

MINUTES OF THE CITY COUNCIL / SUCCESSOR AGENCY / HOUSING AUTHORITY  
OF THE CITY OF STANTON  
JOINT REGULAR MEETING JULY 25, 2017

**1. CALL TO ORDER / CLOSED SESSION**

The City Council meeting was called to order at 5:00 p.m. by Mayor Warren.

**2. ROLL CALL**

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

Absent: Council Member Donahue.

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 5:00 p.m. for discussion regarding:

Council Member Donahue arrived at 5:45 p.m.

**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 6:30 p.m. by Chairperson Warren.

The City Attorney reported that the Stanton City Council met in closed session from 5:00 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. Andrew Rigg.

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

**9. CONSENT CALENDAR**

Council Member Ramirez requested to pull consent calendar items 9K, 9L, 9M, and 9N for separate discussion.

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

Council Member Donahue to abstain from Consent Calendar Item 9C, line item 1 and 3.

Council Member Ethans to abstain from Consent Calendar Item 9C, line item 1.

Council Member Ramirez to abstain from Consent Calendar Item 9C, line item 3.

Mayor Pro Tem Shawver to abstain from Consent Calendar Item 9C, line item 2.

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 July 6, 2017 and July 11, 2017, in the amount of \$339,214.26.

**9C. APPROVAL OF MINUTES**

1. The City Council/Agency/Authority Board approved Minutes of Regular Joint Meeting – May 9, 2017.
2. The City Council/Agency/Authority Board approved Minutes of Regular Joint Meeting – June 27, 2017.
3. The City Council/Agency/Authority Board approved Minutes of Regular Joint Meeting – July 11, 2017.

**9D. JUNE 2017 INVESTMENT REPORT**

The Investment Report as of June 30, 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 June 2017.

**9E. JUNE 2017 INVESTMENT REPORT (SUCCESSOR AGENCY)**

The Investment Report as of June 30, 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 June 2017.

**9F. JUNE 2017 INVESTMENT REPORT (HOUSING AUTHORITY)**

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

1. The Stanton 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 June 2017.

**9G. FY 2017/18 BUDGET ADJUSTMENT REQUEST**

This report requests a budget adjustment to fund the replacement of a part-time Facilities Maintenance Worker I position with a full-time Facilities Maintenance Worker II position (existing classification) for the remainder of the current fiscal year.

1. The City Council declared that this project is exempt from the California Environmental Quality Act ("CEQA") under Section 15378(b)(2) – continuing administrative or maintenance activities, such as purchases for supplies, personnel-related actions, general policy or procedure making; and
2. Approved Budget Adjustment 2018-02.

**9H. AWARD OF CONTRACT FOR PROFESSIONAL CONSTRUCTION ENGINEERING SERVICES FOR THE INSTALLATION OF THE TRAFFIC SIGNAL AT WESTERN AVENUE AND THUNDERBIRD LANE BY THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA**

Hartzog and Crabill, Inc. have been chosen to provide professional construction engineering services for the installation of the traffic signal at Western Avenue and Thunderbird Lane. Since Hartzog and Crabill, Inc. designed the traffic signal for Western Avenue and Thunderbird Lane, staff found they have the complete knowledge and expertise required to complete this project.

1. The City Council declared this project to be categorically exempt under the California Environmental Quality Act, Class 1, Section 15301c; and
2. Awarded a contract for professional construction engineering services to Hartzog and Crabill, Inc. to provide traffic engineering services for a maximum contract amount of \$30,000; and
3. Authorized the City Manager to bind the City of Stanton and Hartzog and Crabill, Inc. in a contract to provide professional construction engineering services.

**9I. AWARD OF CONTRACT FOR PROFESSIONAL CONSTRUCTION ENGINEERING SERVICES FOR THE INSTALLATION OF THE THUNDERBIRD LANE SEWER BY THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA**

On February 24, 2015 a contract was awarded to AKM Consulting Engineers for construction engineering services for the installation of the Thunderbird Sewer. The construction of the project was put on hold and is now going forward. As such staff has asked for a new proposal for their services.

1. The City Council declared this project to be categorically exempt under the California Environmental Quality Act, Class 1, Section 15301 (c); and
2. Awarded a contract for professional construction engineering services to AKM Consulting Engineers to provide construction engineering services for a maximum contract amount of \$54,200; and
3. Authorized the City Manager to bind the City of Stanton and AKM Consulting Engineers, Inc. in a contract to provide professional construction engineering services.

**9J. REQUEST FROM HORIZON AMBULANCE, INC., TO OPERATE AN AMBULANCE TRANSPORTATION – MEDICAL SERVICES LOCATED AT 1920 E. KATELLA AVENUE, SUITE K, ORANGE, CA 92867**

Section 5.04.420 of the Stanton Municipal Code requires certain businesses, including Ambulance Service businesses, to obtain approval by the City Council prior to initiation of operations. Horizon Ambulance, Inc. is requesting City Council approval to provide ambulance services within the City of Stanton.

1. The City Council 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 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. Approved the application of Horizon Ambulance, Inc., to provide ambulance services within the City of Stanton and authorized the issuance of a business license permit.

**9O. AUTHORIZATION FOR MAYOR PRO TEM DAVID J. SHAWVER TO ATTEND THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE IN SACRAMENTO**

The League of California Cities Annual Conference is scheduled for September 13-15, 2017 in Sacramento. In order to vote at the Annual Conference / Annual Business Meeting, City Council must designate a voting delegate and/or voting delegate alternate. Additionally, pursuant to the City of Stanton Travel and Reimbursement policy, a Council Member must receive City Council approval prior to a trip, if the trip will exceed \$500.00.

1. The City Council finds that this item is not subject to California Environmental Quality Act ("CEQA") pursuant to Sections 15378(b)(5)(Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment); and
2. Approved Mayor Pro Tem David J. Shawver to attend the League of California Cities Annual Conference, scheduled for September 13-15, 2017 in Sacramento; and
3. Designated Mayor Pro Tem David J. Shawver as the voting delegate.

**END OF CONSENT CALENDAR**

**Consent Calendar Items 9K, 9L, 9M, and 9N:**

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

The City Council questioned staff regarding the reduction in the number of massage business establishments from 34 to 19 in 2017, since the State released control back to City and clarified with the City Attorney that the City Council is not executing/issuing a conditional use permit.

Mr. Terry Shannon, Representative (of applicants for consent calendar items 9K, 9L, 9M, and 9N) reported that the City requirements are very strict, in terms of what is required and states that the applicants essentially need to be operating perfectly in terms of the tolling agreement, failure to do so, is means, essentially the death of their particular businesses to these individuals, who have placed a tremendous amount of investment in terms of creating the business, having a following, and that there isn't any "hanky panky" or any illegal activities and things of that nature. Mr. Shannon further stated that the applicants merely wanted a second opportunity to be able to show that the their business is going to be operated in a correct manner and that they understand completely and fully of the consequences, in terms of if they violate the terms of the tolling agreement.

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

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

**9K. TOLLING AGREEMENT FOR LOVELY MASSAGE (10450 BEACH BOULEVARD #115)**

Consideration of a Tolling Agreement for Lovely Massage located at 10450 Beach Boulevard #115.

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 Tolling Agreement for Lovely Massage; and
3. Authorized the City Manager to execute the necessary documents and take all actions reasonably necessary to ensure compliance with the Tolling Agreement.

**9L. TOLLING AGREEMENT FOR TEMPTATION MASSAGE (11855 BEACH BOULEVARD)**

Consideration of a Tolling Agreement for Temptation Massage located at 11855 Beach Boulevard.

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 Tolling Agreement for Temptation Massage; and
3. Authorized the City Manager to execute the necessary documents and take all actions reasonably necessary to ensure compliance with the Tolling Agreement.

**9M. TOLLING AGREEMENT FOR EDEN SPA (12108-12110 BEACH BOULEVARD)**

Consideration of a Tolling Agreement for Eden Spa located at 12108-12110 Beach Boulevard.

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 Tolling Agreement for Eden Spa; and
3. Authorized the City Manager to execute the necessary documents and take all actions reasonably necessary to ensure compliance with the Tolling Agreement.



**9N. TOLLING AGREEMENT FOR LUCKY MESSAGE (7013 KATELLA AVENUE #B)**

Consideration of a Tolling Agreement for Lucky Massage located at 7013 Katella Avenue #B.

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 Tolling Agreement for Lucky Massage; and
3. Authorized the City Manager to execute the necessary documents and take all actions reasonably necessary to ensure compliance with the Tolling Agreement.

**10. PUBLIC HEARINGS**

**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.

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

The City Council questioned staff regarding the official Planning Commission vote, the exact location of the business being discussed, and the public noticing process.

The public hearing was opened.

Sandeep Singh, representative for the applicant, spoke in favor of approval for the conditional use permit appeal.

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

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

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

1. The City Council conducted a public hearing; and
2. Declared that the project is categorically exempt per the California Environmental Quality Act (CEQA), under Section 15301 (Existing Facilities); and
3. Reversed the Planning Commission decision and allowed the sale of single serve beer containers and grant the appeal; and
4. Directed staff to draft a Resolution memorializing the City Council's decision.

**11. UNFINISHED BUSINESS** None.

**12. NEW BUSINESS**

**12A. CONSIDERATION OF TRAFFIC CALMING MEASURES ON LOLA AVENUE**

The City Council has asked staff to research the possibility of traffic calming measures on Lola Avenue. Staff has engaged our traffic engineering consultants to prepare a report on Lola Avenue and potential measures.

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

The City Council questioned staff if the Orange County Sheriff's Department had been dispatched to Lola Avenue to monitor and cite offenders, how can the City reduce the amount of cars that travel down Lola Avenue, how the City can deter speeding down Lola Avenue, adding additional speed cushion, adding additional stop signs, and meeting with the Lola Avenue neighborhood and obtaining resident feedback on installation location of said speed cushion.

- Mr. Victor Barrios, resident, spoke in favor of the installation of speed cushion and stated that past speed reducing tactics have been inefficient and that stop signs have helped, however in a limited capacity.
- Mr. Robert Vega, resident, spoke in favor of the installation of speed cushion and expressed his concerns with safety issues relating to speeding within his neighborhood.

- Mr. Robert Lewis, resident, spoke regarding utilizing the portable light and camera combination trailers, which were used on the fourth of July to monitor the discharge of illegal fireworks, to monitor speeding within the Lola Avenue neighborhood and questioned if the City possessed the ability to integrate a device to gauge speed traveled and to capture and cite offenders.

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 not subject to 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. Directed staff to pursue traffic calming measures on Lola Avenue:
  - Meet with the Lola Avenue neighborhood to solicit speed cushion placement feedback prior to installation; and
  - Research the spacing and maximum allowable installation of speed cushions on Lola Avenue; and
  - Include the MacDuff Street neighborhood; and
  - Report back to the City Council once staff and the City Council has met with the Lola Avenue and Macduff Street neighborhoods with a final rendition.

**12B. PROPOSED ORDINANCE TO CHANGE THE NAME OF THE STANTON PARKS AND RECREATION COMMISSION TO THE STANTON COMMUNITY SERVICES COMMISSION AND PROPOSED RESOLUTION TO AMEND THE COMMISSIONS SCHEDULED MEETING DATES**

This item proposes Ordinance No. 1067, which would change the name of the City's "Parks and Recreation Commission" to the "Community Services Commission". Also, this item proposes Resolution No. 2017-16, which would amend the Commission's scheduled meeting dates.

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

The City Council questioned why the Parks and Recreation Commission's name is being changed as well as why the Commission's meeting dates were being dropped down to six per year.

- Mr. Victor Barrios, Parks and Recreation Commissioner, spoke in favor of the modified meeting schedule.

- Mr. John Warren, Parks and Recreation Commissioner, spoke in opposition to the modified meeting schedule.

Motion/Second: Ramirez/Donahue

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 this project is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15062(c)(2) and 15060(c)(3); and
2. Introduced for its first reading Ordinance No. 1067 as amended to include the new title of the "Stanton Parks, Recreation and Community Services Commission" entitled:

**"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, AMENDING CHAPTERS 2.32 AND 2.36 OF TITLE 2 (ADMINISTRATION AND PERSONNEL) AND CHAPTER 12.36 OF TITLE 12 (STREETS AND SIDEWALKS) OF THE STANTON MUNICIPAL CODE TO CHANGE THE NAME OF THE STANTON PARKS AND RECREATION COMMISSION TO THE STANTON COMMUNITY SERVICES COMMISSION STANTON PARKS, RECREATION AND COMMUNITY SERVICES COMMISSION"; and**

3. Set said ordinance for adoption at the regular City Council meeting of August 8, 2017.
4. ~~Adopt Resolution No. 2017-16 entitled:~~

**~~"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, AMENDING THE STANTON COMMUNITY SERVICES COMMISSION'S SCHEDULED MEETING DATES".~~**

## **12C. CONSIDERATION OF OVERHEAD STREET BANNER PROGRAM**

The City Council has asked staff to research the details of installing overhead street banners in the City. This staff report summarizes potential locations and costs for overhead street banners.

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

1. The City Council received and filed the report; and
2. 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
3. Directed staff to pursue the installation of single street banners at Knott Avenue and Katella Avenue, as well as Beach Boulevard and Katella Avenue within the City; and
4. Directed staff to return to the City Council with a budget adjustment to pursue the installation of street banners.

## **13. ORAL COMMUNICATIONS – PUBLIC**

- Mr. Raymond Macias, resident, spoke regarding safety concerns and issues in regards to the Motel 6 and the "sober living home" adjacent to the Motel 6 and urged the City Council to assist with the direct negative impact that these facilities are having on the surrounding neighborhoods.
- Ms. Kelly Hart, Community and Economic Development Director reported that the Motel 6 is in the process of installing perimeter fencing, as well as installing a "Sheppard's hook fencing" atop the adjoining condominium wall. Director Hart further reported that staff would research and investigate the validity of the "sober living home" adjacent to the Motel 6.
- Mr. Greg Witz, Stanton property owner, spoke regarding City parking issues and requested that the City research solutions for a more managed and balanced permit parking system.

**14. WRITTEN COMMUNICATIONS** None.

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

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

- Mayor Pro Tem Shawver reported on the upcoming Concert in the Park and National Night Out, free community safety event, which is scheduled to be held on August 2, 2017 at Stanton Central Park.

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

- Mayor Warren requested to agendaize discussion regarding land use for the Bell Street property.
- Mayor Pro Tem Shawver requested to agendaize discussion regarding potential amendments to the Orange County Fire Authority contract.

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

- Mayor Warren requested to hold a joint study session with the City Council, Planning Commission, Parks, Recreation and Community Services Commission, Public Safety Committee, and Youth Committee to provide a brief update on the Council/Commissions/Committees activities and to create an open dialog on the various ways that the Council/Commissions/Committees can work even more efficiently together.

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

None.

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

- Mr. James A. Box, City Manager, reported on the upcoming Public Safety Committee meeting, which is scheduled to be held on July 26, 2017 and further reported that staff would be providing the committee with an update on the events of the fourth of July holiday.
- Mr. James A. Box, City Manager, reported on the upcoming Concert in the Park, which is scheduled to be held on August 2, 2017 at Stanton Central Park.

**17A. ORANGE COUNTY SHERIFF'S DEPARTMENT**

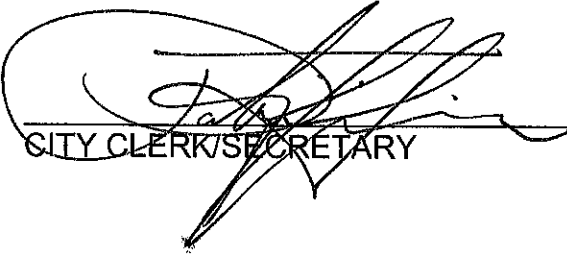
At this time the Orange County Sheriff's Department will provide the City Council with an update on their current operations.

- Lieutenant Sean A. Howell provided the City Council with an update on their current operations.

**18. ADJOURNMENT** Motion/Second: Warren/  
Motion carried at 8:41 p.m.

  
\_\_\_\_\_  
MAYOR/CHAIRPERSON

ATTEST:

  
\_\_\_\_\_  
CITY CLERK/SECRETARY