

MINUTES OF THE CITY COUNCIL / SUCCESSOR AGENCY / HOUSING AUTHORITY
OF THE CITY OF STANTON
JOINT REGULAR MEETING JULY 11, 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 Ethans, Mayor Pro Tem Shawver, and Mayor Warren.

Absent: None.

Excused: Council Member Donahue and Council Member Ramirez.

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: 5

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

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

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

The meetings were called to order at 6:34 p.m. by 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: Agency/Authority Member Ethans, Vice Chairman Shawver, and Chairperson Warren.

Absent: None.

Excused: Agency/Authority Member Donahue and Agency/Authority Member Ramirez.

7. PLEDGE OF ALLEGIANCE

Led by Ms. Nancy Heitman, Parks and Recreation Commissioner.

8. SPECIAL PRESENTATIONS AND AWARDS

8A. Presentation by Orange County District Attorney Tony Rackauckas sharing their mission with the City Council and providing information on their current efforts to combat human exploitation and trafficking in Orange County.

- Mr. Bradley Schoenleben, Orange County Deputy District Attorney, detailed the Orange County District Attorney's offices efforts in combating human exploitation and trafficking in Orange County.

8B. Presentation by Ms. Carolyn Emery, Executive Officer, Orange County Local Agency Formation Commission (LAFCO); sharing their mission with the City Council, providing information on their current operations, and spoke in detail as to which remaining islands were within the City's sphere of influence.

- The City Council questioned LAFCO regarding if the County would provide any funding to assist in offsetting the cost of incorporating the aforementioned islands, when LAFCO last updated their sphere of influence study, and questioned if LAFCO would be making this same presentation to the other surrounding City's near Stanton.

8C. The City Council declared the month of July 2017 as Park and Recreation Month in the City of Stanton (Monthly Spotlight).

- Ms. Jessica Cedillo, Resident spoke regarding the impact that the City of Stanton and its parks and youth programs has had in her life.
- Ms. Malaria Cedillo, Resident spoke regarding the benefits that the City of Stanton and its parks and youth programs.
- The City Council presented a proclamation declaring July 2017 as Parks and Recreation Month to Parks and Recreation Commissioners Ms. Beverly Henry, Ms. Nancy Heitman, Mr. Greg Himes, Mr. John Warren, and Mr. Victor Barrios.
- The City Council expressed their gratitude to the Parks and Recreation Commission, staff, and residents for their dedicated and outstanding services to the Stanton community.

9. CONSENT CALENDAR

Mayor Pro Tem Shawver requested to pull consent calendar item 9C for separate discussion.

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

AYES: 3 (Ethans, Shawver, and Warren)
NOES: None
ABSTAIN: None
ABSENT: 2 (Donahue and Ramirez)

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 June 22, 2017 and June 29, 2017, in the amount of \$395,152.40.

END OF CONSENT CALENDAR

9C. AWARD OF CONSTRUCTION CONTRACT FOR THE THUNDERBIRD LANE SEWER AND STREET IMPROVEMENTS PROJECT BY THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA

The seven bids for the Thunderbird Lane Sewer and Street Improvements Project was opened on June 15, 2017. Based on the post-bid analysis of the bids received, staff recommends the bid submitted by Beador Construction Company Inc. to be responsible and responsive.

The construction cost for the Thunderbird Lane Sewer and Street Improvements Project is estimated at \$621,300.00, which includes a 10-percent contingency and 10-percent for construction management services.

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

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

AYES: 3 (Ethans, Shawver, and Warren)
NOES: None
ABSTAIN: None
ABSENT: 2 (Donahue and Ramirez)

1. The City Council approved the plans and specifications for the Thunderbird Lane Sewer and Street Improvements Project; and
2. Approved Budget Adjustment No. 2018-01 to appropriate \$200,000 to the Sewer Improvements account of the Sewer Maintenance Fund for this project; and
3. Awarded a construction contract for the Thunderbird Lane Sewer and Street Improvements Project to the lowest responsible bidder, Beador Construction Company Inc., for the amount of \$517,700.00; and
4. Authorized the City Manager to bind the City of Stanton and Beador Construction Company Inc. in a contract for the construction of the Thunderbird Lane Sewer and Street Improvements Project; and
5. Declared this project to be categorically exempt under the California Environmental Quality Act, Class 1, Section 15301c; and
6. Authorized the City Manager to approve contract changes, not to exceed 10-percent.

10. PUBLIC HEARINGS

Ms. Patricia A. Vazquez, City Clerk reported that at the request of the applicant, public hearing item 10A will be continued to the next regularly scheduled City Council meeting of July 25, 2017.

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

AYES: 2 (Ethans and Warren)
NOES: 1 (Shawver)
ABSTAIN: None
ABSENT: 2 (Donahue and Ramirez)

~~10A. APPEAL OF TO THE CITY COUNCIL TO MODIFY A CERTAIN CONDITION IN RESOLUTION NO. 2430 FOR CONDITIONAL USE PERMIT C17-02 ADOPTED BY THE PLANNING COMMISSION, TO ALLOW FOR THE SALE OF SINGLE SERVE BEER CONTAINERS IN CONJUNCTION WITH THE OPERATION OF A MINI-MART WITH THE SALE OF BEER, WINE AND SPIRITS FOR THE PROPERTY LOCATED AT 10480 BEACH BLVD. IN THE CG (COMMERCIAL GENERAL) ZONE; SUBMITTED BY AVTAR SINGH~~

~~This is an appeal of the Planning Commission decision to the City Council to modify a certain condition of approval for Conditional Use Permit C17-02 to allow for the sale of single serve beer containers in conjunction with the operation of a mini-mart with the sale of beer, wine and spirits for the property located at 10480 Beach Boulevard.~~

~~RECOMMENDED ACTION:~~

- ~~1. City Council conduct a public hearing; and~~
- ~~2. Declare that the project is categorically exempt per the California Environmental Quality Act (CEQA), under Section 15301 (Existing Facilities); and~~
- ~~3. Either uphold the Planning Commission decision to not allow the sale of single serve beer containers and deny the appeal; or reverse the Planning Commission decision and allow the sale of single serve beer containers and grant the appeal; and~~
- ~~4. Direct staff to draft a Resolution memorializing the City Council decision.~~

Ms. Patricia A. Vazquez, City Clerk reported that at the request of the applicants public hearing items 10B, 10C, 10D, and 10E will be continued to a date uncertain.

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

AYES: 2 (Ethans and Warren)
NOES: 1 (Shawver)
ABSTAIN: None
ABSENT: 2 (Donahue and Ramirez)

~~40B. APPEAL OF PLANNING COMMISSION'S DENIAL OF CONDITIONAL USE PERMIT C16-03 TO ALLOW FOR CONTINUED OPERATION OF A MASSAGE ESTABLISHMENT FOR THE PROPERTY LOCATED AT 7013 KATELLA AVENUE, #B IN THE CG (COMMERCIAL GENERAL) ZONE; SUBMITTED BY VAN VAN LE~~

~~This is an appeal of the Planning Commission's decision to deny the continued operation of a massage establishment from the subject property due to violations of Stanton Municipal Code Section 20.400.190 related to Massage Establishments.~~

~~RECOMMENDED ACTION:~~

- ~~1. City Council hold a public hearing; and~~
- ~~2. Find that the project, as conditioned hereby, is categorically exempt from environmental review under the California Environmental Quality Act, Section 15301 (Existing Facilities) because the project involves an existing massage establishment with negligible or no expansion of the existing use; and~~
- ~~3. Consider Resolution No. 2017-29 upholding the Planning Commission's denial of Conditional Use Permit C16-03 and denying the Applicant's appeal, entitled:~~

~~"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA UPHOLDING THE PLANNING COMMISSION'S DENIAL OF CONDITIONAL USE PERMIT C16-03, A REQUEST TO ALLOW FOR CONTINUED OPERATION OF A MASSAGE ESTABLISHMENT FOR THE PROPERTY LOCATED AT 7013 KATELLA AVE. #B IN THE CG (COMMERCIAL GENERAL) ZONE AND DENYING THE APPLICANT'S APPEAL".~~

~~10C. APPEAL OF PLANNING COMMISSION'S DENIAL OF CONDITIONAL USE PERMIT C16-13 TO ALLOW FOR CONTINUED OPERATION OF A MASSAGE ESTABLISHMENT FOR THE PROPERTY LOCATED AT 11855 BEACH BOULEVARD IN THE CG (COMMERCIAL GENERAL) ZONE; SUBMITTED BY VAN HO~~

~~This is an appeal of the Planning Commission's decision to deny the continued operation of a massage establishment from the subject property due to violations of Stanton Municipal Code Section 20.400.190 related to Massage Establishments.~~

~~RECOMMENDED ACTION:~~

- ~~1. City Council hold a public hearing; and~~
- ~~2. Find that the project, as conditioned hereby, is categorically exempt from environmental review under the California Environmental Quality Act, Section 15301 (Existing Facilities) because the project involves an existing massage establishment with negligible or no expansion of the existing use; and~~
- ~~3. Consider Resolution No. 2017-30 upholding the Planning Commission's denial of Conditional Use Permit C16-13 and denying the Applicant's appeal, entitled:~~

~~"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA UPHOLDING THE PLANNING COMMISSION'S DENIAL OF CONDITIONAL USE PERMIT C16-13, A REQUEST TO ALLOW FOR CONTINUED OPERATION OF A MASSAGE ESTABLISHMENT FOR THE PROPERTY LOCATED AT 11855 BEACH BOULEVARD IN THE CG (COMMERCIAL GENERAL) ZONE".~~

~~10D. APPEAL OF PLANNING COMMISSION'S DENIAL OF CONDITIONAL USE PERMIT C16-16 TO ALLOW FOR CONTINUED OPERATION OF A MASSAGE ESTABLISHMENT FOR THE PROPERTY LOCATED AT 12108-12110 BEACH BOULEVARD IN THE CG (COMMERCIAL GENERAL) ZONE; SUBMITTED BY ANH THU HUYNH PHU~~

~~This is an appeal of the Planning Commission's decision to deny the continued operation of a massage establishment from the subject property due to violations of Stanton Municipal Code Section 20.400.190 related to Massage Establishments.~~

~~RECOMMENDED ACTION:~~

- ~~1. City Council hold a public hearing; and~~
- ~~2. Find that the project, as conditioned hereby, is categorically exempt from environmental review under the California Environmental Quality Act, Section 15301 (Existing Facilities) because the project involves an existing massage establishment with negligible or no expansion of the existing use; and~~
- ~~3. Consider Resolution No. 2017-28 upholding the Planning Commission's denial of Conditional Use Permit C16-16 and deny the Applicant's appeal, entitled:~~

~~“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA UPHOLDING THE PLANNING COMMISSION’S DENIAL OF CONDITIONAL USE PERMIT C16-16 AND DENYING THE APPEAL, A REQUEST TO ALLOW FOR CONTINUED OPERATION OF A MASSAGE ESTABLISHMENT FOR THE PROPERTY LOCATED AT 12108-12110 BEACH BOULEVARD IN THE CG (COMMERCIAL GENERAL) ZONE”.~~

~~10E. APPEAL OF PLANNING COMMISSION’S DENIAL OF CONDITIONAL USE PERMIT C16-22 TO ALLOW FOR CONTINUED OPERATION OF A MASSAGE ESTABLISHMENT FOR THE PROPERTY LOCATED AT 10450 BEACH BOULEVARD #115 IN THE CG (COMMERCIAL GENERAL) ZONE; SUBMITTED BY TRUC SU~~

~~This is an appeal of the Planning Commission’s decision to deny the continued operation of a massage establishment from the subject property due to violations of Stanton Municipal Code Section 20.400.190 related to Massage Establishments.~~

RECOMMENDED ACTION:

- ~~1. City Council hold a public hearing; and~~
- ~~2. Find that the project, as conditioned hereby, is categorically exempt from environmental review under the California Environmental Quality Act, Section 15301 (Existing Facilities) because the project involves an existing massage establishment with negligible or no expansion of the existing use; and~~
- ~~3. Consider Resolution No. 2017-31 upholding the Planning Commission’s denial of Conditional Use Permit C16-22 and deny the Applicant’s appeal, entitled:~~

~~“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA UPHOLDING THE PLANNING COMMISSION’S DENIAL OF CONDITIONAL USE PERMIT C16-22, A REQUEST TO ALLOW FOR CONTINUED OPERATION OF A MASSAGE ESTABLISHMENT FOR THE PROPERTY LOCATED AT 10450 BEACH BOULEVARD #115 IN THE CG (COMMERCIAL GENERAL) ZONE”.~~

11. **UNFINISHED BUSINESS** None.

12. **NEW BUSINESS**

12A. **RESOLUTION TO TRANSITION TO DISTRICT ELECTIONS**

The City is considering transitioning to by-district elections. The first step in transitioning to district-based elections is adoption of a resolution of intention. Staff has prepared a resolution of intention to transition from at-large to district-based elections pursuant to Government Code Section 34871 and Election Code Section 10010 for the 2018 general municipal election. The purpose of this report is to present the resolution for Council consideration.

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

Motion/Second: Ethans/Warren

Motion unanimously carried by the following vote:

AYES: 2 (Ethans and Warren)

NOES: 1 (Shawver)

ABSTAIN: None

ABSENT: 2 (Donahue and Ramirez)

1. The City Council discussed the proposed Resolution to Transition to District Elections, Resolution No. 2017-32; and
2. Declared 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. Moreover, this Ordinance is statutorily exempt from further CEQA review under Section 15262 (feasibility and planning studies); and
3. The City Council adopted Resolution No. 2017-32, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, DECLARING ITS INTENTION TO TRANSITION FROM AT-LARGE TO DISTRICT-BASED ELECTIONS PURSUANT TO CALIFORNIA ELECTION CODE SECTION 10010(e)(3)(A)".

13. ORAL COMMUNICATIONS – PUBLIC

- Mr. Norris, Resident, spoke regarding his journey into his master's program, specializing in criminal justice, cyber crime, and technology and reported that he is currently working on creating a program to teach computers how to understand a human being and judge a person's character, to eventually apply that technology to help build the City's public safety infrastructure.
- Mr. John Warren, Resident, welcomed Mr. James J. Wren newly appointed Public Safety Services Director to the City of Stanton.
- Mr. John Warren, Resident, spoke regarding district elections and suggested that the City mirror the City of Anaheim in regards to having a mixed district, with an at large mayor.
- Mr. Victor Barrios, Resident, spoke in opposition to district elections.
- Mr. Kevin Carr, Resident spoke in favor of district elections with no at large mayor.

14. WRITTEN COMMUNICATIONS None.

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

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

- Council Member Ethans reported on the Orange County Vector Control District's West Nile Virus and Zika Virus alerts and cases within the City and County of Orange.
- Mayor Warren reported on the Fourth of July Block Party, which was held at the Stanton Community Services Center on July 4, 2017.

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

None.

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

None.

15D. LAFCO COUNTY ISLAND REPORT

This is a report on the three remaining County unincorporated islands located within the City's Sphere of Influence. The report details the anticipated revenues from property and sales tax, costs for maintenance and services, open code enforcement cases, and road conditions.

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

The City Council questioned the total acreage being proposed, the condition of the County sewer system, if any utility structures were scheduled to be upgraded, and the costs associated with incorporating the proposed County islands.

1. The City Council received and filed the report; and
2. Directed staff to meet with LAFCO and proceed with further research of incorporating the proposed islands, provide a cost analysis, and to report staff's findings to the City Council at a future meeting.

15E. CITY COUNCIL INITIATED ITEM — DISCUSSION REGARDING THE POSSIBILITY OF UTILIZING A GRAFFITI REPORTING APP

At the March 28, 2017 City Council meeting, the City Council directed staff to proceed with researching implementation of a Graffiti App, provide a cost analysis, and to report staff's findings to the City Council at a future meeting.

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

Presentation by Mr. Steve Martin, Facilities Maintenance Worker II.

The City Council questioned if the graffiti app could eventually be expanded to include public safety and to promote existing Orange County Fire Authority and Orange County Sheriff's Department apps.

1. The City Council received and filed the report; and
2. Directed staff to proceed with implementation of the Graffiti Reporting app.

15F. CITY COUNCIL INITIATED ITEM — DISCUSSION REGARDING THE POSSIBILITY OF MODELING THE NEIGHBORHOOD LEADERSHIP PROGRAM FOR A STANTON BUSINESS LEADERSHIP PROGRAM TO INCORPORATE THE CITY'S BUSINESSES AND OBTAIN A STRONG LOCAL BUSINESS REPRESENTATION

At the June 13, 2017 City Council meeting, Mayor Pro Tem Shawver requested that this item be agendaized for discussion.

Presentation by Ms. Kelly Hart, Community and Economic Development Director

1. The City Council received and filed the report; and
2. Directed staff to proceed with further research and to report staff's findings to the City Council at a future meeting.

15G. CITY COUNCIL INITIATED ITEM — DISCUSSION REGARDING CREATING A PROGRAM TO PROVIDE LOCAL BIDDERS, LOCAL PREFERENCE WHEN THE CITY GOES OUT TO BID FOR PROJECTS

At the June 13, 2017 City Council meeting, Mayor Pro Tem Shawver requested that this item be agendaized for discussion.

Presentation by Mr. Stephen M. Parker, Administrative Services Director.

1. The City Council received and filed the report; and
2. Directed staff to proceed with further research and to report staff's findings to the City Council at a future meeting.

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

None.

17. ITEMS FROM CITY MANAGER/EXECUTIVE DIRECTOR

- Mr. James A. Box, City Manager, introduced the City's new Public Safety Services Director Mr. James J. Wren to the City Council.
- Mr. James J. Wren, Public Safety Services Director, made a brief introduction about himself to the City Council.

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.

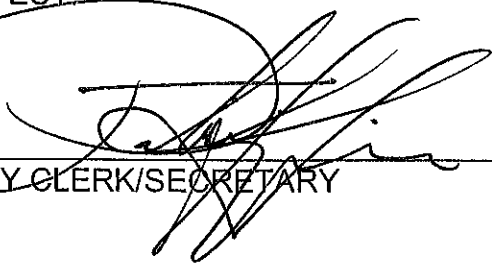
- Division Chief Dave Steffen provided the City Council with an update on their current operations.

18. ADJOURNMENT Motion/Second: Warren/
Motion carried at 8:19 p.m.



MAYOR/CHAIRPERSON

ATTEST:



CITY CLERK/SECRETARY