

MINUTES OF THE CITY COUNCIL / SUCCESSOR AGENCY / HOUSING AUTHORITY  
OF THE CITY OF STANTON  
JOINT REGULAR MEETING AUGUST 8, 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: 3

**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 6:00 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. Stephen M. Parker, Administrative Services Director.

**8. SPECIAL PRESENTATIONS AND AWARDS**

The City Council recognized the Orange County Sheriff's Department as the Monthly Spotlight Award for the month of August.

- Presentation and introductions by Ms. Julie S. Roman, Community Services Department.
- Presentation by Lieutenant Sean A. Howell, who expressed his gratitude to the City Council for their support and is honored that the Orange County Sheriff's Department was selected as the Monthly Spotlight Award recipient for the month of August.
- Lieutenant Sean A. Howell provided the City Council with an update on their current operations and further reported on the Orange County Sheriff's Department's recent accomplishments within the City.
- The City Council expressed their gratitude to the Orange County Sheriff's Department for their participation with the City's National Night Out event which was held on August 2, 2017 at Stanton Central Park.

**9. CONSENT CALENDAR**

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

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

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 20, 2017 and July 27, 2017, in the amount of \$317,838.02.

**9C. APPROVAL OF MINUTES**

The City Council/Agency/Authority Board approved Minutes of Regular Joint Meeting – July 25, 2017.

**9E. LANDSCAPE MAINTENANCE AGREEMENT WITH CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS ADJACENT TO 11382 BEACH BOULEVARD**

The development of the property at the northeast corner of Beach Boulevard and Orangewood Avenue, the new Stanton Plaza, will include landscaping along Beach Boulevard. The California Department of Transportation owns the right of way where the landscaping will be placed. They are requiring that the City enter into an agreement to maintain this landscaping in the event it is not properly maintained by the adjacent property owner.

1. The City Council declared that the project is categorically exempt under the California Environmental Quality Act, Class 1, Section 15301(h) as maintenance of existing landscaping; and
2. Approved an agreement with the California Department of Transportation to maintain the landscape improvements in the public right of way on Beach Boulevard; and
3. Authorized the Mayor and City Manager to bind the City of Stanton and the California Department of Transportation in said agreement.

**9F. LICENSE AGREEMENT WITH UNION PACIFIC RAILROAD COMPANY FOR AUTHORIZATION TO PLACE CONDUITS AND WIRES UNDER RAILROAD RIGHT OF WAY**

The Union Pacific Railroad Company (UPRR) owns the right of way where conduits and wires need to be placed for the Western Avenue and Thunderbird Lane Traffic Signal Project. UPRR requires that the City enter into an agreement to acquire a Licensee for this work. Upon execution of this agreement, the City shall pay a one-time License fee of \$13,100.00.

1. The City Council 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; and
2. Approved a license agreement with the Union Pacific Railroad Company allowing the City to work within their right of way; and
3. Authorized the Mayor and City Manager to bind the City of Stanton and the Union Pacific Railroad Company in said agreement; and
4. Approved a one-time License Fee of \$13,100.00.

**9G. REJECTION OF ALL BIDS FOR THE RUTLEDGE AVENUE AND PALAIS ROAD ALLEY IMPROVEMENT PROJECT BY THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA**

Staff is requesting that the City Council reject all bids for the Rutledge Avenue and Palais Road Alley Improvement Project.

1. The City Council 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)(5) – Organizational or administrative activities of governments that will not result in direct or indirect physical change in the environment; and
2. Rejected all bids for the Rutledge Avenue and Palais Road Alley Improvement Project.

**9H. CHANGE ORDER FOR THE WESTERN AVENUE AND THUNDERBIRD LANE TRAFFIC SIGNAL PROJECT**

The construction contract has been awarded for the Western Avenue and Thunderbird Lane Traffic Signal Project and the cost is \$179,849.00. Union Pacific Railroad has recently required additional design changes which will cost an additional \$81,165.01. The new costs for the mentioned work are in excess of the 10% authorization limit of the City Manager. Therefore, Staff requests that the Council authorize this Change Order 001 in the total additive amount of \$81,165.01 and authorize a 10% contingency based on the total project cost. The new project cost will be \$287,115.41, including the contingency.

1. The City Council declared that the project is exempt from the California Environmental Quality Act ("CEQA") under Section 15301(c) – Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities; and
2. Approved Change Order 001 in the total additive amount of \$81,165.01 to DBX, Inc. for the Western Avenue and Thunderbird Lane Traffic Signal Project; and
3. Authorized the Mayor to execute Change Order No. 001; and
4. Authorized the City Manager to approve contract changes, not to exceed 10-percent.

**END OF CONSENT CALENDAR**

**9D. ADOPTION OF RESOLUTION NO. 2017-33 UPHOLDING THE APPEAL TO MODIFY A CERTAIN CONDITION OF APPROVAL 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**

At the July 25, 2017 City Council meeting, the City Council heard an appeal 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. After reviewing the staff report and hearing public testimony, the City Council approved the appeal and directed staff to draft a resolution to modify the condition of approval to allow for the sale of single serve beer containers.

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

The City Council questioned staff regarding the public noticing process and inquired if any correspondence was received after the first hearing which was held on July 25, 2017.

Motion/Second: Shawver/Ramirez  
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 categorically exempt per the California Environmental Quality Act (CEQA), under Section 15301 (Existing Facilities); and
2. Adopted Resolution No. 2017-33 upholding the appeal to allow the sale of single serve beer containers, entitled:

**“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA UPHOLDING the appeal TO MODIFY A CERTAIN CONDITION OF APPROVAL 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”.**

**10. PUBLIC HEARINGS**

**10A. A REPORT ON THE END OF THE INTERNET AND CYBER CAFÉ MORATORIUM AND AN ORDINANCE ADOPTING REGULATIONS FOR THE OPERATION OF INTERNET AND CYBER CAFES IN THE CITY OF STANTON**

The report includes a summary of actions taken during the moratorium period and an Ordinance adopting regulations for the operation of internet and cyber cafes in the City of Stanton.

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

The public hearing was opened.

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

Motion/Second: Donahue/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:

1. The City Council conducted a public hearing; and
2. 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
3. Received and filed report on summary of actions taken during the moratorium period; and
4. Introduced Ordinance No. 1069, entitled:  

**“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA AMENDING CHAPTER 5.68 OF TITLE 5, TABLE 2-5 OF SECTION 20.215.020, TABLE 2-7 OF SECTION 20.220.020, TABLE 2-9 OF SECTION 20.225.020, TABLE 2-11 OF SECTION 20.230.020, AND SECTION 20.400.090 OF TITLE 20 OF THE STANTON MUNICIPAL CODE REGARDING INTERNET CAFES, CYBER CAFES, AND COMMERCIAL RECREATION FACILITIES”**; and
5. Set Ordinance for adoption at the September 12, 2017, regular City Council meeting.

**10B. PUBLIC HEARING – SECOND READING OF ORDINANCE ESTABLISHING A SEWER USER FEE UNIT RATE FOR SEWER SERVICES**

On March 1, 1988, the City of Stanton assumed operation and maintenance of sanitary sewer system improvements within its jurisdictional boundary under Orange County Reorganization No. 88. In order to provide sufficient revenue for the operation of the Stanton Sewer Department the City Council must annually adopt an ordinance to establish a user fee rate for sewer services for each fiscal year.

The City has recently completed an Annual Report sewer rate study which was preliminarily approved by the City Council at their meeting on June 13, 2017 which identifies the maximum annual sewer rates which may be charged annually for FY17/18 through FY21/22. Since the report included a change in the methodology used to calculate the Annual Sewer Service Charge for non-residential parcels, the City was required to comply with the requirements of Article XIIID, Section 6 which requires that the City conduct a public hearing on the proposed rate structure not less than 45 days after mailing a notice of the proposed change to each parcel.

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

The City Council questioned staff regarding the public noticing process and requested that staff compare in detail the proposed rate schedule compared to the past rate schedule.

The public hearing was opened.

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

Mayor Warren requested for a tabulation of the protest that have been received.

Ms. Patricia A. Vazquez, City Clerk declared that no protests were received.

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 conducted a public hearing to receive public comment regarding the revised Sewer User Fee rate, which maintains a two percent reduction from the fiscal year 2014-2015 Sewer User Fee unit rate for residential properties and adjusts the methodology used to calculate the Annual Sewer Charge for non-residential properties to be based on land use and building area rather than parcel size until such time as the sewer rates are otherwise revised by a subsequent ordinance of the City Council; and
2. Closed the public hearing, and requested for a tabulation of the protest that have been received by the City prior to the close of the public hearing. Declared that there is not a majority protest to the adoption of the revised Sewer User Fee schedule; and



3. Declared that the proposed ordinance is exempt from the California Environmental Quality Act ("CEQA") review under Public Resources Code section 21080(b)(8) and State CEQA Guidelines section 15273; and
4. Approved the fiscal year 2017-2018 parcel list for levying of the annual Sewer User Fee unit rate (on file in the City Clerk's office); and
5. Performed the second reading of Ordinance No. 1068 entitled:
 

**"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, ESTABLISHING RATES FOR THE ANNUAL SEWER SERVICE CHARGE FOR SEWER SERVICES";** and
6. Directed staff to establish an Appeal process to be approved by City Council in the next two months.

**11. UNFINISHED BUSINESS**

**11A. APPROVAL OF ORDINANCE NO. 1067**

This Ordinance was introduced at the regular City Council meeting of July 25, 2017.

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

Motion/Second: Donahue/Ethans

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. 1067, 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 PARKS, RECREATION AND COMMUNITY SERVICES COMMISSION";**  
and
2. The City Council finds that this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) as the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and
3. Adopted Ordinance No. 1067.

## 12. NEW BUSINESS

### 12A. APPROVAL OF FIFTH AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF STANTON AND THE COUNTY OF ORANGE FOR LAW ENFORCEMENT SERVICES

The current five-year agreement with the County of Orange for law enforcement services is for the period from July 1, 2017 to June 30, 2018. Due to new grant funding in the annual State's budget, Stanton has requested to add a new Community Enhancement Deputy effective September 1<sup>st</sup>. Other minor revisions to the contract are being made as well. The fifth amendment proposes the cost for services for FY 2017-2018 at \$10,417,166, with a decrease to the General Fund.

Staff report by Mr. James J. Wren, Public Safety Services Director.

The City Council questioned staff regarding the proposed addition of two cadets, insurance coverage, formal training for the cadets, and if the role of the Community Enhancement Deputy would change.

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 declared that the project is exempt from California Environmental Quality Act ("CEQA") under Section 15378(b)(4) – The creation of government funding mechanisms 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
2. Approved the Fifth Amendment to the Five-Year Agreement for Law Enforcement Services between the City of Stanton and the County of Orange; and
3. Approve Budget Adjustment No. 2018-03 in the amount of \$182,059 from the Public Safety Task Force Grant.

## 13. ORAL COMMUNICATIONS – PUBLIC

- Mr. Norris, resident, provided the City Council with an update on his Law Enforcement related master's program and on his attendance to the Second Annual Law Enforcement Job Fair hosted by the FBI Los Angeles.

14. **WRITTEN COMMUNICATIONS** None.

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

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

- Mayor Warren reported on her attendance at the Community Flag Raising Ceremony for City of Stanton Day at the OC Fair, which held on August 2, 2017.

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

None.

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

Currently Scheduled:

- **September 5, 2017 (5:30 p.m.)**  
Joint Study Session Meeting with the City Council, Planning Commission, Parks, Recreation and Community Services Commission, Public Safety Committee, and Youth Committee.

15D. **CITY COUNCIL INITIATED ITEM — DISCUSSION REGARDING LAND USE FOR THE BELL STREET PROPERTY**

At the July 25, 2017 City Council meeting, Mayor Warren requested that this item be agendaized for discussion.

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

The City Council questioned staff regarding proper lighting onsite, proposed a lighted pathway connecting to the Lowden neighborhood, staging a pilot program, and evaluating the pilot programs once it ends.

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.

**15E. CITY COUNCIL INITIATED ITEM — DISCUSSION REGARDING POTENTIAL AMENDMENTS TO THE ORANGE COUNTY FIRE AUTHORITY CONTRACT**

At the July 25, 2017 City Council meeting, Mayor Pro Tem Shawver requested that this item be agendaized for discussion.

Presentation by Mayor Pro Tem Shawver:

- Mayor Pro Tem Shawver stated that he has gone through several funding options for the City to pay for its fire services and once he has completed his research, he will then report back to the City Council for evaluation.

The City Council received and filed the report.

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

None.

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

None.

**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.

- Fire Captain Alan Wilkes provided the City Council with an update on their current operations.

Mayor Warren expressed her gratitude to Ms. Donna Marie Ramirez of REMAX for sponsoring the City's National Night Out event, which was held on August 2, 2017 at Stanton Central Park.

Mayor Warren wished Mr. James J. Wren, Public Safety Services Director a happy birthday.

**18. ADJOURNMENT** Motion/Second: Warren/  
Motion carried at 7:18 p.m.

  
MAYOR/CHAIRPERSON

ATTEST:

  
CITY CLERK/SECRETARY