

MINUTES OF THE CITY COUNCIL / SUCCESSOR AGENCY / HOUSING AUTHORITY
OF THE CITY OF STANTON
JOINT REGULAR MEETING JANUARY 10, 2017

1. CALL TO ORDER / CLOSED SESSION

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

2. ROLL CALL

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

Absent: None.

Excused: None.

3. PUBLIC COMMENT ON CLOSED SESSION ITEMS None.

4. CLOSED SESSION

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

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

Number of Potential Cases: 1

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

The meetings were called to order at 6:34 p.m. by Mayor/Chairperson Warren.

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

The City Attorney reported that there was no reportable action.

6. ROLL CALL

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

Absent: None.

Excused: None.

7. PLEDGE OF ALLEGIANCE

Led by Ms. Kelly Hart, Community Development Director.

8. SPECIAL PRESENTATIONS AND AWARDS

8A. The City Council presented a Certificate of Recognition honoring the Monthly Spotlight – Business: Smart & Final – Extra! Store #594.

- The City Council expressed their gratitude to the Smart & Final – Extra! Store #594 for their dedicated and outstanding service to the residents of the City of Stanton and for their show of community pride.

At the request of special guest Supervisor Michelle Steel:

- Supervisor Steel congratulated newly re-appointed Council Members Mr. Al Ethans and Ms. Carol Warren.
- Supervisor Steel presented a certificate of recognition to outgoing Mayor Brian Donahue.

9. CONSENT CALENDAR

Motion/Second: Ethans/Ramirez

Motion unanimously carried by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

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

CONSENT CALENDAR

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

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

9B. APPROVAL OF WARRANTS

The City Council approved demand warrants dated December 8, 2016, December 15, 2016, December 19, 2016 and December 21, 2016, in the amount of \$1,583,469.77.

9C. APPROVAL OF MINUTES

The City Council/Agency/Authority Board approved Minutes of Joint Adjourned Regular Meeting – December 13, 2016.

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

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

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

9E. PROCLAMATION DECLARING JANUARY 2017 AS BUSINESS APPRECIATION MONTH

As part of an effort to recognize and celebrate the contributions local businesses make in the City, the proposed proclamation would declare the month of January 2017 as Business Appreciation Month.

1. The City Council declared that the project is exempt from the California Environmental Quality Act ("CEQA") under Section 15061(b)(3) as the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and
2. Approved the Proclamation declaring January 2017 as Business Appreciation Month.

9F. NOVEMBER 2016 INVESTMENT REPORT

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

1. The City Council finds that this item is not subject to California Environmental Quality Act ("CEQA") pursuant to Sections 15378(b)(5) (Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment); and
2. Received and filed the Investment Report for the month of November 2016.

9G. NOVEMBER 2016 INVESTMENT REPORT (SUCCESSOR AGENCY)

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

1. The Successor Agency finds that this item is not subject to California Environmental Quality Act ("CEQA") pursuant to Sections 15378(b)(5) (Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment); and
2. Received and filed the Investment Report for the month of November 2016.

9H. APPROVING AND ADOPTING THE RECOGNIZED OBLIGATIONS PAYMENT SCHEDULE (ROPS) 17-18 AND THE ADMINISTRATIVE BUDGET PURSUANT TO SECTIONS 34177(I) AND 34177(j) OF CALIFORNIA HEALTH & SAFETY CODE FOR THE PERIOD OF JULY 2017 THROUGH JUNE 2018 (SUCCESSOR AGENCY)

This report summarizes the obligations of the Successor Agency under AB X1 26, AB 1484 and SB 107 to draft Recognized Obligation Payment Schedules (ROPS) and corresponding administrative budgets. Staff recommends the Successor Agency adopt the attached resolution approving ROPS 17-18 and the Successor Agency's administrative budget for the period July 2017 through June 2018.

1. The Successor Agency finds that this item is not subject to California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a director reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378 of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly; and
2. Adopted Resolution No. SA 2017-01 to approve the Recognized Obligation Payment Schedule (ROPS) No. 17-18 and the administrative budget for the period July 1, 2017 through June 30, 2018 entitled:

"A RESOLUTION OF THE BOARD OF THE SUCCESSOR AGENCY TO THE STANTON REDEVELOPMENT AGENCY, APPROVING AND ADOPTING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE ("ROPS") 17-18 FOR THE PERIOD JULY 1, 2017 THROUGH JUNE 30, 2018 PURSUANT TO HEALTH AND SAFETY CODE, SECTION 34177(I) AND THE ADMINISTRATIVE BUDGET, PURSUANT TO HEALTH AND SAFETY CODE, SECTION 34177(j)."

9I. APPROVAL OF CORPORATE RESOLUTION WITH FIRST EMPIRE SECURITIES INC.

First Empire Securities Inc. ("First Empire") is an authorized provider of investment services for the City of Stanton. A corporate resolution form is required to be completed before investments may be purchased through First Empire. Resolution 2017-01 authorizes the City Manager or designee to certify the First Empire corporate resolution form.

1. The City Council finds that these items are not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378(b)(4) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly); and
2. Adopted Resolution No. 2017-01 authorizing the City Manager or designee to sign Section II. Certification of the First Empire Corporate Resolution Form entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, APPROVING A CORPORATE RESOLUTION FORM WITH FIRST EMPIRE SECURITIES INC."

9J. APPROVAL OF CORPORATE RESOLUTION WITH CANTELLA CO. & INC.

Cantella Co., & Inc. ("Cantella") is an authorized provider of investment services for the City of Stanton. A corporate resolution form is required to be completed before investments may be purchased through Cantella. Resolution 2017-02 authorizes the City Manager or designee to certify the Cantella corporate resolution form.

1. The City Council finds that these items are not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378(b)(4) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly); and
2. Adopted Resolution No. 2017-02 authorizing the City Manager or designee to sign Section II. Certification of the Cantella Corporate Resolution Form entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, APPROVING A CORPORATE RESOLUTION FORM WITH CANTELLA CO. & INC."

9K. APPROVAL OF CORPORATE RESOLUTION WITH BANK OF THE WEST

Bank of the West is an authorized provider of investment services for the City of Stanton. A corporate resolution form is required to be completed before investments may be purchased through Bank of the West. Resolution 2017-04 authorizes the City Manager or designee to certify the Bank of the West corporate resolution form.

1. The City Council finds that these items are not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378(b)(4) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly); and
2. Adopted Resolution No. 2017-04 authorizing the City Manager or designee to sign Section II. Certification of the Bank of the West Corporate Resolution Form entitled:

**"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON,
CALIFORNIA, APPROVING A CORPORATE RESOLUTION FORM WITH
BANK OF THE WEST."**

END OF CONSENT CALENDAR

10. **PUBLIC HEARINGS** None.
11. **UNFINISHED BUSINESS** None.
12. **NEW BUSINESS**

Mayor Warren excused herself from the appointment process to ensure that there was no bias in the Parks and Recreation Commission appointment process. Mayor Warren left the dais, as well as exited the council chamber.

12A. COUNCIL APPOINTMENTS TO FILL TWO VACANCIES ON THE PARKS AND RECREATION COMMISSION FOR TERM COINCIDING WITH THE COUNCIL ELECTION

The Council Member holding the seat corresponding to that numbered seat on the Parks and Recreation Commission shall be responsible for appointment of one Commissioner (who shall be a qualified elector of the City), with majority approval of the City Council. The terms of office shall coincide with the term of office of the Council Member or Mayor who made the appointment. Section 2.06.030 of the Stanton Municipal Code requires the submission of applications and interviews prior to appointment to any position. Section 2.06.030 also provides that the City Council, by majority vote, may waive to the requirement interview persons previously appointed by the City Council and who are requesting re-appointment to another term.

Staff report by Ms. Patricia A. Vazquez, City Clerk.

1. The City Council finds that this item is not subject to California Environmental Quality Act ("CEQA") pursuant to Sections 15378(b)(5)(Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment); and
2. The City Council conducted interviews with the following Stanton Parks and Recreation Commission applicants:
 - Ms. Ellen Grun
 - Ms. Hong Alyce Van
 - Mr. John Warren
 - Mr. Greg Himes
3. The City Council made the following appointments to fill two (2) seats on the Stanton Parks and Recreation Commission:

Motion/Second: Shawver/Ramirez

Motion unanimously carried by the following vote:

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

NOES: None

ABSTAIN: 1 (Warren)

ABSENT: None

Mr. Greg Himes was appointed to fill Seat #6 on the Stanton Parks and Recreation Commission.

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

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

Mr. John Warren was appointed to fill Seat #5 on the Stanton Parks and Recreation Commission.

Mayor Warren returned to the council chamber and dais.

12B. APPROVE RESOLUTION 2017-03 ESTABLISHING A PUBLIC AGENCIES POST-EMPLOYMENT BENEFITS TRUST

In an effort to help public agencies address and manage their GASB 68 liability, Public Agency Retirement Services ("PARS"), has developed the PARS Post-Employment Benefits Trust Program. Resolution 2017-03 would permit the City of Stanton ("City"), under federal and state law, to invest in a more diversified array of investments and maximize investment returns long term through the establishment of a trust. It would also establish the City Manager as the City's Plan Administrator for the Program.

Staff report by Mr. Stephen M. Parker, Administrative Services Director.

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

AYES: 5 (Donahue, Ethans, Ramirez, Shawver, and Warren)
NOES: None
ABSTAIN: None
ABSENT: None

1. The City Council finds that these items are not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378(b)(4) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly); and
2. Adopted Resolution No. 2017-03 adopting the PARS Public Agencies Post-Employment Benefits Trust entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, APPROVING THE ADOPTION OF THE PUBLIC AGENCIES POST-EMPLOYMENT BENEFITS TRUST ADMINISTERED BY PUBLIC AGENCY RETIREMENT SERVICES ("PARS")"; and

3. Approved the Agreement for Administrative Services; and
4. Appointed the City Manager or his/her successor or designee as the City's Plan Administrator for the Program; and
5. Authorized the City Manager, subject to the review and approval of the City's legal counsel, to execute all necessary legal and administrative documents and take whatever additional actions are necessary to maintain the City's participation in the program.

12C. CITY CLERK'S CERTIFICATION OF SUFFICIENT SIGNATURES ON REFERENDUM PETITION SEEKING TO REPEAL PORTIONS OF ORDINANCE NO. 1060 RESTRICTING MARIJUANA BUSINESSES WITHIN THE CITY; AND REQUESTING FURTHER DIRECTION FROM CITY COUNCIL

In reaction to the potential passage of California Proposition 64 (termed the "Adult Use of Marijuana Act"), the City Council adopted Ordinance No. 1060, which would establish zoning regulations that limit marijuana businesses and activities in the City to the greatest extent under Proposition 64. Ordinance No. 1060 was adopted by the City Council on October 25, 2016. Prior to its effective date, a group of Stanton residents/proponents timely filed a signed petition seeking to repeal portions of Ordinance No. 1060 by referendum.

Pursuant to the California Elections Code, the City Clerk's office verified that the petition contains the minimum number of required signatures to qualify the referendum for the ballot. If the proponents are successful, the referendum would repeal virtually all of the restrictions on marijuana use, possession, cultivation, business, etc. contained in Ordinance No. 1060.

The remainder of this report will provide the City Council with options under the California Elections Code to address this referendum petition.

Staff report by Mr. Matthew E. Richardson, City Attorney.

- Kris Lewandwski, spoke in opposition to Stanton Ordinance No. 1060 (*Regulate the Personal, Medical, and Commercial Use of Marijuana and to Repeal Chapter 9.38, which Prohibits Medical Marijuana Dispensaries*).
- David James, spoke in opposition to Stanton Ordinance No. 1060 (*Regulate the Personal, Medical, and Commercial Use of Marijuana and to Repeal Chapter 9.38, which Prohibits Medical Marijuana Dispensaries*).

Motion/Second: Ethans/Ramirez

Motion unanimously carried by the following vote:

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

NOES: 1 (Shawver)

ABSTAIN: None

ABSENT: None

1. The City Council finds that this item is not subject to California Environmental Quality Act ("CEQA") pursuant to Sections 15378(b)(5)(Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment); and
2. Received, filed, and accepted the Certificate of Sufficient Signatures on Referendum Petition seeking to repeal portions of Ordinance No. 1060 as valid in all respects; and
3. Directed the city attorney's office to review the referendum impact as well as the City Councils options and return to the City Council for consideration and/or action at a later date.

13. ORAL COMMUNICATIONS – PUBLIC

- James Davidson, President, Westminster Chamber of Commerce, spoke regarding occupational fraud and abuse, and the significant underreporting of sales and sales taxes, payroll and payroll taxes, federal income taxes, state income taxes, Medicare, and social security.
- Christopher Aguilera, Field Representative, Office of Sharon Quirk-Silva, introduced himself to the City Council and city residents and provided a brief introduction about Assemblywoman Quirk-Silva.

14. WRITTEN COMMUNICATIONS None.

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

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

None.

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

- Council Member Ethans requested to agendize discussion regarding the possibility of the City purchasing Bowman's Market for its significant historical value.
- Mayor Warren requested to agendize discussion regarding fireworks.

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

Council Member Donahue requested to hold a study session to revisit, review, and discuss the City's Strategic Plan / Goals and Objectives.

Currently Scheduled:

- January 24, 2017 (5:00 p.m.)
Public Safety / Marijuana Regulation Update and Education (Orange County Sheriff's Department).
- February 14, 2017 (4:00 p.m.)
Tina / Pacific Development Project Update and Discussion.

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

None.

17. ITEMS FROM CITY MANAGER/EXECUTIVE DIRECTOR

- City Manager James A. Box informed the Council that Ms. Julie S. Roman would be out of the office until April, 2017 and introduced Ms. Soo Kim who will serve as Interim Community Services Director in Ms. Roman's absence.

17A. ORANGE COUNTY FIRE AUTHORITY

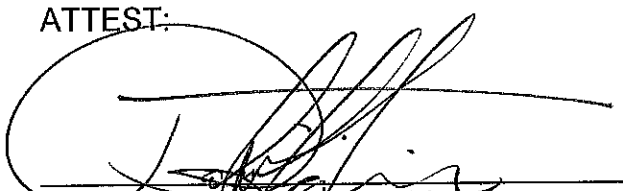
At this time the Orange County Fire Authority will provide the City Council with an update on their current operations.

- Division Chief Dave Steffen provided the City Council with an update on their current operations.

- 18. ADJOURNMENT** in honor and memory of Mr. Jim Nelson and Ms. Donna McGee and to January 24, 2017 at 5:00 p.m. for a City Council Study Session.
Motion/Second: Warren/Shawver
Motion carried at 7:33 p.m.



MAYOR/CHAIRPERSON

ATTEST:


CITY CLERK/SECRETARY