

CITY COUNCIL/STANTON HOUSING AUTHORITY JOINT REGULAR MEETING STANTON CITY HALL, 7800 KATELLA AVENUE, STANTON, CA TUESDAY, APRIL 10, 2018 - 6:30 P.M.

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (714) 890-4245. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

The City Council agenda and supporting documentation is made available for public review and inspection during normal business hours in the Office of the City Clerk, 7800 Katella Avenue, Stanton California 90680 immediately following distribution of the agenda packet to a majority of the City Council. Packet delivery typically takes plan on Thursday afternoons prior to the regularly scheduled meeting on Tuesday. The agenda packet is also available for review and inspection on the city's website at www.ci.stanton.ca.us, at the public counter at City Hall in the public access binder, and at the Stanton Library (information desk) 7850 Katella Avenue, Stanton, California 90680.

- 1. CLOSED SESSION (6:00 PM)
- 2. **ROLL CALL** Council Member Donahue

Council Member Ethans Council Member Warren Mayor Pro Tem Ramirez

Mayor Shawver

### 3. PUBLIC COMMENT ON CLOSED SESSION ITEMS

Closed Session may convene to consider matters of purchase / sale of real property (G.C. §54956.8), pending litigation (G.C. §54956.9(a)), potential litigation (G.C. §54956.9(b)) or personnel items (G.C. §54957.6). Records not available for public inspection.

# 4. CLOSED SESSION

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

Number of Potential Cases: 1

# 5. CALL TO ORDER / STANTON HOUSING AUTHORITY MEETING

6. ROLL CALL Authority Member Donahue
Authority Member Ethans
Authority Member Warren
Vice Chairman Ramirez
Chairman Shawyer

# 7. PLEDGE OF ALLEGIANCE

# 8. SPECIAL PRESENTATIONS AND AWARDS

 Presentation of Proclamation declaring the month of April, as Donate Life California Month in the City of Stanton.

# 9. CONSENT CALENDAR

All items on the Consent Calendar may be acted on simultaneously, unless a Council/Board Member requests separate discussion and/or action.

### 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

### **RECOMMENDED ACTION:**

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

# 9B. APPROVAL OF WARRANTS

City Council approve demand warrants dated March 21, 2018 and March 29, 2018, in the amount of \$1,175,757.73.

9C. PARTICIPATION IN THE ASSOCIATION OF CALIFORNIA CITIES, ORANGE COUNTY'S PLANNING EFFORTS REGARDING COUNTY-WIDE PERMANENT SUPPORTIVE HOUSING

A resolution of support and authorization of staff to participate in planning efforts regarding county-wide permanent supportive housing efforts initiated by the Association of California Cities – Orange County (ACC-OC).

# RECOMMENDED ACTION:

- 1. City Council find that these items are not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378(b)(4) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly); and
- 2. Adopt Resolution No. 2018-12, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, AUTHORIZING CITY STAFF TO PARTICIPATE IN THE ASSOCIATION OF CALIFORNIA CITIES – ORANGE COUNTY'S PLANNING EFFORTS REGARDING COUNTY-WIDE PERMANENT SUPPORTIVE HOUSING."

# 9D. DESIGNATION OF VOTING DELEGATE AND/OR ALTERNATE FOR THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) 2018 REGIONAL CONFERENCE GENERAL ASSEMBLY

The Southern California Association of Governments (SCAG) Regional Conference General Assembly will be held on May 3 – 4, 2018 at the Renaissance Indian Wells Resort & Spa in Indian Wells, California. Each year, SCAG's member cities select a Delegate and/or Alternate to represent their City to participate at this Annual Meeting.

### RECOMMENDED ACTION:

- 1. City Council find 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
- Appoint Council Member David J. Shawver to attend and serve as the City's Voting Delegate for the Southern California Association of Governments (SCAG) Regional Conference General Assembly.

# 9E. SECOND CONTRACT AMENDMENT TO EXTEND ON-CALL TRAFFIC OPERATIONS SERVICES TO HARTZOG AND CRABILL, INC. BY THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA

Staff would propose to extend the current On-Call Traffic Operations Services contract for two additional years.

The cost for completing the On-Call Traffic Operations Services contract is \$70,000 annually.

# **RECOMMENDED ACTION:**

- 1. City Council declare 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 is 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. Approve a second contract amendment to the on-call contract with Hartzog and Crabill, Inc. to provide traffic operations services for a two year period for an annual amount of \$70,000; and
- 3. Authorize the City Manager to bind the City of Stanton and Hartzog and Crabill, Inc. in a contract to provide on-call traffic operations services.

# 9F. EXTENSION OF TIMEFRAME FOR THE DISPOSITION OF CERTAIN REAL PROPERTY HOUSING ASSETS OF THE STANTON HOUSING AUTHORITY (HOUSING AUTHORITY)

The former Stanton Redevelopment Agency ("Agency") purchased 28 parcels, for the development of the Tina/Pacific affordable housing project, along with three additional parcels for other opportunities to provide for affordable housing in the City. The Agency transferred these properties to the Housing Authority. The California Department of Finance ("DOF") approved the asset transfer in February 2013. The Housing Authority has five years from approval date to dispose or develop these assets for affordable housing purposes. To this end, the Authority has been diligently working with an affordable housing developer, Related Companies, to finalize a Development Agreement which would include the purchase of 25 of the parcels for the Tina/Pacific Development. The Authority has also hired a Broker to advertise and assist in the sale of a parcel on Katella Ave., and has contacted a number of developers to garner interest in the sale of the two remaining parcels on Cerritos Ave. and Flower Ave. As of the writing of this report, the Housing Authority has yet to find a suitable development partner for three of the parcels, and has not completed the sale of the 25 parcels associated with Tina/Pacific. Based on Successor Agency Housing Law Section 33334.16 of the California Health and Safety Code, the Housing Authority may extend the terms for disposition through a resolution adopted by the Housing Authority Board. To allow staff to continue with the Tina/Pacific development, and identify appropriate development partners for the remaining parcels, staff recommends the Housing Authority Board exercise this provision to extend the development and disposition period for an additional five years.

# RECOMMENDED ACTION:

- 1. Housing Authority declare 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. Adopt Resolution No. SHA 2018-01 extending the period for development or disposition of Housing Authority properties, entitled:
  - "A RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF STANTON THE PERIOD FOR DEVELOPMENT OR DISPOSITION OF HOUSING AUTHORITY PROPERTIES TRANSFERRED FROM THE FORMER STANTON REDEVELOPMENT AGENCY PURSUANT TO HEALTH AND SAFETY CODE SECTION34176.1(e)."

# 9G. EMERGENCY MANAGEMENT PERFORMANCE GRANT

The Orange County Sheriff's Department was awarded the Emergency Management Performance Grant (EMPG) FY17-18, from the California Governor's Office of Emergency Services (CalOES). Included in this grant is a sub award for the City in the amount of \$5,274.00. The EMPG grant is intended to assist local agencies in executing the Orange County Operational Area's Emergency Operations Plan (EOP). The grant performance period is July 1, 2017 through June 30, 2018.

### RECOMMENDED ACTION:

- 1. City Council declare 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 is 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. Approve the attached County of Orange Governing Body Resolution Form and Addendum authorizing the City Manager to execute the agreement and other documents required by the County of Orange for participation in the EMPG program on behalf of the City Council.

# **END OF CONSENT CALENDAR**

10. PUBLIC HEARINGS None.

11. UNFINISHED BUSINESS None.

# 12. NEW BUSINESS

# 12A. REPORT ON PLANNING COMMISSION ACTION REGARDING THE COMMERCIAL COMPONENT OF THE VILLAGE CENTER REDEVELOPMENT PROJECT

At a Special Meeting of the Planning Commission on March 28, 2018, the Planning Commission approved the development proposal of the commercial component of the Village Center redevelopment project. This report and presentation provides an overview of the project, Planning Commission action, and next steps for the project.

# **RECOMMENDED ACTION:**

City Council receive and file the report.

# 13. ORAL COMMUNICATIONS - PUBLIC

At this time members of the public may address the City Council/Stanton Housing Authority regarding any items within the subject matter jurisdiction of the City Council/Stanton Housing Authority, provided that NO action may be taken on non-agenda items.

- Members of the public wishing to address the Council/Authority during Oral Communications-Public or on a particular item are requested to fill out a REQUEST TO SPEAK form and submit it to the City Clerk. Request to speak forms must be turned in prior to Oral Communications-Public.
- When the Mayor/Chairman calls you to the microphone, please state your Name, slowly and clearly, for the record. A speaker's comments shall be limited to a three
   (3) minute aggregate time period on Oral Communications and Agenda Items. Speakers are then to return to their seats and no further comments will be permitted.
- Remarks from those seated or standing in the back of chambers will not be permitted. All those wishing to speak including Council/Authority and Staff need to be recognized by the Mayor/Chairman before speaking.

# 14. WRITTEN COMMUNICATIONS None.

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

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

At this time Council/Authority Members may report on items not specifically described on the agenda which are of interest to the community provided no discussion or action may be taken except to provide staff direction to report back or to place the item on a future agenda.

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

At this time Council/Authority Members may place an item on a future agenda.

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

At this time Council/Authority Members may place an item on a future study session agenda.

Currently Scheduled:

None

# 16. ITEMS FROM CITY ATTORNEY/AUTHORITY COUNSEL

# 17. ITEMS FROM CITY MANAGER/EXECUTIVE DIRECTOR

# 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.

# 18. ADJOURNMENT

I hereby certify under penalty of perjury under the laws of the State of California, the foregoing agenda was posted at the Post Office, Stanton Community Services Center and City Hall, not less than 72 hours prior to the meeting. Dated this 5<sup>th</sup> day of April, 2018.

s/ Patricia A. Vazquez, City Clerk/Secretary

# CITY OF STANTON ACCOUNTS PAYABLE REGISTER

March 21, 2018

\$1,013,129.11

March 29, 2018

\$162,628.62

\$1,175,757

Demands listed on the attached registers conform to the City of Stanton Annual Budget as approved by the City Council.

City Manager

Demands listed on the attached registers are accurate and funds are available for payment thereof.

Assistant City Manager

# CITY OF STANTON

# REPORT TO CITY COUNCIL

TO:

Honorable Mayor and City Council

DATE:

April 10, 2018

SUBJECT: PARTICIPATION IN THE ASSOCIATION OF CALIFORNIA CITIES. ORANGE COUNTY'S PLANNING EFFORTS REGARDING COUNTY-

WIDE PERMANENT SUPPORTIVE HOUSING

# REPORT IN BRIEF:

A resolution of support and authorization of staff to participate in planning efforts regarding county-wide permanent supportive housing efforts initiated by the Association of California Cities - Orange County (ACC-OC).

# RECOMMENDED ACTION:

- 1. City Council find that these items are not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378(b)(4) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly); and
- 2. Adopt Resolution No. 2018-12, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON. CALIFORNIA, AUTHORIZING CITY STAFF TO PARTICIPATE IN THE ASSOCIATION OF CALIFORNIA CITIES - ORANGE COUNTY'S PLANNING EFFORTS REGARDING COUNTY-WIDE PERMANENT SUPPORTIVE HOUSING."

### BACKGROUND:

ACC-OC has initiated efforts for the purpose of planning for the addition of 2,700 Permanent Supportive Housing (PSH) units among the 34 cities in the County and the County unincorporated areas.

# **ANALYSIS/JUSTIFICATION:**

The attached non-binding resolution would authorize representation and participation in



ACC-OC discussions about PSH units and PSH site locations.

# **FISCAL IMPACT:**

There is no specific fiscal impact with this resolution, however there will be unknown future costs to the City based on various potential solutions recommended by the cities working in conjunction with ACC-OC.

# **ENVIRONMENTAL IMPACT:**

Not applicable.

# **LEGAL REVIEW:**

None.

# **PUBLIC NOTIFICATION:**

Through the normal agenda posting process.

# STRATEGIC PLAN OBJECTIVE ADDRESSED:

2 - Provide a strong local economy.

Prepared By:

Stepheń M. Parker, CPA Assistant City Manager Approved by:

James A. Box City Manager

# Attachment:

Resolution No. 2018-13

# **RESOLUTION NO. 2018-13**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, AUTHORIZING CITY STAFF TO PARTICIPATE IN THE ASSOCIATION OF CALIFORNIA CITIES, ORANGE COUNTY'S PLANNING EFFORTS REGARDING COUNTY-WIDE PERMANENT SUPPORTIVE HOUSING

**WHEREAS**, Orange County is in the midst of a homelessness crisis, with the number of unsheltered homeless individuals increasing by 54 percent in the last five years despite increasing expenditures to combat the issue; and

**WHEREAS**, Permanent Supportive Housing (PSH) is a nationally recognized model for responding to chronic homelessness, with studies showing PSH decreases chronic homelessness by 30% more than traditional, transitional housing or emergency shelter housing; and

WHEREAS, a study conducted by United Way, Jamboree Housing, and UCI found that in fiscal year 2014-2015 cities in Orange County spent approximately \$120 million to address homelessness, more than a third of the total \$300 million spent throughout the entire county; and

WHEREAS, that same study found that if all of Orange County's chronically homeless individuals were placed in PSH units it would have a cost-savings of \$42 million per year; and

WHEREAS, the Association of California Cities, Orange County (ACC-OC) has initiated efforts for the purpose of planning for the addition of 2,700 PSH units in Orange County; and

WHEREAS, ACC-OC has proposed to allocate the 2,700 PSH units among the 34 cities in the County and the County unincorporated areas; and

WHEREAS, the City Council of the City of Stanton desires for the City to be represented and to participate in the ACC-OC discussions about PSH units and PSH site locations.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STANTON DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

**SECTION 1.** The City Council finds that the above recitations are true and correct and, accordingly, are incorporated as a material part of this Resolution.

SECTION 2. The City Council finds that this item is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section

15378(b)(4) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly).

<u>SECTION 3.</u> Stanton City staff are authorized to participate in ACC-OC meetings and discussions on the City's behalf about the potential allocations and potential siting locations of PSH units. City staff is not, however, authorized to commit the City to a proposed allocation or plan of site locations unless such allocation or plan is considered and approved by the City Council.

**SECTION 4.** This Resolution shall be in full force and effect immediately upon its adoption.

ADOPTED, SIGNED AND APPROVED this 10<sup>th</sup> day of April, 2018. DAVID J. SHAWVER, MAYOR APPROVED AS TO FORM: MATTHEW E. RICHARDSON, CITY ATTORNEY ATTEST: I, PATRICIA A. VAZQUEZ, City Clerk of the City of Stanton, California DO HEREBY CERTIFY that the foregoing Resolution, being Resolution No. 2018-13 has been duly signed by the Mayor and attested by the City Clerk, all at a regular meeting of the Stanton City Council, held on April 10, 2018, and that the same was adopted, signed and approved by the following vote to wit: AYES. NOES: ABSENT: ABSTAIN:

PATRICIA A. VAZQUEZ, CITY CLERK

# CITY OF STANTON

# REPORT TO THE CITY COUNCIL

TO:

Honorable Mayor and City Council

DATE:

April 10, 2018

SUBJECT: DESIGNATION OF VOTING DELEGATE AND/OR ALTERNATE FOR THE

SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG)

2018 REGIONAL CONFERENCE GENERAL ASSEMBLY

# REPORT IN BRIEF:

The Southern California Association of Governments (SCAG) Regional Conference General Assembly will be held on May 3 – 4, 2018 at the Renaissance Indian Wells Resort & Spa in Indian Wells, California. Each year, SCAG's member cities select a Delegate and/or Alternate to represent their City to participate at this Annual Meeting.

# RECOMMENDED ACTION:

- 1. City Council find 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. Appoint Council Member David J. Shawver to attend and serve as the City's Voting Delegate for the Southern California Association of Governments (SCAG) Regional Conference General Assembly.

# **BACKGROUND:**

SCAG is the nation's largest metropolitan planning organization, representing six counties, 191 cities and more than 18 million residents. SCAG undertakes a variety of planning and policy initiatives to encourage a more sustainable Southern California now and in the future.

At least once every year, SCAG convenes the General Assembly to bring together the official representatives of SCAG's membership and help set the agency's course for the coming year. The General Assembly is a forum where policy matters can be identified and addressed. A quorum of the General Assembly consists of official representation from one-third of the member cities and one-third of the member counties.

Each member county and each member city has one official representative and one alternate in the General Assembly, except the City of Los Angeles, which has three official representatives and three alternates due to its population size. Member cities and counties must communicate the names of their official representatives and alternates to SCAG within 45 days before the annual meeting of the General Assembly.

# **ANALYSIS/JUSTIFICATION:**

The SCAG 2018 Regional Conference and General Assembly is scheduled for May 3, through May 4, 2018 in Indian Wells. This year's conference program "Southern California at a Crossroads," will feature a diverse slate of expert panels, keynote presentations and technical demonstrations which will address how the changing face of retail will impact plans for economic development, share ways that cities can build resilience for natural disasters, discuss solutions to the housing crisis and investigate the region's transportation future. Additionally, the 2018 Regional Conference and General Assembly presents meaningful regional coordination and networking opportunities to all participants.

In order to facilitate the conduct of business at the General Assembly Meeting, each City Council must designate a Voting Delegate and/or Alternate. Designation of the Delegate is consistent with SCAG's Bylaws. SCAG has requested notification of the delegates 45 days before the conference.

The Voting Delegate and/or Alternate must be registered to attend the conference. The City is currently a member of SCAG and therefore registration is free for any Council Member. Hotel accommodations for a one-night stay for the appointed delegate are complementary.

# **FISCAL IMPACT:**

There is no cost associated with the designation of a Voting Delegate for attendance at the conference. However, cost for a one-night stay at a hotel would be \$169 plus taxes and applicable fees per night and reimbursement for travel mileage would be 53.5 cents per mile.

# **ENVIRONMENTAL IMPACT:**

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).

# **PUBLIC NOTIFICATION:**

Through the regular agenda process.

# STRATEGIC PLAN OBJECTIVE ADDRESSED:

Objective 6: Maintain and promote a responsive, high quality and transparent government.

Prepared By:

Patricia A Mazque

City Clerk

Concurred by:

Stephen M. Parker

Administrative Services Director

Approved by:

James A. Box City Manager

# Attachments:

A. SCAG Annual Conference Letter

B. SCAG Annual Conference Draft Conference Schedule





Dear David Shawver,

SCAG's 53rd Regional Conference and General Assembly is just around the corner on May 3-4, and we are excited to share the strong program we have put together. It's thanks to the participation of members and partners like you that this regional gathering is always so constructive, engaged and successful – I hope you will be able to join us again this year.

This year's program "Southern California at a Crossroads," will feature an exciting and diverse slate of expert panels, keynote presentations and technical demonstrations at the Renaissance Indian Wells Resort & Spa in Indian Wells, CA.

A draft conference agenda is now <u>available online</u>. This year's slate of panel sessions will address how the changing face of retail will impact plans for economic development, share ways that cities can build resilience for natural disasters, discuss solutions to the housing crisis and investigate the region's transportation future.

When you join us there, you will have the opportunity to connect and network with more than 900 of Southern California's most influential business and civic leaders while gaining new tools and resources to bring back to your communities.

A special early bird registration rate of \$250 is currently available, and will end after April 6. For more information and to register, visit the event website at <a href="scag.ca.gov/GA2018">scag.ca.gov/GA2018</a>.

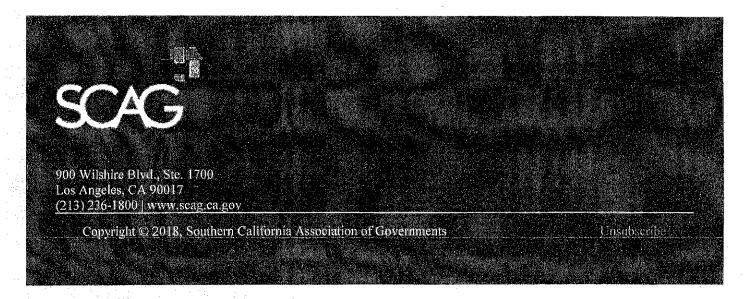
Don't wait to make your plans – the special conference rate of \$169 per night at the Renaissance Indian Wells Resort & Spa will sell out. Register today!

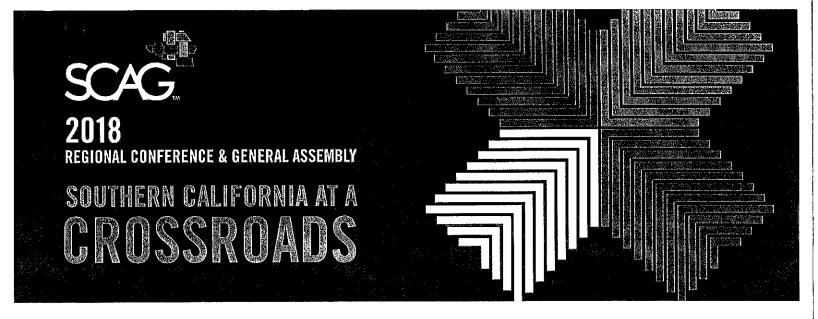
Sincerely,

Hasan Ikhrata

Executive Director

Hosastehath





# DRAFT CONFERENCE SCHEDULE



# WEDNESDAY, MAY 2

11:00 a.m. - 4:00 p.m.

**FUTURE COMMUNITIES FORUM** 



# THURSDAY, MAY 3

8:00 a.m. — 10:00 a.m.	NETWORKING & CONTINENTAL BREAKFAST
9:00 a.m. — 10:00 a.m.	REGIONAL COUNCIL MEETING
10:15 a.m. — 11:00 a.m.	WELCOME & OPENING KEYNOTE
11:00 a.m. — 12:00 p.m.	GENERAL ASSEMBLY MEETING
12:15 p.m. — 1:45 p.m.	SUSTAINABILITY AWARDS LUNCHEON
2:00 p.m. — 3:15 p.m.	BREAKOUT SESSION I
3:15 p.m. — 3:30 p.m.	BREAK & NETWORKING
3:30 p.m. — 4:45 p.m.	BREAKOUT SESSION II
5:30 p.m. — 7:30 p.m.	EVENING RECEPTION



Renaissance Indian Wells Resort & Spa 44400 Indian Wells Lane Indian Wells, CA 92210

scag.ca.gov/ga2018



# FRIDAY, MAY 4

8:30 a.m. – 9:00 a.m.	BREAKFAST	
9:00 a.m. — 9:30 a.m.	WELCOME KEYNOTE	
9:30 a.m. — 10:30 a.m.	PLENARY SESSION 1	
10:30 a.m. — 11:30 a.m.	PLENARY SESSION 2	
11:30 a.m.	CONFERENCE WRAP-UP	

# DRAFT CONFERENCE SCHEDULE

# THURSDAY, MAY 3



# 2:00 p.m. BREAKOUT SESSION I

Risk, Resilience, and Avoiding Economic Disaster

This past year, we've seen numerous natural disasters hit the region, and their economic impacts continue to reverberate. But one threatening us every day is a major earthquake along the San Andreas Fault. This panel session would build on the previous work of SCAG's Earthquake Preparedness Initiative, zeroing in on the best practices cities and counties can employ to protect local communities and economies from the disruption that a major earthquake, fire or other natural disaster would cause. What other tools can cities use to ensure that natural disasters will not turn into catastrophes? What are local utilities doing to prepare as well? And how can we better coordinate with one another?

At a Crossroads: Our Transportation Future

Southern California has a complex transportation system with equally complex challenges. The region is also a hotbed of innovative thinking and emerging technologies that aim to address those challenges. This panel will identify a path for meeting ambitious goals for easing congestion, reducing climate impacts and improving mobility access for all, and address opportunities for today's civic leaders to define the future of transportation in the region, and set the path for meeting ambitious goals for easing congestion, reducing climate impacts and improving mobility access for all. So how do we rethink our approach to infrastructure and land use to make the most of our existing transportation environment? How can cities and counties be successful in piloting projects that require major change?

### Student Showcase

This session will feature the work of students in the region, sharing research projects in the form of sustainability planning posters and GIS Story Maps selected through a competitive application process. These displays represent some of the strongest student work in the region, demonstrating innovative solutions to sustainability-related planning issues and illustrating the value of applied data to address regional issues. One project from each category will also be designated as the "best in show" by a panel of judges and receive a \$1,000 cash prize.

# 3:30 p.m. BREAKOUT SESSION II

Adapt and Re-Adapt: The Future of City Finance

Traditional sources of city and county revenue have seen sizable shifts in recent years, thanks in large part to new technologies, changing consumer habits, and certain legislative policies. Online shopping is outpacing sales at brick-and-mortar stores and local governments are missing out on sales tax revenues that end up going to the state instead. Meanwhile potential funding opportunities have become available with the legalization of recreational marijuana use. Now more than ever, local governments need to adapt to the shifting economy by being creative, innovative, and resourceful. What land use policies can local governments employ to keep their operations stable and effective? How does the changing face of retail stand to impact local businesses and economic development? What new partnerships, practices, and programs have been implemented to meet these current challenges?

Housing and the Shrinking Middle Class

An expanding middle class is an important indicator for a prospering region. However, Southern California's housing affordability problem continues to worsen, paving the way for an exodus of new businesses and top talent to other regions. An unprecedented housing shortage is at the root of the problem, as cities and counties all over the state have long been falling short of meeting their housing needs reflected in the Regional Housing Needs Assessment (RHNA). This session will address new policy measures and planning strategies from the state & local levels, as well as the important role the RHNA will need to play in the push for a solution to the housing crisis. This panel will also include perspectives of those who have left the region — and the state — to humanize the effect of our housing affordability crisis.

# CITY OF STANTON

# REPORT TO CITY COUNCIL

TO:

Honorable Mayor and Members of the City Council

DATE:

April 10, 2018

SUBJECT: SECOND CONTRACT AMENDMENT TO EXTEND ON-CALL TRAFFIC

OPERATIONS SERVICES TO HARTZOG AND CRABILL, INC. BY THE

CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA

# REPORT IN BRIEF:

Staff would propose to extend the current On-Call Traffic Operations Services contract for two additional years.

The cost for completing the On-Call Traffic Operations Services contract is \$70,000 annually.

# RECOMMENDED ACTION:

- 1. Declare 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 is 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. City Council approve a second contract amendment to the on-call contract with Hartzog and Crabill, Inc. to provide traffic operations services for a two year period for an annual amount of \$70,000; and
- 3. Authorize the City Manager to bind the City of Stanton and Hartzog and Crabill. Inc. in a contract to provide on-call traffic operations services.

# BACKGROUND:

Staff currently utilizes the services of Hartzog and Crabill, Inc. (HCI) to provide traffic engineering support. HCI is currently contracted to maintain the signal timing operations of all city owned traffic signals. These services include the preparation and review of traffic impact analyses, engineering and traffic surveys for establishing speed limits, traffic signal and striping plans, specifications, estimates, traffic control plans, and development and design of traffic signal coordination systems. Essentially HCI functions as the City's Traffic Engineer.

# ANALYSIS/JUSTIFICATION:

HCI was awarded a contract in June of 2014 for on-call traffic operations services through a competitive process for two years. On August 9, 2016 the City Council extended the contract for an additional two years. With this second extension, the contract will terminate June 30, 2020.

The consultants' staff has performed very well for the past four year. The proposed contract amendment would extend the contract for another two years at the same unit prices.

# FISCAL IMPACT:

Funds for these services are available from 225-3520-608105.

# **ENVIRONMENTAL IMPACT:**

In accordance with the requirements of the CEQA, this project has been determined to be exempt under Section 15061(b)(3).

# **LEGAL REVIEW:**

The City Attorney's office has reviewed and approved the contract amendment.

# **PUBLIC NOTIFICATION:**

Notifications and advertisement were performed as prescribed by law.

# STRATEGIC PLAN OBJECTIVE ADDRESSED:

3 - Provide a quality infrastructure.

Prepared by:

Allan Rigg, P.E., AICP
Director of Public Works/City Engineer

Concur: ,

Stephen Parker, CPA Assistant City Manager

City Manager

# ATTACHMENT:

- (1) Letter from Hartzog and Crabill, Inc.(2) Second Contract Amendment



Trammell Hartzog, President Gerald J. Stock, P.E., Executive Vice-President

17852 E. 17<sup>th</sup> Street Suite 101 Tustin, CA 92780

Phone: (714) 731-9455 FAX: (714) 731-9498

www.hartzog-crabill.com

March 6, 2018

Mr. Allan Rigg, PE, AICP Public Works Director/City Engineer City of Stanton 7800 Katella Avenue Stanton, CA 90680

Subject: Proposal to Extend the Professional Services Agreement for Professional On-Call Traffic Signal Operations Support and Traffic Engineering Consulting Services through June 30, 2020

Dear Mr. Rigg:

As you know, Hartzog & Crabill, Inc. (HCI) and the City of Stanton have had a long-standing professional working relationship, and we look forward to continue providing our traffic engineering services to the City. As such, this letter is to confirm that our reduced hourly rates will stay the same as part of a 2-year extension to our current contract (see attached Fee Schedule).

We look forward to the City of Stanton's acceptance of this letter and to continue working with you and your staff. If you have any questions or need more information please feel free to contact me at (714) 731-9455.

Very truly yours,

HARTZOG & CRABILL, INC.

Trammell Hartzog

President

Attachments: Schedule of Hourly Rates

# CITY OF STANTON

# SECOND AMENDMENT TO AGREEMENT FOR ON-CALL TRAFFIC OPERATIONS SERVICES

# 1. PARTIES AND DATE.

This Second Amendment to the Agreement for On-call Traffic Operation Services ("Second Amendment") is entered into on the 10<sup>th</sup> day of April 2018, by and between the City of Stanton, a California municipal corporation, organized under the laws of the State of California, with its principal place of business at 7800 Katella Avenue, Stanton, CA 90680 ("City") and Hartzog and Crabill, Inc., a California corporation, with its principal place of business at 17852 E. 17th Street, Suite 101 Tustin, CA 92780 ("Consultant"). City and Consultant are sometimes individually referred to herein as "Party" and collectively as "Parties."

# 2. RECITALS.

- 2.1 <u>Agreement</u>. The Parties entered into that certain Agreement for On-Call Traffic Operation Services with Hartzog and Crabill, Inc. on June 24, 2014 ("Agreement").
- 2.2 <u>First Amendment</u>. The Parties entered into an extension of the terms of the Agreement, dated August 9, 2016 ("First Amendment") until June 30, 2018.
- 2.3 Second Amendment. The Parties now desire to amend the Agreement in order to extend the term of the Agreement and increase the total amount of compensation under the Agreement. Neither the Agreement nor the amendments to the Agreement constitute "public works" contracts pursuant to Public Contract Code Section 20161 for which competitive bidding is required. Further, Stanton Municipal Code Section 2.56.110 allows the City to execute contracts for personal, professional, and consultant services without observing the City's bidding procedures.

### TERMS.

3.1 <u>Term.</u> Section 1 of the Agreement is hereby amended in its entirety to read as follows:

"This Agreement shall commence on <u>July 1, 2014</u>, and shall remain and continue in effect until tasks described herein are completed, but in no event later than <u>June 30</u>, <u>2020</u>, unless sooner terminated pursuant to the provisions of this Agreement."

3.2 <u>Payment</u>. Section 5(a) of the Agreement is hereby amended in its entirety to read as follows:

"The City agrees to pay Consultant monthly, in accordance with the payment rates and terms and the schedule of payment as set forth herein, attached hereto and incorporated herein by this reference as though set forth in full, based upon actual time spent on the above tasks. This amount shall not exceed Eighty Thousand Dollars for the remaining term of the Agreement unless additional payment is approved as provided in this Agreement."

3.3 <u>Remaining Provisions of Agreement</u>. Except as otherwise specifically set forth in this Second Amendment, the remaining provisions of the Agreement shall remain in full force and effect.

CITY	OF STANTON	HARTZOG AND CRABILL, INC.						
Ву:	James A. Box City Manager	By: Tram Hartzog President						
ATTI	EST:	[If Corporation, TWO President, <b>OR</b> Vice Pr Secretary or Treasurer REQU						
Ву:	Patricia A. Vazquez City Clerk	By: [INSERT NAME, TITL	E]					
APP	ROVED AS TO FORM:							
Ву:	Best Best & Krieger LLP	<del></del>						

# **CITY OF STANTON**

# REPORT TO THE HOUSING AUHTORITY

TO:

Honorable Chair and Members of the Stanton Housing Authority

DATE:

April 10, 2018

SUBJECT:

EXTENSION OF TIMEFRAME FOR THE DISPOSITION OF CERTAIN

REAL PROPERTY HOUSING ASSETS OF THE STANTON HOUSING

**AUTHORITY** 

# REPORT IN BRIEF:

The former Stanton Redevelopment Agency ("Agency") purchased 28 parcels, for the development of the Tina/Pacific affordable housing project, along with three additional parcels for other opportunities to provide for affordable housing in the City. The Agency transferred these properties to the Housing Authority. The California Department of Finance ("DOF") approved the asset transfer in February 2013. The Housing Authority has five years from approval date to dispose or develop these assets for affordable housing purposes. To this end, the Authority has been diligently working with an affordable housing developer, Related Companies, to finalize a Development Agreement which would include the purchase of 25 of the parcels for the Tina/Pacific Development. The Authority has also hired a Broker to advertise and assist in the sale of a parcel on Katella Ave., and has contacted a number of developers to garner interest in the sale of the two remaining parcels on Cerritos Ave. and Flower Ave. As of the writing of this report, the Housing Authority has yet to find a suitable development partner for three of the parcels, and has not completed the sale of the 25 parcels associated with Tina/Pacific. Based on Successor Agency Housing Law Section 33334.16 of the California Health and Safety Code, the Housing Authority may extend the terms for disposition through a resolution adopted by the Housing Authority Board. To allow staff to continue with the Tina/Pacific development, and identify appropriate development partners for the remaining parcels, staff recommends the Housing Authority Board exercise this provision to extend the development and disposition period for an additional five years.

# **RECOMMENDED ACTION:**

1. Declare 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. Adopt Resolution SHA 2018-01 extending the period for development or disposition of Housing Authority properties.

# BACKGROUND:

On January 10, 2012, the City Council adopted Resolution No. 2012-03 to activate the Stanton Housing Authority ("Authority"). The Authority serves as a tool to undertake affordable housing activities guided by the goals established in the Housing Element, and the former Stanton Redevelopment Agency ("Agency") Five-Year Implementation Plan. As part of its affordable housing efforts the Agency purchased 25 parcels within the Tina/Pacific neighborhood, two parcels at the corner of Cerritos Ave. and Flower Ave., and a property on Katella Ave., west of Western Ave.

In 2012, the State of California dissolved redevelopment agencies under Assembly Bill 1X26 and its subsequent amendment, Assembly Bill 1484. This legislation required, among other provisions that, upon approval by the DOF, redevelopment housing assets could be transferred to a Successor Housing. Entity. On January 10, 2012, the City Council approved the transfer of the housing functions of the former Agency to the Housing Authority to assist the City and former Agency with the consolidated implementation of their respective affordable housing goals and designated it as the Successor Housing Entity to the former Agency. Therefore, in the instance of Stanton, the Successor Housing Entity is the Stanton Housing Authority.

# **ANALYSIS AND JUSTIFICATION:**

As required by the dissolution legislation, the Successor Agency requested approval of asset transfers to the Housing Authority from the DOF. These assets included a total of 28 parcels and cash assets. In February 2013, the DOF approved the asset transfers to the Housing Authority. Since that time, the Housing Authority Board has overseen the management of funds and disposition of assets in accordance with the provisions of State housing law and the dissolution legislation. These laws require the Housing Authority to dispose of housing assets within five years of the DOF's approval of the asset transfer.

To advance the affordable housing goals of the City, staff has continued to evaluate and pursue disposition and development opportunities for the 28 parcels. Staff is diligently working on finalizing a Development and Regulatory Agreement with Related Companies for the purchase and development of the Tina/Pacific neighborhood, which is inclusive of 25 parcels. For the parcel on Katella Ave., the Authority has entered into a contract with a broker to advertise the sale of the asset. At this time, a suitable offer for the purchase of the site has not been received. For the final two parcels on the corner of Cerritos Ave. and Flower Ave., the Authority has not yet found a suitable development partner for the property given that its size and site constraints limit development options.

To ensure sufficient timing for the disposition of the properties, staff recommends the Housing Authority Board extend the timeline, pursuant to California Housing Law, by adopting the proposed Resolution (Attachment 1). In doing so, the Housing Authority

(based on approval by DOF) would be granted an additional five years to dispose of these assets. Staff would provide a letter and the adopted Resolution to the DOF for consideration of this request.

# **FISCAL IMPACT:**

There is minimal fiscal impact associated with the recommended action. Any future sale proceeds associated with the disposition of the parcels would be deposited into the Housing Asset Fund.

# **ENVIRONMENTAL IMPACT:**

This project has been determined not to be subject to CEQA under Section 15061(b)(3).

# **PUBLIC NOTIFICATION:**

Through the regular agenda posting process.

# STRATEGIC PLAN OBJECTIVE ADDRESSED:

6 – Maintain and Promote a Responsive, High Quality and Transparent Government.

Prepared by:

Kelly Hart

Community & Economic

**Development Director** 

Approved by:

Jamés A. Box

City Manager

# Attachment:

Housing Authority Resolution SHA 2018-01

# **RESOLUTION NO. SHA 2018-01**

A RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF STANTON THE PERIOD FOR DEVELOPMENT OR DISPOSITION OF HOUSING AUTHORITY PROPERTIES TRANSFERRED FROM THE FORMER STANTON REDEVELOPMENT AGENCY PURSUANT TO HEALTH AND SAFETY CODE SECTION34176.1(e)

WHEREAS, pursuant to Health and Safety Code ("HSC") Section 34176, the City of Stanton ("City"), as the entity that authorized the creation of the dissolved Stanton Redevelopment Agency ("RDA"), elected not to retain the housing assets and functions previously performed by the RDA, and instead elected to transfer all rights, powers, assets, liabilities, duties and obligations associated with the housing activities of the RDA, excluding any amounts on deposit in the Low and Moderate Income Housing Fund, to the Housing Authority, as provided in Resolution No. 2012-03 on January 10, 2012; and

WHEREAS, HSC Section 34176.1(e) requires all real properties acquired by the RDA prior to February 1, 2012 and transferred to the Housing Authority to be developed pursuant to the requirements detailed in HSC Section 33334.16, with time periods commencing on the date the Department of Finance approved such properties as a housing asset; and

WHEREAS, HSC Section 33334.16 provides that within five years from the date a property is acquired with Low and Moderate Income Housing Funds, activities must be initiated consistent with the development of the property for affordable housing purposes, or the property must be sold and sales proceeds shall be deposited into the Low and Moderate Income Housing Fund (now the Low and Moderate Income Housing Asset Fund established pursuant to HSC 34176(d)); and

**WHEREAS**, HSC 33334.16 further states that the legislative body may extend the aforementioned property development or disposition deadline for one additional period not to exceed five years; and

WHEREAS, the former RDA transferred twenty-eight (28) real properties purchased with Low and Moderate Income Funds to the Stanton Housing Authority, located at 7922 Cerritos Ave. (079-331-13); 10522 Flower Ave. (079-331-12); 7455 Katella Ave. (079-371-09); 8970 Tina Way (126-481-15); 8960 Tina Way (126-481-14); 8950 Tina Way (126-481-13); 8940 Tina Way (126-481-12); 8930 Tina Way (126-481-11); 8890 Tina Way (126-481-07); 8951 Pacific Ave. (126-481-18); 8941 Pacific Ave. (126-481-19); 8931 Pacific Ave. (126-481-20); 8911 Pacific Ave. (126-481-22); 8901 Pacific Ave. (126-481-25); 8871 Pacific Ave. (126-481-26); 8861 Pacific Ave. (126-481-27); 8851 Pacific Ave. (126-481-28); 8841 Pacific Ave. (126-481-29); 8870 Pacific Ave. (126-482-05); 8880 Pacific Ave. (126-482-06); 8910 Pacific Ave. (126-482-09); 8920 Pacific Ave. (126-482-10); 8930

Pacific Ave. (126-482-11); 8940 Pacific Ave. (126-482-12); 8950 Pacific Ave. (126-482-13); 8970 Pacific Ave. (126-482-15); and

WHEREAS, the Housing Authority is diligently pursuing the completion of a Development and Regulatory Agreement with Related Companies, for the redevelopment of the Tina/Pacific neighborhood, which would include the sale of twenty-five (25) of the Authority assets; and

**WHEREAS**, the Authority has contracted with a broker, Inco Realty, to advertise the sale of the Authority asset at 7455 Katella Ave. (079-371-09), but has not yet received a suitable offer for purchase; and

**WHEREAS**, due to property constraints including property size and development options, the Authority has yet been able to find a suitable developer for the properties at 7922 Cerritos Ave. (079-331-13), and 10522 Flower Ave. (079-331-12);

WHEREAS, under HSC 34176.1(e), the property development and disposition deadline imposed by HSC 33334.16 for the parcels is February 25, 2018, which is five years from the date the Department of Finance approved the housing assets transferred from the RDA to the Housing Authority; and

WHEREAS, the Housing Authority desires to retain the 7922 Cerritos Ave. (079-331-13); 10522 Flower Ave. (079-331-12); 7455 Katella Ave. (079-371-09); 8970 Tina Way (126-481-15); 8960 Tina Way (126-481-14); 8950 Tina Way (126-481-13); 8940 Tina Way (126-481-12); 8930 Tina Way (126-481-11); 8890 Tina Way (126-481-07); 8951 Pacific Ave. (126-481-18); 8941 Pacific Ave. (126-481-19); 8931 Pacific Ave. (126-481-20); 8911 Pacific Ave. (126-481-22); 8901 Pacific Ave. (126-481-23); 8891 Pacific Ave. (126-481-24); 8881 Pacific Ave. (126-481-25); 8871 Pacific Ave. (126-481-26); 8861 Pacific Ave. (126-481-27); 8851 Pacific Ave. (126-481-28); 8841 Pacific Ave. (126-481-29); 8870 Pacific Ave. (126-482-05); 8880 Pacific Ave. (126-482-06); 8910 Pacific Ave. (126-482-09); 8920 Pacific Ave. (126-482-10); 8930 Pacific Ave. (126-482-11); 8940 Pacific Ave. (126-482-12); 8950 Pacific Ave. (126-482-13); 8970 Pacific Ave. (126-482-15) for up to an additional five years, or February 25, 2018, to develop or dispose of the property as required by HSC 33334.16 and 34176.1(e).

# NOW, THEREFORE, THE HOUSING AUTHORITY OF THE CITY OF LAKE FOREST DOES HEREBY RESOLVE AS FOLLOWS:

**Section 1.** Recitals. The Recitals set forth above are true and correct and incorporated herein by reference.

Section 2. <u>Intent to Initiate Affordable Housing Activities</u>. The Housing Authority finds and determines it is the Housing Authority's intention that the Authority assets 7922 Cerritos Ave. (079-331-13); 10522 Flower Ave. (079-331-12); 7455 Katella Ave. (079-371-09); 8970 Tina Way (126-481-15); 8960 Tina Way (126-481-14); 8950 Tina Way (126-481-13); 8940 Tina Way (126-481-12); 8930 Tina Way (126-481-11); 8890

Tina Way (126-481-07); 8951 Pacific Ave. (126-481-18); 8941 Pacific Ave. (126-481-19); 8931 Pacific Ave. (126-481-20); 8911 Pacific Ave. (126-481-22); 8901 Pacific Ave. (126-481-23); 8891 Pacific Ave. (126-481-24); 8881 Pacific Ave. (126-481-25); 8871 Pacific Ave. (126-481-26); 8861 Pacific Ave. (126-481-27); 8851 Pacific Ave. (126-481-28); 8841 Pacific Ave. (126-481-29); 8870 Pacific Ave. (126-482-05); 8880 Pacific Ave. (126-482-06); 8910 Pacific Ave. (126-482-09); 8920 Pacific Ave. (126-482-10); 8930 Pacific Ave. (126-482-11); 8940 Pacific Ave. (126-482-12); 8950 Pacific Ave. (126-482-13); 8970 Pacific Ave. (126-482-15) be developed for affordable housing purposes, or sold to fund other affordable housing activities as permitted by the HSC.

Approval of Deadline Extension. The Housing Authority finds and Section 3. determines that the Housing Authority may retain the Authority assets 7922 Cerritos Ave. (079-331-13); 10522 Flower Ave. (079-331-12); 7455 Katella Ave. (079-371-09); 8970 Tina Way (126-481-15); 8960 Tina Way (126-481-14); 8950 Tina Way (126-481-13); 8940 Tina Way (126-481-12); 8930 Tina Way (126-481-11); 8890 Tina Way (126-481-07); 8951 Pacific Ave. (126-481-18); 8941 Pacific Ave. (126-481-19); 8931 Pacific Ave. (126-481-20); 8911 Pacific Ave. (126-481-22); 8901 Pacific Ave. (126-481-23); 8891 Pacific Ave. (126-481-24); 8881 Pacific Ave. (126-481-25); 8871 Pacific Ave. (126-481-26); 8861 Pacific Ave. (126-481-27); 8851 Pacific Ave. (126-481-28); 8841 Pacific Ave. (126-481-29); 8870 Pacific Ave. (126-482-05); 8880 Pacific Ave. (126-482-06): 8910 Pacific Ave. (126-482-09): 8920 Pacific Ave. (126-482-10): 8930 Pacific Ave. (126-482-11); 8940 Pacific Ave. (126-482-12); 8950 Pacific Ave. (126-482-13); 8970 Pacific Ave. (126-482-15) for an additional period not to exceed five years, or February 25, 2023, for the purpose of initiating affordable housing development activities.

**ADOPTED, SIGNED AND APPROVED** by the City Council of the City of Stanton at a regular meeting held on April 10, 2018 by the following vote, to wit:

DAVID J. SHAWVER, MAYOR
ATTEST:
PATRICIA A. VAZQUEZ, CITY CLERK
APPROVED AS TO FORM:
MATTHEW E. RICHARDSON, CITY ATTORNEY

ATTEST:	
CERTIFY that signed by the Stanton City (	A. VAZQUEZ, City Clerk of the City of Stanton, California DO HEREBY the foregoing Resolution, being Resolution No. 2018-01 has been duly Mayor and attested by the City Clerk, all at a regular meeting of the Council, held on April 10, 2018, and that the same was adopted, signed by the following vote to wit:
AYES:	
NOES:	
ABSENT:	

PATRICIA A. VAZQUEZ, CITY CLERK

ABSTAIN:

# **CITY OF STANTON**

# REPORT TO CITY COUNCIL

TO:

Honorable Mayor and Members of the City Council

DATE:

April 10, 2018

SUBJECT: EMERGENCY MANAGEMENT PERFORMANCE GRANT

# REPORT IN BRIEF:

The Orange County Sheriff's Department was awarded the Emergency Management Performance Grant (EMPG) FY17-18, from the California Governor's Office of Emergency Services (CalOES). Included in this grant is a sub award for the City in the amount of \$5,274.00. The EMPG grant is intended to assist local agencies in executing the Orange County Operational Area's Emergency Operations Plan (EOP). The grant performance period is July 1, 2017 through June 30, 2018.

# RECOMMENDED ACTION:

- 1. City Council declare 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 is 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. Approve the attached County of Orange Governing Body Resolution Form and Addendum authorizing the City Manager to execute the agreement and other documents required by the County of Orange for participation in the EMPG program on behalf of the City Council.

### **BACKGROUND:**

The funds for the EMPG grant originate from CalOES and are intended to sustain and enhance all-hazards emergency management capabilities among State and Local jurisdictions.

# ANALYSIS/JUSTIFICATION:

The funds received from the grant will offset the cost of emergency management training and the provision of an updated emergency plan.

# **FISCAL IMPACT:**

The grant will offset costs by \$5,274.00.

# **ENVIRONMENTAL IMPACT:**

In accordance with the requirements of the CEQA, this project has been determined to be exempt under Section 15061(b)(3).

# **PUBLIC NOTIFICATION:**

Through the normal agenda process.

# STRATEGIC PLAN OBJECTIVE ADDRESSES:

1 - Provide a Safe Community.

Prepared by:

James J. Wren

**Public Safety Services Director** 

Concurred by:

Stephen M. Parker

**Assistant City Manager** 

Approved by:

James A. Box

City Manager

# **ATTACHMENTS:**

A. Agreement to Transfer Funds for the 2017 EMPG Program

# AGREEMENT TO TRANSFER FUNDS

# FOR 2017 EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM

THIS	S AG	REE	MENT	is e	ntere	d into th	is	day of		_ 20	, whi	ch da	te is
enumerated t	for p	urpos	es of re	feren	ce or	aly, by an	nd between	the CC	UNTY	OF C	RANGE,	a pol	itical
subdivision	of	the	State	of	Cali	ifornia,	hereinafter	referr	red to	as	"COUNT	ſY,"	and
				,	a	municij	pal corpo	ration,	herein	after	referred	to	as
"SUBRECIP	IENT	Γ."											
WHE	יקו קוי	S C	OUNTS	Z act	ing t	hrough its	g Shariff C	oronar T	Janartma	ant h	arainaftar	rafann	ad ta

WHEREAS, COUNTY, acting through its Sheriff-Coroner Department, hereinafter referred to as SHERIFF, in its capacity as the lead agency for the Operational Area, has applied for, received and accepted the Emergency Management Performance Grant (hereinafter referred to as "the grant") from the California Office of Emergency Services ("CalOES").

WHEREAS, the purpose of the grant is to support comprehensive emergency management at the state, tribal and local levels and to encourage the improvement of prevention, protection, mitigation, response and recovery capabilities for all hazards, as set forth in Attachment A hereto (FY2017 Emergency Management Performance Grants [EMPG] Notice of Funding Opportunity [NOFO]), which is attached hereto and incorporated herein by reference.

# NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

- 1. COUNTY shall transfer to SUBRECIPIENT grant funds, in arrears, as necessary to reimburse SUBRECIPIENT for reasonable and permissible expenditures for the grant purposes. In order to obtain grant funds, SUBRECIPIENT shall comply with the instructions and submit to SHERIFF all required information and documentation, as set forth in Attachment B (EMPG City Financial Management Forms Workbook), which is attached hereto and incorporated herein by reference.
- 2. Throughout their useful life, grant property and equipment shall be used by SUBRECIPIENT only for grant purposes in accordance with Attachment A hereto.
- 3. SUBRECIPIENT shall exercise due care to preserve and safeguard grant property and equipment from damage or destruction and shall provide regular maintenance and such repairs for grant

CFDA: 97.042

property and equipment as are necessary, in order to keep said grant property and equipment continually in good working order.

- 4. If grant property or equipment becomes obsolete, SUBRECIPIENT shall dispose of it only in accordance with the instructions of COUNTY or the agency from which COUNTY received the grant funds.
- 5. SUBRECIPIENT shall submit to the COUNTY grant program reporting documents and information in accordance with requirements set out in the Attachment C (Emergency Management Performance Grant Program: California Supplement to the Federal Program Funding Opportunity Announcement; or, The State Guidance), which is attached hereto and incorporated herein by reference.
- 6. By executing this Agreement, SUBRECIPIENT agrees to comply with and be fully bound by this Agreement and all applicable provisions of Attachments A, B, C, and D (Standard Assurances for all CalOES Federal Grant Programs) hereto. SUBRECIPIENT shall notify COUNTY immediately upon discovery that it has not abided or no longer will abide by any applicable provision of this Agreement or Attachments A, B, C, or D hereto.
- 7. SUBRECIPIENT agrees to indemnify, defend and save harmless COUNTY and the agency from which COUNTY received grant funds, and their elected and appointed officials, officers, agents and employees from any and all claims and losses accruing or resulting to any and all contractors, subcontractors, laborers, and any other person, firm or corporation furnishing or supplying work, services, materials or supplies in connection with SUBRECIPIENT's performance of this Agreement, including Attachments A, B, C, and D hereto, and from any and all claims and losses accruing or resulting to any person, firm, or corporation who may be injured or damaged by SUBRECIPIENT in the performance of this Agreement, including Attachments A, B, C, and D hereto.
- 8. No alteration or variation of the terms of this Agreement shall be valid unless made in writing and signed by duly authorized representatives of the parties hereto, and no oral understanding or agreement not incorporated herein shall be binding on any of the parties hereto.
- SUBRECIPIENT may not assign this Agreement in whole or in part without the express written consent of COUNTY.

10. SUBRECIPIENT shall provide to COUNTY all records and information requested by COUNTY for inclusion in quarterly reports and such other reports or records as COUNTY may be required to provide to the agency from which COUNTY received grant funds or other persons or agencies.

- 11. For a period of three years after the final Federal Financial Report hereunder or until all claims related to this Agreement are finally settled, whichever is later, SUBRECIPIENT shall preserve and maintain all documents, papers and records relevant to the work performed or property or equipment acquired in accordance with this Agreement, including Attachments A, B, C, and D hereto. For the same time period, SUBRECIPIENT shall make said documents, papers and records available to COUNTY and the agency from which COUNTY received the grant funds or their duly authorized representative(s), for examination, copying, or mechanical reproduction on or off the premises of SUBRECIPIENT, upon request, during usual working hours.
- 12. SUBRECIPIENT and COUNTY shall be subject to examination and audit by the State Auditor General with respect to this Agreement for a period of three years after the final Federal Financial Report hereunder.
- 13. COUNTY may terminate this Agreement and be relieved of the payment of any consideration to SUBRECIPIENT if a) SUBRECIPIENT fails to perform any of the covenants contained in this Agreement, including the applicable terms of Attachments A, B, C, and D hereto, at the time and in the manner herein provided, or b) COUNTY loses funding under the grant. In the event of termination, COUNTY may proceed with the work in any manner deemed proper by COUNTY.
- 14. SUBRECIPIENT and its agents and employees shall act in an independent capacity in the performance of this Agreement, including Attachments A, B, C, and D hereto, and shall not be considered officers, agents or employees of COUNTY or SHERIFF or of the agency from which COUNTY received grant funds.
  - 15. By signing this Agreement, SUBRECEIPIENT understands and agrees that:
    - a. Failure to follow grant guidance, including those detailed below, will result in ineligibility for any reimbursement under the FY17 EMPG:

$_{1}$	b. A SUBRECIPIENT representative must attend half of the Or	range County Emergency
2		
		, ,
3		gement System (NIMS)
4	4 compliance;	
5	d. For any personnel whose salary is charged to the grant, that	specific individual must
6	6 meet the training and exercise requirements set forth in the gr	ant guidance; and
7	7 e. Only those expenditures specifically detailed in the Finan	cial Management Forms
8	8 Workbook are approved for funding; any changes must	be pre-approved by the
9	9 California Office of Emergency Services.	
10	IN WITNESS WHEREOF, the parties have executed this Agreement	in the County of Orange,
11	11 State of California.	
12	12 DATED:, 20 COUNTY OF ORANGE	
13	of the State of California	
14	14	
15	BySheriff-Co	proner
16	"COUNT"	Y"
17	APPROVED AS TO FORM COUNTY COUNSEL	
18	18 By Wendy J. Phillips, Senior Deputy	
19	19	
20	20	
21	21 DATED:, 20	
22	22	
23	23 By	
24	24	
25	25 ATTEST:	
26	26	
27	City Clerk DATED:	<u> </u>
28	28 DATED.	
	CFDA: 97.042 Emergency Management Performance Grant	

Department of Homeland Security

(Cal OES Use Only)	<u> </u>
FIPS # VS# Subaward #	
CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICE	FS

The Californ	nia Governor's Offic	e of Emergency Se	rvices (Cal OES)	hereby makes a Gra	int Subaward of fund	ds to the follow	ing:	
1. Subreci	pient:						1a. DUNS#:	
2. Impleme	enting Agency:	City of Stanton					2a. DUNS#;	
3. Implem	enting Agency Ade	dress: <u>7800</u>	Katella Avenue Street		Stanton	City		90680-3162 Zlp+4
4. Location	n of Project:	Stanton	City		Orange County	Ot		90680-3162
5. Disaste	r/Program Title:	Emergency Manage	•	Grant	6. Performance F	County Period:	07/01/17	Zip+4 to 06/30/18
7. Indirect	Cost Rate:	N/A; <sup>n</sup> 10% de M	linimis; a Fed	erally Approved ICR;				
Grant Year	Fund Source	A. State	B. Federal	C. Total	D. Cash Match	E. In-Kind Match	F. Total Match	G. Total Project Cost
2017	8. EMPG							
Select	9. Select					_		
Select	10. Select							
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	12. TOTALS							120. Total Project Cost;
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15. Official	Authorized to Sign f	or Subrecipient:		10	6. Federal Employe	er ID Number:		
Name:	Jim Wren			Title: Pub	lic Safety Director			
Telephone:	714-379-9222 (area code)	FAX	714-890-1443 (area code)	Email: jwre	en@cl.stanton.ca.us			
Payment M	lailing Address:	7800 Katella Avenu	9	City: Sta	nton		Zip+ 4: 90	680-3162
Signature:	Janos	J. Wan		_ Date:	11-15-1	7		
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Cal OES E	iscal Officer		Date	<b>_</b>	Cal OES Director	(or decignee)		Date

CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES (Cal OES)

AUTHORIZED AGENT

Alterations to this document may result in delayed application approval, modification requests, or reimbursement requests. Subrecipients may be asked to revise and/or re-submit any altered Financial Management Forms Workbook.

CFDA #:

EMPG 97.042

Supporting Information for Reimbursement/Advance of State and Federal Funds

This request is for an/a:

**Initial Application** 

This claim is for costs incurred within the grant expenditure period from and does not cross fiscal years.

(Beginning Expenditure Period Date)

(REIM8 or MOD Request #)

through

(Ending Expenditure Period Date)

\_\_\_\_\_

(Amount This Request)

Under Penalty of Perjury I certify that:

I am the duly authorized officer of the claimant herein. This claim is true, correct, and all expenditures were made in accordance with applicable laws, rules, regulations and grant conditions and assurances. Statement of Certification - Authorized Agent

By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures, disbursements and cash receipts are for the purposes and objectives set forth in the terms and conditions of the Federal award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (U.S. Code Title 18, Section 1001 and Title 31, Sections 3729-3730 and 3801-3812).

JAMES I WHEN

· PUBLIC SAPETY Come

11-15-17

Please reference the Instructions Page under the "Authorized Agent" section for instructions/address on where to mail workbook



# Standard Assurances For All Cal OES Federal Grant Programs

As the duly authorized representative of the Applicant, I hereby certify that the Applicant has the legal authority to apply for federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay any non-federal share of project cost) to ensure proper planning, management, and completion of the project described in this application, within prescribed timelines.

I further acknowledge that the Applicant is responsible for reviewing and adhering to all requirements within the:

- (a) Applicable Federal Regulations (see below);
- (b) Federal Program Notice of Funding Opportunity (NOFO);
- (c) California Supplement to the NOFO; and
- (d) Federal and State Grant Program Guidelines.

#### **Federal Regulations**

Government cost principles, uniform administrative requirements, and audit requirements for federal grant programs are set forth in Title 2, Part 200 of the Code of Federal Regulations (C.F.R.). Updates are issued by the Office of Management and Budget (OMB) and can be found at http://www.whitehouse.gov/omb/.

Significant state and federal grant award requirements (some of which appear in the documents listed above) are set forth below. The Applicant hereby agrees to comply with the following:

#### 1. Proof of Authority

The Applicant will obtain written authorization from the city council, governing board, or authorized body in support of this project. This written authorization must specify that the Applicant and the city council, governing board, or authorized body agree:

- (a) To provide all matching funds required for the grant project and that any cash match will be appropriated as required;
- (b) Any liability arising out of the performance of this agreement shall be the responsibility of the Applicant and the city council, governing board, or authorized body;
- (c) Grant funds shall not be used to supplant expenditures controlled by the city council, governing board, or authorized body, and
- (d) The official executing this agreement is, in fact, authorized to do so.

This Proof of Authority must be maintained on file and readily available upon request.

Page 1 of 11 Initials

#### 2. Period of Performance

The Applicant will initiate work after approval of the award and complete all work within the period of performance specified in the grant.

#### 3. Lobbying and Political Activities

As required by Section 1352, Title 31 of the United States Code (U.S.C.), for persons entering into a contract, grant, loan, or cooperative agreement from an agency or requests or receives from an agency a commitment providing for the United States to insure or guarantee a loan, the Applicant certifies that:

- (a) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- (b) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- (c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

The Applicant will also comply with provisions of the Hatch Act (5 U.S.C. §§ 1501-1508 and §§ 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with federal funds.

Finally, the Applicant agrees that federal funds will not be used, directly or indirectly, to support the enactment, repeal, modification or adoption of any law, regulation or policy without the express written approval from the California Governor's Office of Emergency Services (Cal OES) or the federal awarding agency.

#### 4. Debarment and Suspension

As required by Executive Orders 12549 and 12689, and 2 C.F.R. § 200.212 and codified in 2 C.F.R. Part 180, Debarment and Suspension, the Applicant will provide protection against waste, fraud, and abuse by debarring or suspending those persons deemed irresponsible in their dealings with the federal government. The Applicant certifies that it and its principals, subgrantees, recipients or subrecipients:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
- (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (2)(b) of this certification; and
- (d) Have not within a three-year period preceding this application had one or more public transaction (federal, state, or local) terminated for cause or default.

Where the Applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

#### 5. Non-Discrimination and Equal Employment Opportunity

The Applicant will comply with all federal statutes relating to non-discrimination. These include, but are not limited to, the following:

- (a) Title VI of the Civil Rights Act of 1964 (Public Law (P.L.) 88-352 and 42 U.S.C. § 2000d et. seq.) which prohibits discrimination on the basis of race, color, or national origin and requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services;
- (b) Title IX of the Education Amendments of 1972, (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex in any federally funded educational program or activity;
- (c) Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794), which prohibits discrimination against those with disabilities or access and functional needs;
- (d) Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability and requires buildings and structures be accessible to those with disabilities and access and functional needs (42 U.S.C. §§ 12101-12213);
- (e) Age Discrimination Act of 1975, (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age;
- (f) Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd—2), relating to confidentiality of patient records regarding substance abuse treatment;
- (g) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), relating to nondiscrimination in the sale, rental or financing of housing as implemented by the Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units

- (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features (See 24 C.F.R. § 100.201);
- (h) Executive Order 11246, which prohibits federal contractors and federally assisted construction contractors and subcontractors, who do over \$10,000 in Government business in one year from discriminating in employment decisions on the basis of race, color, religion, sex, sexual orientation, gender identification or national origin;
- (i) Executive Order 11375, which bans discrimination on the basis of race, color, religion, sex, sexual orientation, gender identification, or national origin in hiring and employment in both the United States federal workforce and on the part of government contractors;
- (j) California Public Contract Code § 10295.3, which prohibits discrimination based on domestic partnerships and those in same sex marriages;
- (k) DHS policy to ensure the equal treatment of faith-based organizations, under which all applicants and recipients must comply with equal treatment policies and requirements contained in 6 C.F.R. Part 19;
- (I) Any other nondiscrimination provisions in the specific statute(s) under which application for federal assistance is being made; and
- (m) The requirements of any other nondiscrimination statute(s) which may apply to the application.

In addition to the items listed in (a) through (m), the Applicant will comply with California's Fair Employment and Housing Act (FEHA). FEHA prohibits harassment and discrimination in employment because of ancestry, familial status, race, color, religious creed (including religious dress and grooming practices), sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth or breastfeeding), gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, mental and physical disability, genetic information, medical condition, age, pregnancy, denial of medical and family care leave, or pregnancy disability leave (California Government Code §§12940, 12945, 12945.2), military and veteran status, and/or retaliation for protesting illegal discrimination related to one of these categories, or for reporting patient abuse in tax supported institutions.

#### 6. Drug-Free Workplace

As required by the Drug-Free Workplace Act of 1988 (41 U.S.C. § 701 et seq.), the Applicant certifies that it will maintain a drug-free workplace and a drug-free awareness program as outlined in the Act.

#### 7. Environmental Standards

The Applicant will comply with state and federal environmental standards, which may be prescribed pursuant to the following, as applicable:

- (a) California Environmental Quality Act (CEQA) (California Public Resources Code §§ 21000-21177), to include coordination with the city or county planning agency;
- (b) CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, §§ 15000-15387);



- (c) Federal Clean Water Act (CWA) (33 U.S.C. § 1251 et seq.), which establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters;
- (d) Federal Clean Air Act of 1955 (42 U.S.C. § 7401) which regulates air emissions from stationary and mobile sources;
- (e) Institution of environmental quality control measures under the National Environmental Policy Act (NEPA) of 1969 (P.L. 91-190); the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA; and Executive Order 12898 which focuses on the environmental and human health effects of federal actions on minority and low-income populations with the goal of achieving environmental protection for all communities:
- (f) Evaluation of flood hazards in floodplains in accordance with Executive Order 11988;
- (g) Executive Order 11514 which sets forth national environmental standards;
- (h) Executive Order 11738 instituted to assure that each federal agency empowered to enter into contracts for the procurement of goods, materials, or services and each federal agency empowered to extend federal assistance by way of grant, loan, or contract shall undertake such procurement and assistance activities in a manner that will result in effective enforcement of the Clean Air Act and the Federal Water Pollution Control Act Executive Order 11990 which requires preservation of wetlands;
- (i) The Safe Drinking Water Act of 1974, (P.L. 93-523);
- (j) The Endangered Species Act of 1973, (P.L. 93-205);
- (k) Assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.);
- (I) Conformity of Federal Actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.);
- (m) Wild and Scenic Rivers Act of 1968 (16 U.S.C. § 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

The Applicant shall not be: 1) in violation of any order or resolution promulgated by the State Air Resources Board or an air pollution district; 2) subject to a cease and desist order pursuant to § 13301 of the California Water Code for violation of waste discharge requirements or discharge prohibitions; or 3) determined to be in violation of federal law relating to air or water pollution.

#### 8. Audits

For subrecipients expending \$750,000 or more in federal grant funds annually, the Applicant will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and Title 2 of the Code of Federal Regulations, Part 200, Subpart F Audit Requirements.

#### 9. Access to Records

In accordance with 2 C.F.R. § 200.336, the Applicant will give the awarding agency, the Comptroller General of the United States and, if appropriate, the state, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award.



The Applicant will require any subrecipients, contractors, successors, transferees and assignees to acknowledge and agree to comply with this provision.

#### 10. Conflict of Interest

The Applicant will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

#### 11. Financial Management

#### False Claims for Payment

The Applicant will comply with 31 U.S.C §§ 3729-3733 which sets forth that no subgrantee, recipient, or subrecipient shall submit a false claim for payment, reimbursement or advance.

#### 12. Reporting - Accountability

The Applicant agrees to comply with applicable provisions of the Federal Funding Accountability and Transparency Act (FFATA) (P.L. 109-282), specifically (a) the reporting of subawards obligating \$25,000 or more in federal funds and (b) executive compensation data for first-tier subawards. This includes the provisions of FFATA, which includes requirements for executive compensation, and also requirements implementing the Act for the non-federal entity at 2 C.F.R. Part 25 Financial Assistance Use of Universal Identifier and Central Contractor Registration and 2 C.F.R. Part 170 Reporting Subaward and Executive Compensation Information.

#### 13. Whistleblower Protections

The Applicant also must comply with statutory requirements for whistleblower protections at 10 U.S.C. § 2409, 41 U.S.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. § 4304 and § 4310.

#### 14. Human Trafficking

The Applicant will comply with the requirements of Section 106(g) of the <u>Trafficking Victims</u> <u>Protection Act of 2000</u>, as amended (22 U.S.C. § 7104) which prohibits grant award recipients or a subrecipient from: (1) engaging in trafficking in persons during the period of time that the award is in effect; (2) procuring a commercial sex act during the period of time that the award is in effect; or (3) using forced labor in the performance of the award or subawards under the award.

#### 15. Labor Standards

The Applicant will comply with the following federal labor standards:

- (a) The <u>Davis-Bacon Act</u> (40 U.S.C. §§ 276a to 276a-7), as applicable, and the <u>Copeland Act</u> (40 U.S.C. § 3145 and 18 U.S.C. § 874) and the <u>Contract Work Hours and Safety Standards Act</u> (40 U.S.C. §§ 327-333), regarding labor standards for federally-assisted construction contracts or subcontracts, and
- (b) The <u>Federal Fair Labor Standards Act</u> (29 U.S.C. § 201 et al.) as they apply to employees of institutes of higher learning (IHE), hospitals and other non-profit organizations.



#### 16. Worker's Compensation

The Applicant must comply with provisions which require every employer to be insured to protect workers who may be injured on the job at all times during the performance of the work of this Agreement, as per the workers compensation laws set forth in California Labor Code §§ 3700 et seq.

#### 17. Property-Related

If applicable to the type of project funded by this federal award, the Applicant will:

- (a) Comply with the requirements of Titles II and III of the <u>Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970</u> (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of federal participation in purchase;
- (b) Comply with flood insurance purchase requirements of Section 102(a) of the <u>Flood Disaster Protection Act</u> of 1973 (P.L. 93-234) which requires subrecipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more;
- (c) Assist the awarding agency in assuring compliance with Section 106 of the <u>National Historic Preservation Act of 1966</u>, as amended (16 U.S.C. § 470), Executive Order 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §469a-1 et seq.); and
- (d) Comply with the <u>Lead-Based Paint Poisoning Prevention Act</u> (42 U.S.C. § 4831 and 24 CFR Part 35) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

#### 18. Certifications Applicable Only to Federally-Funded Construction Projects

For all construction projects, the Applicant will:

- (a) Not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with federal assistance funds to assure nondiscrimination during the useful life of the project;
- (b) Comply with the requirements of the awarding agency with regard to the drafting, review and approval of construction plans and specifications; and
- (c) Provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.

#### 19. Use of Cellular Device While Driving is Prohibited

Applicants are required to comply with California Vehicle Code sections 23123 and 23123.5. These laws prohibit driving motor vehicle while using an electronic wireless communications device to

Page 7 of 11 Initials write, send, or read a text-based communication. Drivers are also prohibited from the use of a wireless telephone without hands-free listening and talking, unless to make an emergency call to 911, law enforcement, or similar services.

#### 20, California Public Records Act and Freedom of Information Act

The Applicant acknowledges that all information submitted in the course of applying for funding under this program, or provided in the course of an entity's grant management activities that are under Federal control, is subject to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and the California Public Records Act, California Government Code section 6250 et seq. The Applicant should consider these laws and consult its own State and local laws and regulations regarding the release of information when reporting sensitive matters in the grant application, needs assessment, and strategic planning process.

## EMERGENCY MANAGEMENT PERFORMANCE GRANT PROGRAM - PROGRAM SPECIFIC ASSURANCES / CERTIFICATIONS

#### 21. Reporting Accusations and Findings of Discrimination

If during the past three years the recipient has been accused of discrimination on any basis the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS Financial Assistance Office and the DHS Office for Civil Rights and Civil Liberties (CRCL) by e-mail at <a href="mailto:CRCL@hq.dhs.gov">CRCL@hq.dhs.gov</a> or by mail at U.S. Department of Homeland Security, Office for Civil Rights and Civil Liberties, Building 410, Mail Stop #0190, Washington, D.C. 20528.

In the courts or administrative agencies make a finding of discrimination on grounds of race, color, national origin (including LEP), sex, age, disability, religion, or familial status against the recipient, or the recipients settle a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS Financial Assistance Office and the CRCL by e-mail or mail at the addresses listed above.

The United States has the right to seek judicial enforcement of these obligations.

#### 22. Acknowledgment of Federal Funding from DHS

All recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

#### 23. Activities Conducted Abroad

All recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.



#### 24. Best Practices for Collection and Use of Personally Identifiable Information (PII)

DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. All recipients who collect PII are required to have a publically-available privacy policy that describes standards on the usage and maintenance of PII they collect. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template a useful resource respectively.

#### 25. Copyright

All recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

#### 26. Duplication of Benefits

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies, to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions, or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

#### 27. Energy Policy and Conservation Act

All recipients must comply with the requirements of 42 U.S.C. § 6201 which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

#### 28. Federal Debt Status

All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129.

#### 29. Fly America Act of 1974

All recipients must comply with Preference for U.S. Flag Air Carriers: (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. § 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

#### 30. Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, all Applicants must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, as amended, 15 U.S.C. § 2225a.

#### 31. Non-supplanting Requirement

All recipients who receive federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

#### 32. Patents and Intellectual Property Rights

Unless otherwise provided by law, recipients are subject to the Bayh-Dole Act, Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. § 200 et seq. All recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. § 401.14.

#### 33. SAFECOM

All recipients who receive federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

#### 34. Terrorist Financing

All recipients must comply with Executive Order 13224 and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.

#### 35. Reporting of Matters Related to Recipient Integrity and Performance

If the total value of the recipient's currently active grants, cooperative agreements, and procurement contracts from all federal assistance offices exceeds \$10,000,000 for any period of time during the period of performance of this federal financial assistance award, you must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

#### 36. USA Patriot Act of 2001

All recipients must comply with requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. §§ 175–175c.

#### 37. Use of DHS Seal, Logo, and Flags

All recipients must obtain permission from their DHS Financial Assistance Office, prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

#### **IMPORTANT**

The purpose of the assurance is to obtain federal and state financial assistance, including any and all federal and state grants, loans, reimbursement, contracts, etc. The Applicant recognizes and agrees that state financial assistance will be extended based on the representations made in this assurance. This assurance is binding on the Applicant, its successors, transferees, assignees, etc. Failure to comply with any of the above assurances may result in suspension, termination, or reduction of grant funds.

All appropriate documentation, as outlined above, must be maintained on file by the Applicant and available for Cal OES or public scrutiny upon request. Failure to comply with these requirements may result in suspension of payments under the grant or termination of the grant or both and the subrecipient may be ineligible for award of any future grants if the Cal OES determines that any of the following has occurred: (1) the recipient has made false certification, or (2) violates the certification by failing to carry out the requirements as noted above.

All of the language contained within this document <u>must</u> be included in the award documents for all subawards at all tiers. All recipients are bound by the Department of Homeland Security Standard Terms and Conditions 2017, Version 7.1, hereby incorporated by reference, which can be found at: <a href="https://www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions">https://www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions</a>.

The undersigned represents that he/she is authorized to enter into this agreement for and on behalf of the Applicant.

Subrecipient: CTY OF STANTON
Signature of Authorized Agent
Printed Name of Authorized Agent: James J. Ween
Title: DIRECTOR OF PUBLIC SAFETY Date: 11-16-17
<u> </u>

### **CITY OF STANTON**

### REPORT TO CITY COUNCIL

TO:

Honorable Mayor and City Council

DATE:

April 10, 2018

SUBJECT:

REPORT ON PLANNING COMMISSION ACTION REGARDING THE

COMMERCIAL COMPONENT OF THE VILLAGE CENTER

REDEVELOPMENT PROJECT

#### REPORT IN BRIEF:

At a Special Meeting of the Planning Commission on March 28, 2018, the Planning Commission approved the development proposal of the commercial component of the Village Center redevelopment project. This report and presentation provides an overview of the project, Planning Commission action, and next steps for the project.

#### **RECOMMENDED ACTION:**

1. Receive and file report.

#### BACKGROUND:

On March 28, 2018, the Planning Commission held a Special Meeting to conduct a public hearing regarding the commercial component of the Village Center redevelopment project. The City of Garden Grove will be considering the development proposal at their regularly scheduled Planning Commission meeting on April 19, 2018.

#### **ANALYSIS/JUSTIFICATION:**

The project applicant, Frontier Real Estate Investments, LLC, is proposing to develop a 10.18 acre commercial development, as part of the larger 21.87 acre horizontal mixed-use project for the Village Center redevelopment. The commercial component of the project is generally located at the northwest corner of Beach Blvd. and Garden Grove Blvd., and is shared between the cities of Stanton and Garden Grove.

The commercial development proposal includes the demolition of four existing commercial pad structures, partial demolition of the inline building block located on the western portion of the property, construction of four new commercial pad buildings along Beach Blvd., partial reconstruction of the inline building block, and façade modifications to the inline buildings. As proposed, a total of approximately 90,873 square feet of commercial area would be retained/redeveloped for the commercial site, 38,200 square feet (42% of total area) is proposed within the City of Garden Grove, and 52,673 square feet (58% of total

area) is proposed within the City of Stanton.

The composition of the Garden Grove portion of the development would include two commercial pad buildings (Pad A and Pad B on site plan), one of which is designed to provide drive-through capability. For the inline building portion, it is proposed to provide for one major tenant space totaling approximately 20,000 square feet (Major-1 on site plan), and a block of general retail tenant spaces oriented toward Garden Grove Blvd. totaling approximately 10,500 square feet (Shops-1 on site plan).

For the composition of the project within the City of Stanton, the development would include two commercial pad buildings (Pad C and Pad D on site plan), both proposed to provide drive-through capabilities. For the inline building block, the building is segmented into three portions, a small grouping of retail shops buildings totaling approximately 3,300 square feet, located directly adjacent to the Garden Grove portion of the development (Shops-2 on site plan). North of the small shops units would be approximately 32,000 square feet of major tenant space to provide up to two major tenants (Major-2 and Major-3 on site plan). The final building segment located north of the major tenant spaces, would be approximately 11,500 square feet of new construction (Shops-3 on site plan). This area is designed with the intention to provide multiple tenant spaces for a food court concept with a large plaza to provide for outdoor seating areas that connect to the residential portion of the development.

Inclusive of the building modifications, the site would be improved with new landscaping along the perimeter of the site, and throughout the parking lot. The parking lot would be repaved, and decorative paving would be provided at the entrance of each of the driveway entrances on Beach Blvd. and Garden Grove Blvd. Improvements to the Beach Blvd. right-of-way are also proposed with the construction of a four foot parkway planter and six foot sidewalk treatment.

F	ISC	ΔΙ	IMI	PΔ	CT.

None.

#### **ENVIRONMENTAL IMPACT:**

None.

#### STRATEGIC PLAN OBJECTIVE ADRESSES:

- 2 Promote a Strong Local Economy
- 5 Provide a High Quality of Life

#### **PUBLIC NOTIFICATION:**

None.

Prepared By:

Kelly Hart

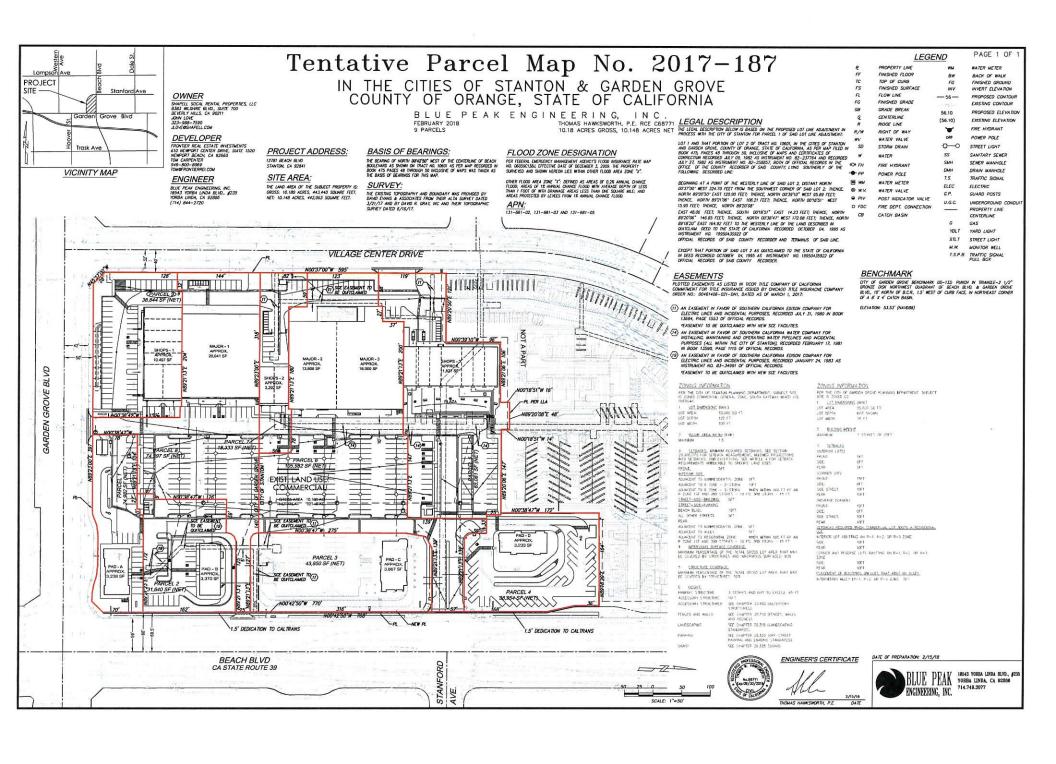
Community and Economic Development Director

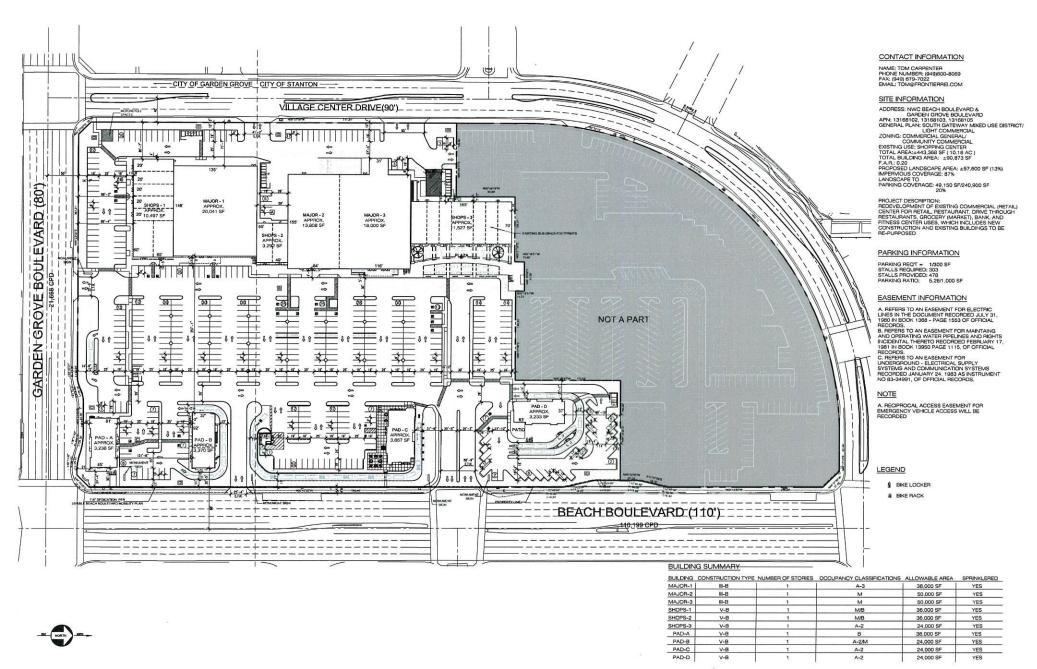
Approved by:

James A. Box City Manager

**ATTACHMENTS** 

A. Architectural Plans and Renderings









### BEACH & GARDEN GROVE

NWC BEACH BOULEVARD & GARDEN GROVE BOULEVARD STANTON/GARDEN GROVE, CALIFORNIA

#### SITE PLAN

Scale: 1" =40' March 6, 2018

FA10.16A170 - Stanton Beach & Garden GrovelDesign/Steix16A170 - Ske Plan.dwg







### BEACH & GARDEN GROVE

NWC BEACH BOULEVARD & GARDEN GROVE BOULEVARD STANTON/GARDEN GROVE, CALIFORNIA

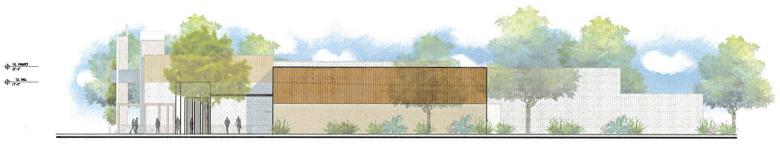
#### MAJORS & SHOPS EAST ELEVATIONS

Scale: 1/8" = 1'-0" March 6, 2018

F.\16\16\170 - Stanton Beach & Garden Grove/Design/Erovations\x16\170 - Elevations dag

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NORTH ELEVATION

PLASTER SHERWIN WILLIAMS SW 7100

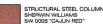




BICKEL GROUP VERTICAL WOOD SHERWIN WILLIAMS











CONCRETE BLOCKS ANGELUS BLOCK CO, INC. BURNISHED MEDIUMWEIGHT NATURAL GRAY





NOTE: ALL ROOFTOP MOUNTED EQUIP. TO BE SCREENED FROM VIEW





### BEACH & GARDEN GROVE

NWC BEACH BOULEVARD & GARDEN GROVE BOULEVARD STANTON/GARDEN GROVE, CALIFORNIA

**MAJORS & SHOPS** SOUTH & NORTH

**ELEVATIONS** Scale: 1/8" = 1'-0" January 2, 2018

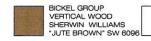
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Stanton Beach & Garden Grove/Design/Bevallons/x16A170 - Bevnifora drug

Stanton Grove/Design/Bevnifora drug

Stanton Grov



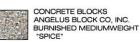


PLASTER SHERWIN WILLIAMS "ARCADE WHITE" SW 7100













BEACH & GARDEN GROVE

NWC BEACH BOULEVARD & GARDEN GROVE BOULEVARD STANTON/GARDEN GROVE, CALIFORNIA

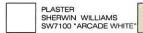


Scale: 1/8" = 1'-0" January 2, 2018

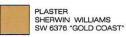
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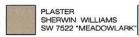


















**BEACH & GARDEN GROVE** 

NWC BEACH BOULEVARD & GARDEN GROVE BOULEVARD STANTON/GARDEN GROVE, CALIFORNIA

PAD B ELEVATIONS Scale: 1/8" = 1'-0" March 6, 2018

FA16/16A170 - Stamon Beach & Garden Grove/Desgn/Elevations/x16A170 - Pad 1&2Elevations dwg

FA16/16A170 - Stamon Beach & Garden Grove/Desgn/Elevations/x16A170 - Pad 1&2Elevations dwg

FA16/16A170 - FA16/16A170 -







A9.0 SCALE: 1/4" = 1-0"







RAISING CANES BEACH & GARDEN GROVE STANTON, CA

DESIGN Architectural Solutions Group

1905 Contact Entressway 1 Sector 28. Alex 19.75013 467 619 1164

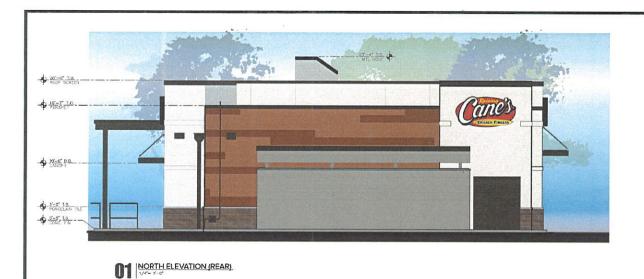
25-4° 10. \$ 20'-0" JO PARADET C 4)14'-8' T.C. TI'-O" B.Q.

PRELIMINARY

EXTERIOR ELEVATIONS

A04.1

02 | WEST ELEVATION (DRIVE-THRU)





RAISING CANES BEACH & GARDEN GROVE STANTON, CA DESIGN Architecturul Solutions Group 110) Central Expresswore 5. Subs 220 Alon, 14 (501.) 469,619,1154

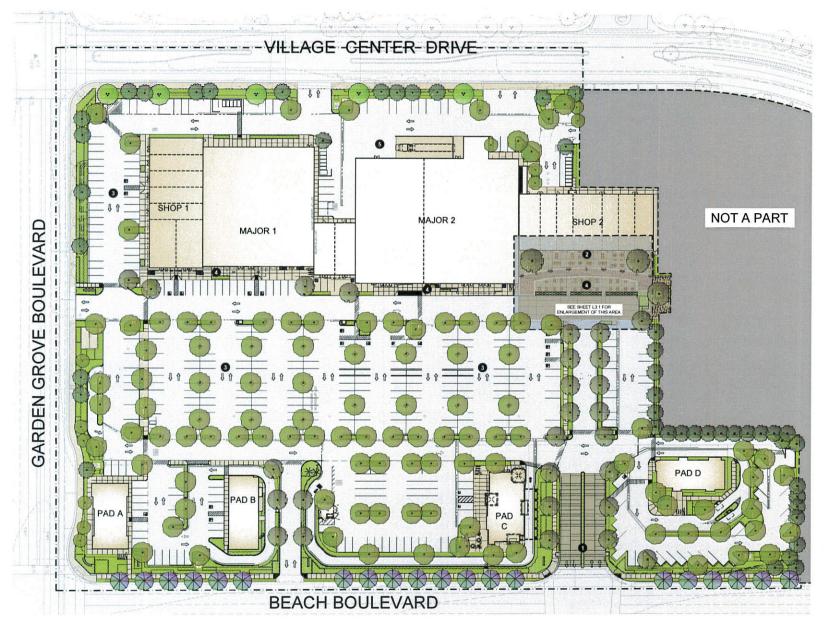


**02** | EAST ELEVATION (SIDE ENTRY)

EXTERIOR ELEVATIONS

PRELIMINARY

A04.2



#### LEGEND

- 1 VILLAGE ENTRY
- 2 VILLAGE PLAZA
- 3 PARKING FIELD
- PROMENADE
- 5 SERVICE AREA

#### EXISTING TREE LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME
TREES		
6	PINUS CANARIENSIS	CANARY ISLAND
0	FICUS MICROCARPA	INDIAN LAUREL
3	PLANTANUS ACERIFOLIA	LONDON PLANE TREE

#### TREES TO BE PROTECTED IN PLACE. TREE SYMBOLS MARKED WITH AN (R) ARE TO BE REMOVED FROM SITE.

SYMBOL	ABBV.	BOTANICAL NAME	COMMON NAME
TREES			
	-	TABEBUIA IMPETIGNOSA	PINK TRUMPET TREE
0	-	METROSIDEROS EXCELSA	NEW ZEALAND CHRISTMAS TREE
0	-	PINUS CANARIENSIS	CANARY ISLAND PINE
0		PINUS ELDARICA	AFGAN PINE
0	-	LOPHOSTEMON CONFERTUS	BRISBANE BOX
0	-	OLEA SWAN HILL	SWAN HILL OLIVE
0	-	FICUS MICROCARPA	INDIAN LAUREL FIG



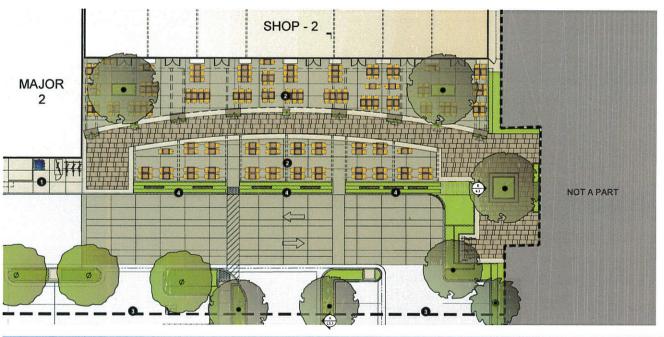
VILLAGE CENTER

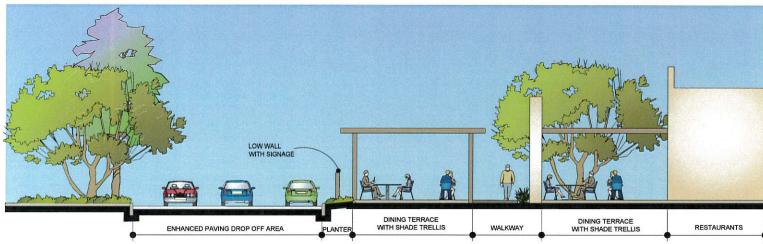
PRELIMINARY LANDSCAPE PLAN - RETAIL

30) HARRED

L2.1







#### LEGEND

- 1 PROMENADE
- 2 COVERED SEATING / DINING AREA
- 3 PARKING FIELD
- 4 SIGNAGE IN LANDSCAPE AREA

ELEVATION 'A' - RETAIL AREA PATIOS

0 5 10 20 30

VILLAGE CENTER

RETAIL PLAZA ENLARGEMENT

MAT HI ALAGE TA











