

MINUTES OF THE CITY COUNCIL / SUCCESSOR AGENCY / HOUSING AUTHORITY
OF THE CITY OF STANTON
JOINT REGULAR MEETING SEPTEMBER 11, 2018

1. CALL TO ORDER / CLOSED SESSION

The City Council meeting was called to order at 6:02 p.m. by Mayor Shawver.

2. ROLL CALL

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

Absent: None.

Excused: None.

3. PUBLIC COMMENT ON CLOSED SESSION ITEMS None.

4. CLOSED SESSION

Mr. Matthew E. Richardson, City Attorney reported that there was a late breaking addition that needed to be added to the agenda as a closed session item:

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

Orange County Catholic Worker et al v. Orange County et al, United States District Court, Central District of California Case Number: 8:18-cv-00155-DOC-JDE

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

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

NOES: None

ABSTAIN: None

ABSENT: None

The City Council added the listed item as a closed session item to the agenda.

The members of the Stanton City Council of the City of Stanton proceeded to closed session at 6:02 p.m. for discussion regarding:

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

Number of Potential Cases: 1

4B. PUBLIC EMPLOYEE APPOINTMENT
(Pursuant to Government Code Section 54957)

Title: City Manager

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

Title: City Manager

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

Orange County Catholic Worker et al v. Orange County et al, United States District Court,
Central District of California Case Number: 8:18-cv-00155-DOC-JDE

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

The meetings were called to order at 6:35 p.m. by Chairman Shawver.

The City Attorney reported that the Stanton City Council met in closed session from 6:02 to
6:30 p.m.

The City Attorney reported that there was no reportable action.

6. ROLL CALL

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

Absent: None.

Excused: None.

7. PLEDGE OF ALLEGIANCE

Led by Veterans Mr. Bud Heitman, Fire Division Chief Bill Lockhart, Council Member Brian
Donahue, and Lt. Nate Wilson.

8. SPECIAL PRESENTATIONS AND AWARDS

At the request of Mayor Shawver, this agenda item was heard out of order.

- ~~Presentation by Assemblywoman Sharon Quirk-Silva regarding a report on the State of the 65th Assembly District.~~

9. CONSENT CALENDAR

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

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

The City Council/Agency Board/Authority Board approved the following Consent Calendar items:

CONSENT CALENDAR

9A. MOTION TO APPROVE THE READING BY TITLE OF ALL ORDINANCES AND RESOLUTIONS. SAID ORDINANCES AND RESOLUTIONS THAT APPEAR ON THE PUBLIC AGENDA SHALL BE READ BY TITLE ONLY AND FURTHER READING WAIVED

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

9B. APPROVAL OF WARRANTS

The City Council approved demand warrants dated August 9, 2018, August 15, 2018, August 23, 2018, August 28, 2018, and September 6, 2018, in the amount of \$4,780,681.19.

9C. JULY 2018 INVESTMENT REPORT

The Investment Report as of July 31, 2018 has been prepared in accordance with the City's Investment Policy and California Government Code Section 53646.

1. The City Council finds that this item is not subject to California Environmental Quality Act ("CEQA") pursuant to Sections 15378(b)(5) (Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment); and
2. Received and filed the Investment Report for the month of July 2018.

9D. JULY 2018 INVESTMENT REPORT (SUCCESSOR AGENCY)

The Investment Report as of July 31, 2018 has been prepared in accordance with the City's Investment Policy and California Government Code Section 53646.

1. The Successor Agency finds that this item is not subject to California Environmental Quality Act ("CEQA") pursuant to Sections 15378(b)(5) (Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment); and
2. Received and filed the Investment Report for the month of July 2018.

9E. JULY 2018 INVESTMENT REPORT (HOUSING AUTHORITY)

The Investment Report as of July 31, 2018 has been prepared in accordance with the City's Investment Policy and California Government Code Section 53646.

1. The Stanton Housing Authority finds that this item is not subject to California Environmental Quality Act ("CEQA") pursuant to Sections 15378(b)(5) (Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment); and
2. Received and filed the Investment Report for the month of July 2018.

9F. RESOLUTION AMENDING THE POSITION CLASSIFICATION MANUAL

The attached Resolution makes changes to the Position Classification Manual by adding the job classifications of Permit Technician, Economic Development Specialist and deleting the job classification of Economic Development Coordinator.

1. The City Council declared that this project is exempt from the California Environmental Quality Act ("CEQA") under Section 15378(b)(2) – continuing administrative or maintenance activities, such as purchases for supplies, personnel-related actions, general policy or procedure making; and
2. Adopted Resolution No. 2018-38 amending the Position Classification Manual, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, AMENDING THE POSITION CLASSIFICATION MANUAL".

9G. AWARD OF CONTRACT FOR PROFESSIONAL CONSTRUCTION ENGINEERING SERVICES FOR THE FY 18/19 RESIDENTIAL AND ARTERIAL STREETS REHABILITATION PROJECT BY THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA

For the previous street rehabilitation project in FY 17/18, NV5 was found to be the most qualified inspection firm. During this project they performed at a very high level and exceeded staff's expectations. Based on this previous selection process which was based on their qualifications and their outstanding performance, staff recommends awarding the inspection services for the FY 18/19 Residential and Arterial Streets Rehabilitation Project to NV5. The cost for completing these services is a maximum of \$31,360.

1. The City Council declared this project to be categorically exempt under the California Environmental Quality Act, Class 1, Section 15301 (c); and
2. Awarded a contract for professional construction engineering services to NV5 to provide construction engineering services for a maximum contract amount of \$31,360; and
3. Authorized the City Manager to bind the City of Stanton and NV5 in a contract to provide professional construction engineering services.

9H. AWARD OF CONSTRUCTION CONTRACT FOR THE FY 18/19 RESIDENTIAL AND ARTERIAL STREETS REHABILITATION PROJECT BY THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA

The seven bids for the FY 18/19 Residential and Arterial Streets Rehabilitation Project were opened on August 8, 2018. Based on the post-bid analysis of the bids received, staff recommends the bid submitted by The R.J. Noble Company to be the lowest responsible and responsive bid.

The construction cost for the FY 18/19 Residential and Arterial Streets Rehabilitation Project is estimated at \$1,230,020.00, which includes a contingency.

1. The City Council declared this project to be categorically exempt under the California Environmental Quality Act, Class 1, Section 15301c; and
2. Approved the plans and specifications for the FY 18/19 Residential and Arterial Streets Rehabilitation Project; and
3. Awarded a construction contract for FY 18/19 Residential and Arterial Streets Rehabilitation Project to the lowest responsible and responsive bidder, The R.J. Noble Company, for the amount of \$1,088,600.00; and
4. Authorized the City Manager to bind the City of Stanton and The R.J. Noble Company in a contract for the construction of the FY 18/19 Residential and Arterial Streets Rehabilitation Project; and
5. Authorized the City Manager to approve contract changes, not to exceed 10-percent.

9I. CARRYOVER PURCHASE ORDERS FROM FY 2017-18 TO FY 2018-19

At each fiscal year end, City staff reviews remaining unspent budget appropriations at the end of the year to determine if any encumbered purchase orders should be carried forward from one fiscal year to the next. This report requests the carryover of 15 open purchase orders from FY 2017/18 to FY 2018/19, totaling \$711,749.01.

1. The City Council finds that this item is not subject to California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a director reasonably foreseeable indirect physical change in the environment) and 15060 (c)(3) (the activity is not a project as defined in Section 15378 of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly; and
2. Adopted Resolution No. 2018-39 approving the carryover of certain purchase orders from fiscal year 2017/18 to fiscal year 2018/19; entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, APPROVING THE CARRYOVER OF CERTAIN APPROPRIATIONS FROM FY 2017/18 TO FY 2018/19".

END OF CONSENT CALENDAR

10. PUBLIC HEARINGS

10A. RESOLUTION 2018-37 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON VACATING THE ALLEY BETWEEN 8031/8051 MAIN STREET AND 10581 CHESTNUT AVENUE

Mr. Allen Othman of USS Cal Builders has requested that the City vacate the alley between 8031/8051 Main Street and 10581 Chestnut Avenue. As required by the California Streets and Highways Code, the Planning Commission has found that the proposed vacation is consistent with the General Plan. Also as required by the Code, on August 14, 2018 the City Council to adopted Resolution 2018-36 indicating their intention to vacate the alley and setting September 11, 2018 as the date for a public hearing to publicly consider the alley vacation and directing City staff to post and publish the statutorily required notices.

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

The public hearing was opened.

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

Motion/Second: Warren/Ethans

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

Motion unanimously carried:

1. The City Council conducted a public hearing; and
2. Declared that the project is categorically exempt per California Environmental Quality Act, Public Resource Code Section 15301 (Existing Facilities) and Section 15305 (Minor Alterations in Land Use Limitations); and
3. Received testimony from the public and adopted Resolution No. 2018-37 vacating the alley between 8031/8051 Main Street and 10581 Chestnut Avenue, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, VACATING A PORTION OF A PUBLIC ALLEY LOCATED BETWEEN 8031/8051 MAIN STREET AND 10581 CHESTNUT AVENUE, PURSUANT TO STREETS AND HIGHWAYS CODE SECTIONS 8300 ET SEQ., AND DETERMINING THAT SUCH VACATION IS CONSISTENT WITH THE CITY’S GENERAL PLAN”.

11. **UNFINISHED BUSINESS** None.

At the request of Mayor Shawver, agenda item 8 was heard out of order.

8. **SPECIAL PRESENTATIONS AND AWARDS**

- Assemblywoman Sharon Quirk-Silva provided the City Council with a report on the State of the 65th Assembly District.
 - Mayor Shawver expressed his gratitude to Assemblywoman Quirk-Silva for her continued support to the Stanton Community.

12. NEW BUSINESS

12A. AGREEMENT RETAINING ROBERT W. HALL AS INTERIM CITY MANAGER

Pursuant to City Council direction given at the special City Council meeting on September 5, 2018, the City Attorney's office has prepared a professional services agreement retaining Robert W. Hall as Interim City Manager.

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

Motion/Second: Ramirez/Warren

Motion unanimously carried by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

1. The City Council declared that the project is exempt from the California Environmental Quality Act ("CEQA") under Section 15061(b)(3) as the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and
2. Approved Budget Adjustment No. 2019-01 to appropriate \$90,960 to the City Manager Professional Services account in the General Fund for this contract; and
3. Authorized the Mayor to sign a Professional Services Agreement for Management Consulting with Robert W. Hall as Interim City Manager.

12B. COUNCIL APPOINTMENT TO FILL ONE VACANCY ON THE STANTON PLANNING COMMISSION FOR TERM COINCIDING WITH THE COUNCIL ELECTION

The Council Member holding the seat corresponding to that numbered seat on the Stanton Planning Commission shall be responsible for appointment of one Commissioner (who shall be a qualified elector of the City), with majority approval of the City Council. The terms of office shall coincide with the term of office of the Council Member or Mayor who made the appointment. Section 2.06.030 of the Stanton Municipal Code requires the submission of applications and interviews prior to appointment to any position. Section 2.06.030 also provides that the City Council, by majority vote, may waive to the requirement interview persons previously appointed by the City Council and who are requesting re-appointment to another term.

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

The City Council conducted interviews with the following Stanton Planning Commission applicants:

- Mr. Thomas Frazier
- Ms. Alyce Van

Motion/Second: Ethans/Ramirez

Motion unanimously carried by the following vote:

AYES: 4 (Donahue, Ethans, Ramirez, and Shawver)

NOES: 1 (Warren)

ABSTAIN: None

ABSENT: None

1. The City Council finds that this item is not subject to California Environmental Quality Act ("CEQA") pursuant to Sections 15378(b)(5)(Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment); and
2. Conducted interviews with each applicant; and
3. Appointed Mr. Thomas Frazier to fill Seat #5 (Council Member Ethans) on the Stanton Planning Commission.

13. ORAL COMMUNICATIONS – PUBLIC

- Mr. Steve Freedman, Stanton Business Owner, spoke regarding numerous violations by Stanton based business K&G Ready Mix, Inc. and requested an update from the City Council in response to his request for the City's assistance in addressing reported violations at the August 14, 2018 City Council meeting.

14. WRITTEN COMMUNICATIONS None.

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

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

- Mayor Pro Tem Ramirez reported on an e-mail that he received from a student named William Luu, which detailed and promoted school safety. Mayor Pro Tem Ramirez acknowledged Mr. Luu's efforts in promoting school safety and stated that Mr. Luu's report was very detailed and well drafted.

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

None.

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

None.

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

None.

17. ITEMS FROM CITY MANAGER/EXECUTIVE DIRECTOR

17A. ORANGE COUNTY SHERIFF'S DEPARTMENT

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

Lieutenant Nate L. Wilson provided the City Council with an update on their current operations.


The City Council recessed back into closed session at 7:29 p.m.

The City Council reconvened in open session at 8:21 p.m.

The City Attorney reported that the Stanton City Council met in closed session from 7:29 to 8:21 p.m.

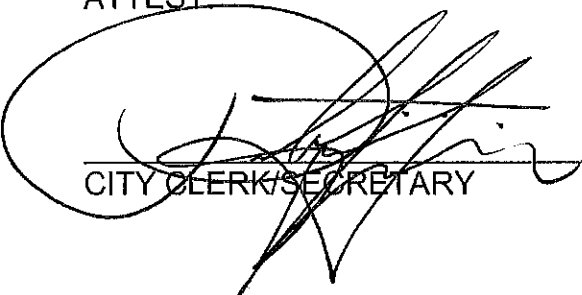
The City Attorney reported that there was no reportable action.

18. . . ADJOURNMENT in memory and honor of the victims of 9/11 and also to the brave people who gave their lives trying to save those in danger.
Motion/Second: Shawver/
Motion carried at 8:21 p.m.



MAYOR/CHAIRMAN

ATTEST:



CITY CLERK/SECRETARY