV2 55266CV2 55267CV2 55267CV2 55267CV2 55267CV2 55266CV2 55267CV2 55266CV2 5526CV2 55266CV2 55266CV2 55266CV2 55266CV2 55266CV2 55266CV2 55266CV2 55266CV2 5526CV2 5526CV2 5526CV2 55266CV2 55266CV2 55266CV2 55266CV2 5526CV2 5526CV2 55266CV2 55266CV2 55266CV2 5526CV2 5526CV2 5526CV2 55266CV2
Institution	FUMA FILB FILB FILB FILB FILB FILB FILB FILB		Brawley CA Pension Obligation Bond CA ST Housing Finance Agency RDA Banning CA Redev. Agy. Suc. Tax Allo. Pornona CA PFA Lease Bond CA ST Housing Finance Agency RDA CA ST Housing Finance Agency RDA CA ST Housing Finance Agency RDA Caty of Oceanside CA Pension Obl. Rev. I LA County CA RDA Refunding Auth. Tax A Yorba LInda Redev. Agy. Suc. Agy. Tax A Riverside CA Pension Obligation Bond Reverside CA Pension Obligation Bond	Kivelside OA Ferision Obigaucii Boria	israel Discount BK of NY Firstbark Puerto Rico (PR) Generations Community Fed Credit Direct Federal Credit Union Mercanti Bank, NA Ally Bank Webbank Live Oak Banking Company Live Oak Banking Company Live Oak Banking Company Community Trust Bank Inc The Park National Bank First Bank Richmond MWN Bank First Bank Richmond Numedia Credit Union BMW Bank Wells Fargo Bank, NA Lendmerk Bank Wells Fargo Bank, NA Landmerk Capitral Bank Bank Connenity Capitral Bank Discover Bank Barciays Bank Abacus Federal Savings Bank MB Financial Bank MB Financial Bank MB Financial Bank MB Financial Bank MB Financial Bank
Investment Type/ Broker	U.S. Government Agency Securities: Chandler Asset Management Chandler Asset Management Multi-Bank Securities, Inc. Multi-Bank Securities, Inc.		Municipal Bonds Mutit-Bank Securities, Inc. Mutit-Bank Securities, Inc. Cantella & Co., Inc Mutit-Bank Securities, Inc. Mutit-Bank Securities, Inc. Mutit-Bank Securities, Inc. Cantella & Co., Inc Cantella & Co., Inc Cantella & Co., Inc Cantella & Co., Inc Cantella & Co., Inc	rist cripte Securities	Negodiable Certificates of Deposit: Multi-Bank Securities, Inc. Cartalla & Co., Inc Multi-Bank Securities, Inc. First Emprie Securities, Inc. First Empre Securities Cantella & Co., Inc Multi-Bank Securities Cantella & Co., Inc Multi-Bank Securities First Empire Securities

Attachment B

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DF STANTON	ESTMENTS	EMBER 2017
	INVEST	SEPTEM

Attachment B

Maximum Percent	% 00 8		30%	10%
Percent of Portfolio	36.55%		8.66%	1.95%
Current Market Value	250,440 250,440 250,737 250,237 249,4508 249,4508 249,4508 249,4508 248,537 248,537 248,061 248,061 248,061 248,061 115,250 115,250 115,250 115,250 54,400 54,400 54,400 54,607	497,070 128,609 151,532 128,569 128,569 128,161 83,161 83,409 83,409 131,745 131,745	2,386,244 480,648	480,648 8,313 8,313 2,3,863 33,552 33,552 54,016 54,016 54,016 39,965 39,985
Purchase Amount	243,000 248,000 248,000 247,000 247,000 247,000 247,000 247,000 247,000 247,000 247,000 247,000 248,000 248,000 248,000 248,000 248,000 248,000 248,000 248,000 248,000 248,000 248,000 248,000 247,00	500,000,00 128,451,25 154,404,00 128,484,80 128,484,80 122,484,88 128,488,75 124,898,75 124,898,75 124,898,75 124,596,65	2,400,202.30 484,141	484,141 8,315 23,873 33,580 33,580 33,580 54,074 40,000
Par Value	248,000 248,000 248,000 247,000 242,00	500,000 155,000 155,000 155,000 125,000 85,000 125,000 125,000 125,000	2,385,000 492,014	492,014 8,316 23,936 33,581 33,581 33,581 33,581 40,000 40,000
Next Call Date (NC=noncallable)	415/2018 415/2018 83/18/2018 83/18/2018 83/18/2017 NOC NOC NOC NOC NOC NOC NOC NOC	8/25/2018 NC NC 2/1/2021 2/15/2021 7/8/2021 NC NC NC	11	2 2 2 2 2 2 2 2 2 2
Date of Maturity	3/14/2022 3/15/2022 3/15/2022 5/19/2022 5/12/2022 6/21/2022 8/21/2022 8/21/2022 8/21/2022 8/21/2022 8/22/2022 8/2022 8/2022 8/	08/25/20 09/24/20 03/01/21 03/15/21 03/15/21 03/15/21 03/11/21 05/19/21 01/06/22 01/06/22	11/1/2021	11/15/18 02/15/19 05/15/19 05/15/19 05/15/19 10/15/19 01/15/20
Date Purchased	03/14/17 03/15/17 03/15/17 03/15/17 05/19/17 05/09/17 05/09/17 6/2/12017 8/2/12017 8/2/2017 8/2017 8/2017 8	08/11/17 04/20/17 04/20/16 02/29/16 02/29/16 02/29/16 02/29/16 02/29/16 02/03/17 01/19/17	8/18/2017	09/03/14 03/04/15 05/13/15 05/13/16 00/04/16 02/22/17 03/22/17
Purchase Price	00.00 100.00 100.00 100.00 100.00 100.00 99.60 99.88 99.88 99.88 90.00 100.57 80.88 90.50 100.57 90.50 100.57 80.58 90.50 105.16	100.00 101.22 101.256 101.77 102.56 39.65 39.65 99.59 99.59 100.25	98.40	99.78 99.99 99.89 99.89 99.99 99.98
Coupon Rate	2.35% 2.35% 2.35% 2.40% 2.10% 2.10% 2.10% 2.330% 1.70% 2.35% 1.70% 2.25% 1.25% 1.25% 1.25% 2.20%	2.00% 2.45% 2.22% 2.22% 1.95% 1.65% 2.63% 2.63%	1.620%	1.07% 1.12% 1.04% 1.06% 1.50% 1.47%
Purchase Yield	2.35% 2.35% 2.35% 2.40% 2.10% 2.10% 2.10% 2.33% 1.45% 1.45% 1.21% 1.21% 1.21% 1.21% 1.21%	2.00% 2.05% 2.05% 2.14% 1.55% 1.55% 2.66% 2.66%	2.030%	1.08% 1.44% 1.05% 1.08% 1.07% 1.51%
CUSIP Number	8562845V1 140420252 048126XD93 05581WNK7 87165EL96 02554BCN9 3191416L5 38148PKX4 14042RGN5 14042RGN5 14042RGN5 14042RGN5 14042RGN5 02587CFU9 02587CFU9 02587CFU9 02587CFU9 02587CFU9 0378338Q2 0378338Q2 0378338Q2 034664CK5 083835AX3 084664CK5 083835AX3 084664CK5 083835AX3 084664CK5 083835AX3 084664CK5 084664CK5 084664CK5 084664CK5 084664CK5 084664CK5 084664CK5 084664CK5 084664CK5 084664CK5 084664CK5 083835AX3 083857CFU3 083857CFU3 083857CFU3 083857CFU3 083857CFU3 083857CFU3 0837857CFU3 083857CFU3 083857CFU3 083857CFU3 083857CFU3 083857CFU3 083857CFU3 08385757CFU3 08385757CFU3 08385757CFU3 0838575757 0838575757 083857575757 08385757575757575757575757575757575757575	06744GFU0 02665VAZ4 30282665B8 30231GAV8 0846708C0 85747AV5 594918BP8 594918BP8 59371RN44 24422E7L3 211591HIP8	3138LF4Y1	477877AD6 89236WAC2 43813NAC0 65478WAB1 89231LAB3 89231LAB3 47787XAB3 654747AB0
Institution	State Bank of India Capital One Bank USA JP Morgan Chaese Bank NA BMO Harris, NA Synchrony Bank American Eagle Bank Frist Bank of Pighland Park Goldman Sachs Bank American Express Bank, FSB American Express Bank, FSB American Express Bank, FSB Apple Inc Bank of New York Toyota Motor Credit Corp Berkshire Hathaway Oracie Corp	Barclay's Bank PLC American Honda Finance Visa Inc Exxon Incoll Corp Barkshire Hathaway Barkshire Hathaway State St Corp Microsoft Corp Paccar Financial Corp John Derre Capital Corp US Bancorp	FNMA DUS Balloon	John Deere Owner Trust Toyata Auto Receivables 2015A Honda Auto Receivables Nissan Auto Receivables Toyota Auto Receivables Owner 2016-D John Deere Owner Trust Nissan Auto Receivables
Investment Type/ Broker	Multi-Bank Securities, inc. Multi-Bank Securities, inc. Cantalta & Co., Inc First Empire Securities First Empire Securities First Empire Securities First Empire Securities Cantella & Co., Inc Gantella & Co., Inc Cantella & Co., Inc Cantella & Co., Inc First Empire Securities First Empire Securities First Empire Securities First Amangement Chandler Asset Management Chandler Asset Management Chandler Asset Management Chandler Asset Management Chandler Asset Management Chandler Asset Management Chandler Asset Management	Cantella & Co., Ino Chandler Asset Management Chandler Asset Management	Mortage-Backed Security: First Empire Securities	Asset-Backed Securities: Chandler Asset Management Chandler Asset Management Chandler Asset Management Chandler Asset Management Chandler Asset Management Chandler Asset Management Chandler Asset Management

10%

0.94%

233,616

233,772

233,789

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CITY OF STANTON INVESTMENTS SEPTEMBER 2017

Investment Type/ Broker	Institution	CUSIP Number	Purchase Yield	Coupon Rate	Purchase Price	Date	Date of Maturity	Next Call Date (NC=noncallable)	Par Value	Purchase Amount	Current Market Value	Percent of Portfolio	Maximum Percent
			1.87% Weighted Average Yield				1,110 WAM	days	20,951,802 - 20,951,802	21,010,332 (58,005) 20,952,327	20,946,220	84.37%	• •
Local Agency Inve Bank of the West	Local Agency Investment Fund (LAIF) Bank of the West		0.29%				10/1/2017		3,696,757 186,122	3,696,757 186,122	3,696,758 186,122	14.89% 0.75%	100% 100%
			Veighted a	1.58% incl LAIF, investments Weighted and money market	istments arket	I	939 WAM	days	24,834,681	24,835,205	24,829,099	18.53%	
			Average Yield							0.8437			

Attachment C

CITY OF STANTON CASH AND INVESTMENT BALANCES BY FUND TYPE September 30, 2017

		Cash and		
Fund Type	lr	nvestments		Totals
General Fund:				
Pooled	\$	(7,771,226)		
Other Accounts *		21,348,153	\$	13,576,927
Special Revenue, Capital Proj	ects ar	nd Enterprise Fu	ınds:	
Gas Tax		1,498,009		······································
Measure M		1,457,555		
Fire Emergency Services		(142,366)		
Lighting & Median Maint.		1,670,333		
Sewer Maintenance		3,599,275		
Other		1,833,195		9,916,000
Internal Service Funds	-			1,263,452
Trust Funds				252,279
Total Cash and Investmer	t Bala	ances	\$	25,008,658

* 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: October 24, 2017

SUBJECT: SEPTEMBER 2017 INVESTMENT REPORT (SUCCESSOR AGENCY)

REPORT IN BRIEF:

The Investment Report as of September 30, 2017 has been prepared in accordance with the City's Investment Policy and California Government Code Section 53646.

RECOMMENDED ACTION:

- 1. Successor Agency 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 September 2017.

BACKGROUND:

The attached reports summarize the Successor Agency investments and deposit balances as of September 2017. 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 September 2017 was 1.11%.

The Agency recently refunded the Tax Allocation Bonds for 2011A and B as well as a portion of the 2010 series with series 2016C & D bonds. The Agency's investments are shown on Attachment A and have a weighted investment yield of 0.66%, which is below the benchmark LAIF return of 1.11%, as the portfolio is completely liquid.

With a completely liquid portfolio, the weighted average maturity of the Agency's

Successor Agency Agenda Item # SA



investments at September 30, 2017 is 1 day. LAIF's average maturity at September 30, 2017 is approximately 190 days.

FISCAL IMPACT:

All deposits and investments have been made in accordance with the City's 2017-18 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

Attachments:

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

hand by

James A. Box **Executive Director**

Approved:

Attachment A

SUCCESSOR AGENCY TO THE STANTON REDEVELOPMENT AGENCY INVESTMENTS AND DEPOSITS September 30, 2017

Investment Type	Institution	lssuer/ Broker	Date of Maturity	Interest Rate	Par Value	Cost	Market Value	MV Source
Local Agenc State Treasurer's Pool - SA portion Fund (LAIF)	Local Agency investment Fund (LAIF)	State of California	On Demand	1.11%	θ	7,831,000 \$ 7,831,000 \$ 7,833,139 LAIF	\$ 7,833,139	LAIF
imprest Account - SA portion	Bank of the West	Bank of the West	On Demand	N/A	(76,794)	(76,794)	Bank (76,794) West	Bank of the West
Clawback - Demand Deposits/Money Market Account	Bank of the West Money Market	Bank of the West	On Demand	0.29%	9,138,692	9,138,692	Bank 9,138,692 West	Bank of the West

Total Cash Investments and Deposits

16,895,036

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\$ 16,892,897

Bond Funds Held by Trustees:

Investment		Issuer/	CUSIP	Date of	Interest	Par		Market	NN/
Type	Institution	Broker	Number	Maturity	Rate	Value	Cost	Value	Source
2010 Tax Allocation Bonds (Tax-Exempt)	ixempt)								
Principal:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2 On Demand	On Demand	0.02%	\$8.65	\$8.65	\$8.65	\$8.65 US Bank
Interest:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2 On Demand	On Demand	0.02%	\$0.06	\$0.06	\$0.06	\$0.06 US Bank
Special Fund:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2 On Demand	On Demand	0.02%	\$20.07	\$20.07	\$20.07	\$20.07 US Bank
Reserve Account:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2 On Demand	On Demand	0.02%	\$0.06	\$0.06	\$0.06	\$0.06 US Bank
Cash Equivalent	LAIF	US Bank	99LA009W8 On Demand	On Demand	1.11%	\$1,137,615.55	\$1,137,615.55	\$1,137,615.55 US Bank	US Bank

Total 2010 Tax Allocation Bonds (Tax-Exempt)

\$1,137,644 \$1,137,644

Investment		Issuer/	CUSIP	Date of	Interest	Par		Market	NV NV
Type	Institution	Broker	Number	Maturity	Rate	Value	Cost	Value	Source
2016 Series A and B						-			
Debt Service Fund									
Cash Equivalents	US Bank Money Market	US Bank	9AMMF05B2	9AMMF05B2 On Demand	0.02%	\$21.41	\$21.41	\$21.41	\$21.41 US Bank
Interest Fund:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	9AMMF05B2 On Demand	0.02%	\$600,246.60	\$600,246.60	\$600,246.60 US Bank	US Bank
Principle Account									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	9AMMF05B2 On Demand	0.02%	\$345,446.86	\$345,446.86	\$345,446.86 US Bank	US Bank

Total 2016 Series A and B

945,715 s 945,715 ഗ

Investment Tvne	Institution	Issuer/ Broker	CUSIP	Date of Maturity	Interest Rate	Par Value	Cost	Market Value	MV Source
1994			2						
2016 Series C and D									
Debt Service Fund:						- ·			
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$20.75	\$20.75	\$20.75	\$20.75 US Bank
Interest Account:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$25.54	\$25.54	\$25.54	\$25.54 US Bank
Principle Account:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2	On Demand	0.02%	\$0.00	\$0.00	\$0.00	\$0.00 US Bank
Cost of Issuance Fund:									
Cash Equivalent	US Bank Money Market	US Bank	9AMMF05B2 On Demand	On Demand	0.02%	\$0.00	\$0.00	\$0.00	\$0.00 US Bank
	100 Dat IN MICHER INTERIOR							1 2 2 2 2 4	-

Total 2016 Series C and D

Total Bond Fund Investments and Deposits (3)

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.

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46 φ 46 ⇔ \$2,083,406 \$2,083,406

SUCCESSOR AGENCY TO THE STANTON REDEVELOPMENT AGENCY

POOLED CASH BALANCES BY FUND TYPE September 30, 2017

Fund	Cash Balance
710 Project 2000 Debt	
Service Fund	-
711 Redevelopment Debt Service Fund	
712 Redevelopment Obligation Retirement	
Fund	5,844,818
720 Low and Moderate Income	
Housing Fund	-
721 Housing Successor Fund	-
730 Community Redevelopment Administration Fund	н
731 Successor Agency Admin Fund	(65,349)
740 Redevelopment Project Fund	-
741 Successor Agency Project Fund	1,974,736
741 Cash DDR Clawback	9,138,692

TOTAL CASH BALANCE

\$ 16,892,897

CITY OF STANTON

REPORT TO THE STANTON HOUSING AUTHORITY

TO: Honorable Chair and Members of the Housing Authority

DATE: October 24, 2017

SUBJECT: SEPTEMBER 2017 INVESTMENT REPORT (HOUSING AUTHORITY)

REPORT IN BRIEF:

The Investment Report as of September 30, 2017 has been prepared in accordance with the City's Investment Policy and California Government Code Section 53646.

RECOMMENDED ACTION:

- 1. Stanton Housing Authority 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 September 2017.

BACKGROUND:

The attached reports summarize the Stanton Housing Authority investments and deposit balances as of September 2017. A summary of the Housing Authority's investments and deposits is included as Attachment A. The Housing Authority's cash balances by fund are presented in Attachment B.

ANALYSIS:

The Housing Authority'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 September 2017 was 1.11%.

The Agency's investments are shown on Attachment A and have a weighted investment yield of 1.11%, as almost the entire portfolio is invested in LAIF.

With investments almost completely in LAIF, the portfolio is completely liquid, and the weighted average maturity of the Housing Authority's investments at September 30, 2017 is 1 day. LAIF's average maturity at September 30, 2017 is approximately 190

Housing Authority Agenda Item # SHA



days.

FISCAL IMPACT:

All deposits and investments have been made in accordance with the City's 2017-18 Investment Policy.

The portfolio will allow the Housing Authority 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

Attachments:

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

James A. Box Executive Director

Approved:

Attachment A

SUCCESSOR AGENCY TO THE STANTON REDEVELOPMENT AGENCY INVESTMENTS AND DEPOSITS September 30, 2017

Investment Tune	Inctitution	lssuer/ Broker	Date of Maturity	Interest Rate	در 	Value	Cost	Value	Source
246									
State Treasurer's Pool - HA portion	Local Agency Investment Fund (LAIF)	State of California On Demand	On Demand	1.11%	φ	745,152 \$	\$ 745,152 \$	\$ 745,356 LAIF	LAIF
Imprest Account - SA portion	Bank of the West	Bank of the West On Demand	On Demand	N/A	\$	(2,307)	(7,307)	Bank (7,307) West	Bank of the West
State Treasurer's Pool - Housing Authority Account	Local Agency Investment Fund (LAIF)	State of California On Demand	On Demand	1.11%	\$	5,265,000	5,265,000 \$ 5,265,000 \$	\$ 5,266,438 LAIF	LAIF

Total Cash Investments and Deposits

6,004,487

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6,002,845

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Notes:

There have been no exceptions to the Investment Policy.
 The Housing Authority is able to meet its expenditure requirements for the next six months.

Attachment B

HOUSING AUTHORITY

POOLED CASH BALANCES BY FUND TYPE September 30, 2017

Fund	Cash Balance
285 Housing Authority Fund	6,002,845
TOTAL CASH BALANCE	\$ 6,002,845

CITY OF STANTON

REPORT TO THE CITY COUNCIL

TO: Honorable Mayor and City Council

DATE: October 10, 2017

SUBJECT: AGREEMENT WITH HINDERLITER, DE LLAMAS & ASSOCIATES

REPORT IN BRIEF:

Hinderliter, de Llamas & Associates (HdL) has been the City's sales, property tax, and transactions and use tax consultants since 1987. Over the past 29 years, HdL's service fee has been held at the same constant rate since its original contract was first enacted. HdL is now requesting that a new Agreement for Sales, and Transactions Tax Audit and Information Services be adopted to reflect increasing service costs and more modern contract terms.

RECOMMENDED ACTION:

That City Council

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

BACKGROUND:

HdL's sales and use contract fee of \$300 per month has been held at the current level since the agreement was originally executed on 9/22/1987. HdL currently conducts data analysis of the forthcoming sales and transactions and use tax revenue, and audits filings to ensure that appropriate amounts are being remitted. HdL is equipped to point out potential mispayments by businesses within the City limits.

HdL was founded in 1983 and established to maximize local government revenues by providing a variety of audits, analytical services and software products. The City of Stanton first signed a contract with HdL for sales tax services in 1987, for property tax

Council Agenda Item #



services in 1995, and for transactions and use tax in 2015. HdL Companies is currently being utilized by over 380 agencies in six states.

ANALYSIS/JUSTIFICATION:

Over the past 29 years, HdL has significantly expanded their service level, number and quality of management reports, and has added detailed sale tax budget estimates to their scope of services to the City. HdL has also developed a web-based sales tax application that provides immediate access to the City's latest sales tax information. The shift towards a web-based software has eliminated the need for City staff to track and install updates that were formerly provided on CDs and ensures that the data collected is always the most current information available.

Additionally, the City's economic base and sale tax revenue has grown by more than 38% over the past 26 years.

FISCAL IMPACT:

HdL's rate would increase from \$300 to \$350 a month, indexed for inflation. The net increase for this fiscal year is \$800 which can be covered in the existing budget.

ENVIRONMENTAL IMPACT:

None.

LEGAL REVIEW:

The City Attorney has reviewed and approved the attached agreement.

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

Approved by:

James A.|Box City Manager

Attachment:

A. Agreement for Sales, and Transactions Tax Audit and Information Services

AGREEMENT FOR SALES, USE AND TRANSACTIONS TAX AUDIT AND INFORMATION SERVICES

This Agreement is made and entered into as of the 24th day of October, 2017 (the "Effective Date") by and between the CITY OF STANTON, a municipal corporation hereinafter called ("CITY"), and HINDERLITER, de LLAMAS AND ASSOCIATES a California Corporation, hereinafter called ("CONTRACTOR").

RECITALS

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WHEREAS, sales, use and transactions tax (sometimes collectively referred to herein as "sales and use tax") revenues can be increased through a system of continuous monitoring, identification and correction of allocation errors, and

WHEREAS, an effective program of sales and use tax management will improve identification of economic opportunities; provide for more accurate sales and use tax forecasting; and assist in related revenue collections; and

WHEREAS, CITY desires the combination of data entry, report preparation and analysis necessary to effectively manage its sales and use tax base; the recovery of revenues erroneously allocated to other jurisdictions and allocation pools; and to maximize its financial and economic planning; and

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

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

II. SERVICES

The CONTRACTOR shall perform the following services (collectively, the "Services"):

A. SALES TAX AND ECONOMIC ANALYSIS SERVICES

- 1. CONTRACTOR shall establish a special database that identifies the name, address and quarterly allocations of all sales tax producers within the CITY for the most current and all quarters back to fiscal year 1988-1989 or earlier, if the CITY has prior historical sales tax data available on computer readable magnetic media. This database will be utilized to generate special reports to the CITY on: major sales tax producers by rank and category, sales tax activity by categories, or business districts, identification of reporting aberrations, and per capita and outlet comparisons with regional and statewide sales.
- 2. CONTRACTOR shall provide updated reports following each calendar quarter identifying changes in sales by individual businesses, business groups and categories and by geographic area. These reports may include, without limitation, quarterly aberrations due to State audits, fund transfers, and receivables along with late or double payments, and quarterly reconciliation worksheets to assist with budget forecasting. CONTRACTOR shall meet quarterly with CITY.
- 3. CONTRACTOR shall additionally provide following each calendar quarter a summary analysis for the CITY to share with Council Members Chambers of Commerce, other economic development interest groups and the public that analyze CITY'S sales tax trends by major groups, and geographic areas without disclosing confidential information.

4. CONTRACTOR shall make available to CITY staff CONTRACTOR's web-based sales tax computer software program containing sellers permit and quarterly allocation information for all in-city business outlets registered with the Board of Equalization and updated quarterly. This software shall allow CITY staff to search businesses by street address, account number, business name, business type and keyword, arrange data by geographic area, and print out a variety of reports.

B. ALLOCATION AUDIT AND RECOVERY SERVICES

- 1. CONTRACTOR shall conduct initial and on-going sales, use and transactions tax audits to identify and correct distribution and allocation errors, and to proactively affect favorable registration, reporting or formula changes thereby generating previously unrealized sales, use and transactions tax income for the CITY and/or recovering misallocated tax from previously properly registered taxpayers. Common errors that will be monitored and corrected include, but are not limited to: transposition errors resulting in misallocations; erroneous consolidation of multiple outlets; formula errors, misreporting of "point of sale" to the wrong location; delays in reporting new outlets; misallocating use tax payments to the allocation pools or wrong jurisdiction; and erroneous fund transfers and adjustments.
- 2. CONTRACTOR shall initiate contacts with state agencies, and sales management and accounting officials in companies that have businesses where a probability of error exists to verify whether current tax receipts accurately reflect the local sales activity. Such contacts will be conducted in a professional and courteous manner.
- 3. CONTRACTOR shall (i) prepare and submit to the Board of Equalization information for the purpose of correcting allocation errors that are identified and (ii) follow-up with individual businesses and the State Board of Equalization to promote recovery by the CITY of back or prospective quarterly payments that may be owing.

4. If during the course of its audit, CONTRACTOR finds businesses located in the CITY that are properly reporting sales and use tax but have the potential for modifying their operation to provide an even greater share to the CITY, CONTRACTOR may so advise CITY and work with those businesses and the CITY to encourage such changes.

C. CONSULTING AND OTHER OPTIONAL SERVICES

CONTRACTOR may, from time to time in its sole discretion, consult with CITY staff, including without limitation, regarding (i) technical questions and other issues related to sales, use and transactions tax; (ii) utilization of reports to enhance business license collection efforts; and (iii) sales tax projections for proposed annexations, economic development projects and budget planning. In addition to the foregoing optional consulting services, CONTRACTOR may, from time to time in its sole discretion, perform other optional Services, including without limitation, negotiating/review of tax sharing agreements, establishing purchasing corporations, and meeting with taxpayers to encourage self-assessment of use tax.

III. CONSIDERATION

, , , , ,

A. CONTRACTOR shall provide the sales tax and economic analysis Services described in Section II-A above for a fee of \$350 per month, commencing with the month of the Effective Date (hereafter referred to as "monthly fee"). The monthly fee shall be invoiced quarterly in arrears, and shall be paid by CITY no later than 30 days after the invoice date. The monthly fee shall increase annually following the month of the Effective Date by the percentage increase in the "CPI" for the preceding twelve month period. In no event shall the monthly fee be reduced by this calculation. For purposes of this Agreement, the "CPI" shall mean the Consumer Price Index - All Urban Consumers for the surrounding statistical metropolitan area nearest CITY, All Items (1982-84 = 100), as published by the

U.S. Department of Labor, Bureau of Labor Statistics, or, if such index should cease to be published, any reasonably comparable index selected by CONTRACTOR.

- B. 1. CONTRACTOR shall be further paid 15% of all new and recovered sales, use and transactions tax revenue received by the CITY as a result, in whole or in part, of the allocation audit and recovery services described in Section II-B above (hereafter referred to as "audit fee"), including without limitation, any reimbursement or other payment from any state fund and any point of sale misallocations.
 - 2. The audit fee shall be paid even if CITY assists, works in parallel with, and/or incurs attorneys' fees or other costs or expenses in connection with any of the relevant Services. Among other things, the audit fee applies to state fund transfers received for back quarter reallocations and monies received in the first eight consecutive reporting quarters following completion of the allocation audit by CONTRACTOR and confirmation of corrections by the State Board of Equalization. CITY shall pay audit fees upon CONTRACTOR'S submittal of evidence of CONTRACTOR'S work in support of recovery of subject revenue, including, without limitation, copies of BOE 549-S petition forms of any other correspondence between CONTRACTOR and the Board of Equalization or the taxpayer.
 - 3. For any increase in the tax reported by businesses already properly making tax payments to CITY, it shall be CONTRACTOR's responsibility to support in its invoices the audit fee attributable, in whole or in part, to CONTRACTOR's Services.

C. CONTRACTOR shall invoice CITY for any consulting and other optional Services rendered to CITY in accordance with Section II-C above based on the following hourly rates on a monthly or a quarterly basis, at CONTRACTOR's option. All such invoices shall be payable by CITY no later than 30 days following the invoice date. CITY shall not be invoiced for any consulting Services totaling less than an hour in any month. The hourly rates in effect as of the Effective Date are as follows:

Principal	\$295 per hour
Programmer	\$250 per hour
Senior Analyst	\$195 per hour
Analyst	\$100 per hour

CONTRACTOR may change such hourly rates from time to time upon not less than 30 days' prior written notice to CITY.

- D. Any invoices not paid in accordance with the Thirty (30) day payment terms, shall accrue monthly interest at a rate equivalent to ten percent (10%) per annum until paid.
- E. CONTRACTOR unilaterally retains the right to divide any recovery bills in excess of \$25,000 over a one (1) year period (Four (4) quarterly billings).
- F. CONTRACTOR shall provide CITY with an itemized quarterly invoice showing all formula calculations and amounts due for the audit fee (including, without limitation, a detailed listing of any corrected misallocations), which shall be paid by CITY no later than 30 days following the invoice date.

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IV. CONFIDENTIALITY; OWNERSHIP/USE OF INFORMATION

- A. Section 7056 of the State of California Revenue and Taxation Code specifically limits the disclosure of confidential taxpayer information contained in the records of the State Board of Equalization. Section 7056 specifies the conditions under which a CITY may authorize persons other than CITY officers and employees to examine State Sales and Use Tax records.
- B. The following conditions specified in Section 7056-(b), (1) of the State of California Revenue and Taxation Code are hereby made part of this Agreement:
 - 1. CONTRACTOR is authorized by this Agreement to examine sales, use or transactions and use tax records of the Board of Equalization provided to CITY pursuant to contract under the Bradley-Burns Uniform Sales and Use Tax Law Revenue and Taxation Code section 7200 et.seq.
 - 2. CONTRACTOR is required to disclose information contained in, or derived from, those sales, use or transactions and use tax records only to an officer or employee of the CITY who is authorized by resolution to examine the information.
 - CONTRACTOR is prohibited from performing consulting services for a retailer, as defined in California Revenue & Taxation Code Section 6015, during the term of this Agreement.
 - 4. CONTRACTOR is prohibited from retaining the information contained in, or derived from those sales, use or transactions and use tax records, after this Agreement has expired. Information obtained by examination of Board of Equalization records shall be used only for purposes related to collection of local sales and use tax or for other governmental functions of the CITY as set forth by resolution adopted pursuant to Section 7056 (b) of the Revenue and Taxation Code.

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The resolution shall designate the CONTRACTOR as a person authorized to examine sales and use tax records and certify that this Agreement meets the requirements set forth above and in Section 7056 (b), (1) of the Revenue and Taxation Code.

- C. <u>Software Use</u>. CONTRACTOR hereby provides authorization to CITY to access CONTRACTOR'S Sales Tax website if CITY chooses to subscribe to the software and reports option. The website shall only be used by authorized CITY staff. No access will be granted to any third party without explicit written authorization by CONTRACTOR. CITY shall not sublet, duplicate, modify, decompile, reverse engineer, disassemble, or attempt to derive the source code of said software. The software use granted hereunder shall not imply ownership by CITY of said software, or any right of CITY to sell said software or the use of same, or any right to use said software for the benefit of others. This software use authorization is not transferable. Upon termination or expiration of this Agreement, the software use authorization shall expire, and all CITY staff website logins shall be de-activated.
- D. <u>Proprietary Information</u>. As used herein, the term "proprietary information" means all information or material that has or could have commercial value or other utility in CONTRACTOR's business, including without limitation: CONTRACTOR'S (i) computer or data processing programs; (ii) data processing applications, routines, subroutines, techniques or systems; desktop or web-based software; (iii) business processes; (iv) marketing plans, analysis and strategies; and (v) materials and techniques used; as well as the terms and conditions of this Agreement. Except as otherwise required by law, CITY shall hold in confidence and shall not use (except as expressly authorized by this Agreement) or disclose to any other party any proprietary information provided, learned of or obtained by CITY in connection with this Agreement. The obligations imposed by this Section IV-D shall survive any expiration or termination of

this Agreement or otherwise. The terms of this Section IV-D shall not apply to any information that is public information.

V. CITY MATERIALS AND SUPPORT

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CITY shall adopt a resolution in a form acceptable to the State Board of Equalization and in compliance with Section 7056 of the Revenue and Taxation Code, authorizing CONTRACTOR to examine the confidential sales tax records of CITY. CITY further agrees to provide any information or assistance that may readily be available such as business license records within the CITY and to provide CONTRACTOR with proper identification for contacting businesses. CITY further agrees to continue CONTRACTOR's authorization to examine the confidential sales tax records of the CITY by maintaining CONTRACTOR's name on the CITY resolution or by providing copies of future allocation reports on computer readable magnetic media until such time as all audit adjustments have been completed by the State Board of Equalization and any audit fee owing to CONTRACTOR has been paid.

VI. LICENSE, PERMITS, FEES AND ASSESSMENTS

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

VII. TERMINATION

This Agreement may be terminated for convenience by either party by giving 30 days written notice to the other of such termination and specifying the effective date thereof. Upon the presentation of such notice, CONTRACTOR may continue to perform Services through the date of termination. Following termination of this Agreement, CITY shall continue to timely pay CONTRACTOR's invoices for Services performed and not paid for prior to termination. Anything to the contrary herein notwithstanding (and without limitation on the foregoing sentence), CITY shall continue to pay to CONTRACTOR the audit fee for tax payments received by CITY after termination of this Agreement from (i) state fund transfers for back quarter reallocations and the first eight consecutive calendar quarters following completion of the allocation audit by CONTRACTOR and confirmation of corrections by the State Board of Equalization; and (ii) businesses identified by CONTRACTOR pursuant to Section III-B-3 above, to the extent such businesses commence or continue to make increased tax payments during the first 24 months following termination of this Agreement.

VIII. INDEPENDENT CONTRACTOR

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

IX. NON-ASSIGNMENT

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

X. INSURANCE

CONTRACTOR shall maintain the policies set out below, and in amounts of coverage not less than those indicated herein. Additionally, where required by CITY, CONTRACTOR shall name the CITY as an additional insured on CONTRACTOR'S comprehensive general liability policy and provide a Certificate of Insurance.

1. Worker's Compensation and Employer's Liability. In accordance with applicable law.

- <u>Comprehensive General Liability</u>. Bodily injury liability in the amount of \$1,000,000 for each person in any one accident, and \$1,000,000 for injuries sustained by two or more persons in any one accident. Property damage liability in the amount of \$1,000,000 for each accident, and \$2,000,000 aggregate for each year of the policy period.
- 3. <u>Comprehensive Automobile Liability</u>. Bodily injury liability coverage of \$1,000,000 for each accident.
- 4. <u>Errors and Omissions.</u> In addition to any other insurance required by this Agreement, CONTRACTOR shall provide and maintain, during the term of this Agreement, professional liability insurance in the amount of \$1,000,000 as evidenced by a Certificate of Insurance.

XI. INDEMNIFICATION

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

CITY hereby agrees to, and shall hold CONTRACTOR, its officers, agents and employees, harmless from any liability for damage or claims for damage for personal injury, including death, as well as from claims for breach of confidentiality or property damage which may arise from CITY'S negligent acts, errors or omissions including misuse or improper disclosure of confidential information contained in reports submitted by contractor under this Agreement. CITY agrees to and shall defend CONTRACTOR and its officers, agents and employees from any suits or actions at law or in equity for damage caused, or alleged to have

been caused, by reason of any of the aforesaid negligent acts, errors or omissions and/or misuse or improper disclosure of confidential information.

XII. IRREPARABLE HARM

CONTRACTOR and CITY each understands and agrees that any breach of this Agreement by either of them may cause the other party hereto irreparable harm, the amount of which may be difficult to ascertain, and therefore agrees that such other party shall have the right to apply to a court of competent jurisdiction for specific performance and/or an order restraining and enjoining any further breach and for such other relief as such other party shall deem appropriate. Such right is to be in addition to the remedies otherwise available to such other party at law or in equity. The parties hereto expressly waive the defense that a remedy in damages will be adequate and any requirement in an action for specific performance or injunction hereunder for the posting of a bond.

XIII. GOVERNING LAW

This Agreement shall be governed by and construed in accordance with the laws of the State of California (without regard to its choice of law provisions). If any legal action is necessary to enforce or interpret this Agreement, the parties agree that such action shall be brought in the Superior Court for the State of California, County of Orange County, or the U.S. District Court for the Central District of California, Western Division. The parties hereby submit to the exclusive jurisdiction of such courts and waive any other venue to which either party might be entitled by domicile or otherwise.

XIV. ATTORNEYS' FEES

If any party hereto brings an action or proceeding under this Agreement or to declare rights hereunder, the Prevailing Party in any such proceeding, action, or appeal thereon shall be entitled to recover all reasonable fees, costs and expenses, including reasonable attorneys' 940431.4-6 Page 12 of 15 fees. Such fees, costs and expenses may be awarded in the same suit or recovered in a separate suit, whether or not such action or proceeding is pursued to decision or judgment. The attorneys' fees award shall not be computed in accordance with any court fee schedule, but shall be such as to fully reimburse all attorneys' fees reasonably incurred. "Prevailing Party" shall mean and include, without limitation, a party who substantially obtains or defeats the relief sought, as the case may be, whether by compromise, settlement, judgment, or the abandonment by the other party of its claim or defense.

XV. SEVERABILITY; NO WAIVER

The invalidity or unenforceability of any provision of this Agreement shall not affect the validity or enforceability of the other provisions of this Agreement, which shall remain in full force and effect. If any of the provisions of this Agreement shall be deemed to be unenforceable by reason of its extent, duration, scope or otherwise, then the parties contemplate that the court making such determination shall enforce the remaining provisions of this Agreement, and shall reduce such extent, duration, scope, or other provision and shall enforce them in their reduced form for all purposes contemplated by this Agreement. No failure or delay by either party in exercising any right, power or privilege hereunder shall operate as a waiver thereof, nor shall any single or partial exercise thereof preclude any other or further exercise thereof or the exercise of any right, power or privilege hereunder.

XVI. NOTICES

All notices sent by a party under this Agreement shall be in writing and shall be deemed properly delivered to the other party as of the date of receipt, if received on a business day prior to 3:00 PM local time, or otherwise on the next business day after receipt, provided delivery occurs personally, by courier service, or by U.S. mail to the other party at its address set forth below, or to such other address as either party may, by written notice, designate to the other party. Notices to CONTRACTOR shall be sent to HINDERLITER, de LLAMAS and ASSOCIATES, 1340 Valley Vista Drive, Suite 200, Diamond Bar, CA 91765; and notices to CITY shall be sent to CITY OF STANTON, 7800 Katella Avenue, Stanton, CA 90680.

XVII. ENTIRE AGREEMENT; ETC.

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This Agreement expresses the full and complete understanding of the parties with respect to the subject matter hereof and supersedes all prior or contemporaneous proposals, agreements, representations and understandings, whether written or oral, with respect to the subject matter. This Agreement may not be amended or modified except in writing signed by each of the parties hereto. This Agreement shall be construed as to its fair meaning and not strictly for or against either party. The headings hereof are descriptive only and not to be construed in interpreting the provisions hereof.

XVIII. COUNTERPARTS; AUTHORITY TO SIGN

This Agreement may be executed in any number of counterparts, each of which will constitute an original and all of which, when taken together, will constitute one agreement. Any signature pages of this Agreement transmitted by facsimile or sent by email in portable document format (PDF) will have the same legal effect as an original executed signature page. Each of the persons signing on behalf of a party hereto represents that he or she has the right and power to execute this Agreement on such party's behalf. IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed on the date first above written by their respective officers duly authorized in their behalf.

CITY:

CITY OF STANTON

City Manager

City Clerk

CONTRACTOR:

HINDERLITER, DE LLAMAS & ASSOCIATES A California Corporation

By:

Jeffrey Schmehr, Chief Financial Officer

APPROVED AS TO FORM:

City Attorney

CITY OF STANTON

REPORT TO CITY COUNCIL

TO: Honorable Mayor and Members of the City Council

DATE: October 24, 2017

SUBJECT: RESOLUTION NO. 2017-44 OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 2014-146 FOR THE PROPERTY LOCATED AT 8771 KATELLA

REPORT IN BRIEF:

The final parcel map for the development located at 8771 Katella has been completed and reviewed by all required departments and agencies. This final parcel map is in compliance with the City's General Plan and zoning land use designations.

RECOMMENDED ACTION:

That the City Council:

- 1. Adopt Resolution No. 2017-44 (Attachment) approving Final Parcel Map No. 2014-146; and
- 2. Find that the recordation of Final Parcel Map No. 2014-146 will not be in violation of any of the provisions of Section 66474, 66474.1, and 66474.2 of the Subdivision Map Act; and
- 3. Find that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan required by Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of the Government Code, and any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of the Government Code.

BACKGROUND:

In 2014, the Planning Commission approved the subdivision of a 0.23 acre site into two parcels for the development of two-single family homes for the property located at 8771 Katella Ave. After the proposal was approved, the property was sold and the new owner was delayed in the implementation of the project. The project is now moving forward, with permits ready to be issued by the Building Division, and the final map has been reviewed by the County.

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The final parcel map has been reviewed, and found to be in compliance with the City's general plan and zoning land use designations.

ANALYSIS/JUSTIFICATION:

Recording of the final parcel map is required per Section 66426 of the Subdivision Map Act. The City Engineer has reviewed the Final Parcel Map No. 2014-146 and all associated documentation, and is satisfied that the final parcel map substantially complies with the City's general plan and zoning land use designations.

FISCAL IMPACT:

None.

ENVIRONMENTAL IMPACT:

In accordance with the requirements of the CEQA this project has been determined to be categorically exempt under Section 15332, Class 32 (In-Fill Development Projects).

LEGAL REVIEW:

None.

PUBLIC NOTIFICATION:

Notifications and advertisement were performed as prescribed by law.

STRATEGIC PLAN OBJECTIVE ADDRESSED:

2 - Provide a Strong Local Economy

repared by:

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

Approved by: Jame's A. Box City Manager

RESOLUTION NO. 2017-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 2014-146 FOR THE PROPERTY LOCATED AT 8771 KATELLA AVENUE

WHEREAS, in October of 2014 the Planning Commission of the City of Stanton conditionally approved Tentative Parcel Map 2014-146, located at 8771 Katella Avenue; and

WHEREAS, all necessary documentation associated with this subdivision have been reviewed by the City Engineer; and

WHEREAS, the final parcel map is substantially in compliance with the previously approved Tentative Parcel Map 2014-146; and

WHEREAS, the City Council has made the finding that none of the conditions for mandatory denial exist relative to the proposed subdivision, in accordance with Section 66474, 66474.1 and 66474.2 of the Subdivision Map Act; and

WHEREAS, the City Council finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan required by Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of the Government Code, or any specific plan adopted pursuant to Article 8 (commencing with Section) 65450) of Chapter 3 of Division 1 of the Government Code; and

WHEREAS, the City Council finds that final Parcel Map No. 2014-146 satisfies the provisions of the Subdivision Map Act, Stanton Municipal Code and the Conditions of Approval,

NOW THEREFORE, BE IT RESOLVED that the City Council of the City of Stanton, California, hereby approves final Parcel Map No. 2014-146.

ADOPTED, SIGNED AND APPROVED this 24th day of October 2017.

C. WARREN, MAYOR

APPROVED AS TO FORM:

MAL RICHARDSON, CITY ATTORNEY

ATTEST:

I, Patricia Vazquez, City Clerk of the City of Stanton, California DO HEREBY CERTIFY that the foregoing Resolution, being Resolution No. 2017-44 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 October 24, 2017, and that the same was adopted, signed and approved by the following vote to wit:

AYES:	
NOES:	
ABSENT:	
ABSTAIN:	

PATRICIA VAZQUEZ, CITY CLERK

CITY OF STANTON

REPORT TO CITY COUNCIL

TO: Honorable Mayor and Members of the City Council

DATE: October 24, 2017

SUBJECT: APPROVAL OF THE STANTON SEWER SERVICE CHARGE ADJUSTMENT POLICY

REPORT IN BRIEF:

On August 2017, the City held a second reading of Ordinance No. 1068 which established a sewer user fee unit rate for sewer services. During that second reading, staff presented a recommendation from Harris & Associates' to establish an appeal process for residents wishing to obtain a rate adjustment or refund from the newly adopted Annual Sewer Service Charge methodology.

In order to comply with the recommendation from Harris & Associates' of establishing an appeal process as put forth in the second hearing of Ordinance No. 1068, staff is presenting a complete Sewer Service Charge Adjustment Policy as an exhibit to Resolution No. 2017-42 for City Council's review and approval.

RECOMMENDED ACTION:

- 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. Adopt Resolution 2017-42 entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, APPROVING A CITY OF STANTON SEWER SERVICE ADJUSTMENT POLICY"

BACKGROUND:

As of March 1, 1988, the City of Stanton operates and maintains a sewer collection system that serves customers within the City. This network of sanitary sewers serves approximately 40,000 residents and is comprised of 55.4 miles of mains with

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approximately 550 Manholes and 5,000 sewer laterals. In order to provide sufficient revenue for the operation of the Stanton Sewer Department the City Council must annually adopt an ordinance to establish a user fee rate for sewer services for each fiscal year.

On June 13, 2017, the City approved Harris & Associates' Annual Report for the Sewer Service Charge Fiscal Year 2017-18 which proposed the revision of the rate structure for non-residential properties to determine the discharge of wastewater into the City's Sewer System utilizing the typical wastewater discharge rates as determined by the Orange County Sanitation District, which are based on building area and land use. Since the report included a change in the methodology used to calculate the Annual Sewer Service Charge for non-residential parcels, the City followed the procedures required under Article XIII D, section 6 of the California Constitution, including holding a public hearing and majority protest proceeding.

On June 27, 2017, the City held a public hearing introducing Ordinance No. 1068, which adopted the newly suggested changes in the Annual Sewer Service Charge methodology for 2017-2018. Upon the second reading of Ordinance No. 1068 on August 8, 2017, Harris & Associates' recommended that the City should establish an appeal process for the Annual Sewer Service Charges from its property owners.

ANALYSIS/JUSTIFICATION:

The proposed Sewer Service Adjustment Policy would establish an appeal process for residents who believe that they are not being charged the appropriate amount for their annual sewer service fees. The submission of individual appeals allows for a complete evaluation of a single property by the Administrative Services Department.

There are two situations where a property owner can request an appeal. Appeals can be requested by declaring that: a) their parcel was not connected to the sewerage system, or b) their actual water usage was at least 50% below the predicted usage for their business' use category.

Resolution 2017-42 establishes an appeal process for property owners who believe that they are not being charged an appropriate Annual Sewer Service Charge.

FISCAL IMPACT:

The magnitude of the potential reduction in revenue is undetermined at this time, however the City's loss in revenue is not expected to be substantially significant as the methodology for Annual Sewer Service Charges has a fairly assessed methodology and strong supportive data behind its determinations.

ENVIRONMENTAL IMPACT:

Not applicable.

LEGAL REVIEW:

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

PUBLIC NOTIFICATION:

Through the normal agenda process.

STRATEGIC PLAN OBJECTIVE ADDRESSED:

4. Ensure Fiscal Stability and Efficiency in Governance

Prepared by:

Stephen M. Parker, CPA Administrative Services Director

James A. Box City Manager

Approved by:

Attachment:

- A. Resolution No. 2017-42
- B. Exhibit A: Sewer Charges
- C. Exhibit B: Stanton Sewer Service Charge Adjustment Policy

RESOLUTION NO. 2017-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, APPROVING A SEWER SERVICE CHARGE ADJUSTMENT POLICY

WHEREAS, the City of Stanton ("City") is successor agency of the Stanton County Water District under Reorganization No. 88; and

WHEREAS, the City currently operates and maintains a sewer collection system that serves the City. The network of sanitary sewers serves approximately 40,000 residents and is comprised of 55.4 miles of mains with approximately 550 manholes and 5,000 sewer laterals; and

WHEREAS, the City charges fees to operate the citywide sewer collection system, and the sewer system is managed with an enterprise account. The rates customers pay may only be spent on the sewer system; and

WHEREAS, on June 13, 2017 the City approved Harris & Associates' Annual Report for the Sewer Service Charge Fiscal Year 2017-18 which proposed the revision of the rate structure for nonresidential properties to be based on the discharge of wastewater into the City's sewer collection system utilizing the typical wastewater discharge rates as determined by Orange County Sanitation District; and

WHEREAS, the sewer charges for residential parcels are determined based on estimated discharge of wastewater into the City's sewer system based on land use, and includes rates per dwelling unit for detached residential, multi-family residential/condo, and mobile homes/mobile home parks, determined as a percentage of the cost per single family residence per unit, all as more specifically set forth in Exhibit A hereto; and

WHEREAS, the sewer charges for non-residential customers are calculated as a percentage of single family residences per 1,000 square feet or unit, all as more specifically set forth in Exhibit A hereto; and

WHEREAS, on August 8, 2018 in conjunction with the approval of Ordinance 1068, City Council directed staff to establish a sewer service charge appeal process to be approved by City Council, in conjunction with Harris & Associates' recommendation; and

WHEREAS, the Sewer Service Charge Adjustment Policy is attached to this resolution as Exhibit B.

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

<u>SECTION 1.</u> The City Council finds that the above recitations are true and correct and, accordingly, are incorporated as a material part of this Resolution.

SECTION 2. The City Council finds that this project is exempt from 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.

<u>SECTION 3.</u> The City of Stanton Sewer Service Charge Adjustment Policy as attached as Exhibit B is hereby approved and adopted.

<u>SECTION 4.</u> The City Clerk shall certify as to the adoption of this Resolution.

ADOPTED, SIGNED AND APPROVED this 24th day of October, 2017.

CAROL WARREN, 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. 2017-42 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 October 24, 2017, 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

Sewer Charges

Residential Sewer Charges

Posidential Land Lines	Fiscal Year					
Residential Land Uses	Current	2017/18	2018/19	2019/20	2020/21	2021/22
Detached Single Family Residential	\$ 62.96	\$ 62.96	\$ 65.16	\$ 67.44	\$ 69.80	\$ 72.25
MFR/Condo	\$ 50.37	\$ 50.37	\$ 52.13	\$ 53.96	\$ 55.84	\$ 57.80
Mobile Home/ MHP (Park)	\$ 31.48	\$ 31.48	\$ 32.58	\$ 33.72	\$ 34.90	\$ 36.12

Non-Residential Sewer Charges

The table below shows the annual Charge for non-residential parcels per 1,000 square feet of building area as a percentage of the detached residential unit rate (Single Family Residence or "SFR") based upon the typical wastewater discharge rates determined by the Orange County Sanitation District for parcels within the District. The annual Charge for nonresidential parcels is calculated by multiplying the applicable percentage shown in Table 2 based upon the Assessor's Use Code times the Detached Residential Charge to determine the rate to be charged per building square footage divided by 1,000.

Use Code	Description	Percentage of SFR Per 1,000 SF or Unit
001	Vacant Land	0%
005	Common Area	0%
006	"Hold" Parcel	0%
008	Equivalent to Vacant	0%
121	Minimal or no Value	0%
122	Subsurface Parcel	0%
124	Oil/Mineral Rights	0%
125	Mineral Rights Equip	0%
126	Vacant Common Area-Imp Alloc.	0%
201	Homeowners Exemption Addtl	0%
666	Unassigned Vacant	0%
777	Septic Tank Property	0%
112	Steel Building	7%
113	Mini-Warehouse	7%
058	Nurseries (Plants)	10%
100	Drive-In Theater	10%
044	Lumber/Constr. Material Yard	17%
071	Parking Garage	17%
072	Paved Parking Lot	17%
110	Warehouse - Single Tenant	17%

111	Marchauga Multi Tanant	170/
111	Warehouse-Multi Tenant	17%
115	Recreational Vehicle Storage	17%
116	Truck Terminal	17%
033	Church Buildings	20%
094	Department Store	23%
095	Discount Store	23%
096	Unattached Single Store	23%
097	Strip Store	23%
074	Recreational Vehicle Park	27%
036	Financial Buildings	27%
040	Health Club	29%
068	High Rise Office	30%
225	US Post Office	35%
021	Auto Dealership	41%
022	Auto Repair Shop	41%
023	Auto Service	41%
024	Used Car Lot	41%
039	Golf Course	41%
057	Motorcycle/Small Vehicle Bldg.	41%
083	Auto Service Station	41%
084	Marine Service Station	41%
086	Combo - Svc Station/Convenience	41%
065	Single Office Bldgs to 3 Stories	41%
066	Small Office Center	41%
067	Office Complex	41%
069	Converted Residence to Office	41%
007	Mobile Home	50%
055	Mobile Home Park	50%
107	Light Industrial - Single Tenant	50%
108	Light Industrial - Multi Tenant	50%
109	Research & Development	50%
114	Industrial Park	50%
037	Fraternal Buildings	51%
101	Unattached Theater	51%
026	Airport and Related Buildings	53%
045	Marinas	53%
088	Low Flow Center	53%
003	Two or more Residences	70%
010	Duplex Only	70%
011	Triplex Only	70%
012	04-Units Only	70%
013	5 to 16 Units	70%
014	17 to 25 Units	70%
L ·		

015	26 to 40 Units	70%
016	41-99 Units Only	70%
017	100 or more Units	70%
018	Developed with Mix of Forms	70%
063	Low Rise Retirement Building	70%
064	High Rise Retirement Building	70%
056	Low Demand Hotel/Motel	70%
081	Pre-Schools, Nursery or Care	82%
082	Private Schools	82%
098	Store with Offices or Living Quarter	82%
099	Store with Office Upstairs	82%
118	Governmental Use Vac/Dev	82%
019	SFR with 1 or 2 Rental Units	85%
034	Dormitory	97%
042	Hospital	97%
043	High Demand Hotel/Motel	97%
000	Conversion-C/1, Rural PC	100%
002	One Residence	100%
004	Miscellaneous Improvement	100%
085	Combo Serv. Station/Restaurant	100%
103	Chemical Tank and Bulk Storage	100%
104	Food Processing Plant	100%
105	Cold Storage Plant	100%
106	Factory	100%
119	Public Utility	100%
120	Water Mutual or Company	100%
888	Conversion-Composite Prop.	100%
032	Cemetery & Related Bidgs.	101%
038	Funeral Home	101%
060	Nursing Home	102%
061	Convalescent Hospitals	102%
062	Converted Res. Used as Nursing	102%
028	Bowling Alleys	112%
092	Skating Rinks	112%
050	Single Medical Bldgs to 3 Stories	124%
051	Small Medical Center	124%
052	Medical Center Complex	124%
053	High Rise Medical	124%
054	Converted Residence to Medical	124%
089	Average Flow Center	139%
020	Amusement Parks	144%
035	Entertainment Center	144%
073	Recreation	144%

030	Coin Operated Car Wash	151%
047	Supermarket	151%
048	Convenience Market	151%
224	Nightclub	200%
090	High Flow Center	226%
076	Restaurant-Low Demand	300%
077	Restaurant-Coffee Shop	600%
078	Restaurant-Dinner House	600%
079	Restaurant-Conversion from SF	600%
029	Conventional Car Wash	796%
223	Laundromat	800%

NOTE: Multiply the Table 2 Residential Unit Rate by the percentage figure above in order to determine the rate per 1,000 square feet for the commercial or industrial user. The minimum Annual Sewer Charge any non-residential parcel which is connected to the City's sewer's system shall pay shall be equal to the Charge for a Detached Residential unit. No Charge shall be levied on parcels not connected to the City's sanitary sewer collection system.

Exhibit B

Sewer Service Charge Adjustment Policy

I. Purpose.

The purpose of this policy is to govern the processing of sewer service charge appeals in order to resolve ratepayer issues and inquiries as quickly as possible.

By making an appeal, the appellant is claiming that the City's methodology for estimating sewer use yielded an inaccurate estimation for the appellant's parcel. The City's methodology bases the estimated discharge of wastewater into the City's sanitary sewer collection system as determined by the Orange County Sanitation District (OCSD) for the calculation of the District's charges on parcels within the City for the conveyance and treatment of wastewater from the City's collection system to Orange County Sanitation District.

The purpose of an appeal is to show that the City's methodology was inaccurate for a parcel for any of the following reasons: (i) parcel is on septic, or (ii) actual water usage was at least 50% below the predicted usage for the use category.

II. Manner of Submission.

A "Sewer Service Charge Claim Form," must be submitted along with a copy of the current fiscal year's tax bill as well as proof of payment of that bill. All applicable supplemental forms must be included with the claim form in order for the appeal to be considered. A submission will be rendered incomplete if applicable supplemental forms are not included.

Supplemental forms include:

- Non-owners must complete a signed original Letter of Authorization for Agent Representing Parcel Owner.
- Property owners on septic must completed a signed original Septic Tank Claim Form
- Copies of water bills or a printed copy of consumption history from the water agency must be submitted if an adjustment based on actual water usage is requested. The water bills or consumption history must cover the most recent calendar year (January 1st December 31st). A meter verification form must also be submitted stating that the claim contains all water meters associated with the parcel

Forms will be made available at the City Hall Front Counter, (located at 7800 Katella Ave. Stanton, CA 90680), and online on the City website, (http://ci.stanton.ca.us/Departments/City-Documents-and-Forms). Completed forms must be submitted in person, by e-mail or by mail to the Administrative Services Director in order to be considered. Only forms that have been fully completed will be considered. Partially completed forms will be returned unprocessed.

If the City receives an incomplete submission, the Administrative Services Department will notify the submitter within 30 days of receipt that the submission is incomplete and that the review period will not begin until the City receives a complete submission.

III. Time of Submission.

All submission forms must be completed and be received by the Administrative Services Director or designated representative, no later than May 1st of that fiscal year. This time frame allows for residents to attach copies of their tax bill for the current fiscal year and proof of payment of the current fiscal years' tax bill.

IV. Review.

All appeals will be reviewed and conducted by the Administrative Services Director, or designee. All appeals shall be conducted by review of the written request submitted by the sewer customer on (and along with) the appeals form. The reviewer may also request additional information from the appellant if they believe that such information would be helpful to the resolution of the appeal. Upon receipt of the claim form, the reviewer shall make all determinations within 30 days.

V. Standards for Review.

Appeals shall be granted only if the Administrative Services Director determines that any of the following conditions exist on the parcel: (i) parcel was not connected to the sewerage system (ii) actual water usage was at least 50% below the predicted usage for the use category.

VI. Calculation of Adjustment.

If the Administrative Services Director determines that an appeal should be granted, he or she must calculate an adjusted sewer service charge for the sewer customer. The adjusted sewer service charge should be calculated based on the use category that the Administrative Services Director believes best applies to the appellant.

VII. Implementation of Adjustment.

The City will directly refund the sewer service customer the difference between the original and the new adjusted rate.

If requested and approved, Annual Sewer Service Charge Adjustments are only valid for the current year and up to one (1) prospective fiscal year. Upon the second year, residents are required to submit a new claim form with the Administrative Services Department to reevaluate the adjustment.

VII. Finality

The determination of the Administrative Services Department shall be final and non-appealable.

CITY OF STANTON REPORT TO CITY COUNCIL

TO: Honorable Mayor and Members of the City Council

DATE: October 24, 2017

SUBJECT: CONSIDERATION OF TRAFFIC CALMING MEASURES ON LOLA AVENUE BETWEEN DALE AVENUE AND MAGNOLIA AVENUE

REPORT IN BRIEF:

Based on concerns at a recent Talk on the Block, the City Council directed staff to determine potential traffic calming measures on Lola Avenue. Staff engaged the City's traffic engineering consultant to prepare a report on Lola Avenue with potential traffic calming measures. A meeting with residents was held on Lola to explain the different measures and their locations. A vote was conducted of the residents on Lola and the results are being presented to the City Council with recommended traffic calming measures.

RECOMMENDED ACTION:

- City Council declare that the project is exempt from the California Environmental Quality Act ("CEQA") under Section 15301(c) - consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.
- 2. Review the staff report and direct staff regarding the installation of traffic calming measures on Lola Avenue.

BACKGROUND:

Several residents near and on Lola Avenue have expressed concerns regarding speeding on Lola Avenue between Dale Avenue and Magnolia Avenue at a recent Talk on the Block. At a subsequent City Council meeting, the Council directed staff to evaluate the possibility of traffic calming measures, including speed bumps, to slow traffic on this street. Staff engaged our traffic engineering consultant to conduct a Traffic Calming Analysis on Lola Avenue from Dale Street to Magnolia.



ANALYSIS:

Lola Avenue is a two-lane street classified as a local residential street and is oriented in the east-west direction. The speed limit on Lola Avenue is 25 miles per hour and the area is comprised of single-family residential homes. The primary focus of the study was to analyze the issues of the neighborhood mobility and safety along Lola Avenue between Dale Street and Magnolia Avenue.

During the study, the street segment was analyzed for average daily traffic (ADT) volumes, vehicle speeds, and viable roadway traffic calming measures. A field review was performed to determine vehicle travel patterns, existing road geometry and sight distance per CA-MUTCD and Caltrans criteria. The following traffic calming measures are applicable to resolving traffic issues on Lola Avenue:

The first measure would be to add radar speed feedback signs on the street near the east and west ends. These signs create no negative impact on the nearby residences.

The second measure would be to add a centerline down the street. There is currently no center line along Lola Avenue causing there to be a wider area for drivers to speed when traveling down the study corridor. Implementing a centerline would reduce the lane width available. Studies have shown decreasing lane widths are effective at reducing vehicle speeds. Unlike other traffic calming measures there is no physical obstruction to local residents nor are there noise effects.

The third measure would be adding several speed cushions throughout Lola Avenue. Speed cushions are design so that it can effectively reduce speed while allowing emergency vehicles to pass unimpeded. The downside of speed cushions would be the noise level it can produce and the impact on vehicles/passengers traveling over them.

Many cities have defined Traffic Calming Programs that dictate a process for the implementation of traffic calming measures. These programs typically include acceptable traffic calming devices, the process for implementing these measures, and a process for reviewing/removing them. Many traffic calming measures have negative impacts for the residents living near them, so it is important to be very deliberate in the approval process for certain measures.

When staff reviewed the three potential measures, the installation of speed feedback signs seemed to be the only one without any negative impacts as opposed to the other two. In regards to the centerline stripe, residents sometimes believe it makes a street look more commercial. In regards to speed cushions, there are both the "bump' that all vehicles experience plus there is noise for the adjacent residents. Cities with traffic calming programs typically put measures with impacts to a vote of the residents on the

subject street.

In order that the residents were fully informed prior to the vote, on September 14th a meeting was held at the north end of Hollenbeck Park to explain the measures. Allan Rigg and Councilmember Ramirez presented to a group of 25 residents. Each option was described to the residents, with actual speed cushions being temporarily located on the street. A City vehicle drove over the cushions several times so that the group could understand the impacts to the driver and the noise impact to those near the cushion. Markings were placed on the pavement at each of the four locations where each speed cushion was proposed.

A ballot was sent out on September 20th to each residence on Lola for their vote on each cushion and on the centerline stripe. Staff received 17 out of 52 ballots sent to residents living only on Lola Avenue. The measures receiving a positive vote are the installation of a yellow longitudinal centerline and speed cushions be placed in front of Hollenbeck Park.

Based on the lack of negative impacts from the speed feedback signs and the vote of the neighborhood, staff recommends the following traffic calming measures: Measure Cost

Speed Feedback Signs	\$8,000
Speed Cushions at Hollenbeck	\$6,000
Centerline Stripe	\$2,000

As is typical in most traffic calming policies, these measures would be evaluated after six months to determine their effectiveness. New measurements of speeds/volumes on the street will be taken and compared to the speeds/volumes prior to the installations. A new report will be brought back to the City Council for review.

FISCAL IMPACT:

Funding is available from Gas Tax Funding.

ENVIRONMENTAL IMPACT:

In accordance with the requirements of the California Environmental Quality Act (CEQA), the proposed traffic calming measures would be exempt from the California Environmental Quality Act ("CEQA") under Section 15301(c) - consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination..

LEGAL REVIEW:

None.

PUBLIC NOTIFICATION:

Notifications and advertisement were performed as prescribed by law.

STRATEGIC PLAN OBJECTIVE ADDRESSED:

3 - Provide a quality infrastructure.

ກ່epared by:

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

Concur:

Stepheń Parker, CPA Administrative Services Director

Approved: James A Box City Manager

Attachments:

- 1) Traffic Calming Report
- 2) Speed Cushion Plan
- 3) Ballot

Lola Avenue from Dale Street to Magnolia Avenue

Traffic Calming Analysis Draft Report

Prepared for: City of Stanton

.

Prepared by: W.G. Zimmerman Engineering, Inc. 17011 Beach Boulevard, Suite 1240 Huntington Beach, CA 92647 Phone: (714) 799 – 1700 Fax: (714) 333 – 4712

July 2017

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INTRODUCTION

The purpose of this report is to present the findings of a traffic calming analysis along Lola Avenue between Dale Street and Magnolia Avenue. Residents on Lola Avenue have raised concerns regarding speeding vehicles along the road segment. At the request of the City, W.G. Zimmerman Engineering performed an analysis along Lola Avenue to evaluate traffic patterns and propose possible mitigation measures. The study was based upon the California Edition of the Manual of Uniform Transportation Control Devices (CA-MUTCD) (2014 Latest Revision), the Orange County Fire Authority Traffic Calming Devices Guidelines (2017) and the Transportation Research Board Highway Capacity Manual (2010). A Location map of the study area is provided below as Figure 1.

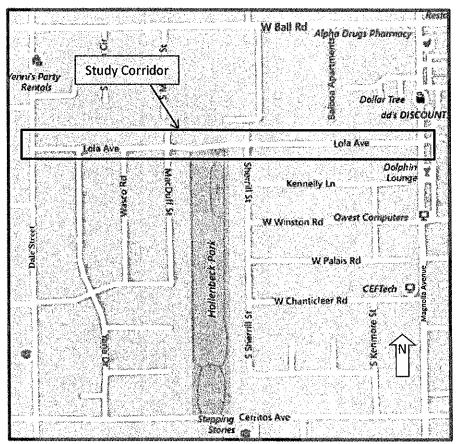


Figure 1: Location Map

EXISTING CONDITIONS:

Lola Avenue is a two-lane street classified as a local residential street and is oriented in the east-west direction. The speed limit on Lola Avenue is 25 miles per hour. The area surrounding Lola Avenue is comprised of single-family residential homes. Curbside parking is permitted along Lola Avenue. The study area limits include the following intersections:

- Lola Avenue and Dale Street
- Lola Avenue and East 21th Street
- Lola Avenue and Wasco Road (Stop Controlled)
- Lola Avenue and Macduff Street
- Lola Avenue and Sherrill Street (Stop Controlled)
- Lola Avenue and Magnolia Avenue

W.G. Zimmerman Engineering, Inc. 17011 Beach Blvd, Suite 1240 Huntington Beach, CA 92647 (714) 799 -1700 / (714) 333 -4712 Fax



All of the intersections are unsignalized. An aerial map of the study corridor location is provided below as Figure 2.



Figure 2: Aerial Map

CONCERN

The primary focus of this study is to analyze the issues of neighborhood mobility and safety along Lola Avenue between Dale Street and Magnolia Avenue. Some residents raised concerns about unusually high vehicle speeds and cut through traffic within the study area. It is suspected that commuters are using Lola Avenue as an alternate route to avoid traffic on West Ball Road.

METHODOLOGY

The street segment was analyzed for average daily traffic (ADT) volumes, vehicle speeds, and viable roadway traffic calming measures. A field review was performed to determine vehicle travel patterns, existing road geometry and sight distance per CA-MUTCD and Caltrans criteria.

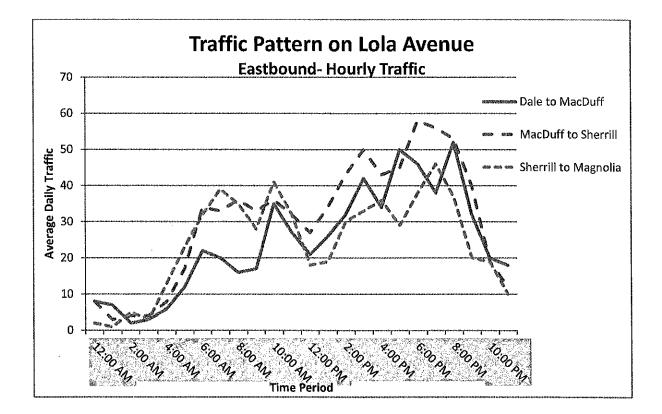


TRAFFIC VOLUMES

Traffic volumes were used to evaluate the traffic pattern along Lola Avenue. The average daily traffic (ADT) counts were conducted in July 2017 by Counts Unlimited, Inc. The traffic counts are provided in the Attachment A. The ADT for eastbound and westbound traffic on Lola Avenue is summarized in Table 1 and is displayed graphically by Figure 3.

	ADT (2	24 Hr.)
Road Segments	EB	WB
Dale Street to Macduff Street	586	633
Macduff Street to Sherrill Street	728	768
Sherrill Street to Magnolia Avenue	589	593
Average	635	664

Table 1: Lola Avenue ADT Table



WGZE

W.G. Zimmerman Engineering, Inc. 17011 Beach Blvd, Suite 1240 Huntington Beach, CA 92647 (714) 799 -1700 / (714) 333 -4712 Fax

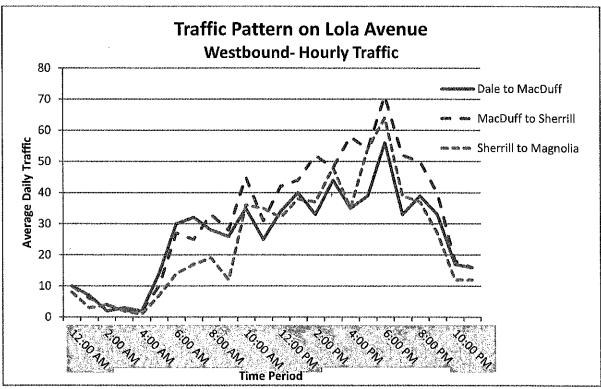


Figure 3: Lola Avenue ADT Graphs

An analysis of the traffic pattern shows that the majority of eastbound and westbound traffic on Lola Avenue occurs during the afternoon period. The traffic counts suggest that drivers may be using the westward direction of Lola Avenue as a cut through pathway, likely to avoid traffic on Ball Road. The Macduff Street to Sherrill Street segment has a higher number of vehicle trips when compared to the two other segments. This is most likely due to the fact that the segment acts as a connector for the residential areas on the east and west sides of Hollenbeck Park. The current ADT for Lola Avenue is approximately 1,300 vehicles.

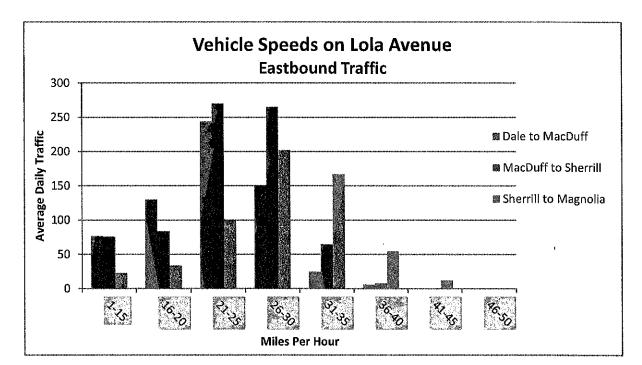
VECHICLE SPEEDS

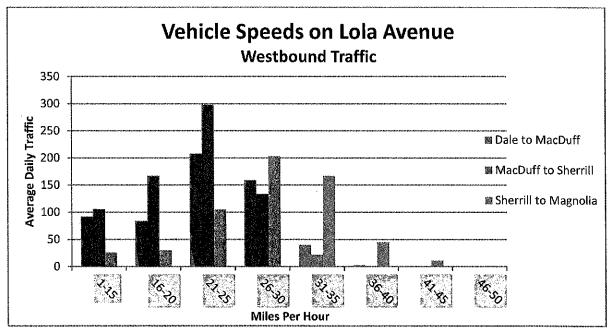
A speed survey was taken to measure the traffic patterns of driver along Lola Avenue. The speed data is provided in the Attachment A. A summary of the vehicle speeds are shown in Table 2 and are displayed graphically by Figure 4.

	85th Percentile Speed (MPH)		95 th Percentile Speed (MPH)	
Road Segments	EB	WB	EB	WB
Dale Street to Macduff Street	28	27	31	29
Macduff Street to Sherrill Street	26	29	29	32
Sherrill Street to Magnolia Avenue	34	34	38	38

Table 2: Lola Avenue Speed	Table
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W.G. Zimmerman Engineering, Inc. 17011 Beach Blvd, Suite 1240 Huntington Beach, CA 92647 (714) 799 -1700 / (714) 333 -4712 Fax An analysis of the vehicle speeds along Lola Avenue shows that the 85th percentile speed for all three roadway segments are above the posted speed limit of 25 miles per hour. The Sherrill Street to Magnolia Avenue roadway segment has the highest vehicle speeds of the three roadway segmetns. The Sherrill Street to Magnolia Avenue segment has an 85th percentile speed that is 35 miles per hour, which is 9 mile per hour greater than the regulatory speed limit. Based on the traffic data, speeding appears to be the biggest issue on the roadway segments. Figure 4 shows that there is a high proportion of vehicles traveling above the speed limit on the Lola Avenue corridor.

TRAFFIC CALMING MEASURES

There is a variety of traffic calming measures that are applicable to resolving traffic issues on Lola Avenue. Table 3 below lists the benefits and drawbacks of each possible mitigation measure. The measures are listed in order of least intrusive to most intrusive.

	Advantages	Disadvantages
Pavement Markings: "Slow Ahead"	Least initial costs. Easy to modify.	Easily ignored by drivers. No active feedback from device.
Narrowing Lane Width/ Edgeline Striping	Low cost to install and easy maintenance. Works similar to curb extensions without the liability. Delineates parking areas. Easy to modify.	Cars and trucks may misuse if painted.
Longitudinal Markings	Low cost to install and easy maintenance. Easy to modify.	Cars and trucks may misuse if painted.
Signs: Speed Limit Traffic Calming Area No Trucks CMS Speed Sign Radar Speed limit sign with feedback	Alerts Drivers before entering the neighborhood. Least initial costs. Easy to modify. Will slow traffic, discourage cut-through. Shown to have a minor effect in reducing vehicular speeds. Such signs have been shown to be most effective in school zones. Creation of positive public relations, better acceptance of speeding tickets, and its	Too many signs may confuse or be ignored by drivers. Signs may be considered as annoying by residents. Requires constant enforcement. Potential vandalism to the equipment if left unattended. It may encourage speeding by those who wish to "test" it. Its speed reduction effectiveness is isolated to the immediate area and time of its use,
Rumble Strips	ability to act as a teaching device. Short term effectiveness.	and this likely will diminish over time. Noise. Possible vibration of nearby homes.
Raised Crosswalks	Works similar to speed tables, but at intersections. Effective in conjunction with curb extensions and speed tables.	Not a long tern solution. High costs for installation and maintenance. Noise may be an issue.

Table 3: Traffic Calming Measures Comparison Table



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Speed Cushion	Allows for emergency vehicles to pass	Noise can be an issue.
	without slowing down.	Pavement maintenance is difficult and costly.
	Effective speed reduction near speed	
	cushion.	
	Traffic volume reduction.	
Speed Hump	Reductions in 85th percentile speeds ranging	Noise.
	from 3 MPH to 14 MPH between speed	Slows down emergency vehicles.
	humps and from 6 MPH to 27 MPH at the	Have a more severe impact on longer wheel
	speed hump location.	base vehicles.
	Traffic volume reduction.	
Speed Tables	Effective when combined with the curb	Questionable effectiveness for 85 th % speed
	extensions or medians.	noted.
		Maybe confused with a crosswalk.
		Noise can be an issue.
		Pavement maintenance is difficult and costly.
		High costs.
Median Islands	Discourage truck traffic.	Additional signage required.
	Discourages cut-through traffic.	Slows only approaching traffic.
	Slows approaching traffic.	High costs.
		Potential parking and driveway conflicts.
Curb Extensions	Alternating locations create a meandering	High costs.
(Bulb-outs)	effect in the roadway.	Slows only vehicles adjacent to the
	Good for diverting trucks by installing at	installation.
	intersection.	May create a problem for the incoming left
	Slows approaching traffic.	turns.
		Potential drainage, trash pick-up, street
		sweeping, driveway, and parking conflicts.
Mountable	No thru traffic.	Slows emergency vehicles response.
Landscape Island	Slows traffic.	Higher maintenance costs.
and Knuckles	Beautifies roadway.	Separates neighborhoods.
(Cul-de-Sac)	Allows emergency access	Possible drainage, trash, transit conflicts.

After comparing the benefits and disadvantages of several traffic calming measures, WGZE was able to condense possible mitigation measures into four options. The four measures were chosen based on existing neighborhood roadway conditions, location, and effectiveness.

LONGITUDINAL MARKINGS:

WGZE looked at the possibility of implementing longitudinal markings along Lola Avenue in order to reduce traffic speeds. There is currently no center line along Lola Avenue causing there to be a wider area for drivers to speed when traveling down the study corridor. Implementing a centerline would reduce the lane width available due to the on-street parking on both sides of Lola Avenue. The eastbound and westbound directions would be left with 10 foot lanes through which the vehicles must be guided. Studies have shown decreasing lane widths are effective at reducing vehicle speeds. Unlike other traffic calming measures there is no psychical obstruction to local residents nor are there noise effects. Installing longitudinal striping along Lola Avenue will cost a lump sum of approximately \$3,000.



RADAR SPEED LIMIT SIGN WITH FEEDBACK

Speed limit signs with feedback is a variable message sign equipped with a radar gun which displays the posted speed limit and the approaching driver's speed. Its purpose is to increase driver awareness of the roadway's regulatory speed limit and their own travel speed. This traffic control device would be most effective on the roadway segment between Sherrill Street and Magnolia Avenue, where vehicles have the highest 85th percentile speeds. Speed limit signs can be utilized on low volume roads and display the regulation speed limit following an engineering study. It is important to place signs as close as possible to residential property lines to avoid the visual obstruction of adjacent homes. The cost of each sign is approximately \$5,000.

LATERAL PAINTED RUMBLE STRIPS

Rumble strips are a series of either bumps or depressions in the pavement. They are intended to alert drivers of a special situation, such as a speed reduction or stop ahead condition. They are typically 0.5" to 1.5" or deep, 3" to 4" wide and placed 90" to traffic flow. Rumble strips can be a good intermediate traffic calming measure to help reduce traffic speeds. Their cost is approximately \$1 per linear foot. The length of the rumble strip series should be limited to reduce noise and vibration concerns near homes.

SPEED CUSHIONS

Speed humps and speed cushions are a traffic calming measures that are designed to reduce vehicles speeds along a roadway. We analyzed the application of speed humps and speed cushions per National Association of City Transportation Officials (NACTO) Updated Guidelines for the Design and Application of Speed Humps (2007) and ITE Recommended Practice for the Design and Application of Speed Humps (1997). There are a few criteria that must be met for theses mitigation measures to be considered.

In order to justify the installation of a speed hump or speed table, the 85th percentile speed of a street section must be at least 35 miles per hour or 5 miles per hour over the regulatory speed limit. A speed survey on Lola Avenue provided by the Counts Unlimited shows that the 85th percentile speeds are 34 miles per hour for the eastbound and westbound directions between Sherrill Street and Magnolia Avenue. Both directions have 85th percentile speeds that are greater than 5 miles per hour above the current 25 miles per hour speed limit on Lola Avenue. Speed cushions have shown to be an effective way tool for reducing traffic speeds while allowing for emergency vehicles to pass unimpeded. The cost for each speed cushion set is approximately \$4,000 (three rubber speed cushions per location).

CONCLUSION

The primary focus of this study is to analyze the issues of neighborhood mobility and safety along the residential street corridor, Lola Avenue. Based on the traffic analysis, vehicle patterns show the presence of high vehicle speeds primarily during afternoon traffic on Lola Avenue. Drivers are using the roadway segments in between stop signs as a straight-away to speed up.

There are a few options to restrict speeds along Lola Avenue. The concerning access points are at the intersection of Lola Avenue/ Dale Street and Lola Avenue/Magnolia Avenue. The applicable mitigation measures will focus on traffic between these intersections and the reduction of vehicle speeds to improve neighborhood safety. The following recommendations should help alleviate the high vehicle speeds and some of the cut-through traffic on Lola Avenue. Residents will need to be consulted before implementation of the traffic calming measures take effect in order ensure neighborhood acceptance.



RECOMMENDATIONS

- Send Sheriff's Department selected enforcement.
- Phase 1: Paint double yellow centerline stripe along Lola Avenue between Dale Avenue and Magnolia Avenue per CA-MUTCD (2014). Monitor effect on traffic speed and determine if further traffic calming measures are needed.
- Phase 2: Install radar speed limit sign with feedback on Lola Avenue between Sherrill Street and Magnolia Avenue per CA-MUTCD (2014). Monitor effect on traffic speed and determine if further traffic calming measures are needed.
- Phase 3: Install lateral painted rumble strips on Lola Avenue between Macduff Street/Sherrill Street and Sherrill Street/Magnolia Avenue per CA-MUTCD (2014). Monitor effect on traffic speed and determine if further traffic calming measures are needed.
- Phase 4: Install two 3" high speed cushions with advanced warning signs on Lola Avenue between Sherrill Street and Magnolia Avenue per Orange County Fire Authority Traffic Calming Devices Guidelines (2017).

Should you have questions regarding this report, please call me directly at (714) 799-1700 ext. 11.

Sincerely,

Bill Zimmerman, P.E., PTOE



ATTACHMENT A

Traffic Counts

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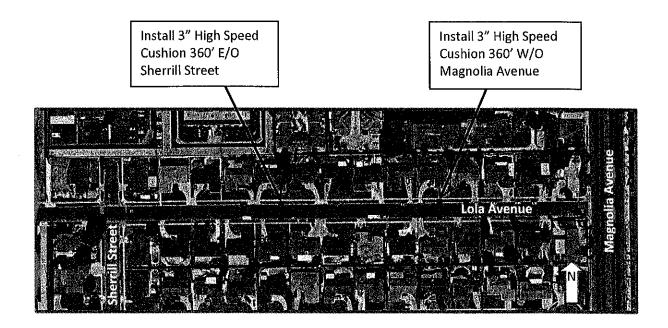
ATTACHMENT B

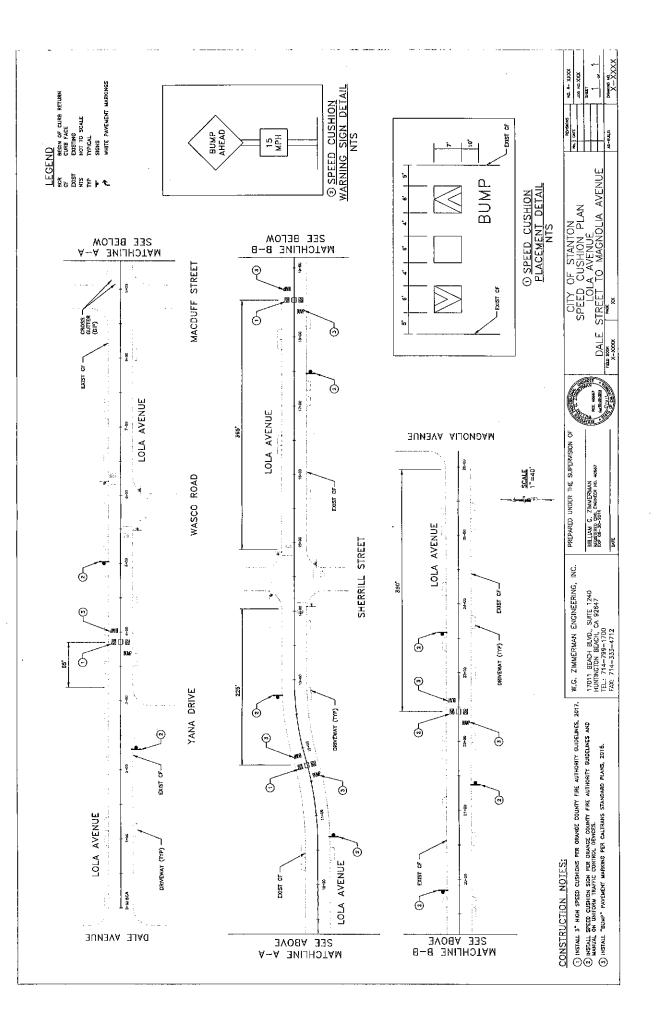
Traffic Calming Device Placement Exhibit

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Traffic Calming Device Exhibit

For Speed Cushion Locations







7800 Katella Avenue - Stanton, CA 90680 (714) 379-9222

OFFICIAL BALLOT

Dear Resident of Lola Avenue:

At the request of one of your neighbors, the City of Stanton conducted a Traffic Calming Analysis on Lola Avenue from Dale Street to Magnolia. Lola Avenue is a two-lane street classified as a local residential street and is oriented in the east-west direction. The speed limit on Lola Avenue is 25 miles per hour and the area is comprised of single-family residential homes. The primary focus of this study is to analyze the issues of the neighborhood mobility and safety along Lola Avenue between Dale Street and Magnolia Avenue.

During this study, the street segment was analyzed for average daily traffic (ADT) volumes, vehicle speeds, and viable roadway traffic calming measures. A field review was performed to determine vehicle travel patterns, existing road geometry and sight distance per CA-MUTCD and Caltrans criteria. The following traffic calming measures are applicable to resolving traffic issues on Lola Avenue:

The first measure would be adding pavement markings, signage and striping which include longitudinal markings. There is currently no center line along Lola Avenue causing there to be a wider area for drivers to speed when traveling down the study corridor. Implementing a centerline would reduce the lane width available. Studies have shown decreasing lane widths are effective at reducing vehicle speeds. Unlike other traffic calming measures there is no psychical obstruction to local residents nor are there noise effects.

The second measure would be adding several speed cushions throughout Lola Avenue. Speed cushions are design so that it can effectively reduce speed while allowing emergency vehicles to pass unimpeded. The downside of speed cushions would be the noise level it can produce.

The City of Stanton asks that you complete this survey by choosing the options listed below then printing and signing your name. Also include the name of your street and address number. Then return the survey by mail or if you wish, you may hand deliver your petition form to City Hall by Monday, October 2, 2017.

Only one vote per household, this includes residents with multiple families or roommates all living at the same location. Again, only one vote can be received from each address.

As a resident of a Stanton nei	ighborhood, I would like to see the City of Stanton implement:

YES NO

- □ □ Install a yellow longitudinal centerline from Dale Street to Magnolia.
- □ Speed cushion on Lola Ave. 65 feet east of Yana Dr. adjacent to 8561, 8571, 8591, and 8572 Lola Ave.
- □ □ Speed cushion on Lola Avenue 225 feet west of Sherrill Drive (Hollenbeck Park).
- □ □ Speed cushion on Lola Ave. 365 feet east of Sherrill Dr. adjacent to 8841, 8851, 8852, and 8842 Lola Ave.
- □ □ Speed cushion on Lola Ave. 350 feet west of Magnolia Ave. adjacent to 8901, 8921, 8922, and 8902 Lola Ave.
- □ □ I agree to allow a speed cushion to be installed in front of my home.

Print Name	Signature
Address	Phone Number

CITY OF STANTON

REPORT TO THE CITY COUNCIL

TO: Honorable Mayor and City Council

DATE: October 24, 2017

SUBJECT: AN ORDINANCE REGULATING ACCESSORY DWELLING UNITS, FORMERLY KNOWN AS SECONDARY DWELLING UNITS

REPORT IN BRIEF:

Introduce the Ordinance which will amend the Stanton Municipal Code pertaining to Accessory Dwelling Units. The purpose of the proposed amendment is to bring the City's Ordinance into compliance with requirements contained in Assembly Bill 2299 and Senate Bill 1069.

RECOMMENDED ACTION:

- Declare that the project is not subject to CEQA in accordance with Section 15282(h) as the actions of this Ordinance are taken to implement the provisions of State Government Code 65852.2 as set forth in Section 21080.17 of the Public Resources Code; and
- 2. Introduce Ordinance No. 1071, entitled:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA AMENDING SECTION 20.205.040, SECTION 20.210.010, TABLE 2-2 OF SECTION 20.210.020, TABLE 3-6 OF SECTION 20.320.030, SECTION 20.400.330, SECTION 20.410.020, SECTION 20.410.030, SECTION 20.410.050, AND SECTION 20.700.900 OF TITLE 20 OF THE STANTON MUNICIPAL CODE REGULATING ACCESSORY DWELLING UNITS"

3. Set Ordinance for adoption at the November 7, 2017 meeting.

BACKGROUND:

On September 27, 2016, the California Legislature passed Assembly Bill 2299 and Senate Bill 1069 (collectively, "AB 2299") amending existing State Law related to second dwelling unit regulations. The general purpose of the legislation was to provide additional opportunities for affordable housing in California. The new legislation imposes greater limits on a city's ability to restrict residential second units, which are now referred to as "accessory dwelling units" ("ADUs"). The new bills went into effect

Council Agenda Item #



on January 1, 2017 and require local agencies to bring existing zoning ordinances into compliance with the standards set forth in the new legislation.

Section 20.400.330 ("Second Dwelling Units") of the Stanton Municipal Code contains regulations for second dwelling units within specified residential zones subject to certain development standards and in compliance with California Government Codes.

ANALYSIS AND JUSTIFICATION:

The proposed amendments to the municipal code would be within Title 20 (Zoning). Within Title 20, the amendments would include modifications to the land use and parking tables, Section 20.205.040, Section 20.210.010, Section 20.400.330, Section 20.410.020, Section 20.410.030, Section 20.410.050, and Section 20.700.900 to modify the term "Second Dwelling Units" and change it to "Accessory Dwelling Units" and to update the development standards for this type of development to be in compliance with state law.

Since passage of AB 2299, residents of Stanton have inquired and submitted applications for accessory dwelling units. With increasing interest in accessory dwelling units, it is important for the City of Stanton to adopt language in Title 20 that accommodates current state law while addressing the needs of the City.

The new State Law amended various sections of the California Government Code that regulates second dwelling units which impose greater limits on a city's ability to restrict second dwelling units. The items listed below identify permissible areas of local regulation and describe the limitations that have been imposed on cities by the new regulation.

Upon evaluation of the requirements of the AB 2299, notable differences between the new requirements and current regulations were identified, which include the following:

Conversion of Existing Living Space

The new legislation requires a city to approve a building permit (no other permit may be required) for any ADU that: is the only ADU on a single-family lot, lies within the existing space of a single-family residence or accessory structure, has its own exterior access, and provides side and rear setbacks for fire safety (typical setbacks for the zone are considered sufficient). ADUs that satisfy these requirements are exempt from most other requirements.

Location

Cities are required to allow ADUs in at least some areas zoned for single-family or multifamily residential but can restrict ADU areas based on supported findings about the inadequacy of water and sewer services, the adverse impacts on traffic flow and safety, and other similar factors. The City's current Municipal Ordinance permits second dwelling units in all residential zones and therefore would remain the same.

Review Process

As under previous state law, cities are required to review all ADUs ministerially (no discretionary review or public hearing) and approve or deny within 120 days of

application. Currently, the City's Planning Division reviews and issues decisions on applications for ADUs and will continue to do so under the new legislation and ordinance.

Lot Development

AB 2299 requires cities to allow ADUs to be detached, attached, or located within (as in converted from) the existing living area. The current Municipal Ordinance allows second dwelling units to be attached or detached from the main dwelling unit but will need to include ADUs located within existing living area. The new legislation also gives the city discretion to restrict ADUs to one per lot which is consistent with current zoning requirements.

Rentals and Sales

Under AB 2299, cities must allow ADUs to be rented but has discretion to prohibit shortterm rentals and sale of the ADU separate from the primary dwelling. The City's Municipal Ordinance currently allows for second dwelling units to be rented but cannot be sold separately from the main dwelling. In addition, the ordinance as amended will explicitly prohibits short-term rentals, which is consistent with this requirement.

Occupancy

Cities cannot limit the number of occupants; short of the limits imposed by the Building Code but can restrict occupancy to an owner-occupant. Existing Municipal Ordinance does not set a limit to the number of occupants but it does restrict occupancy of the main dwelling or the accessory dwelling unit to an owner-occupant and therefore meets the requirements of AB 2299.

Parking Requirement

The new legislation gives cities the discretion to require up to one parking space per unit or one space per bedroom, whichever is less, except for the ADUs that meet the requirements listed below:

- that is within a half-mile of public transit, or
- that is in an architecturally or historically significant district, or
- that is in an existing primary residence or an existing accessory structure, or
- when an on-street parking permit is required but not offered to the occupant of the ADU, or
- when there is a car share vehicle located within one block of the ADU.

The current Municipal Ordinance requires one enclosed single-car garage per bedroom of the second dwelling unit. It further states that the Director may require one additional open parking space, in addition to the garage space, on a finding that additional space is necessary for the use of the second dwelling unit and/or that existing conditions in the local neighborhood require additional off-street parking. The City's existing Ordinance should be amended to allow for the minimum parking requirement for an ADU to be one parking space per unit or per bedroom, whichever is less, and can be in the form of covered, uncovered, or tandem parking unless specific findings are made that parking in setback areas or tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions, or that it is not permitted anywhere else in the jurisdiction. In this case, the City desires to prohibit tandem parking for ADUs except on driveways located adjacent to garages because allowing tandem parking would create a situation in the City's residential zones where the vehicle(s) belonging to the owner of a principle dwelling unit on a property may impede the vehicle(s) belonging to the owner or occupant of an ADU on the same property from being able to safely evacuate the property in an emergency, or vice versa.

Development Standards

Height – AB 2299 allows for cities to set height restrictions for ADUs. The City's existing Ordinance states that a second dwelling unit shall conform to the height requirement appropriate to the zone where it is located. This requirement would remain the same.

Setbacks – AB 2299 allows cities to require setback minimums for detached and attached ADUs. The City's existing Ordinance states that a second dwelling unit shall conform to the setback requirement appropriate to the zone where it is located. However, the new legislation requires a city to allow a garage-to-ADU conversion, without imposing setbacks on the former garage. If an ADU is proposed to be constructed above an existing garage, cities may require setbacks of up to five feet. The proposed Ordinance reflects these new requirements.

Size – AB 2299 allows for cities to regulate the minimum and maximum increased floor area of the unit. The City's existing Ordinance states that an attached second unit shall have a floor area that does not exceed 35 percent of the existing living area of the primary residence, or 700 square feet, whichever is less. A detached second unit shall have a floor area that does not exceed 45 percent of the existing living area of the primary residence, or 700 square feet, whichever is less. The proposed Ordinance would increase the size requirements to 50% in order to comply with AB 2299.

Lot Coverage – AB 2299 allows for cities to set lot coverage requirements for ADUs. The City's existing Ordinance states that a second dwelling unit shall conform to the lot coverage requirement appropriate to the zone where it is located. This requirement would remain the same.

Planning Commission Consideration

The Planning Commission held a public hearing to consider the proposed Ordinance at the October 4, 2017 meeting. At the conclusion of the public hearing, the Planning Commission unanimously voted to recommend approval of the Ordinance to the City Council.

FISCAL IMPACT:

None.

ENVIRONMENTAL IMPACT:

In accordance with the requirements of the CEQA, this project has been determined to be exempt under Section 15282(h).

PUBLIC NOTIFICATION:

Through the regular agenda posting process.

STRATEGIC PLAN OBJECTIVE ADDRESSED:

5 – Provide a high quality of life.

Prepared by:

Reviewed by:

Rosé Rivera Associate Planner

Kelly Hart Community & Economic Development Director

Approved by:

Jame/s A. Box

City Manager

Attachments: Ordinance No. 1071

ORDINÁNCE NO. 1071

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA AMENDING SECTION 20.205.040, SECTION 20.210.010, TABLE 2-2 OF SECTION 20.210.020, TABLE 3-6 OF SECTION 20.320.030, SECTION 20.400.330, SECTION 20.410.020, SECTION 20.410.030, SECTION 20.410.050, AND SECTION 20.700.900 OF TITLE 20 OF THE STANTON MUNICIPAL CODE REGULATING ACCESSORY DWELLING UNITS

WHEREAS, on September 27, 2016, the Governor approved Assembly Bill No. 2299, which amended Government Code Section 65852.2; and Senate Bill No. 1069, which also amended Government Code Sections 65582.1, 65583.1, 65589.4, 65852.150, and 66412.2, to facilitate the provision of affordable housing throughout California; and

WHEREAS, Assembly Bill No. 2299 provides that any existing accessory dwelling unit ordinance that does not meet the requirements of Assembly Bill No. 2299 is null and void upon the date the bill becomes effective. In such cases, a jurisdiction must approve accessory dwelling units based on Government Code Section 65852.2 until the jurisdiction adopts a compliant ordinance; and

WHEREAS, Section 20.210.020 of the Stanton Municipal Code presently allows second (accessory) dwelling units within all residential zones subject to certain development standards; and

WHEREAS, California Government Code Section 65852.2(a)(1) allows local agencies to impose standards on second units that include, but are not limited to, parking, height, setback, lot coverage, architectural review, maximum size of a unit; and

WHEREAS, California Government Code Section 65852.2(a)(1) also allows local agencies to prohibit tandem parking if specific findings are made that tandem parking is not feasible based upon specific site or regional topographical or fire and life safety conditions; and

WHEREAS, the City desires to prohibit tandem parking for ADUs except for driveways directly adjacent to a garage because allowing tandem parking would create a situation in the City's residential zones where the vehicle(s) belonging to the owner of a principle dwelling unit on a property may impede the vehicle(s) belonging to the owner or occupant of an ADU on the same property from being able to safely evacuate the property in an emergency, or vice versa; and,

WHEREAS, the City wishes to amend the Stanton Municipal Code to ensure that the City regulates accessory dwelling units in compliance with the provisions of AB 2299; and

WHEREAS, on October 4, 2017, the Planning Commission of the City of Stanton held a duly-noticed public hearing at which the Commission considered oral and written testimony and the entirety of the record, and recommended that the City Council adopt Ordinance No. 1071; and

WHEREAS, on October 24, 2017, the City Council of the City of Stanton held a duly-noticed public hearing at which the Council considered oral and written testimony and the entirety of the record.

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

SECTION 1: <u>CEQA</u>. The City Council finds that this Ordinance is exempt from the California Environmental Quality Act ("CEQA") under Section 15282(h) as the actions of this Ordinance are taken to implement the provisions of State Government Code 65852.2 as set forth in Section 21080.17 of the Public Resources Code.

SECTION 2: <u>Findings for Zoning Code Amendments</u>. The City Council of the City of Stanton hereby makes the following findings in support of the Zoning Code Amendments proposed herein:

- A. The proposed amendment is consistent with the General Plan and any applicable Specific Plan. The proposed Zoning Code Amendments are consistent with the goals, policies and general land uses and programs specified in the General Plan, specifically: Goal H-1.1 to "provide for a housing stock of sufficient quantity composed of a variety and range of types and costs" and Strategy H-1.1.1 to "expedite project review, processing and building plan check of affordable residential projects to ensure project reviews are not constraints to development of affordable housing." The proposed amendments include technical changes to the Zoning Code in order to align the City's existing Second Dwelling Unit Ordinance with the State Law, which designates accessory dwelling units as an essential component of the affordable housing supply.
- B. The proposed amendment will not be detrimental to the public interest, health, safety, convenience, or welfare of the City. Rather, the proposed amendments prescribe standards to minimize adverse impacts that may occur from the establishment of accessory dwelling units.
- C. The proposed amendment is internally consistent with other applicable provisions of this Zoning Code. The proposed Ordinance updates the City's existing Second Dwelling Unit ordinance to comply with revisions of California Government Section 65852.2 and clarify development standards for accessory dwelling units. Moreover, this Ordinance is being processed in accordance with Stanton Municipal Code Chapter 20.610.

Ordinance No. 1071 Page 2 of 19 SECTION 3: <u>Amendment to Section 20.205.040 Allowable Land Use and</u> <u>Permit Requirements.</u> Section 20.205.040 of Title 20 of the Stanton Municipal Code is hereby amended as follows:

C. Site Plan and Design Review required. All construction activities (e.g., additions, alterations, construction, reconstruction, or remodeling) shall require Site Plan and Design Review approval in compliance with Chapter 20.530 (Site Plan and Design Review). Residential room additions or expansions, or construction of accessory dwelling units are excluded from this requirement.

SECTION 4: <u>Amendment to Section 20.210.010 Purposes of Residential</u> <u>Zones</u>. Section 20.210.010.B of Title 20 of the Stanton Municipal Code is hereby amended as follows:

B. Single-Family Residential (RL) Zone. The RL zone is applied to areas appropriate for a range of detached single-family residential dwellings on standard suburban lots, together with appropriate accessory structures and uses. The RL zone preserves and protects a single-family residential character while allowing mobile and modular homes, accessory dwelling units, condominiums, townhomes, public facilities, and other uses that are compatible with low density single-family neighborhoods.

SECTION 5: <u>Amendments to Table 2-2 of Section 20.210.020 Residential</u> <u>Zone Land Uses and Permit Requirements</u>. Table 2-2 of Section 20.210.020 of Title 20 of the Stanton Municipal Code is hereby amended as follows:

P = Zoning CTable 2-2(20.560)Allowed Land Uses and PermitCUP = Condit Permit (20.55Requirements Residential ZonesMUP = Minor (20.550)		tional U 50) ' Use Pe	Jse ermit	Perm — = F (20.20	empora it (20.54 Prohibite 05.040) rmit Re	(0)
Land Use	Seconapter		/een			
See Article 7 (Definitions)				ł		Specific
See Section 20.205.040 for unlisted uses & exempt uses		RE	RL	RM	RH (3)	Use Regulations
Agricultural and Ope	n Space Uses					1
Plant Nurseries		P		· · · · · ·		
Residential Uses			The set of			• ·
Single-Family Dwellings, Attached				P	P(1)	20.235-PD;
	Ordinan Page	ce No. 7 e 3 of 19		1		I

					20.420
Single-Family Dwellings, Detached	Р	Р	Р	Р	······································
Two-Family Dwellings			Р	Р	· · · · · · · · · · · · · · · · · · ·
Multi-Family Dwellings			Р	Р	20.420
Multi-Family Development (e.g., Small Cluster Subdivisions, etc.)			Ρ	Р	20.420
Accessory Dwelling Units	Р	Р	P (1)	P (1)	20.400.330
Group Home			CUP	CUP	
Manufactured Housing	Р	Р	Р	Р	20.400.210
Mobile Home Park/Subdivision	CUP	CUP	CUP	CUP	20.400.220
Single-Room Occupancy (SRO) Facility			CUP	CUP	20.400.350
Care Uses		andan Terration			A
Adult Day Care Home - Small (up to 6)	Р	Р	Р	Р	20.400.120
Adult Day Care Home - Large (7 to 14)	MUP	MUP	MUP	MUP	20.400.120
Child Day Care Home - Small (up to 8)	Р	P	Р	Р	20.400.120
Child Day Care Home - Large (9 to 14)	MUP	MUP	MUP	MUP	20.400.120
Day Care, General (15 or more)		—	CUP	CUP	20.400.120
Residential Care Home - 6 or fewer	Р	Р	Р	Р	20.400.310
Residential Care Home - 7 or more	· ·	-	CUP	CUP	20.400.310
Residential Care Facility for Elderly - 6 or fewer	P -	Р	Р	Р	20.400.310
Residential Care Facility for Elderly - 7 or more	·		CUP	CUP	20.400.310
Senior Residential Projects	<u> </u>			CUP	20.400.340
Supportive Housing			Р	Р	
Transitional Housing			Р	Р	
Education, Recreation and Public Assembly Uses					
Assembly/Meeting Facilities			<u> </u>	CUP	20.400.060
Schools	CUP	CUP	CUP	CUP	
Service Uses - Business and					:

Ordinance No. 1071 Page 4 of 19

Professional					
Offices - Professional (Fronting Katella Avenue only)		Р			
Service Uses - General		e taka			-
Kennels/Aviaries (2)					
Schools, Specialty - Less than 2,500 sq ft	_	_	MUP	MUP	
Public and Semi-Public Use - Busin and Professional	ess		· · · · ·		L.,
Parks and Playgrounds	Р	Р	Р	Р	
Paths and Trails	Р	Р	Р	Р	
Transportation, Communication, an Infrastructure Uses	d				
Satellite/Dish Antennae	Р	Р	P	Р	20.400.320
Utilities - Minor	Р	Р	Р	Р	
Table 2-2 Allowed Land Uses and Permit Requirements	RE	RL	RM	RH(3)	Specific Use Regulations
Residential Zones (cont'd)					
Utilities - Major	CUP	CUP	CUP	CUP	
Wireless Communication Facilities - Minor	CUP	CUP	CUP	CUP	20.450
Wireless Communication Facilities - Major	CUP	CUP	CUP	CUP	20.450
Other Uses					
Accessory Residential Structures/Uses	Р	Р	Р	Р	20.410
Animal Keeping	See Section 20.400.040 (Animal Keeping)				
Bed and Breakfast Inns	CUP	CUP	CUP	CUP	
Filming Activities	P	Р	P	Р	MC 5.52
Garage Sales	Р	Р	Р	Р	MC 5.48
Home Occupation	Р	Р	Р	Р	20.515
Temporary Uses	T	Т	Т	Т	20.540
Notes:					

Notes:

 Accessory dwelling units are only allowed in the RM and RH zones on a lot where a single-family dwelling unit exists as of the date of adoption of this Ordinance No. 1071

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Zoning Code.

- 2) Properties with legal Kermore Lane addresses operating existing, legally approved kennels and/or aviaries as of the date of adoption of this Zoning Code are permitted. If the existing, legally approved kennels and/or aviaries as of the date of adoption of this Zoning Code cease operations for longer than 180 days, the property which the kennel was previously operated would no longer be permitted to operate a kennel and/or aviary.
- 3) Affordable housing projects for lower income (very low and low income) households as defined in Section 50079.5 of the Health and Safety Code, that meet the provisions of Section 65583.2 of the Government Code and the Residential Land Resources Appendix of the General Plan Housing Element, are permitted by right in the RH (High Density Residential) zone, and may be developed at a density of 30 du/ac or greater. High Density Residential housing projects that do not meet the provisions stated above are subject to a conditional use permit and the density standards identified in Section 20.10.040 of the Stanton Municipal Code.

SECTION 6: <u>Amendments to Section 20.320.030 Number of Off-Street</u> <u>Parking Spaces Required</u>. Table 3-6 of Section 20.320.030 of Title 20 of the Stanton Municipal Code is hereby amended as follows:

Table 3-6 Off-Street Parking Space Requirements				
And Malor search and an an an an an an an an and an	Required Number of Spaces (1)			
Description of Use	See Section 20.320.030.B (Calculation Metrics).			
Agricultural and Open Space Uses				
Community Garden	1 space/5,000 sq ft of lot area			
Market Farm	Per Temporary Use Permit (Chapter 20.540)			
Produce Stand	3 spaces/1,000 sq ft			
Residential Uses	Covered space = Carport; Enclosed space = Garage			
Boarding House	1 covered space per rooming unit			
Caretaker Housing	1 covered space/unit			
Home Occupation	Space(s) required for dwelling unit only			
Live-Work Units (Residential Component)	2 covered spaces/unit			
Mixed-Use Development (Residential Component)	2 covered spaces/dwelling unit			

	1 bedroom: 2 enclosed spaces
	2 bedroom: 3 spaces (at least 2 enclosed)
Single-Family Dwelling	3-4 bedrooms: 4 spaces (at least 2 enclosed)
	5+ bedrooms: 4 spaces (at least 2 enclosed) + 0.5 spaces per additional bedroom
Single-Family Dwelling - Cluster, Subdivisions and Condominiums	In addition to required parking spaces per bedroom in a single family dwelling, one parking space for every three dwelling units must also be provided for guest parking purposes.
	Studio: 1 space
	1-bedroom: 2 spaces
	2-bedroom: 2.75 spaces
Multi-Family Dwellings	3-bedroom: 3.5 spaces
	4 or more bedrooms: 4 spaces + 0.5 per additional bedroom
	Guest Parking: 1 space for every 3 dwelling units
Mobile Home Park	2 spaces/trailer site;
	1 guest space/5 trailer sites
	1 space per unit or 1 space per bedroom, whichever is less.
	Parking is not required if the accessory dwelling unit:
	a. is within a half-mile of public transit, as designated by a public agency, or
Accessory Dwelling Units	 b. that is in an architecturally or historically significant district, or
	c. that is in an existing primary residence or an existing accessory structure, or
	d. when an on-street parking permit is required but not offered to the occupant of the accessory dwelling unit, or
	e. when there is a car share vehicle, as designated by a public agency, located within one block of the accessory dwelling unit.
Table 3-6 Off-Street P	arking Space Requirements (cont'd)

Facilities 1 space/2 rooms Care Uses 1.5 spaces/150 sq ft of sleeping area Convalescent hospital, rest home, sanitarium 1.5 spaces/150 sq ft of sleeping area Day Care Home - Small Child (Up to 8) Spaces required for dwelling unit only Day Care Home - Large Child (9- 14) 2 spaces/site for drop-off and pick-up purposet (in addition to spaces required for dwelling unit only. Day Care Home - Small Adult (Up to 6) Spaces required for dwelling unit only. Day Care Home - Large Adult (7- 14) 2 spaces/site for drop-off and pick-up purposet (in addition to spaces required for dwelling unit on addition to spaces required for dwelling unit on facility capacity Day Care Center (15 + children/adults) 1 space/2 employees with a minimum of 3 spaces; and 1 space/10 children/adults based on facility capacity Emergency Shelters 1 uncovered space/5 beds; and 1 space/employee Residential Care Home (up to 6) Spaces required for dwelling unit only Residential Care Facility for the Elderly 1 covered space//10 children/adults based on facility capacity Supportive Housing Same as for single-family housing if 6 or fewer persons; same as for multi-family housing if 7 or more persons Transitional Housing Same as for single-family housing if 6 or fewer persons; same as for multi-family housing if 7 or more persons Education, Recreation, and Public Assembly Uses 1 space/5		See Section 20.320.030.B (Calculation Metrics).
1 uncovered space/b units for guest parking Single-Room Occupancy (SRO) Facilities Care Uses Convalescent hospital, rest home, sanitarium Day Care Home - Small Child (Up to 8) Day Care Home - Large Child (9-14) Day Care Home - Small Adult (Up to 6) Day Care Home - Large Adult (7-14) Day Care Center (15 + children/adults) Day Care Center (15 + children/adults) Emergency Shelters Residential Care Home (up to 6) Spaces required for dwelling unit only Elderly Supportive Housing Same as for single-family housing if 6 or fewer persons; same as for multi-family housing if 7 or more persons Transitional Housing Same as for single-family housing if 6 or fewer persons; same as for single-family housing if 7 or more persons All uses listed under "Education, Recreation, and Public Assembly Uses	Carrier Decidential Drainet	1 covered space/unit; and
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Recreation, and Public Assembly 1 space/50 sq ft; or 1 space/4 fixed seats (18"	Education, Recreation, and Public Assembly Uses	
•	All uses listed under "Education, Recreation, and Public Assembly Uses" in use tables in Article 2, except for the following:	
Adult-Oriented Business 1 space/2 occupants per allowable occupant	Adult-Oriented Business	1 space/2 occupants per allowable occupant

,

	load as established by the Fire Chief; and 1 space/employee or independent contractor on maximum shift
Assembly/Meeting Facilities	1 space/4 fixed seats (18" lineal bench = 1 seat); 1 space/50 sq ft of assembly area where there are no fixed seats; and 1 space/employee
Clubs and Lodges (Union halls, lodges, clubs)	1 space/50 sq ft of gross assembly floor area
Bingo Game Operations	1 space/250 sq ft
Commercial Recreation Facility - Indoor, except for the following:	Determined by Conditional Use Permit based on cumulative uses (Chapter 20.550)
Arcades	1 space/250 sq ft
Billiards/pool halls	2 spaces/table; and 1 space/employee with bar/restaurant uses calculated separately.
Bowling alley	3 spaces/lane, with restaurant uses calculated separately
Dance halls	1 space/7 sq ft gross dance floor area; and 1 space/100 sq ft
Family	As required by Minor Use Permit (Chapter 20.550)
Commercial Recreation Facility - Outdoor, except for the following:	Determined by Conditional Use Permit based on cumulative uses (Chapter 20.550)
Driving range	1 space/tee, with other uses calculated separately
Golf course - Regulation & pitch/putt	6 spaces/hole, with other uses calculated separately; 1 space/200 sq ft gross recreation floor area
Miniature golf	1.5 spaces/hole, with other uses calculated separately
Swimming pool - commercial	1 space per 3 persons based on maximum capacity with other uses calculated separately
Table 3-6 Off-Street P	arking Space Requirements (cont'd)
_	Required Number of Spaces (1)
Description of Use	See Section 20.320.030.B (Calculation Metrics).
Tennis courts	3 spaces/court, with other uses calculated separately

Historic Landmark	Determined by Conditional Use Permit (Chapter 20.550)
Recreational Vehicle Park	1 space/employee; 1 RV space/lot; 1 space/RV lot, not including RV space; 1 guest space/10 RV lots
Schools - Academic	
Elementary school	2 spaces/classroom
Junior high school and high school	1.5 spaces/classroom; and 1 space/10 students
College or university	1 space/employee; and 4 spaces/10 students based on maximum classroom capacity
Schools - Specialty	1 space/classroom; and 1 space/5 students, based on maximum classroom capacity
Studios for Art, Dance, Martial Arts, Music	1 space/1.5 students at maximum enrollment
Theater - Cinema/Motion Picture	1 space/4 seats; 1 space/employee, with a minimum 5 employee spaces
Theater - Performance	1 space/4 fixed seats; 1 space/50 sq ft of assembly area where there are no fixed seats; and 1 space/employee
Industrial, Manufacturing, and Warehousing Uses	
All uses listed under "Industrial, Manufacturing and Warehousing Uses" in use tables in Article 2, except for the following:	1 space/500 sq ft of gross floor area; and 1 space/vehicle operated or kept in connection with the use
Construction Contractor Base	2 spaces per facility; and 1 space/300 sq ft of office space
Personal Storage Facilities	2 covered spaces for manager/caretaker; 1 space for each 20 rentable cubicles for customer parking; parking lanes per 20.400.270
Recycling Facilities	
Reverse Vending Machine	No separate dedicated space required
Collection Facility - Small	1 customer unloading space
Collection Facility - Large	3 customer unloading spaces
Processing Facility	Determined by Conditional Use Permit
Recycling, Scrap, and	1 space/1,000 sq ft gross outdoor sales area;

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Dismantling Yards	and 1 space/250 sq ft of indoor sales area
Research and Development	1 space for each 500 sq ft
Solid Waste Transfer Station	1 space/employee on the largest shift; 1 space/vehicle operated or kept in connection with the use; 1 space/300 sq ft office space; and with other uses calculated separately
Warehouse	1 space/2,000 sq ft; and 1 space/vehicle operated or kept in connection with the use. If office/sales space exceeds 10% of the building area, then 1 space/250 sq ft of office/sales space.
Retail Trade Uses	
All uses listed under "Retail Trade Uses" in use tables in Article 2, except for the following:	1 space/300 sq ft
Building/Landscape Materials Sales	1 space/1,000 sq ft gross outdoor sales area; and 1 space/250 sq ft of indoor sales area
Equipment Sales - Heavy	1 space/600 sq ft
Farmers' Market	1 space/250 sq ft of sales area; and 1 space/each separately rented sales space
Food and Beverage Sales	L
Convenience Market	1 space/200 sq ft
Grocery, Specialty Market	1 space/250 sq ft
Table 3-6 Off-Street P	arking Space Requirements (cont'd)
	Required Number of Spaces (1)
Description of Use	See Section 20.320.030.B (Calculation Metrics).
Outdoor Retail Display and Sales	1 space/1,000 sq ft of outdoor display area
Outdoor Storage	1 space/1,000 sq ft
Plant Nurseries	1 space/500 sq ft indoor; and 1 space/1,000 so ft gross outdoor retail area
Retail Sales	
General Retail - Not in Shopping Center (2)	1 space/250 sq ft
General Retail - In Shopping Center (2)	1 space/300 sq ft

Kulk Marchandisa	1 space/500 sq ft of indoor; 1 space/250 sq ft office
Shopping Center	
Neighborhood Shopping Center (2)	1 space/300 sq ft
Community Shopping Center (2)	1 space/300 sq ft
Swap Meets	1 space/250 sq ft of sales area; and 1 space/each separately rented sales space
Service Uses - Business and Professional	
All uses listed under "Service Uses - Business and Professional" in use tables in Article 2, except for the following:	1 space/300 sq ft or 1 space for every employee on the largest shift, whichever is greater; and 1 space/each vehicle operated or kept in connection with use
Automated Teller Machines (ATMs)	1 space/each exterior ATM
Medical Services	
Clinic, Laboratory, Urgent Care	1 space/200 sq ft
Hospitals	1.5 spaces/bed; 1 space/300 sq ft for office and research
Offices - Medical and Dental	1 space/250 sq ft, unless part of shopping center
Offices - Government	1 space/200 sq ft; and 1 space/government- owned vehicle
Service Uses - General	
All uses listed under "Service Uses - General" in use tables in Article 2, except for the following:	1 space/300 sq ft
Animal Sales and Services	
Veterinary Office	1 space/250 sq ft, unless part of shopping center
Catering Service	1 space/400 sq ft
Eating and Drinking Establishments	I
Accessory Food Service (Open	1 space/3 seats or 1/75 sq ft of net public area whichever is greater

Bars and Nightclubs	1 space/30 sq ft
Fast Food	1 space/150 sq ft; queuing lanes for drive-up windows count toward off-street parking requirement at rate of 1 space/20 ft of length
Food Carts	Spaces required for commercial service use only
Full-Service (Dine-In)	1 space/100 sq ft of dining area, and 1 space/300 sq ft for employee areas
Outdoor Dining, Accessory	First 25% or 250 sq ft of outdoor dining area, whichever is less, does not require additional parking space(s); areas in excess of those standards require parking at rate of primary use
Equipment Rental, Repairs, and Sales	2 spaces/1,000 sq ft; and 1 space/2,500 sq ft of outdoor display area
Funeral Home, Mortuary1 space/4 fixed seats (18" lineal bench = seat); 1 space/50 sq ft of assembly area there are no fixed seats; 1 space/employ	
Health/Fitness Facilities	
Small - 2,500 sq ft or less	1 space/250 sq ft
Large - Over 2,500 sq ft	1 space/200 sq ft
Lodging	1 space/guest room; and 2 spaces for resident manager
Table 3-6 Off-Street Pa	arking Space Requirements (cont'd)
HARANG YAN NA MANAGUMAN WANA MANA NA 	Required Number of Spaces (1)
Description of Use	See Section 20.320.030.B (Calculation Metrics).
Massage Establishments	1 space/200 sq ft
Personal Services All Personal Service uses, except for the following:	1 space/250 sq ft
Laundromat	1 space/3 washing machines
Postal Services	1 space/250 sq ft
Printing and Duplicating Services	1 space/250 sq ft
Smoking Lounges (Hookah)	1 space/100 sq ft
Public and Semi-Public Uses	
Cemetery	1 space/4 fixed seats (18" lineal bench = 1
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seat); 1 space/50 sq ft of assembly area where no fixed seats; 1 space/employee

Cultural Institutions (Libraries, Museums, Art Galleries)	1 space/300 sq ft
Government Facilities	Determined by Government Agency
Parks and Playgrounds	Determined by Director
Paths and Trails	Determined by Director
Public Safety Facilities	Determined by Government Agency

Transportation, Communication, and Infrastructure Uses

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Broadcasting and Recording Studios	1 space/200 sq ft indoor space
Emergency Helicopter Landing Facility	1 space/landing facility
Transportation Service Dispatch	1 space/250 sq ft; and 1 space/service vehicle
Truck and Freight Terminals	1 space/250 sq ft indoor space
Utilities - Minor	None
Utilities - Major	Determined by Conditional Use Permit (Chapter 20.550)
Utility Infrastructure	None
Utility Service Facilities	None
Utility Service Yard	1 space/1,000 sq ft of yard area; and 1 space/each vehicle operated or kept in connection with use
Wireless Communication Facilities - Minor	Determined by Minor Use Permit (Chapter 20.550)
Wireless Communication Facilities - Major	Determined by Conditional Use Permit (Chapter 20.550)
Vehicle Rentals, Sales, and Services	
Motor Vehicle/RV/Boat Rentals	
Office Only	1 space/300 sq ft
General	1 space/1,000 sq ft gross outdoor rental area; and 1 space/300 sq ft of indoor office area
Motor Vehicle/RV/Boat Sales	
Office Only	1 space/300 sq ft

New	1 space/1,000 sq ft gross outdoor sales area; and 1 space/300 sq ft of indoor sales area				
Used/Wholesale	1 space/1,000 sq ft gross outdoor sales area; and 1 space/300 sq ft of indoor sales area				
Motor Vehicle/RV/Boat Services					
Car Wash - Automated	Equivalent of 5 spaces/20 ft of internal washing capacity; spaces may be provided in open paved area for drying cars				
Car Wash - Self-Service	Equivalent of 2.5 spaces/wash bay; spaces may be provided in open paved area for drying				
Table 3-6 Off-Street Pa	Table 3-6 Off-Street Parking Space Requirements (cont'd)				
	Required Number of Spaces (1)				
Description of Use	See Section 20.320.030.B (Calculation Metrics).				
Car Wash - Full Service	Determined by Minor Use Permit (Chapter 20.550)				
Minor Maintenance/Repair/Installation	4 spaces/service bay; or 1 space per 200 sq ft, whichever is greater				
Major Repair/Body Work					
Service Station					
With Service Bays	1 space/pump; and 1 space/service bay				
With Convenience Store	1 space/pump; and 1 space/200 sq ft (excluding pump island and canopy area)				
Towing and Storage	1 space/300 sq ft for office; and 1 space for each vehicle used in operations				
Vehicle Storage (Motor Vehicle and RV)	Determined by Conditional Use Permit (Chapter 20.550)				

Notes:

- 1. All uses that require the presence of an owner, employee, manager, operator, caretaker, keeper, etc., on the premises shall provide one parking space per owner, employee, manager, operator, caretaker, keeper, etc. For purposes of determining the number of spaces needed to meet this requirement, the number of spaces shall be determined by counting the number of such persons on the largest shift.
- 2. Shopping center refers to a site with three or more commercial uses in which businesses and structures are designed in an integrated and interrelated development.

SECTION 7: <u>Amendments to Section 20.400.330 Second Dwelling Units</u>. Section 20.400.330 of Title 20 of the Stanton Municipal Code is hereby amended as provided in Attachment "A" to this Ordinance, which is incorporated herein by reference.

SECTION 8: <u>Amendments to Section 20.410.020, 20.410.30 and 20.410.50</u> <u>found in Chapter 20.410 Accessory Structures and Uses.</u> Sections 20.410.020, 20410.030 and 20.410.050 of the Stanton Municipal Code is hereby amended as follows:

20.410.020 Applicability

A. The standards in this Chapter shall apply to accessory structures in all zones, including structures that are exempt from land use permit requirements under Section 20.205.050 (Exemptions from Permit Requirements) (i.e., structures that do not exceed 120 square feet in total area; structures that do not contain more than 2,000 gallons of water; or structures that do not exceed three feet in height).

B. The standards in this Chapter shall not apply to the following:

1. Accessory structures used for animal-keeping purposes that comply with Section 20.400.040 (Animal Keeping);

2. Detached accessory dwelling units used for living purposes that comply with Section 20.400.340 (Accessory Dwelling Units);

3. Satellite/dish and amateur radio antennas that comply with Section 20.400.330 (Satellite Dish Antenna); and

4. Covered parking for multi-family development that complies with the requirements in Chapter 20.415 (Multi-Family Development) and Chapter 20.325 (Off-Street Parking and Loading Standards). (Ord. 1017, 2013)

20.410.030 General Standards for All Accessory Structures

A. Relationship to primary use. An accessory structure shall be:

1. Incidental to the primary structure or use and shall not alter the character of the site or use;

2. Designed and intended to serve occupants or patrons of the primary structure or use; and

3. Constructed concurrently with, or after, the construction of the primary structure on the same site.

B. Construction, design, and location criteria.

1. The design and features of accessory structures (e.g., colors, materials, roof form, windows, etc.) shall complement or match the appearance of the primary structure.

2. Accessory structures shall be constructed using conventional construction methods and materials for accessory structures, including pre-manufactured or pre-fabricated accessory structures. In the General Industrial Zones (IG Zones) only, detached accessory structures may be

constructed of metal (e.g., flashing, sheet-metal, vent-stacks, mechanical equipment, etc.) provided that the metallic surfaces are painted or covered to match adjacent surfaces.

3. Accessory structures shall not be structurally attached to a fence or wall located on a lot line.

4. Accessory structures shall be located so no water runs off onto other property.

5. Accessory structures shall not obstruct access to any primary structures or accessory dwelling units. (Ord. 1017, 2013)

20.410.050 Accessory Structures in Residential Zones

This Section provides standards for accessory structures located in residential zones.

A. Attached accessory structures. Attached accessory structures shall comply with the standards in Table 2-3 (Development Standards for Residential Zones).

B. Detached accessory structures.

1. The use of an accessory structure as a dwelling unit, sleeping quarters, or a housekeeping unit is prohibited, except for a accessory dwelling unit approved in compliance with Section 20.400.340 (Accessory Dwelling Units).

2. A cargo container is prohibited as a detached accessory structure in any residential zone.

3. The enclosure of a patio shall require processing as a room addition in compliance with Section 20.305.060 (Residential Zone Room Additions and Design Guidelines) and shall meet the setback requirements applicable to a primary structure.

4. Detached accessory structures shall not be located in a primary dwelling front yard area or in any street-side setback area. They may be located only in rear and interior side setback areas. See Figure 4-1 (Location Criteria for Detached Accessory Structures).

SECTION 9: <u>Amendment to Section 20.700.090 Definitions Residential</u> <u>Uses.</u> Section 20.700.090.4.C of Title 20 of the Stanton Municipal Code is hereby amended as follows:

Accessory Dwelling Unit. A detached or attached permanent residential dwelling unit that is accessory to a principal dwelling on the same site. An accessory dwelling unit provides complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, sanitation, and parking.

SECTION 10: <u>Location and Custodian of Records</u>. The documents and materials associated with this Ordinance that constitute the record of proceedings on which these findings are based are located at Stanton City Hall,

Ordinance No. 1071 Page 17 of 19 7800 Katella Ave., Stanton, California 90680. The City Clerk is the custodian of the record of proceedings.

SECTION 10: <u>Severability</u>. If any section, subsection, sentence, clause, phrase or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Stanton hereby declares that it would have adopted this Ordinance, and each section, subsection, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases may be declared invalid or unconstitutional.

SECTION 11: <u>Effective Date</u>. This Ordinance No. 1071 shall be effective 30 days after its adoption.

SECTION 12: <u>Publication</u>. 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.

PASSED, APPROVED, and ADOPTED this 14th day of November, 2017.

CAROL WARREN, MAYOR

ATTEST:

PATRICIA A. VAZQUEZ, CITY CLERK

APPROVED AS TO FORM

MATTHEW E. RICHARDSON, CITY ATTORNEY

Ordinance No. 1071 Page 18 of 19 STATE OF CALIFORNIA) 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. 1071 was introduced at a regular meeting of the City Council of the City of Stanton, California, held on the 24th day of October, 2017 and was duly adopted at a regular meeting of the City Council held on the 14th day of November, 2017, by the following roll-call vote, to wit:

AYES:	COUNCILMEMBERS:	
NOES:	COUNCILMEMBERS:	
ABSENT:	COUNCILMEMBERS:	
ABSTAIN:	COUNCILMEMBERS:	

CITY CLERK, CITY OF STANTON

Ordinance No. 1071 Page 19 of 19

CITY OF STANTON REPORT TO CITY COUNCIL

TO: Honorable Mayor and Members of the City Council

DATE: October 24, 2017

SUBJECT: LOCAL VENDOR PREFERENCE DISCUSSION

REPORT IN BRIEF:

This report is intended to provide options to consider the revision of the City's existing local vendor preference section of the Stanton Municipal Code.

RECOMMENDED ACTION:

- 1. Declare that the project is not subject to 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. Receive and file report and provide staff with direction.

BACKGROUND:

At the June 13, 2017 City Council Meeting, Mayor Pro Tem Shawver submitted a request for the establishment of a preference for local vendors when bidding on City projects. At the July 11, 2017 City Council meeting, City Council provided direction for staff to proceed with further research and to report staff's findings to the City Council at a future meeting. A discussion item was presented on September 12, 2017 where additional requests were made of staff to bring back and report findings at a future meeting.

ANALYSIS/JUSTIFICATION:

A number of cities provide a local vendor preference in their purchasing policy. The general purpose of this is to promote local economic development and maintain a healthy economic base as well as to encourage businesses to move into the city's jurisdiction. Stanton currently has a 1% preference for local vendors in section 2.56.075 of the Municipal Code "in lieu of sales tax loss for the purchase of materials, supplies, equipment, personal property and services." What the local vendor preference does is allow the city to favorably compare bids by vendors within the city when looking at projects where Public Works has requested bids.

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For instance, if bids were requested for a significant project and a vendor in the City bid \$1,000,000, when comparing bids to other vendors, the City would consider the local vendor's bid at \$990,000. If another vendor bid \$991,000, even though the local vendor's bid was higher, the low bid would be awarded to the local vendor. This process would be considered for smaller purchases, such as supplies and equipment, as well.

Because of the size of the projects that Public Works bids out, there are very few local vendors that currently benefit from the City's local vendor preference. In fact, in the past decade, there is only one vendor who has provided bids on public projects that could receive benefit from the local vendor preference – USS Cal Builders.

If Council wishes to move forward with revising the existing local vendor preference, there are a number of options available to them. The staff-recommended option would be to revise the city's existing policy to be a 2% differential "...in lieu of sales and use tax loss..." while removing the reference to services. This option would stay true to the purpose of offsetting the loss of city revenue if a vendor outside the city was selected as opposed to a vendor within the city.

Best Best & Krieger provided staff with a number of California cities who have a preference that exceeds the offset of sales and use tax. They include the cities of Corona, Murrieta, Azusa and Woodland. Below is a chart for those four cities as well as the City of Los Angeles, which was specifically requested to be compared describing their local vendor preference and limitations on it.

City	%	What is covered	What is excluded	Сар
Corona	5%	Purchases of materials, supplies & equipment; maintenance & general services	Competitive bids above \$200,000	\$10,000
Murrieta	3%	Purchases of materials and supplies	Public works contracts	None
Azusa	5%	Purchases of materials and supplies	Bids for public projects or professional services	\$5,000
Woodland	5%	Purchases of materials and supplies and public bids	Public projects; professional services	None
Los	8%	Bid contracts in excess of \$150,000	Vendors with less than 50%	None
Angeles			of employees in LA County	

While these cities all have a higher percentage than the offset of sales and use tax, in all instances the cities also have limitations to the policy that are greater than Stanton's current provision. In addition to the limitations identified above, the example cities also provide stronger restrictions than the Stanton Municipal Code in defining a local vendor such as ensuring they have been in business more than one year and that they have paid all applicable fees and taxes imposed by the city.

When researching information, Best Best & Krieger provided the City with a memorandum regarding local preference ordinances. The most important information in the memo was that California law preempts local preference in regard to the procurement of goods and services for public works projects that exceed \$45,000, which requires the City to award to the lowest responsible bidder. The City Attorney

pointed out three justifications cities have considered for choosing whether to implement a local vendor preference: retention of local sales tax, increased costs of local businesses and promotion of local economy. There have not been reported cases of challenges to the retention of local sales tax justification thus far. The City of San Francisco had success with the argument that there was an increased cost to local businesses in San Francisco, but the other cities have not, and Stanton being a lower cost city and not a charter city are factors to consider. Courts have struck down the promotion of the local economy rationale several times in the past.

While increasing a local vendor preference beyond the 2% threshold would promote local businesses, it would also create instances where the city could be paying more on a net revenue and expenditure basis for public projects than it would without such a policy. If Council desires to revise the municipal code to increase the local vendor preference beyond 2%, staff would recommend providing additional clarifying language and limitations on types of purchases covered and/or to cap the total benefit that will be provided to local vendors when bidding on significant capital projects going forward.

There are infinite options for adjusting a local vendor preference. Staff recommends revising the 1% threshold to 2% and removing the reference to services (which are not offset by sales or use taxes). Council is welcome to propose any other potential adjustment to the existing preference. Depending on Council's preference for proceeding and its direction to staff, staff will return to Council at a future date with the appropriate report or action item.

FISCAL IMPACT:

None at this time.

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:

Public notice for this item was made through the regular agenda process.

STRATEGIC PLAN OBJECTIVE ADDRESSED:

2.0 – Promote a Strong Local Economy

4.0 – Ensure Fiscal Stability and Efficiency in Government

Prepared by:

Stephen M. Parker, CPA Administrative Services Director

Approved by: Jamés A. Box City Manager

City Council Item 15E

"CITY COUNCIL INITIATED ITEMDISCUSSION REGARDING MOTEL 6"

City Council Initiated Item.

(This item does not contain a staff report)

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