

MINUTES OF THE CITY COUNCIL / SUCCESSOR AGENCY / HOUSING AUTHORITY
OF THE CITY OF STANTON
JOINT REGULAR MEETING MARCH 28, 2017

1. CALL TO ORDER / CLOSED SESSION

The City Council meeting was called to order at 5:30 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 5:30 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: 3

4B. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Pursuant to Government Code Section 54957.6)

Title: City Manager

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

The meetings were called to order at 6:36 p.m. by Chairperson Warren.

The City Attorney reported that the Stanton City Council met in closed session from 5:30 to 6:30 p.m.

The City Attorney reported that there was no reportable action.

6. ROLL CALL

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

Absent: None.

Excused: None.

7. PLEDGE OF ALLEGIANCE

Led by Mr. David Volz, David Volz Design Landscape Architects Inc.

8. SPECIAL PRESENTATIONS AND AWARDS

8A. The City Council presented Certificates of Recognition honoring the Monthly Spotlight (Celebrating Youth) award recipients: The Stanton Youth Committee and its Committee Members for their positive impact on the Stanton community.

- Laisha Valle, Chairperson
- Bryan Lara
- Daniela Ornelas
- Eva Gomez
- Jessica Cedillo
- Jorge Amaro
- Kimberly Rodriguez
- Neida Gomez

The City Council expressed their gratitude to the Stanton Youth Committee and its Committee Members for their dedicated and outstanding service to the residents of the City of Stanton.

8B. The City Council announced that the Shop Stanton Program quarterly raffle winner was Ms. Grace Trujillo and presented Ms. Trujillo with a \$100 gift card to Food-4-Less.

8C. Mayor Warren proclaimed the month of April 2016 to be DMV/Donate Life California Month and presented a proclamation to One Legacy Ambassador Lili Ibanez.

- Ms. Ibanez expressed his gratitude to the City Council, shared her legacy story, and reported on Donate Life's upcoming Donate Life Run/Walk event, which is scheduled to be held on April 29, 2017.

8D. The City Council presented a Certificate of Recognition to Rowntree Gardens in recognition and appreciation for their generous donation of \$50,000 towards the maintenance of Stanton Central Park.

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 March 9, 2017 and March 16, 2017, in the amount of \$256,078.32.

9C. FEBRUARY 2017 INVESTMENT REPORT

The Investment Report as of February 28, 2017 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 February 2017.

9D. FEBRUARY 2017 INVESTMENT REPORT (SUCCESSOR AGENCY)

The Investment Report as of February 28, 2017 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 February 2017.

9E. FEBRUARY 2017 INVESTMENT REPORT (HOUSING AUTHORITY)

The Investment Report as of February 28, 2017 has been prepared in accordance with the City's Investment Policy and California Government Code Section 53646.

1. The Housing Authority 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 February 2017.

9F. A RESOLUTION TO RE-ESTABLISH FEES FOR STATE FRANCHISED VIDEO SERVICE PROVIDERS

As part of our membership in the joint powers authority of the Public Cable Television Authority (PCTA), every ten (10) years the City must approve a resolution that reauthorizes local governments to establish and collect Public, Educational, and Governmental Access (PEG) fees from a city's cable and video TV operators. City Council previously adopted Ordinance No. 930 on April 10, 2007.

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. Adopted Resolution 2017-09 entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, RE-ESTABLISHING FEES FOR STATE FRANCHISED VIDEO SERVICE PROVIDERS."

9G. RESOLUTION NO. 2017-11 OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 2016-101 FOR THE PROPERTY LOCATED AT 10562 LEXINGTON STREET WITHIN THE RM (MEDIUM DENSITY RESIDENTIAL) ZONE

The final parcel map for the development located at 10562 Lexington Street south of Cerritos Avenue 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.

1. The City Council adopted Resolution No. 2017-11 approving Final Parcel Map No. 2016-101 entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 2016-101 FOR THE PROPERTY LOCATED AT 10562 LEXINGTON STREET”; and

2. Declared that this project is categorically exempt pursuant to the California Environmental Quality Act (CEQA), Section 15332, Class 32 (In -fill Development Projects); and
3. Finds that the recordation of Final Parcel Map No. 2016-101 will not be in violation of any of the provisions of Section 66474, 66474.1, and 66474.2 of the Subdivision Map Act; and
4. Finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan required by Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of the Government Code, and any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of the Government Code; and
5. Directed the City Clerk to endorse on the face of the map of Final Parcel Map No. 2016-101, the certificate which embodies the approval of said map, and submit the map to the County Recorder of Orange County for recording.

END OF CONSENT CALENDAR

- 10. PUBLIC HEARINGS** None.

11. UNFINISHED BUSINESS

11A. AWARD OF CONTRACT TO DAVID VOLZ DESIGN LANDSCAPE ARCHITECTS INC. FOR THE DESIGN OF THE CITY HALL PLAZA

The City Council has previously expressed concerns about the condition of the plaza adjacent to City Hall. The area has not been modified since the construction of City Hall in 1993 and the concrete has been significantly damaged by the trees within the plaza. The damage to the concrete has created displacements to the concrete that can no longer be addressed through grinding and patching.

David Volz Design Landscape Architects inc. (David Volz) was selected through a competitive process to prepare conceptual plans for the plaza. These plans were presented to the City Council on February 14, 2017. The plans were accepted by the City Council. There were concerns as to how to fund the construction of the project which are addressed and resolved in this report.

The next step would be for David Volz to prepare construction documents for the project. Attached to this report is a proposal and a contract to perform these services.

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

The City Council questioned staff regarding landscaping, sidewalk replacement, estimated time of project completion, the possibility of including an "honor wall / walk of honor" for City businesses, lighting, and including the Stanton Library in the landscape design/upgrades.

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

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

1. The City Council approved a Professional Services Agreement with David Volz Design Landscape Architects Inc. to provide design services for the renovations to the City Hall Plaza for the maximum contract sum of \$77,892; and
2. Authorized the City Manager to bind the City of Stanton and David Volz Design Landscape Architects Inc. in a contract to provide these services; and
3. Determined that in accordance with the requirements of the California Environmental Quality Act, the action would not be deemed to be a project per Section 15378(b)(4): ["Project" does not include] The creation of a government funding mechanism or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment; and
4. Approved Budget Adjustment No. 2017-20 to appropriate \$202,856 to the Street Improvement account of the Gas Tax Fund for this project.

11B. REPORT FROM TANKO STREETLIGHTING INC REGARDING THE ACQUISITION OF STREETLIGHTING AND APPROVAL TO ACQUIRE STREETLIGHTING FROM SOUTHERN CALIFORNIA EDISON

The City Council City Council previously entered into a contract with Tanko Streetlighting Inc (Tanko) to assist the City with the purchase of the streetlights owned in Stanton by Southern California Edison (SCE) and to convert them to LED. Tanko has completed their report on the viability of purchasing the streetlights and is being presented to the City Council for their review. Based on this report staff recommends the City Council direct staff to work to negotiate an agreement with SCE to purchase the streetlights.

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

The City Council questioned staff regarding staff's definition of "light upgrades", estimates on upgrading costs, wireless technology options, City cloud, how many light poles are located within the City, what the projected savings would the City receive with the purchasing of the light poles, LED lighting conversion, cost savings in converting to LED lighting, smart city technology, and if the consultant Tanko would assist the City in researching and locating grant opportunities.

Motion/Second: Ethans/Shawver

Motion unanimously carried by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

1. The City Council reviewed the report from Tanko; and
2. Directed staff to work to negotiate an agreement with SCE to purchase the streetlights; and
3. Declared that the project is exempt from the California Environmental Quality Act ("CEQA") under Section 15301(b) – Existing facilities of both investor and publicly-owned utilities to provide electric power, natural gas, sewerage, or other public utility services.

11C. APPROVAL OF ORDINANCE NO. 1064

This Ordinance was introduced at the regular City Council meeting of March 14, 2017.

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

Motion/Second: Shawver/Ramirez

ROLL CALL VOTE:	Council Member Donahue	AYE
	Council Member Ethans	AYE
	Council Member Ramirez	AYE
	Mayor Pro Tem Shawver	AYE
	Mayor Warren	AYE

Motion unanimously carried:

1. The City Clerk read the title of Ordinance No. 1064, entitled:

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, RE-ESTABLISHING FEES FOR STATE FRANCHISED VIDEO SERVICE PROVIDERS”; and

2. 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
3. Adopted Ordinance No. 1064.

11D. REPEAL OF ORDINANCE NO. 1060 IN ITS ENTIRETY, REGARDING THE PERSONAL, MEDICAL, AND COMMERCIAL USE OF MARIJUANA IN THE CITY, IN RESPONSE TO REFERENDUM PETITION

On October 25, 2016, the City Council adopted Ordinance No. 1060, which would limit marijuana businesses and activities in the City to the greatest extent under recently-passed California Proposition 64. The Ordinance's effective date would have been 30 days after adoption (November 25, 2016). However, on November 22, 2016, a group of Stanton residents/proponents filed a signed petition with the City Clerk's Office seeking to repeal portions of Ordinance No. 1060 by referendum. The petition was timely filed and contained the required signatures to qualify for the ballot.

Since the referendum measure has qualified, the Elections Code Requires the City Council to reconsider the Ordinance. After reconsideration, the City Council may: (a) entirely repeal the ordinance against which the referendum petition was filed, (b) submit the referendum measure to the voters at the next regular municipal election (November 6, 2018), or (c) submit the measure to the voters at a special election no earlier than 88 days after the City Council calls the election.

Staff is recommending that Ordinance No. 1060 be repealed in its entirety in order to avoid the costs of an election.

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

Motion/Second: Ramirez/Shawver

ROLL CALL VOTE:	Council Member Donahue	AYE
	Council Member Ethans	AYE
	Council Member Ramirez	AYE
	Mayor Pro Tem Shawver	AYE
	Mayor Warren	AYE

Motion unanimously carried:

(a) Entirely repeal the ordinance against which the referendum petition was filed.

1. The City Council introduced the Ordinance by title only and waived further reading of Ordinance No. 1065; entitled:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, REPEALING ORDINANCE NO. 1060 IN ITS ENTIRETY, REGARDING THE PERSONAL, MEDICAL, AND COMMERCIAL USE OF MARIJUANA"; and

2. Determined that this Ordinance is not a project within the meaning of CEQA Guidelines section 15378 because it has no potential for resulting in physical change in the environment, directly or indirectly. The City Council further finds, under section 15061(b)(3), that this Ordinance is nonetheless exempt from the requirements of CEQA in that the activity is covered by the general rule that CEQA applies only to activities that have the potential for causing a 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. The City Council, therefore, directs that a Notice of Exemption be filed with the County Clerk of the County of Orange in accordance with CEQA Guidelines.

12. NEW BUSINESS

12A. APPROVAL OF THE STANTON RESERVE POLICY

In June 2011, City Council approved Administrative Policy IV-4-9 "Fund Balance Policy and Classification of Various Components of Fund Balance as Defined in Governmental Accounting Standards Board Statement No. 54" as well as Resolution 2011-34 approving Stanton's General Fund Emergency Disaster Contingency commitment of fund balance.

In order to establish a commitment of fund balance for both unforeseen expenditures as well as anticipated future expenditures that require ongoing funding for significant future outlays, staff is presenting a complete General Fund Reserve Policy as an exhibit to Resolution No. 2017-10 and a revision to Administrative Policy IV-4-9 for City Council's review and approval. In addition, a recommendation is made to initially fund two of the reserves from existing Unassigned Fund Balance.

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

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

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

1. The City Council 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 Administrative Policy IV-4-9 "Fund Balance Policy and Classification of Fund Balance" as presented; and
3. Adopted Resolution 2017-10 entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, APPROVING THE CITY OF STANTON GENERAL FUND RESERVE POLICY ESTABLISHING COMMITMENTS OF FUND BALANCE"; and

4. Approved the initial funding of the Capital Improvement Reserve in the amount of \$5,000,000 as a re-allocation of existing Unassigned Fund Balance; and
5. Approved the initial funding of the Pension Stabilization Reserve in the amount of \$3,000,000 as a re-allocation of existing Unassigned Fund Balance and deposit said funds with the City's Post-Employment Benefits Trust with PARS.

12B. AN ORDINANCE REGULATING MODEL AIRCRAFT AND CIVIL UNMANNED AIRCRAFT SYSTEMS, COMMONLY KNOWN AS DRONES

The attached Ordinance provides regulations for the operation of unmanned aircraft commonly referred to as drones. The Ordinance has been drafted in response to the 2016 Orange County Grand Jury Report and follows the findings and recommendations of the Report.

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

Motion/Second: Shawver/Ramirez

ROLL CALL VOTE:	Council Member Donahue	AYE
	Council Member Ethans	AYE
	Council Member Ramirez	AYE
	Mayor Pro Tem Shawver	AYE
	Mayor Warren	AYE

Motion unanimously carried:

1. The City Council declared that the project is not subject to CEQA in accordance with 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. Introduced for first reading, Ordinance No. 1063, entitled:

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, ADDING CHAPTER 9.102 TO TITLE 9 OF THE STANTON MUNICIPAL CODE REGULATING MODEL AIRCRAFT AND CIVIL UNMANNED AIRCRAFT SYSTEMS, COMMONLY KNOWN AS DRONES”; and
3. Set Ordinance for adoption at the regular City Council meeting of April 11, 2017.

12C. AWARD OF CONTRACT TO LEE OSTENDORF FOR THE OPERATION OF A FARMERS' MARKET AT STANTON CENTRAL PARK

The City Council has requested that a farmers' market be implemented at Stanton Central Park. Local Harvest had previously operated a farmers' market in Stanton but a suitable venue could not be found. As there is now an acceptable venue, staff recommends that the City continue the previous relationship for a farmers' market at Stanton Central Park.

Attached to this report are a proposal and a contract to perform these services.

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

Motion/Second: Ramirez/Ethans

Motion unanimously carried by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

1. The City Council approved a contract with Lee Ostendorf to operate a farmers' market at Stanton Central Park; and
2. Authorized the City Manager to bind the City of Stanton and Lee Ostendorf in a contract to provide these services; and
3. Waived business license fees to participating vendors to the extent that the vendor is engaging in business in Stanton exclusively relating to the Farmers' Market; and
4. 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.

13. ORAL COMMUNICATIONS – PUBLIC

- Greg Witz, Stanton property owner, spoke regarding City parking issues and solutions and requested that the City Council provide him with ten temporary parking permits while the City researches permit parking solutions.
- Don Turner, Resident spoke requested that the City initiate contact and make an effort to welcome a Golden Corral into the City of Stanton.
- Don Turner, Resident spoke regarding homeless and security issues that Park Place Apartments has been experiencing.

14. WRITTEN COMMUNICATIONS None.

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

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

- Council Member Donahue requested that Interim Community Services Director Soo Kang report on the upcoming Mayor's Prayer Breakfast event.
- Interim Community Services Director Soo Kang reported on the upcoming 8th Annual Mayor's Prayer Breakfast event, which is scheduled to be held on March 30, 2017.
- Mayor Pro Tem Shawver reported on his attendance at the Boys and Girls Club of Stanton Annual Golf Tournament event, which was held on March 27, 2017 and expressed his gratitude to the Stanton community for their support of the Boys and Girls Club of Stanton.

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

- Council Member Ramirez requested to agendize discussion regarding the costs/fees associated with a California Public Records Request Act.
- Mayor Pro Tem Shawver requested to agendize discussion regarding researching an app called "shot spotter".
- Mayor Pro Tem Shawver requested to agendize discussion regarding researching a "graffiti app" for use by Stanton residents.
- Council Member Ethans stated that he will be placing a request with the Orange County Vector Control District to provide the City Council with an update on their current operations.

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

Currently Scheduled:

- **April 11, 2017 (5:00 p.m.)**
Discussion Regarding Cyber Security and Fireworks

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

None.

17. ITEMS FROM CITY MANAGER/EXECUTIVE DIRECTOR

- Mr. James A. Box, City Manager expressed his gratitude to the senior staff, City Council, Orange County Fire Authority, Orange County Sheriff's Department, and staff for their efforts involved with another successful Youth in Government Day, which was held on March 23, 2017.
- Mr. James A. Box, City Manager reported that he will be out of the office during the week of April 3, 2017 to April 6, 2017 and that he has appointed Ms. Kelly Hart, Community and Economic Development Director as acting City Manager in his absence.

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.

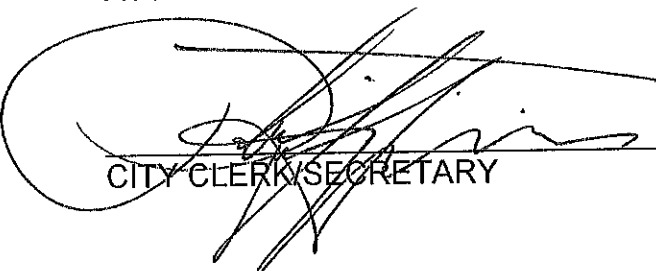
- Lieutenant Sean A. Howell provided the City Council with an update on their current operations.
- Lieutenant Sean A. Howell reported on the Orange County Sheriff's Department's Medal of Valor Luncheon and the City of Stanton's Deputy Honorees, which was held on March 23, 2017.

- 18. ADJOURNMENT** to April 11, 2017 at 5:00 p.m. for a City Council Study Session.
Motion/Second: Warren/Shawver
Motion carried at 8:16 p.m.



MAYOR/CHAIRPERSON

ATTEST:



CITY CLERK/SECRETARY