



AGENDA
CITY COUNCIL/SUCCESSOR AGENCY/STANTON HOUSING AUTHORITY
JOINT REGULAR MEETING
STANTON CITY HALL, 7800 KATELLA AVENUE, STANTON, CA
TUESDAY, FEBRUARY 12, 2019 - 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.

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- 1. CLOSED SESSION (6:00 PM)**
- 2. ROLL CALL**
 - Council Member Ramirez
 - Council Member Taylor
 - Council Member Warren
 - Mayor Pro Tem Ethans
 - 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: 2

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

Title: City Manager

4C. 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

6. ROLL CALL Agency/Authority Member Ramirez
Agency/Authority Member Taylor
Agency/Authority Member Warren
Vice Chairman Ethans
Chairman Shawver

7. PLEDGE OF ALLEGIANCE

8. SPECIAL PRESENTATIONS AND AWARDS

Presentation by the Public Safety Services Department, providing the City Council with a Public Safety Committee update.

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 January 24, 2019 and January 31, 2019, in the amount of \$376,545.68.

9C. APPROVAL OF MINUTES

1. City Council/Agency/Authority Board approve Minutes of Regular Joint Meeting – January 22, 2019.
2. City Council approve Minutes of Special Meeting – January 29, 2019.

9D. ACCEPTANCE OF THE CONSTRUCTION OF THE COMMUNITY CENTER AND CIVIC CENTER ACCESSIBILITY IMPROVEMENT PROJECT BY THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA

The construction of the Community Center and Civic Center Accessibility Improvement Project has been completed in accordance with the plans and specifications. The final construction cost for the project was \$1,198,439.16. The approved budget by the council was \$1,220,229.40. The City Engineer, in his judgment, certifies that the work was satisfactorily completed as of February 12, 2019 and recommends that the City Council accept the completed work performed on this project.

RECOMMENDED ACTION:

1. City Council declare this project categorically exempt under the California Environmental Quality Act ("CEQA") under Section 15301(c) – Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities; and
2. Accept the completion of improvements for the Construction of the Community Center and Civil Center Accessibility Improvement Project, as certified by the City Engineer, and affix the date of February 12, 2019 as the date of completion of all work on this project, and
3. Approve the final construction contract amount of \$1,198,439.16 with C.S. Legacy Construction, Inc.; and
4. Direct the City Clerk within ten (10) days from the date of acceptance to file the Notice of Completion (Attachment) with the County Recorder of the County of Orange; and
5. Direct City staff, upon expiration of the thirty-five (35) days from the filing of the "Notice of Completion," to make the retention payment to C.S. Legacy Construction, Inc. in the amount of \$59,921.96.

9E. EXTENSION OF CONTRACT WITH VENCO WESTERN, INC. TO PROVIDE PROFESSIONAL LANDSCAPE MAINTENANCE SERVICES

A contract was awarded to Venco Western, Inc. at the September 8, 2015 City Council meeting to provide Citywide Landscape Maintenance Services. The contract was extended for one year and is set to terminate on June 30, 2019. The terms of the contract allow for two one-year extensions at the sole discretion of the City. Staff recommends the award of the second extension for the period of July 1, 2019 to June 30, 2020.

RECOMMENDED ACTION:

1. City Council declare that the project is categorically exempt under the California Environmental Quality Act, Class 1, Section 15301(h) as maintenance of existing landscaping; and
2. Approve a contract extension to the firm of Venco Western, Inc. for citywide landscape maintenance services for the second of two allowable contract renewals at identical unit prices.

9F. STRATEGIC PLAN UPDATE

On November 27, 2018 the City Council was presented with an update and overview of the Strategic Plan. Senior staff provided the City Council with an updated six-month Strategic Plan Objectives / Components discussing, identifying, strengthening and prioritizing goals and strategies for the City. The City Council directed staff to refine objectives and return with a prioritized version of the Strategic Plan for further City Council consideration. This report provides an update of the City's goals and strategies as of February, 2019.

RECOMMENDED ACTION:

1. City Council find that this item is not subject to California Environmental Quality Act ("CEQA") pursuant to Section 15378(b)(5)(Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment); and
2. Receive and file the report / six-month Strategic Plan Objectives and Components.

9G. CYPRESS COLLEGE FOUNDATION AMERICANA AWARDS DINNER

City Council consider purchasing a table at the Cypress College Foundation Americana Awards Dinner scheduled for Saturday, February 23, 2019 in the Grand Ballroom of the Disneyland Hotel at a cost of \$2,500. This Awards dinner honors the Citizen of the Year from surrounding communities. This year Mr. Glen McElroy has been selected and will be honored as the City of Stanton's Citizen of the Year.

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. Authorize the purchase of a table at the Cypress College Foundation Americana Awards Dinner in the amount of \$2,500.

END OF CONSENT CALENDAR

10. PUBLIC HEARINGS **None.**

11. UNFINISHED BUSINESS **None.**

12. NEW BUSINESS

12A. AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, IN ACCORDANCE WITH GOVERNMENT CODE SECTIONS 36937 AND 65858 EXTENDING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT OF MASSAGE BUSINESSES FOR 10 MONTHS AND 15 DAYS PENDING STUDY AND THE PREPARATION OF AN UPDATE TO THE CITY'S MUNICIPAL AND ZONING CODE

Due to the continuing enforcement issues related to massage establishments, the City Council is asked to consider an interim urgency ordinance to temporarily prohibit the establishment of such businesses. The interim urgency ordinance would provide the City sufficient time to study the continuing impacts of these establishments and to develop new municipal and zoning code regulations. The length of the moratorium would be 10 months and 15 days.

RECOMMENDED ACTION:

1. City Council declare that the project is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15378 of the State of California Environmental Quality Act ("CEQA") Guidelines, because it has no potential for resulting in physical change in the environment, directly or indirectly. The City Council further finds, under Title 14 of the California Code of Regulations, section 15061(b)(3) that this interim urgency ordinance is nonetheless exempt from the requirements of CEQA. 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. Receive and file the 10-day action report for the conclusion of the 45-day moratorium; and
3. Adopt Urgency Ordinance No. 1085, entitled:

"AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, ENACTED PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTIONS 36937 AND 65858, EXTENDING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT OF MASSAGE BUSINESSES FOR 10 MONTHS AND 15 DAYS PENDING STUDY AND THE PREPARATION OF AN UPDATE TO THE CITY'S MUNICIPAL AND ZONING CODE".

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

12B. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, ADDING CHAPTER 5.74 TO TITLE 5 OF THE STANTON MUNICIPAL CODE, IMPOSING REGULATIONS ON SIDEWALK VENDING IN COMPLIANCE WITH SENATE BILL 946

On September 17, 2018, Governor Jerry Brown signed Senate Bill 946, which establishes statewide governance of vending in the public right-of-way and parks. The bill went into effect on January 1, 2019. Local jurisdictions that wish to regulate sidewalk vending are required to first adopt an ordinance establishing rules and regulations consistent with SB 946. Staff has drafted the attached ordinance establishing a permit procedures and regulations regarding sidewalk vending in compliance with SB 946.

RECOMMENDED ACTION:

1. City Council declare that the Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines, as it is not a "project" and has no potential to result in a direct or reasonably foreseeable indirect physical change to the environment. 14 Cal. Code Regs. § 15378(a). Further, this Ordinance is exempt from CEQA as there is no possibility that this Ordinance or its implementation would have a significant negative effect on the environment. 14 Cal. Code Regs. § 15061(b)(3); and
2. Introduce Ordinance No. 1086, entitled:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, ADDING CHAPTER 5.74 TO TITLE 5 OF THE STANTON MUNICIPAL CODE, IMPOSING REGULATIONS ON SIDEWALK VENDING IN COMPLIANCE WITH SENATE BILL 946";
and
3. Set said Ordinance No. 1086 for adoption at the February 26, 2019 City Council meeting.

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

12C. INTRODUCTION OF ORDINANCE NO. 1084 OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA MODIFYING PERMIT PARKING AND ADOPTION OF RESOLUTION 2019-03 APPROVING RESIDENTIAL PERMIT PARKING GUIDELINES

For some time, the City has been working on permit parking guidelines to address a California Attorney General opinion related to the application of the Vehicle Code to permit parking. The opinion indicated that multi-family residential properties need to be treated the same as single family residential properties in regards to permit parking. The attached ordinance and guidelines have been written to conform with this opinion.

RECOMMENDED ACTION:

1. City Council declare that the project is not subject to the California Environmental Quality Act ("CEQA") under Section 15061(b)(3) as the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and
2. Introduce Ordinance No. 1084, entitled:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA AMENDING SECTION 10.08.060 OF THE STANTON MUNICIPAL CODE REGARDING PERMIT PARKING";
and

3. Set said Ordinance for adoption at the regular City Council meeting of February 26, 2019; and
4. Adopt Resolution 2019-03, approving Residential Permit Parking Guidelines; and
5. Receive and file the report regarding actions taken during moratorium.

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

12D. CITY COUNCIL APPOINTMENTS TO FILL FIVE VACANCIES ON THE STANTON PARKS, RECREATION AND COMMUNITY SERVICES COMMISSION AND FOUR VACANCIES ON THE STANTON PLANNING COMMISSION FOR TERM COINCIDING WITH THE CITY COUNCIL ELECTION

The Council Member holding the seat corresponding to that numbered seat on the Parks, Recreation and Community Services Commission and 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.

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. Conduct an interview with each applicant; and
3. Make appointments to fill seats #1-Taylor, #2-Shawver, #3-Ramirez, and #4-Warren on the Stanton Planning Commission; and
4. Make appointments to fill seats #1-Taylor, #2-Shawver, #3-Ramirez, #6-Mayor Selection, and #7-Mayor Selection on the Stanton Parks, Recreation and Community Services Commission.

12E. CITY MANAGER EMPLOYMENT AGREEMENT

For consideration is the employment agreement with Jarad L. Hildenbrand for City Manager.

RECOMMENDED ACTION:

1. City Council find that this item 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 and procedure making; and
2. Authorize the Mayor to approve the City Manager Employment Agreement.

12F. CONSIDERATION OF OPTIONS REGARDING COUNCIL VACANCY

Mayor Pro Tem Alexander A. Ethans has provided to the City Clerk, in writing a notice that he will resign his position as a Council Member effective February 28, 2019. State law requires that in the event a Council vacancy should occur, the City of Stanton must within sixty (60) days fill the vacancy by appointment or call for a special election. Council is requested to give direction to staff on the process it chooses to follow regarding filling the vacancy created by Mayor Pro Tem Ethans' resignation.

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. Provide direction to staff on the process for filling the vacancy.

13. ORAL COMMUNICATIONS - PUBLIC

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

- Members of the public wishing to address the Council/Agency/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/Agency/Authority and Staff need to be recognized by the Mayor/Chairman before speaking.

14. WRITTEN COMMUNICATIONS None.

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

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

At this time Council/Agency/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/AGENCY/AUTHORITY INITIATED ITEMS FOR A FUTURE MEETING

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

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

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

Currently Scheduled:

- February 26, 2019 (5:00 p.m.)
Mid-Year Budget Review.

16. ITEMS FROM CITY ATTORNEY/AGENCY COUNSEL/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 7th day of February, 2019.

s/ Patricia A. Vazquez, City Clerk/Secretary

**CITY OF STANTON
ACCOUNTS PAYABLE REGISTER**

| | |
|------------------|--------------|
| January 24, 2019 | \$243,581.57 |
| January 31, 2019 | \$132,964.11 |

| |
|--------------|
| \$376,545.68 |
|--------------|

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



Interim City Manager

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



Assistant City Manager

DRAFT

MINUTES OF THE CITY COUNCIL / SUCCESSOR AGENCY / HOUSING AUTHORITY OF THE CITY OF STANTON JOINT REGULAR MEETING JANUARY 22, 2019

1. CALL TO ORDER / CLOSED SESSION

The City Council meeting was called to order at 6:07 p.m. by Mayor Shawver.

2. ROLL CALL

Present: Council Member Ethans, Council Member Taylor, 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

The members of the Stanton City Council of the City of Stanton proceeded to closed session at 6:07 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

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

The meetings were called to order at 6:36 p.m. by Chairman Shawver.

The City Attorney reported that the Stanton City Council met in closed session from 6:07 to 6:30 p.m.

The City Attorney reported that there was no reportable action.

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6. ROLL CALL

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

Absent: None.

Excused: None.

7. PLEDGE OF ALLEGIANCE

Led by Fire Division Chief Shane Sherwood, Orange County Fire Authority.

8. SPECIAL PRESENTATIONS AND AWARDS

Recognition of the City of Stanton's businesses celebrating milestones.

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

The Mayor and City Council recognized the City of Stanton's 2019 businesses celebrating milestones.

Businesses were recognized via the following categories:

- **Celebrating Thirty (30) Years**
 - Action Southland Towing
 - Aspen Pines Apartments
 - Sun's Tool Corp.
- **Celebrating Thirty Five (35) Years**
 - Boys and Girls Club of Stanton
- **Celebrating Sixty Two (62) Years**
 - Johnson & Turner Painting Co.

9. CONSENT CALENDAR

Mayor Shawver requested to pull item 9I from the Consent Calendar for separate discussion.

Council Member Taylor abstained from Consent Calendar Item 9C, line items 1 and 2.

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

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

AYES: 5 (Ethans, Ramirez, Shawver, Taylor, 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 January 10, 2019 and January 17, 2019, in the amount of \$364,451.66.

9C. APPROVAL OF MINUTES

1. The City Council/Agency/Authority Board approved Minutes of Regular Joint Meeting – March 13, 2018.
2. The City Council/Agency/Authority Board approved Minutes of Regular Joint Meeting – June 26, 2018.
3. The City Council/Agency/Authority Board approved Minutes of Regular Joint Meeting – January 8, 2019.

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9D. DECEMBER 2018 INVESTMENT REPORT

The Investment Report as of December 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 December 2018.

9E. DECEMBER 2018 INVESTMENT REPORT (SUCCESSOR AGENCY)

The Investment Report as of December 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 December 2018.

9F. DECEMBER 2018 INVESTMENT REPORT (HOUSING AUTHORITY)

The Investment Report as of December 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 December 2018.

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9G. LANDSCAPE MAINTENANCE AGREEMENT WITH CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS ADJACENT TO 12639-12817 BEACH BOULEVARD

The development of the Village Center Drive residential area will include landscaping along Beach Boulevard. The California Department of Transportation owns the right of way where the landscaping will be placed. They are requiring that the City enter into an agreement to maintain this landscaping in the event it is not properly maintained by the adjacent property owner.

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

9H. AWARD OF A CONTRACT FOR THE 2019 PAVEMENT MANAGEMENT PLAN UPDATE TO NICHOLS CONSULTING ENGINEERS

The Pavement Management Plan (PMP) 2019 Update will provide the City with an updated pavement management plan. The PMP is used to determine which roads are to be rehabilitated each year and is a requirement of Measure M funding from the County. Staff recommends that the firm of Nichols Consulting Engineers be retained to prepare the Pavement Management System 2019 update.

1. The City Council declared this project categorically exempt under the California Environmental Quality Act, Class 1, and Section 15301h; and
2. Awarded a contract to Nichols Consulting Engineers for the 2019 Pavement Management Plan Update.

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9J. RESOLUTION 2019-01 OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 2017-187 FOR THE PROPERTY LOCATED AT 7901-7955 GARDEN GROVE BOULEVARD AND 12775-12975 BEACH BOULEVARD

The final parcel map for the development located at 7901-7955 Garden Grove Boulevard and 12775-12975 Beach Boulevard has been completed and reviewed by all required departments and agencies. This final parcel map is in compliance with the City's General Plan and zoning land use designation.

1. The City Council finds that the adoption of the resolution is categorically exempt under Section 15332, Class 32 (In-Fill Development Projects); and
2. Adopted Resolution No. 2019-01 approving Final Parcel Map No. 2017-187, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, APPROVING FINAL PARCEL MAP NO. 2017-187 FOR THE PROPERTY LOCATED AT 7901-7955 GARDEN GROVE BOULEVARD AND 12775-12975 BEACH BOULEVARD"; and

3. Finds that the recordation of Final Parcel Map No. 2017-187 will not be in violation of any of the provisions of Section 66474, 66474.1, and 66474.2 of the Subdivision Map Act; and
4. Finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan required by Article 5 (commencing with Section 65300) of Chapter 3 of Division 1 of the Government Code, and any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of the Government Code.

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9K. PROPOSED CHANGES TO PERSONNEL RULES AND REGULATIONS

The City Council has established Personnel Rules and Regulations as set forth in Title II, Chapter 2.44 of the Stanton Municipal Code. From time to time the provisions of the Personnel Rules are changed based on changes in federal or state law or the needs of the organization have changed.

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 and procedure making; and
2. Approved Resolution No. 2019-02 amending the City of Stanton Personnel Rules and Regulations, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, AMENDING AND ADOPTING PERSONNEL RULES FOR THE ADMINISTRATION OF THE CITY'S PERSONNEL SYSTEM AND REPEALING ALL OTHER RESOLUTIONS AND MOTIONS INCONSISTENT HEREWITH".

END OF CONSENT CALENDAR

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9I. ACCEPTANCE OF THE CIVIC CENTER AND LIBRARY PAINTING PROJECT BY THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA

The Civic Center and Library Painting project has been completed in accordance with the plans and specifications. The final construction cost for the project was \$46,200.00. The City Engineer, in his judgment, certifies that the work was satisfactorily completed as of January 22, 2019 and recommends that the City Council accept the completed work performed on this project.

The contract for the Civic Center and Library Painting Project is for \$38,000.00. Change orders approve at staff level exceeded the 10% maximum authorized at the time of award. Additional costs arose throughout the project in the total of \$8,200.00. Therefore, Staff requests that the Council authorize the final change order in the total amount of \$8,200.00. This change order was to paint the metal flashing throughout the Civic Center and find a solution for the uniform texture on the exterior walls.

Motion/Second: Shawver/Ramirez

Motion unanimously carried by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

1. The City Council declared this project categorically exempt under the California Environmental Quality Act ("CEQA") under Section 15301(c) – Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities; and
2. Approved Change Order No. 01 and additional funds in the total additive amount of \$8,200.00 to Dulux Painting, Inc. for the Civic Center and Library Painting Project; and
3. Authorized the Mayor to execute Change Order No. 01 and appropriate additional funds; and
4. Approved Budget Adjustment No. 2019-06 to appropriate \$8200 to the City Hall Plaza Improvements account in the Capital Project Fund for this project; and
5. Accepted the completion of improvements for the Civic Center and Library Painting Project, as certified by the City Engineer, and affixed the date of January 22, 2019 as the date of completion of all work on this project; and
6. Approved the final construction contract amount of \$46,200.00 with Dulux Painting, Inc.; and
7. Directed the City Clerk within ten (10) days from the date of acceptance to file the Notice of Completion with the County Recorder of the County of Orange; and

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8. Directed City staff, upon expiration of the thirty-five (35) days from the filing of the "Notice of Completion," to make the retention payment to Dulux Painting, Inc. in the amount of \$2,310.00.

10. **PUBLIC HEARINGS** None.

11. **UNFINISHED BUSINESS** None.

12. **NEW BUSINESS**

12A. WOMEN OF DISTINCTION AWARDS PROGRAM SELECTION COMMITTEE

In June of 2018 the City Council provided staff with direction to implement a Women of Distinction Awards Program.

Staff report by Ms. Cynthia Guzman, Human Resource Specialist

Motion/Second: Ethans/Warren

Motion unanimously carried by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

1. The City Council declared that this project is exempt from the California Environmental Quality Act ("CEQA") under Section 15378(b)(5) 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. Received and filed the staff report and appointed Council Member Carol Warren and Stanton residents Ms. Jhovana Ramirez, Ms. Jennifer Shawver, and Ms. Mavis Ethans as members to serve on the Women of Distinction Awards Program Selection Committee.

DRAFT

12B. CONSIDERATION OF MOVING TO ONE COUNCIL MEETING PER MONTH

Recent questions have been presented about moving Stanton City Council meetings to once a month. This report reviews some of the benefits and consequences of such an action.

The City Council discussed the agenda item and directed staff to continue with the same format of two City Council meetings a month and to cancel meetings as needed.

13. ORAL COMMUNICATIONS – PUBLIC

Ms. Robin, Resident, spoke regarding her concerns with the Orange County Sheriff's Department (cost/services/response time/completion of police reports) and the City Council (response time) in hopes of opening up a dialog with the City Council and Orange County Sheriff's Department ensuring better communication and safety for the citizens of Stanton.

14. WRITTEN COMMUNICATIONS None.

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

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

- Council Member Taylor reported on his attendance at the Orange County Library Advisory Board meeting and also reported on the programs that the Orange County Public Libraries offer such as providing qualified community members the opportunity to earn an accredited high school diploma and credentialed career certificates.
- Council Member Warren reported on her attendance at the Orange County Boy Scouts luncheon, which was held on January 17, 2019.
- Council Member Ramirez reported on the upcoming Stanton Business Alliance 9th Annual Business Alliance Luncheon, which will be held on January 31, 2019.
- Mayor Shawver requested that Council Member Taylor contact the Orange County Library Advisory Board and offer the City's assistance with programs such as "books on wheels" and a "portable reading program" while the Stanton Library is closed due to renovations.
- Mayor Pro Tem Ethans reported on the Orange County Vector Control District's West Nile Virus alerts and cases within the City and County of Orange.

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

None.

DRAFT

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.

Mr. Bob Lewis, Resident, suggested that the City provide Stanton residents with the information that Lieutenant Wilson has presented to the City Council this evening to ensure that residents have the opportunity to draft and send a letter with their input to the District Attorney to assist in influencing the City's situation.

18. ADJOURNMENT Motion/Second: Shawver/ Motion carried at 7:35 p.m.

MAYOR/CHAIRMAN

ATTEST:

CITY CLERK/SECRETARY

DRAFT

MINUTES OF THE CITY COUNCIL OF THE CITY OF STANTON
10660 WESTERN AVENUE, STANTON, CA 90680 (STANTON CENTRAL PARK)
SPECIAL MEETING JANUARY 29, 2019

1. CALL TO ORDER

The meeting was called to order at 8:30 a.m. by Mayor Shawver.

2. PLEDGE OF ALLEGIANCE

Led by Mayor David J. Shawver.

3. ROLL CALL

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

Absent: None.

Excused: None.

4. CLOSED SESSION

5. PUBLIC COMMENT ON CLOSED SESSION ITEMS None.

6. CLOSED SESSION

The members of the Stanton City Council of the City of Stanton proceeded to closed session at 8:30 a.m. for discussion regarding:

**6A. PUBLIC EMPLOYEE APPOINTMENT
(Pursuant to Government Code Section 54957)**

Title: City Manager

DRAFT

The City Council reconvened in open session at 3:50 p.m.

The City Attorney reported that the Stanton City Council met in closed session from 8:30 a.m. to 3:50 p.m.

The City Attorney reported that there was no reportable action.

6. **ADJOURNMENT** Motion/Second: Shawver/
Motion carried at 3:50 p.m.

MAYOR

ATTEST:

CITY CLERK

CITY OF STANTON

REPORT TO CITY COUNCIL

TO: Honorable Mayor and Members of the City Council

DATE: February 12, 2019

SUBJECT: ACCEPTANCE OF THE CONSTRUCTION OF THE COMMUNITY CENTER AND CIVIC CENTER ACCESSIBILITY IMPROVEMENT PROJECT BY THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA

REPORT IN BRIEF:

The construction of the Community Center and Civic Center Accessibility Improvement Project has been completed in accordance with the plans and specifications. The final construction cost for the project was \$1,198,439.16. The approved budget by the council was \$1,220,229.40. The City Engineer, in his judgment, certifies that the work was satisfactorily completed as of February 12, 2019 and recommends that the City Council accept the completed work performed on this project.

RECOMMENDED ACTION:

1. That the City Council declares this project categorically exempt under the California Environmental Quality Act ("CEQA") under Section 15301(c) – Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities; and
2. City Council accepts the completion of improvements for the Construction of the Community Center and Civil Center Accessibility Improvement Project, as certified by the City Engineer, and affix the date of February 12, 2019 as the date of completion of all work on this project, and
3. Approves the final construction contract amount of \$1,198,439.16 with C.S. Legacy Construction, Inc.; and
4. Direct the City Clerk within ten (10) days from the date of acceptance to file the Notice of Completion (Attachment) with the County Recorder of the County of Orange; and
5. Directs City staff, upon expiration of the thirty-five (35) days from the filing of the "Notice of Completion," to make the retention payment to C.S. Legacy Construction, Inc. in the amount of \$59,921.96.

BACKGROUND:

The plaza area to the east of City Hall was constructed as part of the original City Hall construction in 1994. The area consisted of an island with a flag pole, a vehicular drop-off area, and a concrete plaza with 11 carotwood trees. The area functioned well over the years, but much of the concrete was lifted by the roots of the trees. The choice of a carotwood with its tendency to have large surface roots turned out to not be the most appropriate choice. Additionally, many of the concrete panels had their edges chipped and broken.

Many of the programs housed within the Community Services portion of the building serve seniors, which exacerbated the tripping potential of the displaced and damaged concrete. The City Council directed staff to develop a concept to redo the plaza. David Volz Design then provided engineering and design services for the project. The City Council approved the concept, and David Volz Design completed construction documents for the work.

ANALYSIS/JUSTIFICATION:

The Construction of the Community Center and Civil Center Accessibility Improvement Project has been completed in conformance with the project plans and specifications, and has been accepted by the City Engineer. The Notice of Completion is required under the terms of the Construction Agreements for this project.

FISCAL IMPACT:

This project was funded through Gas Tax Fund, CDBG Grant Fund, Capital Project Fund, and County Liberty Fund.

ENVIRONMENTAL IMPACT:

This project is categorically exempt under the California Environmental Quality Act, Class 1, and Section 15301c as replacement of existing facilities.

LEGAL REVIEW:

None.

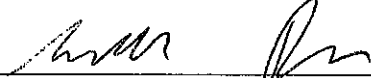
STRATEGIC PLAN OBJECTIVE ADDRESSED:

Provide a quality infrastructure.


PUBLIC NOTIFICATION:

Notifications and advertisement were performed as prescribed by law.

Prepared by:


Guillermo Perez
Associate Engineer

Reviewed by:


Allan Rigg, P.E. AICP
Director of Public Works

Concur:


Stephen Parker, CPA
Assistant City Manager

Approved by:


Robert Hall
Interim City Manager

ATTACHMENT:

(1) Notice of Completion

Recording requested by and
when recorded mail to:

CITY OF STANTON
7800 KATELLA AVE.
STANTON, CA 90680

(Space above this line for Recorder's use)

EXEMPT FROM RECORDING FEES PER
GOVERNMENT CODE SECTION 6103

NOTICE OF COMPLETION

Notice pursuant to Civil Code Section 3093, must be filed within 10 days after completion.

Notice is hereby given that:

1. The undersigned is owner or corporate officer of the owner of the interest or estate stated below in the property hereinafter described:
2. The full name of the owner is the City of Stanton.
3. The full address of owner is 7800 Katella Avenue, Stanton, CA 90680.
4. The nature of the interest or estate of the owner is: Public Right of Way.
5. A work of improvement on the property hereinafter described was completed on February 12, 2019. The work was the Civic Center and Library Painting Project.
6. The name of the contractor for such work of improvement was: C.S. Legacy Construction, Inc.
7. The property on which said work of improvement was completed is in the City of: Stanton, County of Orange, and State of California.

Dated: _____, City of Stanton
Verification for Individual Owner Allan Rigg, City Engineer

VERIFICATION

I, the undersigned, say: I am the City Engineer of the City of Stanton, the declarant of the foregoing Notice of Completion; I have read said Notice of Completion and know the contents thereof; the same is true of my own knowledge. I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____, 2019, at Stanton, California.

_____, City of Stanton
Allan Rigg, City Engineer

CITY OF STANTON

REPORT TO CITY COUNCIL

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

DATE: FEBRUARY 12, 2019

**SUBJECT: EXTENSION OF CONTRACT WITH VENCO WESTERN, INC. TO
PROVIDE PROFESSIONAL LANDSCAPE MAINTENANCE SERVICES**

REPORT IN BRIEF:

A contract was awarded to Venco Western, Inc. at the September 8, 2015 City Council meeting to provide Citywide Landscape Maintenance Services. The contract was extended for one year and is set to terminate on June 30, 2019. The terms of the contract allow for two one-year extensions at the sole discretion of the City. Staff recommends the award of the second extension for the period of July 1, 2019 to June 30, 2020.

RECOMMENDED ACTION:

1. Declare that the project is categorically exempt under the California Environmental Quality Act, Class 1, Section 15301(h) as maintenance of existing landscaping; and
2. City Council to approve a contract extension to the firm of Venco Western, Inc. for citywide landscape maintenance services for the second of two allowable contract renewals at identical unit prices.

BACKGROUND:

The City has historically used an outside vendor for landscape maintenance services. In 2015 the services were competitively bid with the following results:

| Rank | Contractor | Bid |
|-------------|------------------------------------|------------|
| 1 | Venco Western, Inc. | \$193,944 |
| 2 | Landscape West Management Services | \$220,500 |
| 3 | Mariposa Landscapes, Inc. | \$275,700 |

References were checked for Venco Western, Inc. (Venco) and they were subsequently

awarded the contract.

ANALYSIS/JUSTIFICATION:

The contract includes the following provision:

3.1.2 Term. The term of this Agreement shall be from October 1, 2015 to June 20, 2018, unless earlier terminated as provided herein. The City shall have the unilateral option, at its sole discretion, to renew this Agreement annually for no more than two additional two-year terms. Contractor shall complete the Services within the term of this Agreement, and shall meet any other established schedules and deadlines..

During the term of the agreement Venco has performed extremely well and staff recommends an extension as allowed by the contract. The contract would be extended until June 30, 2020.

FISCAL IMPACT:

Funding for these services is available from a combination of General Fund and Median Maintenance Accounts and is currently budgeted.

ENVIRONMENTAL IMPACT:

This project is categorically exempt under the California Environmental Quality Act, Class 1, Section 15301(h) as maintenance of existing landscaping.

LEGAL REVIEW:

The City Attorney's office has reviewed the contract amendment and the ability to extend the contract for less the one year provided in the original contract.

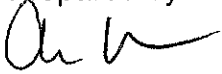
PUBLIC NOTIFICATION:

Notifications were performed through normal agenda process.

STRATEGIC PLAN OBJECTIVE ADDRESSED:

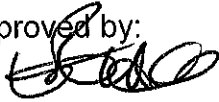
3 - Provide a quality infrastructure.

Prepared by:



Allan Rigg, PE AICP
Public Works Director/City Engineer

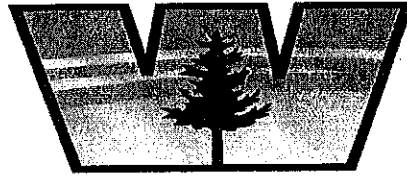
Approved by:



Bob Hall
Interim City Manager

Attachments:

- (1) Written Request for Contract Extension
- (2) Letter Agreement to Extend Contract



Venco Western, Inc.

February 5, 2019

City of Stanton
7800 Katella Ave
Stanton CA 90680

Dear Allan Rigg

I wanted to inform The City of Stanton that Venco Western, Inc. would like to extend the current Landscape Maintenance contract for an additional 12 months at the current price.

Thank You,

Rob Archer

Account Manager

2400 Eastman Avenue, Oxnard, CA 93030 • Phone (805) 981-2400 Fax (805) 981-2450
CA LIC. NO. C27-562295
www.vencowestern.com



February 12, 2019

David J. Shawver
Mayor

Alexander A. Ethans
Mayor Pro Tem

Rigoberto A. Ramirez
Council Member

Gary Taylor
Council Member

Carol Warren
Council Member

Venco Western, Inc.
2400 Eastman Avenue
Oxnard, CA 93030

Re: Letter Agreement to extend Agreement Between City and Venco Western Inc. for Landscape Maintenance Services

Dear Ms. Burr:

This letter will memorialize and confirm the terms and conditions of an extension of that certain Agreement dated September 8, 2015 (the "Agreement") by and between the City of Stanton ("City") and Venco Western Inc. ("Contractor"). The City and Contractor are sometimes individually referred to as "Party" and collectively as "Parties".

The City, under the Agreement, retained the services of the Contractor for landscape maintenance services. The City and Contractor desire to extend the Agreement a second time, from July 1, 2019 to June 30, 2020 ("Extension").

Except as amended by this Extension, all other provisions of the Agreement remain in full force and effect. The Parties irrevocably stipulate and agree that they have each received adequate and independent consideration for the performance of the obligations they have undertaken pursuant to this Extension.

AGREED and ACCEPTED:

CITY OF STANTON

VENCO WESTERN, INC.

By: _____

Bob Hall
Interim City Manager

By: _____

Linda D. Burr
Venco Western Inc.

7800 Katella Avenue
Stanton, CA 90680
Phone (714) 379-9222
Fax (714) 890-1443
www.ci.stanton.ca.us

Best Best & Krieger LLP
City Attorney



David J. Shawver
Mayor

Alexander A. Ethans
Mayor Pro Tem

Rigoberto A. Ramirez
Council Member

Gary Taylor
Council Member

Carol Warren
Council Member

Attest:

By: _____

Patricia A. Vazquez
City Clerk

Approved as to form:

7800 Katella Avenue
Stanton, CA 90680
Phone (714) 379-9222
Fax (714) 890-1443
www.ci.stanton.ca.us

CITY OF STANTON

REPORT TO THE CITY COUNCIL

TO: Honorable Mayor and Members of the City Council

DATE: February 12, 2019

SUBJECT: STRATEGIC PLAN UPDATE

REPORT IN BRIEF:

On November 27, 2018 the City Council was presented with an update and overview of the Strategic Plan. Senior staff provided the City Council with an updated six-month Strategic Plan Objectives / Components discussing, identifying, strengthening and prioritizing goals and strategies for the City. The City Council directed staff to refine objectives and return with a prioritized version of the Strategic Plan for further City Council consideration. This report provides an update of the City's goals and strategies as of February, 2019.

RECOMMENDED ACTION:

1. City Council find that this item is not subject to California Environmental Quality Act ("CEQA") pursuant to Section 15378(b)(5)(Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment); and
2. Receive and file the report / six-month Strategic Plan Objectives and Components.

BACKGROUND:

The City's two-year strategic plan provided for a three-prong approach to providing services to the community. The three areas in which the City chose to develop are: (1) On-going Operations (2) Develop a Thriving Business Community and (3) Improve the Quality of Neighborhoods.

Senior staff reviewed the status of each component of the Strategic Plan and identified goals and strategies which will enable staff to effectively carry out the City Council's direction.

ANALYSIS/JUSTIFICATION:

The following highlights the progress on the Strategic Plan. The three plan areas originally had a list of forty-two tasks which were to be completed. A total of twenty three tasks have been completed. All remaining tasks continue to see progress. Those items that have been completed or have become a part of on-going operations have been removed from the Strategic Plan.

ENVIRONMENTAL IMPACT:

This item is not subject to California Environmental Quality Act ("CEQA") pursuant to Section 15378(b)(5)(Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment).

LEGAL REVIEW

None.

PUBLIC NOTIFICATION:

Through the normal agenda process.

STRATEGIC PLAN COMPONENT ADDRESSED:

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

Prepared by:


Patricia A. Vazquez, City Clerk

Approved by:


Robert W. Hall, Interim City Manager

Attachment:

A. Six-Month Strategic Plan Objectives / Components (*January 1, 2019 - June 30, 2019*)

City of Stanton

Six-Month Strategic Objectives / Components
January 1, 2019 - June 30, 2019

| 1. Provide a Safe Community | | Plan Description | | How To Implement | | Status | | Comments | |
|-----------------------------|---------------------------------|------------------|--|------------------|--|--------|------|-----------|---------|
| No. | Assigned | Timeline | Plan Description | | How To Implement | | Done | On Target | Revised |
| 1.1 | Public Safety Services Director | April 1, 2019 | Strategy to Address Homelessness | | Work with various external partners to provide links to available services as well as address the impacts of homelessness on the community. | | | x | |
| 1.2 | Public Safety Services Director | April 1, 2019 | Conduct a Police Services/Comparison Study | | Work with consultant to complete comparison study. / Research options and provide recommendations to City Council. | | | x | |
| 1.3 | Public Safety Services Director | April 1, 2019 | Enhance Training of Field Personnel | | Develop a training program for field personnel to enhance the level of safety while in contact with the public. / Research available training opportunities. | | | x | |
| 1.4 | Public Safety Services Director | January 31, 2019 | Emergency Preparedness | | Complete quarterly Emergency Management training with existing staff and ensure that new employees are provided opportunity to obtain previously delivered training. | | | x | |
| 1.5 | Public Works Director | July 1, 2019 | Cameras throughout the City | | Install cameras on sirelights once acquired from SCE and retrofitted. Next step is to present final bill of sale from SCE once received. | | | x | |
| 1.6 | Public Works Director | February 1, 2019 | Procure Mutual Aid Agreements | | Create and procure Mutual Aid Agreements with various jurisdictions and specialized vendors. | | | x | |

| 2. Promote a Strong Local Economy | | | | | | | | |
|-----------------------------------|--|-------------------|--|--|--------|-----------|---|--|
| No. | Assigned | Timeline | Plan Description | How To Implement | Status | | Comments | |
| | | | | | Done | On Target | Revised | |
| 2.1 | Facilitate Development of Village Center | | | | | | | |
| 2.1 | Community Development Director | February 26, 2019 | Facilitate Development of Village Center | Process the necessary permits to allow for an LED changeable copy sign as part of the development. | | x | Staff has been able to simplify the permitting process to be approved by the Planning Commission, with no change to the zoning code. Public Hearing scheduled for February 20, 2019 | |
| 2.1.2 | Community Development Director | April 3, 2019 | Facilitate Development of Village Center | Process the necessary entitlements for the use changes proposed by the developer. | | x | Public Hearing scheduled for February 20, 2019 | |
| 2.2 | Support Opportunities for Affordable Housing Development in the City | | | | | | | |
| 2.2.1 | Community Development Director | April 9, 2019 | Support opportunities for affordable housing development in the City | Enter into a Purchase and Sales Agreement with Habitat for Humanity for the HA owned properties at 10511 Flower Ave. and 7922 Cerritos Avenue. | | | x | Staff is working on obtaining a revised property appraisal due to identified flaws within the appraisal. Upon completion of revised appraisal, staff with confer with the developer about next steps |
| 2.2.2 | Community Development Director | TBD | Support opportunities for affordable housing development in the City | Process application for the development of Habitat for Humanity Project. | | | x | The project has been delayed based on the property appraisal issue. A modified timeline will be identified once the appraisal is completed. |
| 2.2.3 | Community Development Director | June 25, 2019 | Support opportunities for affordable housing development in the City | Assist Jamboree Housing with the development of a Permanent Supportive Housing project at 11850 Beach Blvd. by processing entitlement applications and assisting in the application for funding of the project through the county. | | x | | Staff is working with Jamboree Housing to put together supporting documents. Staff will also be utilizing Townsend PA to set up a meeting with the County to discuss Phase II of the project. |
| 2.3 | Development of Economic Development Strategy | | | | | | | |
| 2.3.1 | Community Development Director | November 27, 2019 | Development of Economic Development Strategy | Conduct City Council Study Session on Economic Development. | x | | | Staff is currently working with the Attorneys on the first round of code amendments and anticipate the review in March/April 2019 |
| 2.3.2 | Community Development Director | April 30, 2019 | Development of Economic Development Strategy | Amend the zoning code for code fixes, and to implement economic development strategies. | | x | | Staff is working with Kosmont to identify how to establish this program. |
| 2.3.3 | Community Development Director | March 26, 2019 | Development of Economic Development Strategy | Establish a Sales Tax Assessment Revenue Program. | | x | | |
| 2.3.4 | Community Development Director | April 30, 2019 | Development of Economic Development Strategy | Hire a consultant to review and modify Development Impact Fees and Planning Fees. | | x | | |
| 2.3.5 | Community Development Director | April 30, 2019 | Development of Economic Development Strategy | Create a Development Agreement Procedure. | | x | | |
| 2.3.6 | Community Development Director | February 12, 2019 | Development of Economic Development Strategy | Conduct a survey to the business community regarding "networking events" and how to best communicate. | | x | | Short form surveys were completed at the Business Awards Luncheon. Long form surveys will be distributed to the business community by February 21, 2019 |
| 2.3.7 | Community Development Director | May 14, 2019 | Development of Economic Development Strategy | Identify clear roles for the Business Alliance and Chamber of Commerce. | | | x | The NOCC has requested to hold a meeting once the new CM is on board. |

| 3. Promote a Quality Infrastructure | | | | | | | |
|-------------------------------------|-----------------------|--------------|-------------------------|---|--------|-----------|----------|
| No. | Assigned | Timeline | Plan Description | How To Implement | Status | | Comments |
| | | | | | Done | On Target | Revised |
| 3.1 | Public Works Director | March, 2019 | Streetlight Acquisition | Staff will present final purchase price to the City Council for action. | | | x |
| 3.2 | Public Works Director | June 1, 2019 | Streetlight Conversion | Staff will obtain bids to retrofit all streetlights to LED once lights are owned by the City. | | | x |

| 4. Ensure Fiscal Stability and Efficiency in Governance | | | | | | | | |
|---|------------------------|-------------------|--|--|------|---------------------|---------|--|
| No. | Assigned | Timeline | Plan Description | How To Implement | Done | Status On Target | Revised | Comments |
| 4.1 | Assistant City Manager | November 27, 2018 | Complete a 10-year forecast of City finances | Provide forecast to City Manager and City Council. | x | | | Presented to City Council during November 27, 2018 study session |
| 4.2 | Assistant City Manager | January 22, 2019 | Streetsight Acquisition Financing | Present financing options and a recommendation for financing options for Streetsight Acquisition to Council. | | | x | Delays from SCE have this targeted for the end of March. |
| 4.3 | Assistant City Manager | February 26, 2019 | 2019-20 Mid-Year Budget | Present the 2019-20 Mid-Year Budget and corresponding budget adjustments to City Council for review and approval. | | x | | |
| 4.4 | Assistant City Manager | February 26, 2019 | User Fee Update - Community Services | Provide updated Community Services user fee schedule with recommended fees for residents, nonprofits, nonresidents, Council and staff. | | x | | |

| 5. Provide a High Quality of Life | | | | Plan Description | | How To Implement | | Status | | | Comments |
|-----------------------------------|---|-------------------|--|------------------|--|--|--|--------|-----------|---------|--|
| No. | Assigned | Timeline | | | | | | Done | On Target | Revised | |
| 5.1 | Permit Parking | | | | | | | | | | |
| 5.1.1 | Public Works Director | October 23, 2018 | Permit Parking | | | Meeting to obtain guidance from Council on which permit parking option should be implemented. | | x | | | |
| 5.1.2 | Public Works Director | December 20, 2018 | Permit Parking | | | Conduct meetings with permit parking stakeholders to educate on the path forward. | | | x | | |
| 5.1.3 | Public Works Director | January 22, 2019 | Permit Parking | | | Draft an Ordinance and Guidelines for new permit parking program. | | | x | | |
| 5.1.4 | Public Works Director | March 1, 2019 | Permit Parking | | | Develop an RFP process for identifying appropriate online permit issuance program. | | x | | x | Upon further evaluation of resources and needs, the online program is no longer proposed to be implemented at this time. |
| 5.1.5 | Public Works Director | May 1, 2019 | Permit Parking | | | Purchase electronic ticket writing machines. | | | | | |
| 5.2 | Community Services Manager | May 30, 2019 | Pursue competitive grants to fund park improvements. | | | Apply for at least two grants. | | | | | |
| 5.3 | Community Services Manager | May 1, 2019 | Sports Field Use Policy | | | Review and update policy regarding sport field usage and corresponding fees to address wear and maintenance on fields as well as revenue opportunities. | | | x | | |
| 5.4 | Community Services Manager | January 31, 2019 | Develop comprehensive sponsorship package to support City programs and facilities. | | | Outline all opportunities for support in the City, including special events, programs and facilities to create defined levels of support and return on investment. | | x | | | Staff has completed the package and is distributing sponsorship opportunities to various businesses and partners. |
| 5.5 | Community Services Manager | June 30, 2019 | Enhance community outreach and engagement in priority neighborhoods. | | | Target three neighborhoods to address youth development to align with violence prevention efforts. | | | x | | |
| 5.6 | Community Services Manager | April 1, 2019 | Update Facility Use Policy | | | Develop a Community Group tier regarding facility usage to correspond with updated fee schedule. | | | x | | |
| 5.7 | Plan for Tinal/Pacific Affordable Housing Project | | | | | | | | | | |
| 5.8.1 | Community Development Director | October 23, 2018 | Plan for Tinal/Pacific affordable housing project | | | Enter into Contract with Acquisition and Relocation firm. | | x | | | |
| 5.8.2 | Community Development Director | November 27, 2018 | Plan for Tinal/Pacific affordable housing project | | | Enter into Contract for Environmental Consultant for drafting of Project EIR. | | x | | | |
| 5.8.3 | Community Development Director | February 26, 2018 | Plan for Tinal/Pacific affordable housing project | | | Finalize DDA for Phase II of the development project. | | | | x | Final revisions to the document are being completed and the hearing date will be scheduled on February 26, 2019 |

| 6. Maintain and Promote a Responsive, High Quality and Transparent Government | | | | | | | | |
|---|--------------------------------|-------------------|---|---|--------|-----------|----------|--|
| No. | Assigned | Timeline | Plan Description | How To Implement | Status | | Comments | |
| | | | | | Done | On Target | Revised | |
| 6.1 | Assistant City Manager | April 23, 2019 | Establish a policy on permissions for email on personal devices | Present to Council a proposed policy on who is authorized to have e-mail on their personal devices. | | x | | Policy has been initially drafted and is being reviewed. |
| 6.2 | Assistant City Manager | April 23, 2019 | Establish a Bring Your Own Device Policy | Present to Council a proposed Bring Your Own Device policy. | | x | | Policy has been initially drafted and is being reviewed. |
| 6.3 | Assistant City Manager | April 23, 2019 | Update Administrative Rules & Regulations | Provide 10 Updated Administrative Rules & Regulations to the City Manager for review and approval. | | x | | |
| 6.4 | City Manager | April 1, 2019 | Develop framework for consistent messaging on all media platforms | Update the Style Guide for the City and include all electronic communication mediums. | | x | | |
| 6.4.1 | City Manager | December 31, 2018 | Develop framework for consistent messaging on all media platforms | Update the City's website for more accurate and concise content. | x | | x | Website has been reviewed and revised by departments. |
| 6.4.2 | City Manager | April 30, 2019 | Develop framework for consistent messaging on all media platforms | Update the City's policies for social media, display of content, comments, and set a policy on responses to comments. | | x | | |
| 6.5 | City Manager | February 28, 2019 | Establish a City Council Rules and Regulations / Ethics Policy | Present to the City Council a City Council Rules and Regulations / Ethics Policy produced by an Ad Hoc Committee to the City Council for review and approval. | | x | x | The Ad-Hoc Committee has met and staff is compiling information and drafting a policy for an initial review by the Ad-Hoc Committee. |
| 6.6 | City Manager | February 1, 2019 | Fill City Manager Position | Present to Council a list of qualified candidates to consider. | x | | | |
| 6.7 | Community Development Director | January 16, 2019 | Update Sign Code | Revise sign code to address temporary signs during an election period. | | | x | City Attorneys requested additional time to put together the code amendment package including the sign code updates. Anticipated hearings are now scheduled for March/April 2019 |

CITY OF STANTON

REPORT TO CITY COUNCIL

TO: Honorable Mayor and Members of the City Council

DATE: February 12, 2019

SUBJECT: CYPRESS COLLEGE FOUNDATION AMERICANA AWARDS DINNER

REPORT IN BRIEF:

City Council consider purchasing a table at the Cypress College Foundation Americana Awards Dinner scheduled for Saturday, February 23, 2019 in the Grand Ballroom of the Disneyland Hotel at a cost of \$2,500. This Awards dinner honors the Citizen of the Year from surrounding communities. This year Mr. Glen McElroy has been selected and will be honored as the City of Stanton's Citizen of the Year.

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. Authorize the purchase of a table at the Cypress College Foundation Americana Awards Dinner in the amount of \$2,500.

BACKGROUND:

The 44th Annual Cypress College Foundation Americana Awards dinner will be held on February 23, 2019. Each surrounding City has the opportunity to honor an individual who has made a significant contribution to their community. This year Mr. Glen McElroy has been selected and will be honored as the City of Stanton's Citizen of the Year.

ANALYSIS/JUSTIFICATION:

Historically the City Council has participated in the Cypress College Foundation Americana Awards Dinner. This Banquet is used as a fundraiser for the Cypress College Foundation with all proceeds benefiting Cypress College students and programs.

FISCAL IMPACT:

The total cost for the event is \$2,500 and is available from the City Council's Special Department Expense account number 101-1100-602100.

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).

LEGAL REVIEW:

None.

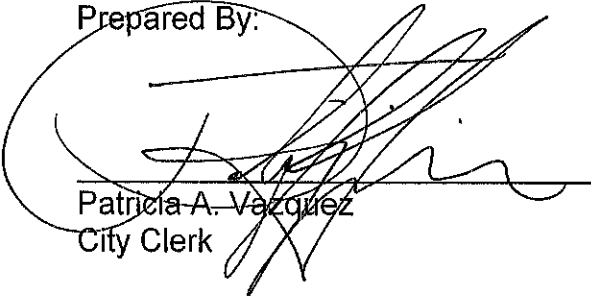
STRATEGIC PLAN OBJECTIVE ADDRESSED:

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

PUBLIC NOTIFICATION:

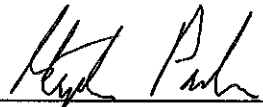
Through the normal agenda process.

Prepared By:




Patricia A. Vazquez
City Clerk

Concurred by:



Stephen M. Parker
Assistant City Manager

Approved by:



Robert W. Hall
Interim City Manager

CITY OF STANTON

REPORT TO CITY COUNCIL

TO: Honorable Mayor and Members of the City Council

DATE: February 12, 2019

SUBJECT: AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, IN ACCORDANCE WITH GOVERNMENT CODE SECTIONS 36937 AND 65858 EXTENDING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT OF MASSAGE BUSINESSES FOR 10 MONTHS AND 15 DAYS PENDING STUDY AND THE PREPARATION OF AN UPDATE TO THE CITY'S MUNICIPAL AND ZONING CODE

REPORT IN BRIEF:

Due to the continuing enforcement issues related to massage establishments, the City Council is asked to consider an interim urgency ordinance to temporarily prohibit the establishment of such businesses. The interim urgency ordinance would provide the City sufficient time to study the continuing impacts of these establishments and to develop new municipal and zoning code regulations. The length of the moratorium would be 10 months and 15 days.

RECOMMENDED ACTION:

1. Declare that the project is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15378 of the State of California Environmental Quality Act ("CEQA") Guidelines, because it has no potential for resulting in physical change in the environment, directly or indirectly. The City Council further finds, under Title 14 of the California Code of Regulations, section 15061(b)(3) that this interim urgency ordinance is nonetheless exempt from the requirements of CEQA. 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. That the City Council receive and file the 10-day action report for the conclusion of the 45-day moratorium; and
3. That the City Council adopt Urgency Ordinance No. 1085, entitled:

AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, ENACTED PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTIONS 36937 AND 65858, EXTENDING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT OF MASSAGE BUSINESSES FOR 10 MONTHS

AND 15 DAYS PENDING STUDY AND THE PREPARATION OF AN UPDATE TO THE CITY'S MUNICIPAL AND ZONING CODE

BACKGROUND:

In 2014, Governor Jerry Brown signed Assembly Bill 1147 (AB 1147), which restored local agencies' ability to impose reasonable zoning, business licensing, and health and safety requirements on massage establishments. Among other things, AB 1147 set forth the Legislature's intent that "broad control over land use in regulation of massage establishments be vested in local governments so that they may manage those establishments in the best interests of the individual community."

In response to AB 1147, the City enacted a comprehensive and reasonable permitting system to regulate massage establishments in the City, as codified in Stanton Municipal Code Chapter 5.16 and Section 20.400.190. The City's regulatory scheme requires a massage establishment to obtain a Conditional Use Permit in order to locate a massage establishment in the City's Commercial General Zone and requires an operator to obtain a massage establishment permit in order to operate a massage establishment. Additionally, the City's regulatory system allows the City to impose conditions of approval upon a massage establishment to protect residents' health, safety, and welfare.

Despite the City's regulatory system, the City inspectors and sheriff's department continue to find violations of its massage business regulations including unauthorized massage technicians and personnel, unsanitary facility conditions, including evidence of used contraceptive devices, and the exposure of specified anatomical areas. As recently as November 2018, the Orange County Sheriff's Department advised the City against issuing a permit to a particular massage establishment within the City because the applicant had alleged connections to the operation of other massage establishments in the City that have alleged to engage in human trafficking.

In spite of the passage of AB 1147, cities throughout California have discovered that massage establishments in their communities are being used as fronts for illicit activity, including human trafficking and prostitution ("Over 3,300 California massage parlors are fronts for sex trafficking, report says," *SF Gate*, Feb. 3, 2018; "Massage businesses engaged in prostitution, human trafficking face possible crackdown," *The San Diego Tribune*, Sept. 17, 2018; "Fronts for human trafficking? Pico Rivera extends its ban on massage businesses," *The Whittier Daily News*, Sept. 26, 2018; "San Jose cracks down on prostitution at illicit massage parlors," *Mercury News*, Oct. 17, 2018; "San Gabriel Valley massage parlor owner accused of sex trafficking," *Los Angeles Times*, Oct. 25, 2018; "Sex Trafficking Victims Caught in Illegal Massage Parlor Industry," *7 San Diego*, Nov. 8, 2018).

ANALYSIS/JUSTIFICATION:

Per Government Code Sections 36937 and 65858, the City Council may adopt an interim urgency ordinance to protect the public safety, health, and welfare from an event, occurrence, or set of circumstances. City staff requires time to gather data about

the adverse impacts of massage establishments, including illicit sexual activity, prostitution, and human trafficking, and to research, study, and consider ways to possibly amend the City's regulatory process and the Stanton Municipal and Zoning Codes to reduce potential illegalities occurring at massage establishments. City staff, the Sheriff's Department, and the City Attorney's office are also conducting research into the possible and likely impacts of further regulating massage establishments in the City in order to mitigate adverse public safety, health, and welfare impacts.

In order to continue studying the operation concerns of massage businesses in the city and draft new municipal and zoning code regulations, Interim Urgency Ordinance No. 1085 would place a 10-month and 15-day moratorium on the establishment of massage businesses in the City.

Government Code Section 36937 authorizes public agencies like the City to adopt ordinances that are immediately effective if they are to preserve the public peace, health or safety. Government Code Section 65858 also authorizes public agencies to adopt an interim urgency ordinance temporarily prohibiting land uses, which, if approved, may be in conflict with contemplated land use policies and regulations which the City is studying or intends to study. As described in this report, the City is considering the potential impacts of massage establishments and how to address the issues previously discussed through an amendment to the City municipal and zoning code. In order for the urgency ordinance to be effective, four-fifths (4/5) of the City Council must approve the ordinance.

FISCAL IMPACT:

None.

ENVIRONMENTAL IMPACT:

In accordance with the requirements of CEQA, the project is exempt pursuant to Section 15378 and Section 15061(b)(3) of the California Environmental Quality Act.

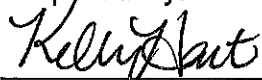
PUBLIC NOTIFICATION:

Posted at three public places, and made public through the regular agenda process.

STRATEGIC PLAN:

1 – Provide a Safe Community

Prepared By:



Kelly Hart
Community and Economic
Development Director

Concurred By:

Matthew E. Richardson
City Attorney

Approved By:



Robert W. Hall
Interim City Manager

Attachments:

- A. Memorandum for the 10-day report on actions taken by city staff during the 45-day moratorium
- B. Ordinance No. 1085



City of Stanton

COMMUNITY DEVELOPMENT

To: City Council

From: Kelly Hart, Community & Economic Development Director

Re: REPORT ON MEASURES TAKEN TO ALLEVIATE THE CONDITIONS WHICH LED TO THE ADOPTION OF ORDINANCE NO. 1083 ESTABLISHING A MORATORIUM ON THE ESTABLISHMENT OF NEW MASSAGE BUSINESSES

On January 8, 2019, the City Council adopted Ordinance No. 1083, enacting a 45 moratorium on the establishment of new massage businesses.

The Ordinance required the City to issue a report at least ten (10) days prior to the expiration of the Ordinance or any extension, describing the measures taken to alleviate the condition(s) which led to the adoption of the initial moratorium in the Ordinance. The conditions that led to the adoption of the Ordinance were listed in the Ordinance and still exist as of the date of this report.

Since the enactment of the Ordinance, the following actions have been taken:

- (1) The City's Community Development Department has begun researching municipal codes of surrounding cities relating to massage businesses.
- (2) The City's Community Development Department has begun researching the best practices utilized by local jurisdictions throughout the State relating to application of new massage businesses and the operators of the businesses.
- (3) The City's Community Development Department has begun reviewing the City's current massage ordinance to determine how to amend the regulations and procedures.
- (4) The City's Community Development Department has begun compiling all code related case files for existing massage establishments in the City to determine the types of violations of the existing regulations that have been documented to determine how to amend the regulations to address the ongoing violations.
- (5) The Community Development Department begun to reach out to the Sheriff's Department to discuss best management practices to be incorporated into the ordinance to address ongoing violations.
- (6) The Community Development Department has prepared a proposed a 10 month and 15 day moratorium on the establishment of new massage businesses.

In light of the complexity of this matter, the City requires additional time to study in-depth the issue related to massage businesses in the City to determine the best way to protect the public health, safety, and welfare. While this study is being conducted and potential new ordinances are being prepared, City staff believes that it is critical for the Council to establish a 10-month and 15-day moratorium.

ORDINANCE NO. 1085

AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, ENACTED PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTIONS 36937 AND 65858, EXTENDING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT OF MASSAGE BUSINESSES FOR 10 MONTHS AND 15 DAYS PENDING STUDY AND THE PREPARATION OF AN UPDATE TO THE CITY'S MUNICIPAL AND ZONING CODE

WHEREAS, pursuant to Cal. Const. Art. XI, Sec. 7 and under the City's general police powers, the City of Stanton ("City") is empowered and charged with responsibility for the health, safety, and welfare of its citizens; and

WHEREAS, the City is authorized by State law, including, without limitation, Government Code Section 51030 et seq. and Business & Professions Code Section 16000 et seq. to regulate massage establishments; and

WHEREAS, in 2014, Governor Jerry Brown signed Assembly Bill 1147 (AB 1147), which restored local agencies' ability to impose reasonable zoning, business licensing, and health and safety requirements on massage establishments; and

WHEREAS, among other things, AB 1147 set forth the Legislature's intent that "broad control over land use in regulation of massage establishments be vested in local governments so that they may manage those establishments in the best interests of the individual community"; and

WHEREAS, in response to AB 1147, the City enacted a comprehensive and reasonable permitting scheme to regulate massage establishments in the City, as codified in Stanton Municipal Code Chapter 5.16 and Section 20.400.190. The City's regulatory scheme requires a massage establishment to obtain a Conditional Use Permit in order to locate a massage establishment in the City's Commercial General Zone and requires an operator to obtain a massage establishment permit in order to operate a massage establishment. Additionally, the City's regulatory scheme allows the City to impose conditions of approval upon a massage establishment to protect residents' health, safety, and welfare; and

WHEREAS, despite the City's regulatory scheme, the City inspectors continue to find violations of its massage establishment regulations including unauthorized massage technicians and personnel, unsanitary facility conditions, including evidence of used contraceptive devices, and the exposure of specified anatomical areas; and

WHEREAS, as recently as December 2018, the Orange County Sheriff's Department advised the City against issuing a permit to a particular massage establishment within the City because the applicant was alleged to have engaged in human trafficking; and

WHEREAS, despite the passage of AB 1147, cities throughout California have discovered that massage establishments in their communities are being used as fronts for illicit activity, including human trafficking and prostitution ("Over 3,300 California massage parlors are fronts for sex trafficking, report says," *SF Gate*, Feb. 3, 2018; "Massage businesses engaged in prostitution, human trafficking face possible crackdown," *The San Diego Tribune*, Sept. 17, 2018; "Fronts for human trafficking? Pico Rivera extends its ban on massage businesses," *The Whittier Daily News*, Sept. 26, 2018; "San Jose cracks down on prostitution at illicit massage parlors," *Mercury News*, Oct. 17, 2018; "San Gabriel Valley massage parlor owner accused of sex trafficking," *Los Angeles Times*, Oct. 25, 2018; "Sex Trafficking Victims Caught in Illegal Massage Parlor Industry," *7 San Diego*, Nov. 8, 2018); and

WHEREAS, the City Council is concerned about the public health and safety issues associated with massage establishments, including the illicit activity that continues to occur at massage establishments in the City and throughout the State, and the City desires to revise its ordinances to better combat those health and safety risks; and

WHEREAS, per Government Code Sections 36937 and 65858, the City Council adopted Interim Urgency Ordinance No. 1083 on January 8, 2019 to protect the public safety, health, and welfare from the immediate public health and safety issues related to massage establishments, as described herein. Ordinance No. 1083 lasts for 45 days and is set to expire on February 22, 2019; and

WHEREAS, City staff requires additional time to gather data about the adverse impacts of massage establishments and to research, study, and consider ways to possibly amend the City's regulatory process and the Stanton Municipal and Zoning Codes to reduce potential illegalities occurring at massage establishments; and

WHEREAS, as a result, the City Council desires to extend its temporary moratorium on the establishment of massage businesses in the City for an additional 10 months and 15 days in accordance with Government Code section 65858.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The above recitals are true and correct and are incorporated herein by reference.

SECTION 2. The City Council finds that this Ordinance is not a project within the meaning of Section 15378 of the State of California Environmental Quality Act ("CEQA") Guidelines, because it has no potential for resulting in physical change in the environment, directly or indirectly. The City Council further finds, under Title 14 of the California Code of Regulations, section 15061(b)(3) that this interim urgency ordinance is nonetheless exempt from the requirements of CEQA. 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.

SECTION 3. Based on the staff report and written and oral public testimony at the public hearing on this matter, the City Council extends the temporary moratorium established by Ordinance No. 1085 for 10 months and 15 days, as authorized by Government Code section 65858.

SECTION 4. During the time that this urgency ordinance is in effect, (1) no new massage establishment shall be established within the City, and (2) the City shall not approve or issue any use permit, license, variance, building permit, business license, or other applicable entitlement for the establishment of any new massage establishment or the enlargement of any existing massage establishment within the City.

SECTION 5. The City may continue to accept and process applications for uses prohibited by this moratorium if so required by State law. Any application received and processed during the moratorium shall be processed at the applicant's sole cost and risk with the understanding that no permit, license, approval or other entitlement for a massage establishment use may issue while this moratorium or any extension of it is in effect.

SECTION 6. This Ordinance is adopted under the provisions of Government Code Sections 36937 and 65858, and shall take effect immediately upon its passage by a four-fifths vote of the City Council. This Ordinance shall remain in effect for 10 months and 15 days from its adoption, unless earlier repealed, terminated, or extended.

SECTION 7. No less than ten (10) days prior to the scheduled expiration of this Ordinance, staff shall issue a report to the City Council on the progress of its study and on determinations for how the City should proceed, insofar as conclusions have been drawn.

SECTION 8. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The City Council hereby declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof.

[Signatures on following page]

SIGNATURE PAGE TO URGENCY ORDINANCE NO. 1085

PASSED, APPROVED, AND ADOPTED this 12th day of February, 2019.

DAVID J. SHAWVER, MAYOR

ATTEST:

PATRICIA A. VAZQUEZ, CITY CLERK

APPROVED AS TO FORM:

MATTHEW E. RICHARDSON, CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS .
CITY OF STANTON)

I, Patricia A. Vazquez, City Clerk of the City of Stanton, do hereby certify that the foregoing Ordinance No. 1085 was duly introduced and adopted at a regular meeting of the City Council on the 12th day of February 2019, by the following vote, to wit:

AYES: COUNCILMEMBERS: _____

NOES: COUNCILMEMBERS: _____

ABSENT: COUNCILMEMBERS: _____

ABSTAIN: COUNCILMEMBERS: _____

CITY CLERK, CITY OF STANTON

CITY OF STANTON

REPORT TO CITY COUNCIL

TO: Honorable Mayor and Members of the City Council

DATE: February 12, 2019

SUBJECT: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, ADDING CHAPTER 5.74 TO TITLE 5 OF THE STANTON MUNICIPAL CODE, IMPOSING REGULATIONS ON SIDEWALK VENDING IN COMPLIANCE WITH SENATE BILL 946

REPORT IN BRIEF:

On September 17, 2018, Governor Jerry Brown signed Senate Bill 946, which establishes statewide governance of vending in the public right-of-way and parks. The bill went into effect on January 1, 2019. Local jurisdictions that wish to regulate sidewalk vending are required to first adopt an ordinance establishing rules and regulations consistent with SB 946. Staff has drafted the attached ordinance establishing a permit procedures and regulations regarding sidewalk vending in compliance with SB 946.

RECOMMENDED ACTION:

1. Declare that the Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines, as it is not a "project" and has no potential to result in a direct or reasonably foreseeable indirect physical change to the environment. 14 Cal. Code Regs. § 15378(a). Further, this Ordinance is exempt from CEQA as there is no possibility that this Ordinance or its implementation would have a significant negative effect on the environment. 14 Cal. Code Regs. § 15061(b)(3); and

2. That the City Council introduce Ordinance No. 1086, entitled:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, ADDING CHAPTER 5.74 TO TITLE 5 OF THE STANTON MUNICIPAL CODE, IMPOSING REGULATIONS ON SIDEWALK VENDING IN COMPLIANCE WITH SENATE BILL 946

3. Set the Ordinance No. 1086 for adoption at the February 26, 2019 City Council meeting.

BACKGROUND:

Senate Bill 946 (SB 946) establishes a statewide governance of vending in the public

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right-of-way and in public parks. SB 946 decriminalizes sidewalk vending and establishes various requirements for local regulation of sidewalk vending. Specifically, this bill:

- Prohibits a local authority from regulating sidewalk vendors, except in accordance with the bill; and
- Declares that a local authority may adopt a program to regulate sidewalk vending in compliance with the bill; and
- Requires a local authority's sidewalk vending program to comply with all the following standards:
 - A local authority shall not require a sidewalk vendor to operate within specific parts of the public right-of-way, except when that restriction is directly related to objective health, safety, or welfare concerns;
 - A local authority shall not prohibit a sidewalk vendor from selling food or merchandise in a park owned or operated by the local authority, except the local authority may prohibit stationary sidewalk vendors from vending in the park only if the operator of the park has a signed agreement for concessions that exclusively permits the sale of food or merchandise by the concessionaire;
 - A local authority may adopt additional requirements regulating the time, place and manner of sidewalk vending in a park owned or operated by the local authority, only if the requirements are:
 - Directly related to objective health, safety or welfare concerns; and
 - Necessary to ensure the public's use and enjoyment of natural resources and recreational opportunities; and
 - Necessary to prevent an undue concentration of commercial activity that unreasonably interferes with the scenic and natural characteristic of the park.
 - A local authority shall not require a sidewalk vendor to first obtain the consent or approval of any nongovernmental entity or individual before he or she can sell food or merchandise;
 - A local authority shall not restrict sidewalk vendors to operate only in a designated neighborhood or area, except when that restriction is directly related to objective health, safety, or welfare concerns;
 - A local authority may prohibit stationary sidewalk vendors in residential areas, but shall not prohibit roaming sidewalk vendors in those areas; and,
 - A local authority shall not restrict the overall number of sidewalk vendors permitted to operate within the jurisdiction of the local authority, unless the restriction is directly related to objective health, safety, or welfare concerns.

In summary, the City must allow for street vending operations to occur within the public right-of-way and public parks that are owned or operated by the City. However, the City

may adopt an ordinance to implement a street vending program to establish reasonable regulations and restrictions on operations based on objective public health, safety and welfare concerns.

The proposed Ordinance before Council establishes a Street Vending Permit Program, with reasonable regulations regarding sanitation requirements, operational requirements, and location restrictions to preserve the public health, safety and welfare.

ANALYSIS/JUSTIFICATION:

The draft ordinance establishes SMC Chapter 5.74 as the Sidewalk Vending Program. The proposed program is consistent with SB 946 as it removes total prohibition of selling goods from portable stands within the public right-of-way. In addition, the ordinance sets operational restrictions that are objective in consideration of protection of the public health, safety and welfare.

The City's proposed program includes regulations that are necessary to:

1. Ensure no interference with:
 - a. The performance of police, fire and emergency medical personnel services;
 - b. The flow of pedestrian or vehicular traffic including ingress or egress from any residence, public building, or place of business, or from the street to the sidewalk, by persons exiting or entering parked or standing vehicles;
2. Provide reasonable access for the use and maintenance of sidewalks, pathways, poles, posts, traffic signs or signals, hydrants, restrooms, trash receptacles, firefighting apparatus, mailboxes, as well as access to locations used for public transportation services;
3. Reduce exposure to the City for personal injury or property damage claims and litigation; and
4. Ensure sidewalk vending activities only occur in locations where such vending activities would not restrict sidewalk and pathway access and enjoyment to individuals with disabilities.

The following sections provide an overview of some of the rules and regulations proposed in the Ordinance.

Stationary versus Roaming Vendors:

SB 946 establishes two forms of sidewalk vending: stationary vending, and roaming vending. In general terms, a Sidewalk Vendor or Vending means a person who sells food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance, or from one's person, upon a public sidewalk or other pedestrian path.

For a Roaming Vendor, the vendor moves from place to place and stops only to

complete a transaction. Upon completion of the transaction, the Roaming Vendor would move to a new location and patron. In contrast, a Stationary Vendor may set up operation in one location as permitted by the regulations of the proposed ordinance, and wait for patrons to approach the vendor, with no requirement to move upon completion of patron transactions.

The proposed ordinance establishes rules for the operation of each type of Sidewalk Vendor, and identifies restrictions on when and where the vendor may operate.

Permitting Requirements:

SB 946 allows a local authority to require a sidewalk vendor to obtain a permit, subject to certain limitations.

Consistent with SB 946, the City's proposed program would require a valid permit to engage in any sidewalk vendor activities. A permit enables the City to effectively regulate individuals who are engaging in sidewalk vending activities. It would further help to ensure sidewalk vendors are complying equally with the rules and regulations set forth by the program.

The Community Development Department would issue a permit to a sidewalk vendor when the requirements in the Ordinance are satisfied. These requirements generally include providing a list of all persons associated with the business, performing a LiveScan check, providing a list of proposed locations where the street vending would occur, providing a site plan to demonstrate that sufficient area per ADA requirements are being met, meeting all separation requirements, and providing proof of all required state and county licenses and permits and appropriate tax ID information.

City staff is currently preparing a fee study to determine an appropriate application fee for appropriate cost recovery of staff time associated with the processing of the applications. A separate fee resolution will be presented to Council at a later date upon conclusion of the fee study.

Limitation on Hours of Operation:

SB 946 allows local authority to place limitations on hours of operations that are not unduly restrictive. In nonresidential areas, any limitations on the hours of operation for sidewalk vending shall not be more restrictive than any limitations imposed on other businesses or uses on the same street.

For commercial, industrial, and mixed-use zones, the proposed program indicates that sidewalk vending may occur during the operating hours of the businesses located adjacent to the street which the vending occurs. If no business operations exist, the sidewalk vending operation hours would be limited from 7:00am to 10:00pm, daily.

In residential zones, hours of operation would be limited to 9:00am to 6:00pm on weekdays, and 9:00am to 5:00pm on weekends. These areas tend to be more

sensitive to noise and traffic impacts and, therefore, warrant a smaller operational window.

Location Restrictions:

A number of sensitive and emergency response/law enforcement land uses are located throughout the City, including Sheriff's and fire stations, the civic center, schools and religious institutions. The majority of the City is fully developed with a diverse mixture of residential, institutional, commercial, industrial, and recreational and open spaces.

Many of the sidewalks within the City are narrow, with a width of less than eight (8) feet. The sidewalk and public rights-of-way have also been improved with public serving amenities such as trash receptacles, benches, bus stops, and street trees. Utility poles and boxes are also prevalent fixtures in the public right-of-way throughout the city. In addition, there are a number of areas with red curbing to prohibit vehicular parking and obstruction of the visual field to help ensure the public's safety and welfare. Due to the configuration of the rights-of-way and the existing infrastructure and amenities, a number of siting restrictions are proposed within the ordinance to protect the public health, safety, and welfare.

The following table summarizes the additional location restrictions and the justification for these restrictions to protect the public health, safety and welfare.

| Location Restriction | Justification |
|--|--|
| At least 200 feet from a police station, fire station, civic center, or other emergency facilities. | These facilities are high in activity with emergency services personnel activated and entering or exiting facilities during an emergency. Unimpaired access is necessary to ensure public health and safety services are provided whenever needed. |
| At least 200 feet from a temporary special event permit location. | This is consistent with SB 946, , which allows prohibition of sidewalk vendors in the immediate vicinity of permitted activities. |
| At least 500 feet from any public or private schools for elementary, junior high or high school students. | These land uses are sensitive receptors to noise and any activity that is disruptive to day-to-day operations and the overall welfare of said uses. In addition, any queuing around a school can pose a safety issue with children entering and exiting before and after school. Adjacency of sidewalk vendors near these uses could also attract minors to go off-site. |
| At least 20 feet from the entrance way to any building, store, theater, movie house, house of worship, or place of public assembly. | Any queuing in front of these facilities where there is an expectation of a large number of people maneuvering throughout the area can pose a safety issue. |

No vending shall occur within a designated traffic visibility area, corner cutoff area, or area with red curbing.

These areas are designated to be free and clear of visual obstructions to ensure the safe maneuvering of vehicles and pedestrians.

Stationary sidewalk vendors are not permitted in any park where City has signed an agreement for concessions that exclusively permits sale of food or merchandise by a single concessionaire.

This restriction is consistent with , which allows the City to prohibit stationary sidewalk vendors in public parks that have a single-concessionaire agreement. Per State requirements, roaming vendors are not affected by this restriction.

Stationary sidewalk vendors not permitted in any exclusively residential areas.

This restriction is consistent with SB 946, which allows the prohibition of stationary sidewalk vendors in areas zoned exclusively residential. Per State requirements, roaming vendors are not affected by this restriction.

Sidewalk Vending in Parks:

SB 946 allows local jurisdictions to adopt additional requirements regulating the time, place, and manner of sidewalk vending in a park owned and operated by the local jurisdiction if the requirements are directly related to objective health, safety or welfare concerns. As proposed in the ordinance, stationary street vending would be prohibited in areas exclusively zoned residential. In addition, all stationary street vending activities would be prohibited in parks with a concession stand operated by a vendor under exclusive contract with the City selling food or merchandise. If there are no exclusive concessionaires, both stationary and roaming sidewalk vending within parks would be permissible, subject to the regulations set forth in the ordinance and permitting requirements. In addition, stationary and roaming vendors would need to cease operations within the parks at least one hour prior to close of the park.

Enforcement, Penalties, and Appeals:

SB 946 outlines limitations on criminally prosecuting sidewalk vendors for violating parameters of the City's program. The program encourages efficient enforcement through its operating conditions, such as requiring conspicuous display of a sidewalk vending permit and allowing of City officials to inspect the operation at all times. Violations of the Ordinance would be enforced through administrative fines established in SB 946 and potential revocation of an issued permit after repeated violations. Also included is an appeals process, which provides due process for individuals who disagree with an administrative citation or who desire to contest revocation of an issued permit.

FISCAL IMPACT:

None.

ENVIRONMENTAL IMPACT:

In accordance with the requirements of CEQA, the project is exempt pursuant to Section 15378 and Section 15061(b)(3) of the California Environmental Quality Act.

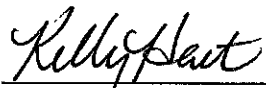
PUBLIC NOTIFICATION:

Public notice for this item was made through the regular agenda process.

STRATEGIC PLAN:

1 – Provide a Safe Community

Prepared By:



Kelly Hart
Community and Economic
Development Director

Concurred By:

Matthew E. Richardson
City Attorney

Approved By:



Robert W. Hall
Interim City Manager

Attachments:

A. Ordinance No. 1086

ORDINANCE NO. 1086

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, ADDING CHAPTER 5.74 TO TITLE 5 OF THE STANTON MUNICIPAL CODE, IMPOSING REGULATIONS ON SIDEWALK VENDING IN COMPLIANCE WITH SENATE BILL 946

WHEREAS, the City of Stanton, California ("City") is a municipal corporation, duly organized under the California Constitution and laws of the State of California; and

WHEREAS, pursuant to the police powers delegated to it by the California Constitution, the City has the authority to enact laws which promote the public health, safety, and general welfare of its citizens, including sidewalk vending, as long as these are consistent with SB 946; and

WHEREAS, in 2018, the California Legislature passed SB 946 which prohibits cities from regulating sidewalk vendors, except in accordance with the provisions of SB 946; and

WHEREAS, SB 946 authorizes the implementation of regulations that are directly related to objective health, safety, or welfare concerns, and that do not restrict sidewalk vendors to operate only in a designated neighborhood or area, except as specified; and

WHEREAS, the permit requirements proposed are consistent with SB 946, as they are reasonable, related to objective health, safety, and welfare concerns, and are based upon compliance with other generally applicable laws including the Americans with Disabilities Act and the City's general encroachment permit requirements for work and/or activities in the public right of way; and

WHEREAS, the standards imposed on stationary sidewalk vendors requiring a minimum path of accessible travel are necessary to comply with the Americans with Disabilities Act and maintain minimum safe access along public sidewalks; and

WHEREAS, standards for maintaining access to building entrances, and not blocking driveways, fire hydrants, parking areas and building storefront windows are necessary to guard the health and safety of patrons, drivers, vendors and existing business owners and promote fire suppression and law enforcement practices that allow the City's safety personnel to observe activities within buildings and maintain access; and

WHEREAS, the City Council finds and determines that the installation, repair, maintenance, and removal of encroachments in the public way must be regulated in order to protect the public health, safety, and welfare and to provide for the orderly administration and maintenance of the public access ways for the benefit of the community, while at the same time allowing reasonable accommodation and cooperative flexibility for providing necessary utility and other convenience services to the community; and

WHEREAS, the City Council finds that public and private persons who maintain and/or install encroachments in the public way bear a responsibility to help preserve the public way and to contribute to the administrative and liability costs incurred by the community and caused by such encroachments; and

WHEREAS, the City Council finds that, unless properly regulated, sidewalk vending poses a unique risk to the health, safety, and welfare of the public, including, but not limited to, impacts to traffic, pedestrian safety, mobility, unsanitary conditions involving food preparation, risks to children, and consumer protection; and

WHEREAS, vending within five hundred (500) feet of schools impacts pedestrian and vendor safety due to overcrowding on sidewalks, which results in school children and their caretakers walking in the street and along the sidewalk to keep moving forward; and

WHEREAS, vending in close proximity to building entrances and exits impede the ability for pedestrians to exit and enter buildings and may create overcrowding situations close to building entrances and exits. Therefore, vending close to building entrances and exits require reasonable regulation; and

WHEREAS, law enforcement and fire fighters and fire officials may also need to quickly exit and enter police and fire stations and substations to respond to emergency situations. As such, vending in close proximity to police and fire stations and substations require regulation to ensure that law enforcement and fire responders are not impeded; and

WHEREAS, the inherent nature of sidewalk vending and the ability of such vendors to be located on private property and public streets and move quickly from place to place in the community, including near parks, schools, and other places frequented by children, warrants imposing certain regulatory measures, including requiring background checks, to protect the health, safety, and welfare of the community; and

WHEREAS, SB 946 continues to authorize cities to prohibit sidewalk vendors in areas located within the immediate vicinity of a permitted certified farmers' market and a permitted swap meet, as specified, and to restrict or prohibit sidewalk vendors within the immediate vicinity of an area designated for a temporary special permit issued by a city; and

WHEREAS, fraud or misrepresentation in the course of vending constitutes an objective harm to the health, safety, and welfare of the City's residents; and

WHEREAS, vending in a manner that creates a public nuisance or constitutes a danger to the public constitutes an objective harm to the health, safety, and welfare of the City's residents; and

WHEREAS, all other legal prerequisites to the adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STANTON DOES ORDAIN AS FOLLOWS:

SECTION 1. The recitals set forth above are true and correct and are hereby adopted as findings in support of this Ordinance as if fully set forth herein.

SECTION 2. Chapter 5.74 of the Stanton Municipal Code is hereby added to read as follows:

“Chapter 5.74 – SIDEWALK VENDING

Section 5.74.010 Purpose.

The City finds that the vending of prepared or pre-packaged foods, goods, and/or wares at semi-permanent locations on public sidewalks and rights-of-way may pose unsafe conditions and special dangers to the public health, safety, and welfare of residents and visitors. The purpose of this Chapter is to implement regulations on both roaming and stationary sidewalk vending that protect the public health, safety, and welfare of the community while complying with the requirements of general state law, as amended from time to time, to promote safe vending practices, prevent safety, traffic, and health hazards, and preserve the public peace, safety, and welfare of the community.

Section 5.74.020 Definitions.

For purposes of this Chapter, the following definitions apply:

A. “Certified Famers’ Market” means a location operated in accordance with Chapter 10.5 (commencing with Section 47000) of Division 17 of the Food and Agricultural Code and any regulations adopted pursuant to that chapter.

B. “City” means the City of Stanton.

C. “Park” means a public park owned or operated by the City.

D. “Roaming sidewalk vendor or vending” means a sidewalk vendor who moves from place to place and stops only to complete a transaction.

E. “Sidewalk” means a portion of a street between the curbline and the adjacent property line, or an easement or right-of-way held by the city across the front of private property, and intended for the use of pedestrians. For purposes of this Chapter, “sidewalk” shall also include a paved path or walkway owned by the City or other public entity that is specifically designed for pedestrian travel.

F. “Sidewalk vendor or vending” means a person who sells food or merchandise from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other non-motorized conveyance, or from one’s person, upon a public sidewalk or other pedestrian path.

G. "Swap Meet" means a location operated in accordance with Article 6 (commencing with Section 21660) of Chapter 9 of Division 8 of the Business and Professions Code, and any regulations adopted pursuant to that article.

H. "Temporary Use Permit" means a City-issued permit to hold a temporary land use activity, as defined in Section 20.540.020, and includes the activities described in Section 20.540.050 of this Code.

I. "Special Events Permit" means a City-issued permit to hold a special event, as defined in Section 20.540.020 and includes the activities described in Section 20.540.060 of this Code.

Section 5.74.030 Permits Required.

A. All sidewalk vendors shall obtain a Sidewalk Vending Permit from the City Community Development Department prior to engaging in any sidewalk vending activities. The following information shall be required:

1. Name, current mailing address, and phone number of the vendor; and
2. If the vendor is an agent of an individual, company, partnership, or corporation, the name and business address of the principal; and
3. If the vendor will have employees, the name(s), current mailing address(es), and phone numbers of the person(s) who will be employed as a stationary or roaming sidewalk vendor(s); and
4. The number of sidewalk vending operations the vendor intends to operate within the City; and
5. The days and hours of operation the sidewalk vendor intends to operate; and
6. Whether the vendor intends to operate as a stationary or roaming sidewalk vendor; and
7. If applicable, a description of the type of food proposed to be offered for sale or exchange; and
8. If applicable, a description of the merchandise/goods to be offered for sale or exchange; and
9. A copy of the California seller's permit with the sales tax number issued by the California Department of Tax and Fee Administration to the vendor; and

10. A copy of the vendor's social security card with the number; or

A copy of the valid California Driver's license issued to the vendor;
or

A copy of the individual taxpayer identification number issued to the vendor; or

A municipal identification number.
 - a. Any such identification number(s) or license(s) collected shall not be available to the public for inspection and shall remain confidential and not be disclosed except as required to administer the permit or licensure program or comply with a state law or state or federal court order.
11. If preparing or selling food, a copy of the Orange County Health Department permit issued to the vendor; and
12. A list of all other cities or other jurisdictions in which the vendor has operated a vending operation in the past three (3) years; whether a permit was required to operate; and whether a permit for vending has been revoked in the past three (3) years; and
13. A description or site plan map of the proposed location(s) where vending will take place, showing that the sidewalk location maintains a minimum of thirty-six inches (36") of accessible route area when considering the vendor equipment and anticipated customer queue, in compliance with the Americans with Disabilities Act; and
14. A copy of an encroachment permit issued by the City pursuant to Chapter 12.12 of the Stanton Municipal Code; and
15. A copy of general liability policy naming the City as additional insured in the amount of \$1,000,000.00; and
16. An acknowledgement that the vendor will comply with all generally applicable local, state, and federal laws; and
17. A certification by the vendor that to his or her knowledge and belief, the information contained in the application is true; and
18. An agreement by the vendor to indemnify, defend (at the vendor's sole cost and expense), and hold the City of Stanton, and its officers, officials, employees, representatives, and agents, harmless, from any and all claims, losses, damages, injuries,

liabilities or losses which arise out of, or which are in any way related to, the City's issuance or failure to issue a sidewalk vending permit, the City's decision to approve or its refusal to approve the sidewalk vending permit, the operation of the sidewalk vending use and activity, and the process used by the City in making its decision. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, or proceeding whether incurred by the permittee, City, and/or the parties initiating or bringing such proceeding; and

19. An acknowledgement that use of public property is at the vendor's own risk, and the City does not take any steps to ensure public property is safe or conducive to sidewalk vending operations.

B. Prior to the issuance of a Sidewalk Vending Permit, the applicant shall cause to be filed with the Chief of Police or his or her designee a LiveScan background check conducted by the California Department of Justice within the previous six (6) months of the application date. The Chief of Police shall furnish each applicant with a LiveScan request form for use at any LiveScan vendor location.

C. At the time the application or renewal application is filed, the application shall pay the permit processing fee established by separate resolution of the City Council.

Section 5.74.040 Review of Permit Application; Decision.

D. Upon acceptance of a properly completed and filed Sidewalk Vending Permit application and receipt of an acceptable LiveScan report issued by the Department of Justice, the Community Development Department shall conduct a preliminary investigation to determine compliance with this Chapter and shall make such determination within no more than thirty (30) days of acceptance to approve or deny the application. The Community Development Department shall provide the applicant with written notice of his or her decision to the address indicated in the application.

E. The Community Development Director shall deny an application for a permit if he or she makes any of the following findings:

1. The applicant has failed to pay the application permit fee.
2. The applicant has made one or more material misstatements in the application for a permit.
3. The applicant does not have a valid social security card or valid California Driver's license; or valid individual taxpayer identification number; or a municipal identification number.

4. The applicant's vending operation, as described in the application, is inconsistent with the standards, conditions, and requirements of this Chapter.
5. The applicant is required to register under the provisions of California Penal Code section 290.
6. Within three (3) years of the date of the application, the applicant has been convicted in a court of competent jurisdiction or pled nolo contendere to any felony offense involving the sale of a controlled substance specified in California Health and Safety Code sections 11054, 11055, 11056, 11057 or 11058, or at the time of application is on probation or parole for any offenses set forth in this section for an offense that was committed within three (3) years of the date of the application.
7. It is determined that the applicant does not possess all federal, state, and local permits and licenses necessary to engage in the activity in which he or she seeks to engage.
8. The applicant has had a sidewalk vending permit or similar permit revoked within the past three (3) years in the City or any other jurisdiction.

F. If the application is denied, the reasons for disapproval shall be noted on the application, and the applicant shall be notified that his or her application is denied and that no permit will be issued. Notice shall be mailed to the applicant at the address shown on the application form.

G. If the Community Development Director approves the applicant's permit, he or she shall endorse his or her approval on the application and shall, upon payment of the prescribed fee, deliver the permit to the applicant.

H. Exemptions. A sidewalk vending permit shall not be required for the following activities:

1. The sale of agriculture products on the site where the product is grown.
2. Catering for private parties held exclusively on private property and not open to the general public.
3. Events permitted pursuant to a lawfully issued Special Events Permit including but not limited to a Certified Farmers' Market, Swap Meet, street fairs, outdoor concerts, sport league opening day, and business sidewalk sales.

I. Term of permit. A Sidewalk Vending Permit issued pursuant to this Chapter shall automatically expire one (1) year from the date issued, unless an earlier expiration date is noted on the permit. It shall be the permittee's sole responsibility to renew the Sidewalk Vending Permit.

J. Transferability. A Sidewalk Vending Permit shall not be transferable to any other entity or person and is valid only as to the original applicant for the term stated.

K. Display of Permit. Such sidewalk vending permit shall, during the time such permittee is engaged in sidewalk vending, be worn constantly and conspicuously by the permittee on the front of his or her outer garment. Sidewalk vendors shall be required to exhibit their permits and/or licenses at the request of any person. If multiple sidewalk vendors are staffing a sidewalk vending operation, each vendor shall, during the operation of sidewalk vending, constantly and conspicuously wear the permit on the front of his or her outer garments.

Section 5.74.045 Generally Applicable Sidewalk Vending Standards.

Sidewalk vendors shall meet all of the following requirements:

- A. The sidewalk vendor is duly licensed and meets all requirements of section 5.74.030; and
- B. The sidewalk vendor can set up their vending operation while still leaving a minimum of thirty-six inches (36") of accessible path of travel, without obstruction from the vendor equipment and the customer queue, along the public sidewalk or public pathway; and
- C. The sidewalk vendor maintains the vending area in a clean, orderly, and sanitary condition; and
- D. Prior to leaving the vending area, the sidewalk vendor shall collect all litter and debris within a 20 foot radius of the vendor that was generated by the vending activities; and
- E. There shall be no disposal of cooking material or waste, including but not limited to used oil, into the City's trash receptacles, storm drains, plant material, or foliage. Vendors shall immediately clean up any food, grease, or other fluid or item related to the sidewalk vending operation that falls onto public property; and
- F. The sidewalk vendor location does not block entrances to private or public buildings, private or public driveways, parking spaces or building windows; and
- G. No vending shall occur within ten (10) feet of a fire hydrant, fire escape, bus stop, loading zone, handicapped parking space or access ramp; and

- H. No vending shall occur within the designated Traffic Visibility Area, as defined in Section 20.305.100 of the Code, or within a corner cut-off area, as identified in subsection W below.
- I. No tables, chairs, fences, shade structures, other site furniture, or any freestanding signs shall be permitted in conjunction with the vendors vending activities; and
- J. The sidewalk vendor shall not attach or use any water lines, electrical lines, or gas lines during vending operations; and
- K. Exterior storage or display of refuse, equipment, materials, goods, wares, or merchandise associated with the vendor is prohibited; and
- L. The sidewalk vendor shall not store, place, or keep any food or merchandise on public property; and
- M. The sidewalk vendor shall not display any signage on public property; and
- N. All signage and advertising related to the sidewalk vendor and/or the vending operations shall not be electrical, flashing, wind powered, or animated. All signage and advertising related to the sidewalk vending operation shall not constitute a hazardous, distracting or confusing sign, or a prohibited form of signage, as defined in Section 20.325.060 of the Code; and
- O. The sidewalk vendor shall not use a horn, siren, amplified music, or any other audible device to attract attention to the presence of the vending vehicle; and
- P. The sidewalk vendor shall not engage in aggressive sales, which shall include touching a person being offered food or merchandise without that person's consent, continuing to offer food or merchandise for sale to a person after he or she has declined to purchase food or merchandise, or deliberately blocking or impeding the path of the person(s) being offered food or merchandise; and
- Q. The sidewalk vendor shall publicly display any and all required business and health licenses; and
- R. The sidewalk vendor shall remit all required and applicable taxes to the applicable taxing agencies; and
- S. No vending shall occur within five hundred (500) feet of a Certified Farmers' Market, a Swap Meet, an event held pursuant to an Event Permit; and
- T. The sidewalk vendor shall not leave his or her sidewalk vending operation

unattended to solicit business for the vending operation; and

- U. The sidewalk vendor shall not contain or use propane, natural gas, batteries, or other explosive or hazardous materials. The vendor shall not use an open flame for the sidewalk vending operation; and
- V. The sidewalk vendor shall not sell alcohol, marijuana, adult-oriented material, tobacco products, products that contain nicotine, or any product used to smoke/vape nicotine and/or marijuana; and
- W. No vending shall occur within a corner cutoff area. A corner cutoff area is that area at all intersecting and intercepting streets or highways. The cutoff line shall be in a horizontal plane, making an angle of 45 degrees with the side, front, or rear property line, as the case may be. It shall pass through the points located on both sides and front, or rear property line, as the case may be. It shall pass through the points located on both sides and front or rear property lines at a distance of 30 feet from the intersection of such lines at the corner of a street or highway; and
- X. No vending shall occur within five hundred (500) feet of any public or private academic school for elementary, junior high, or high school students; and
- Y. No vending shall occur within three (3) feet of any street lights, edges of tree wells, parking meters, or above-ground utility structures; and
- Z. No vending shall occur within two (2) feet of any existing subsurface utility box, valve, or vault; and
- AA. No vending shall occur within two (2) feet of another vendor; and
- BB. No vending shall occur at bus stop locations, red curbs, or at locations where there are existing above-ground amenities such as newsstands or street furniture, including, but not limited to benches and bike racks; and
- CC. No vending shall occur in roadways, medians, pedestrian islands, or bikeways; and
- DD. No vending shall occur within twenty (20) feet of the entrance way to any building, store, theater, movie house, house of worship, or place of public assembly; and
- EE. No vending shall occur within two hundred (200) feet of City Hall, any police station, and any fire station.

Section 5.74.050 Stationary Sidewalk Vending Locations and Standards.

A. Stationary sidewalk vendors shall be prohibited from operating or establishing in any and all exclusively residential zones of the City.

B. Stationary sidewalk vendors may operate in non-residential zones of the City, including mixed use zones, provided they meet the requirements of Section 5.74.045.

C. Stationary sidewalk vendors shall only be conducted no earlier and no later than the hours of operation of businesses on the same street. If no businesses operate on the same street, stationary sidewalk vendors operating in non-residential zones of the City shall only operate between the hours of 7:00 AM and 10:00 PM of every day.

Section 5.74.060 Sidewalk Vending in Parks.

A. Sidewalk vending of food or merchandise by stationary vendors shall be prohibited in any City Park with a concession stand operated by a vendor under exclusive contract with the City selling food or merchandise.

B. Subject to Section 5.74.050(A), sidewalk vendors may operate in City Parks provided they meet all of the requirements in Section 5.74.045.

C. Sidewalk vendors shall cease operations one (1) hour prior to the close of the park.

Section 5.74.070 Roaming Sidewalk Vending.

A. Roaming sidewalk vendors shall meet all the requirements of Section 5.74.045.

B. Roaming sidewalk vending hours for residential zones shall be conducted between the hours of 9:00 AM and 6:00 PM on weekdays, and between the hours of 9:00 AM and 5:00 PM on the weekend.

C. Roaming sidewalk vendors for non-residential zones shall only be conducted no earlier and no later than the hours of operation of businesses on the same street. If no businesses operate on the same street, roaming sidewalk vendors in non-residential zones of the City shall only operate between the hours of 7:00 AM and 10:00 PM of every day.

Section 5.74.080 Suspension; Rescission.

A. A Sidewalk Vending Permit issued under this Chapter may be suspended or rescinded by the Community Development Director after four or more violations of this Chapter in accordance with Section 5.74.100 of this Chapter, at their discretion, for any of the following causes:

1. Fraud or misrepresentation in the course of vending;
2. Fraud or misrepresentation in the application for the permit;
3. Vending in a manner that creates a public nuisance or constitutes a danger to the public.

B. Notice of the suspension or rescission of a sidewalk vendor permit issued under this Chapter shall be mailed, postage prepaid, to the holder of the sidewalk vendor permit at his or her last known address.

C. No person whose street vending permit has been revoked pursuant to this chapter shall be issued a street vending permit for a period of three (3) years from the date revocation becomes final.

Section 5.74.090 Appeals to City Manager.

In the event that any applicant or permittee desires to appeal from any order, rescission, or other ruling of the Community Development Director made under the provisions of this Chapter, such applicant or any other person aggrieved shall have the right to appeal such action or decision to the City Manager within fifteen (15) days after the notice of the action or decision has been mailed to the person's address as shown on the permit application. An appeal shall be taken by filing with the City Clerk a written appeal statement setting forth the grounds for the appeal, along with the City's appeal fee, which shall be established by City Council resolution. The filing of the appeal shall stay the enforcement of any decision suspending or rescinding the permit. The City Clerk shall transmit the written statement to the City Manager within ten (10) days of its filing and payment of the appeal fee, and the City Manager shall set a time and place for a hearing on appeal. A hearing shall be set not later than sixty (60) days from the date of filing of the applicant's written appeal statement with the City Clerk. Notice of the time and place of the hearing shall be given to the appellant in the same manner as provided for the mailing of notice of suspension or rescission at least five (5) days prior to the date set for the hearing. At the hearing, the permittee and the City shall be entitled to legal representation and may present relevant evidence, testify under oath, and call witnesses who shall testify under oath. The City Manager shall not be bound by the traditional rules of evidence in a hearing, except that hearsay evidence may not be the sole basis for the decision of the City Manager. The City Manager may continue the hearing as deemed necessary. The decision of the City Manager, or his or her designee, on the appeal shall be final and binding on all parties concerned, unless timely judicial review is sought pursuant to Code of Civil Procedure Section 1094.6. In the event a timely action or proceeding is brought pursuant to Section 1094.6, the City Manager's decision shall be stayed automatically pending a final decision on the merits by the trial court. As used in this section, final decision on the merits does not include rehearing or appellate procedures.

Section 5.74.100 Penalties.

A. It is unlawful for any person to violate any provision or fail to comply with any requirements of this Chapter. A violation of this Chapter shall be punished by:

1. An administrative fine not exceeding \$100 for a first violation.
2. An administrative fine not exceeding \$200 for a second violation within one (1) year of the first violation.
3. An administrative fine not exceeding \$500 for each additional violation within one (1) year of the first violation.
4. Rescinding the vending permit issued to the vendor for the remaining term of that permit upon the fourth violation or subsequent violations.

B. A violation of vending without a sidewalk vending permit, may, in lieu of the penalties set forth in subsection (A), set forth above, be punished by:

1. An administrative fine not exceeding two hundred fifty (\$250) dollars for a first violation.
2. An administrative fine not exceeding five hundred dollars (\$500) for a second violation within one (1) year of the first violation.
3. An administrative fine not exceeding one thousand dollars (\$1,000) for each additional violation within one (1) year of the first violation.

C. If an individual is subject to subsection (B), set forth above, for vending without a Sidewalk Vending Permit, upon the individual providing proof of a valid permit issued by the City, the administrative fines set forth in this Chapter shall be reduced to the administrative fines set forth in subsection (A), respectively.

D. The proceeds of any administrative fines assessed pursuant to this Chapter shall be deposited in the treasury of the City.

E. Failure to pay an administrative fine assessed under this Chapter shall not be punishable as an infraction or misdemeanor. Additional fines, fees, assessments, or any other financial conditions beyond those authorized in this Chapter shall not be assessed.

F. Any violation of this Chapter shall not be punishable as an infraction or misdemeanor, and any person alleged to have violated any provisions of this Chapter shall not be subject to arrest except when otherwise permitted under law.

G. When assessing an administrative fine pursuant to this Chapter, the adjudicator shall take into consideration the person's ability to pay the fine. The City

shall provide the person with notice of his or her right to request an ability-to-pay determination and shall make available instructions or other materials for requesting an ability-to-pay determination. The person may request an ability-to-pay determination at adjudication or while the judgment remains unpaid, including when a case is delinquent or has been referred to a comprehensive collection program.

1. If the person meets the criteria described in subdivision (a) or (b) of Government Code section 68632, the City shall accept, in full satisfaction, twenty (20) percent of the administrative fine imposed pursuant to this Chapter.
2. The City may allow the person to complete community service in lieu of paying the total administrative fine, may waive the administrative fine, or may offer an alternative disposition.

H. A person who is currently serving, or who completed, a sentence, or who is subject to a fine, for a conviction of a misdemeanor or infraction for sidewalk vending, whether by trial or by open or negotiated plea, who would not have been guilty of that offense under SB 946 had SB 946 been in effect at the time of the offense, may petition for dismissal of the sentence, fine, or conviction before the trial court that entered the judgment of conviction in his or her case.

I. Nothing contained herein shall be construed to impede the City's or County's ability to enforce County Health Department codes and regulations."

SECTION 3. Severability. If any section, sentence, clause or phrase of this Ordinance or the application thereof to any entity, person or circumstance is held for any reason to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are severable. The City Council of the City of Stanton hereby declares that it would have adopted this Ordinance and each section, sentence, clause or phrase thereof, irrespective of the fact that any one or more section, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

SECTION 4. This Ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to State CEQA Guidelines, as it is not a "project" and has no potential to result in a direct or reasonably foreseeable indirect physical change to the environment. 14 Cal. Code Regs. § 15378(a). Further, this Ordinance is exempt from CEQA as there is no possibility that this Ordinance or its implementation would have a significant negative effect on the environment. 14 Cal. Code Regs. § 15061(b)(3). The City Clerk shall cause a Notice of Exemption to be filed as authorized by CEQA and the State CEQA Guidelines.

SECTION 5. Effective Date. This Ordinance shall become effective thirty (30) days following its adoption.

SECTION 6. Publication. The City Clerk shall certify to the adoption of this Ordinance. Not later than fifteen (15) days following the passage of this Ordinance, the Ordinance, or a summary thereof, along with the names of the City Council members voting for and against the Ordinance, shall be published in a newspaper of general circulation in the City.

PASSED, APPROVED, AND ADOPTED this 26th day of February, 2019.

DAVID J. SHAWVER, MAYOR

ATTEST:

PATRICIA A. VAZQUEZ, CITY CLERK

APPROVED AS TO FORM:

MATTHEW E. RICHARDSON, CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS .
CITY OF STANTON)

I, Patricia A. Vazquez, City Clerk of the City of Stanton, do hereby certify that the foregoing Ordinance No. 1086 was duly introduced and placed upon its first reading at a regular meeting of the City Council on the 12th day of February 2019, and thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 26th day of February 2019, by the following vote, to wit:

AYES: COUNCILMEMBERS: _____

NOES: COUNCILMEMBERS: _____

ABSENT: COUNCILMEMBERS: _____

ABSTAIN: COUNCILMEMBERS: _____

CITY CLERK, CITY OF STANTON

CITY OF STANTON

REPORT TO CITY COUNCIL

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

DATE: FEBRUARY 12, 2019

SUBJECT: INTRODUCTION OF ORDINANCE NO. 1084 OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA MODIFYING PERMIT PARKING AND ADOPTION OF RESOLUTION 2019-03 APPROVING RESIDENTIAL PERMIT PARKING GUIDELINES

REPORT IN BRIEF:

For some time, the City has been working on permit parking guidelines to address a California Attorney General opinion related to the application of the Vehicle Code to permit parking. The opinion indicated that multi-family residential properties need to be treated the same as single family residential properties in regards to permit parking. The attached ordinance and guidelines have been written to conform with this opinion.

RECOMMENDED ACTION:

1. City Council declare that the project is not subject to the California Environmental Quality Act ("CEQA") under Section 15061(b)(3) as the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and
2. Introduce Ordinance No. 1084, entitled:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA AMENDING SECTION 10.08.060 OF THE STANTON MUNICIPAL CODE REGARDING PERMIT PARKING"; and
3. Set said Ordinance for adoption at the regular City Council meeting of February 26, 2019; and
4. Adopt Resolution 2019-03, approving Residential Permit Parking Guidelines; and
5. File and receive report regarding actions taken during moratorium.

BACKGROUND:

Stanton Municipal Code Section 10.08.060 allows the City Council to designate, by resolution, that certain streets be restricted to permit parking. City residents often initiate the request for permit parking. Often times, permit parking proponents have asserted that overflow parking in their neighborhoods have led to increased crime including excessive litter, vehicle break-ins, and theft.

In April 2016, California's Attorney General issued an opinion on the application of Vehicle Code Section 22507 to permit parking. The opinion requires public agencies to apply permit parking regulations equally to all residential development types. As such, multi-family buildings would need to be treated the same as single family residences.

In June 2016, Council adopted Urgency Ordinance No. 1055, placing a 45-day moratorium on the establishment of new permit parking areas in order to further study the issue. It became apparent that other agencies were also grappling with this very difficult situation. An additional six-month and an additional one-year moratorium were approved to allow staff to draft a modified ordinance and modified guidelines for the permit parking program. The City's moratorium on permit parking expires on February 13, 2019.

ANALYSIS/JUSTIFICATION:

During the moratorium, staff has worked to study this complex issue to ensure any new guidelines and procedures address the immediate health and safety issues residents have raised. A report describing the actions staff has taken during the moratorium period is attached as Attachment 4. Moreover, the City wanted to address the Attorney General's advisory opinion and simplify the procedure for processing parking permits.

The attached ordinance and guidelines include the following main elements:

- The process for creating new districts and issuing permits has been moved to the Public Works Department. The Public Safety Department will continue to enforce the regulations.
- The regulations allow for multi-family properties to be included within the program.
- When voting on the creation of a district, each property owner will have one vote, regardless of the number of residential units on the property.
- Districts have been created that allow vehicles with permits within the district to park anywhere in the district.
- A maximum of three permits will be issued per residence. As such each unit within a multi-family property will be issued up to three permits.
- A fee will be required for the issuance of each permit. Once the final program is adopted, a fee study will be presented to the City Council. It is estimated that each permit will cost \$30.
- Overnight guest permits will be issued at no cost, up to a maximum of 100 per year per residence.

Staff needs sufficient time to work through the details of the new system and will have

the system in place to begin reviewing new districts and issuing permits beginning on July 1, 2019.

FISCAL IMPACT:

A fee study will be brought to the City Council at later date establishing permit fees so that the City can recover its costs in implementing the program. It is likely that two additional part-time staff will be required to be hired to both issue permits and to enforce the permit parking areas.

ENVIRONMENTAL IMPACT:

In accordance with the requirements of CEQA, the adoption of this Ordinance has been determined to not be subject to CEQA pursuant to Section 15061(b)(3) as the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

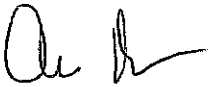
PUBLIC NOTIFICATION:

Public notice for this item was made through the regular agenda process. The Orange County Apartment Owners Association was made aware of this item due to their past involvement in permit parking.

STRATEGIC PLAN OBJECTIVE ADDRESSED:

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

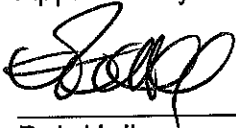
Prepared by:



Allan Rigg, P.E., AICP

Director of Public Works/City Engineer

Approved by:



Bob Hall
Interim City Manager

Attachments:

1. Ordinance No. 1084
2. Resolution No. 2019-03
3. Residential Permit Parking Guidelines
4. Report on actions taken during moratorium

ORDINANCE NO. 1084

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, AMENDING SECTION 10.08.060 OF TITLE 10 OF THE STANTON MUNICIPAL CODE IN REGARD TO PERMIT PARKING REGULATIONS

WHEREAS, pursuant to Vehicle Code section 22507, the City of Stanton has the legal authority to establish permit parking on City streets; and

WHEREAS, in April 2016, the Attorney General for the State of California published Opinion 14-304 ("AG Opinion"), which interprets aspects of Vehicle Code Section 22507; and

WHEREAS, in accordance with the AG Opinion, in issuing long-term residential permits, local authorities may not distinguish between single family and multi-family dwelling units, but must treat the dwelling units equally for purposes of permit parking; and

WHEREAS, Urgency Ordinance No. 1055 was adopted by the City Council on June 28, 2016, to place a temporary moratorium on the establishment of new permit parking areas to allow for staff to evaluate the existing program, and determine a path forward to be consistent with the AG Opinion; and

WHEREAS, Urgency Ordinance No. 1058 was adopted by City Council on August 9, 2016 to extend the moratorium until February 9, 2017; and

WHEREAS, Urgency Ordinance No. 1075 was adopted by City Council in January, 2018 to extend the moratorium until February 13, 2019; and

WHEREAS, during the moratorium periods, City staff evaluated the existing program to determine compliance with the AG Opinion and Vehicle Code Section 22507; and

WHEREAS, City staff also evaluated existing programs in surrounding cities and the City's residential neighborhoods to draft an appropriate program to comply with the Attorney General Opinion; and

WHEREAS, throughout, City staff has met with stakeholders; and

WHEREAS, on February 12, 2019, the City Council considered the staff report, recommendations by staff, and all written and oral public testimony regarding the proposed ordinance.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF STANTON DOES ORDAIN AS FOLLOWS:

SECTION 1. CEQA. The City Council finds that this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) as the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

SECTION 2. Section 10.08.060 is hereby deleted in its entirety and restated to read as follows:

"Section 10.08.060 Permit Parking.

A. The City of Stanton, under the authority of California Vehicle Code Section 22507, hereby designates all public residential streets within the geographic limits of Stanton as permit parking-eligible and authorized for inclusion in a residential permit parking district. Permit parking districts shall be established and modified pursuant to the "City of Stanton Residential Permit Parking Guidelines" adopted by the City Council and on file with the Director of Public Works (the "Director"), as those Guidelines may be amended from time to time by the Director ("Guidelines"). Once a permit parking district has been created pursuant to and in accordance with the Guidelines, parking on streets or street segments within the district that require a permit shall be limited to persons holding permits issued by the City of Stanton as provided for in this section.

B. Residential permit parking districts, streets and street segments shall be established and modified pursuant to the petition and survey process and requirements set forth in the Guidelines, including the requirement that at least seventy five (75) percent of the eligible residents, as defined in the Guidelines, affirmatively vote to be a permit parking only area. A petition for permit parking shall furnish the information required by the Guidelines and any supporting documentation reasonably requested by the Director or his or her designee, and shall be accompanied by the fee(s) established by resolution of the City Council. In order to approve a petition, the Director or his or her designee must determine that all of the requirements contained in the Guidelines and this Section 10.08.060 have been satisfactorily met.

C. The Director or his or her designee is authorized to administer and implement the provisions of this Section 10.08.060 and the Guidelines, including establishing and modifying the boundaries of permit parking districts and amending the Guidelines to achieve the purposes of the City's permit parking program.

D. Parking permits shall be issued based on residence. The total number of parking permits issued for a residence shall be a maximum of three (3) permits, and shall be subject to the restrictions and conditions provided for in the Guidelines and this Section. Except as set forth in this Subsection, and further subject to Subsection E, the total number of permits shall not exceed three (3) per residence.

E. A maximum of one hundred (100) one-day guest parking permits per year may be issued to each residence upon payment of the applicable guest permit parking fee. Notwithstanding the foregoing, more than 100 such one-day guest parking permits may be approved by the Director, in his or her discretion, for extraordinary events, provided such events are consistent with the use of the property in and around the event, the number of available parking spaces, and any other requirements of the Stanton Municipal Code. One-day guest permits shall only be valid for use in the permit parking district for which they were issued and may not be transferred to another permit parking district.

F. Any permit issued by the Director pursuant to this section shall be valid for a period of two (2) years, or fraction thereof, or as long as the person to whom the permit is issued owns or controls the property that entitled the person to the permit, or until the residential permit parking district for which such permit was issued no longer exists, whichever period of time is less.

G. Each permit, including guest parking permits and transfer parking permits, shall be subject to a permit fee, and no parking permit shall be issued until the applicant has paid the full permit fee. The amount of the permit fees shall be established by resolution of the City Council.

H. Except as otherwise provided in this section, it shall be unlawful for any person to stand or park any vehicle on any street or portion thereof that has been designated as permit parking only, unless a valid permit parking issued by the City of Stanton is displayed on the vehicle. The decal shall be displayed in clear view as further indicated in the permit issuance instructions.

I. It shall be unlawful for any person to sell, rent, copy or lease, or cause to be sold, rented, copied or leased, for any value or consideration, any parking permit or guest parking permit. Upon the conviction of a violation of this subsection, all parking permits or guest parking permits issued to, or for the benefit of, the residence for which the sold, rented, or leased permit was authorized, shall be void.

J. It shall be unlawful for any person to buy or otherwise acquire for value or use any parking permit, except as provided in this ordinance.

K. It shall be unlawful for any person to move solid waste containers in a manner that precludes collection of solid waste, obstructs driveways or other rights of way, or otherwise interferes with vehicular traffic in order to park on a street or portion thereof designated as permit parking only.

L. Each permit issued pursuant to this Section 10.08.060 shall be subject to all the conditions and restrictions applicable to the residential permit parking district for which it was issued, including any conditions or restrictions set forth in the Guidelines.

M. No permit shall be issued for tractor or other trailers, recreational vehicles or other towable trailers.

N. Short-term rental property owners and occupants of short-term rental units are not eligible to obtain or use parking permits for short-term rental properties under this Section 10.08.060.

O. The provisions of this section shall not apply to any authorized emergency vehicle as defined in the California Vehicle Code when such vehicle is responding to an emergency, or to the vehicle of a licensed physician who is responding to an emergency provided that vehicle displays an insignia approved by the California Department of Motor Vehicles indicating that the vehicle is owned by a licensed physician.

P. Nothing contained in this section shall be deemed to authorize vehicle parking at any location or at any time otherwise prohibited by any other provision of law.

Q. The Director shall place or cause to be placed appropriate signs and/or markings adjacent to or at the beginning and end of the street segment in the permit parking district that describes the permit parking restrictions applicable to the permit parking district.

R. Sheriff's officers, City code enforcement officers and other persons authorized by State law are hereby authorized and directed to issue citations to any person who violates Section 10.08.060 of this Chapter, and such citation shall be deemed to be a civil complaint charging violations of this chapter and title and requiring payment of the penalty set forth therein. The method of giving notice of citation for unattended vehicles shall be as specified in Section 40202 of the California Vehicle Code or any successor provision thereto. Violations of this section shall be processed as civil penalties in accordance with California Vehicle Code Sections 40200 et seq., or any successor provision thereto.

S. A parking permit shall be subject to revocation if (i) a permit holder commits two (2) or more violations of any provision of the Stanton Municipal Code, the California Vehicle Code or the California Penal Code during the exercise of permit parking privileges in a continuous six (6) month period; or (ii) the permit is issued to a vehicle that has two (2) or more violations of this section 10.08.060 within a continuous period of six (6) months. These factors may also be taken into consideration by the Director or his or her designee when determining whether to issue a permit pursuant to this section 10.08.060.

T. Upon determining that grounds for permit revocation exist, the Director shall furnish written notice of the proposed revocation to the permit holder. Such notice shall summarize the principal reasons for the proposed revocation; shall state that the permit holder may request a hearing within fifteen (15) calendar days of the postmarked date on the notice; and shall be delivered by sending the notice by certified mail, postage prepaid, addressed to the permit holder as that name and address appear on the permit. Within fifteen (15) calendar days after mailing of the notice, the permit holder may file a request for hearing with the Director. If the request for a hearing is filed within fifteen (15) calendar days of mailing of the notice, the Director shall transmit the request to a Hearing Officer to provide a hearing, as set forth in subsection 10.08.060.U of this chapter.

U. The Hearing Officer shall conduct a public hearing on the proposed revocation at a time, date and location set by the Hearing Officer, which date shall be at least ten (10) calendar days but not more than thirty calendar (30) days after the date upon which the permit holder requests a hearing, unless the permit holder and the City expressly agree to an extension of such period of time. The permit holder shall be provided written notice by certified mail at least ten (10) calendar days advance notice of such hearing date.

V. The Director or his or her designee shall ensure that the conviction and/or citation records are delivered to the Hearing Officer prior to the hearing. The conviction and/or citation shall be accepted by the Hearing Officer as prima facie evidence of violations and the facts stated in such documents.

W. At the hearing, the permit holder shall be entitled to testify under oath and call witnesses who shall testify under oath. The Hearing Officer shall not be bound by the statutory rules of evidence in the hearing, except that hearsay evidence may not be the sole basis for the determination of the Hearing Officer.

X. Within ten (10) calendar days after the hearing, the Hearing Officer shall decide whether the grounds for revocation exist. If grounds for revocation exist, the Hearing Officer shall revoke the permit, specifying in writing the grounds upon which the permit is revoked. Notice of the decision of the Hearing Officer shall be given in writing to the permit holder by certified mail, postage prepaid, and to any other person or entity expressly requesting notice thereof. The decision of the Hearing Officer shall also be immediately transmitted to the Director. The decision of the Hearing Officer shall be deemed final.

Y. Residential streets and street segments designated as permit parking only as of February 12, 2019 shall be continue to be designated as permit parking only. Applications for new permits within those streets and street segments shall be required to comply with requirements of this section, including the limitations on the maximum of number of permits."

SECTION 3. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance for any reason is held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 4. The City Clerk shall certify as to the adoption of this Ordinance and shall cause a summary thereof to be published within fifteen (15) days of the adoption and shall post a Certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk, in accordance with Government Code Section 36933.

SECTION 5. The documents and materials associated with this Ordinance that constitute the record of proceedings on which these findings are based are located at Stanton City Hall, 7800 Katella Ave., Stanton, California 90680. The City Clerk is the custodian of the record of proceedings.

SECTION 6. This ordinance shall be effective thirty days after its adoption.

PASSED, APPROVED, and ADOPTED this 26th day of February, 2019.

DAVID J. SHAWVER, MAYOR

ATTEST:

PATRICIA A. VAZQUEZ, CITY CLERK

APPROVED AS TO FORM:

MATTHEW E. RICHARDSON, CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF ORANGE) SS .
CITY OF STANTON)

I, Patricia A. Vazquez, City Clerk of the City of Stanton, California, do hereby certify that the foregoing Ordinance No. 1084 was introduced at a regular meeting of the City Council of the City of Stanton, California, held on the 12th day of February, 2019 and was duly adopted at a regular meeting of the City Council held on the 26th day of February, 2019, by the following roll-call vote, to wit:

AYES: COUNCILMEMBERS: _____

NOES: COUNCILMEMBERS: _____

ABSENT: COUNCILMEMBERS: _____

ABSTAIN: COUNCILMEMBERS: _____

CITY CLERK, CITY OF STANTON

RESOLUTION NO. 2019-03

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON,
CALIFORNIA, ADOPTING THE RESIDENTIAL PERMIT PARKING GUIDELINES**

WHEREAS, pursuant to Vehicle Code section 22507, the City of Stanton has the legal authority to establish permit parking on City streets; and

WHEREAS, in recent years, the California's Attorney General has issued an opinion on the application of Vehicle Code section 22507 to permit parking. The opinion requires public agencies to apply permit parking regulations equally to all residential development types; and

WHEREAS, the City of Stanton has worked with stakeholders in the community to develop Residential Permit Parking Guidelines to provide a revised permit parking program that takes into consideration stakeholders' needs and complies with the Attorney General's opinion.

NOW THEREFORE, BE IT RESOLVED the City Council of the City of Stanton hereby adopts the "Residential Permit Parking Guidelines," which are attached hereto as Exhibit "A" and incorporated herein by reference. The Residential Permit Parking Guidelines shall not be effective unless and until Ordinance No. 1084 becomes effective.

ADOPTED, SIGNED AND APPROVED this 12th day of February, 2019.

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. 2019-03 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 February 12, 2019, and that the same was adopted, signed and approved by the following vote to wit:

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

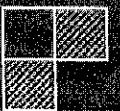
PATRICIA A. VAZQUEZ, CITY CLERK

2019



Residential Permit Parking

Guidelines



1 OVERVIEW

This document summarizes the City's procedures for the Residential Permit Parking Program (hereinafter referred to as the Program). The document clarifies and guides implementation for the Program to ensure consistent, policy-driven implementation. Residential permit parking programs are a tool to create a more parking availability in residential neighborhoods in the City of Stanton (City). Stanton's Program is resident-driven but also aims to provide options to manage parking within the public right-of-way.

GOAL OF THE PROGRAM

The Program aims to increase the availability of parking for City residents, encourages efficient use of on-site parking, and assists in reducing challenging behaviors from those competing for parking spaces.

Principles of the Program include:

- Consistency and clarity in application of Program guidelines.
- Delegate permit approvals to the Department of Public Works and streamline the process.
- Consider other options to reduce parking demand where they may be appropriate.
- Ensure the districts have community support.
- Manage the number of permits issued to each residence.

2 THE PROCESS

This section outlines the steps to implement permit parking, from petition initiation to obtaining permits.

The Permit Parking Program process is as follows:

1. Petitioner(s) contacts City to discuss permit parking request and City determines permit parking petition area and applicable fee.
 - Petitioner to discuss their request with City staff, and staff will determine which specific street segments residents should canvas for petition signatures ("Petition Area"). The petition area is based on staff's evaluation of the neighborhood in question, the potential spillover effect, and natural permit area boundaries (i.e., street intersections, district boundaries, etc.). This will assist in community outreach of a potential permit parking area coming to their neighborhood and gauge neighborhood interest prior to the actual voting for inclusion in a district. Refer to "Section 3 – Districts" for more information on the district formation process.
 - The petition should identify the parking problem and describe the times and days, locations, or other details such as the source of the parking impacts. The signature of the property owner is the only signature recognized.
 - A fee is required to accompany the petition submittal to offset a portion of the costs associated with the City's processing of the petitions. The fee is meant to be shared amongst households within the petition area.



PERMIT PARKING GUIDELINES

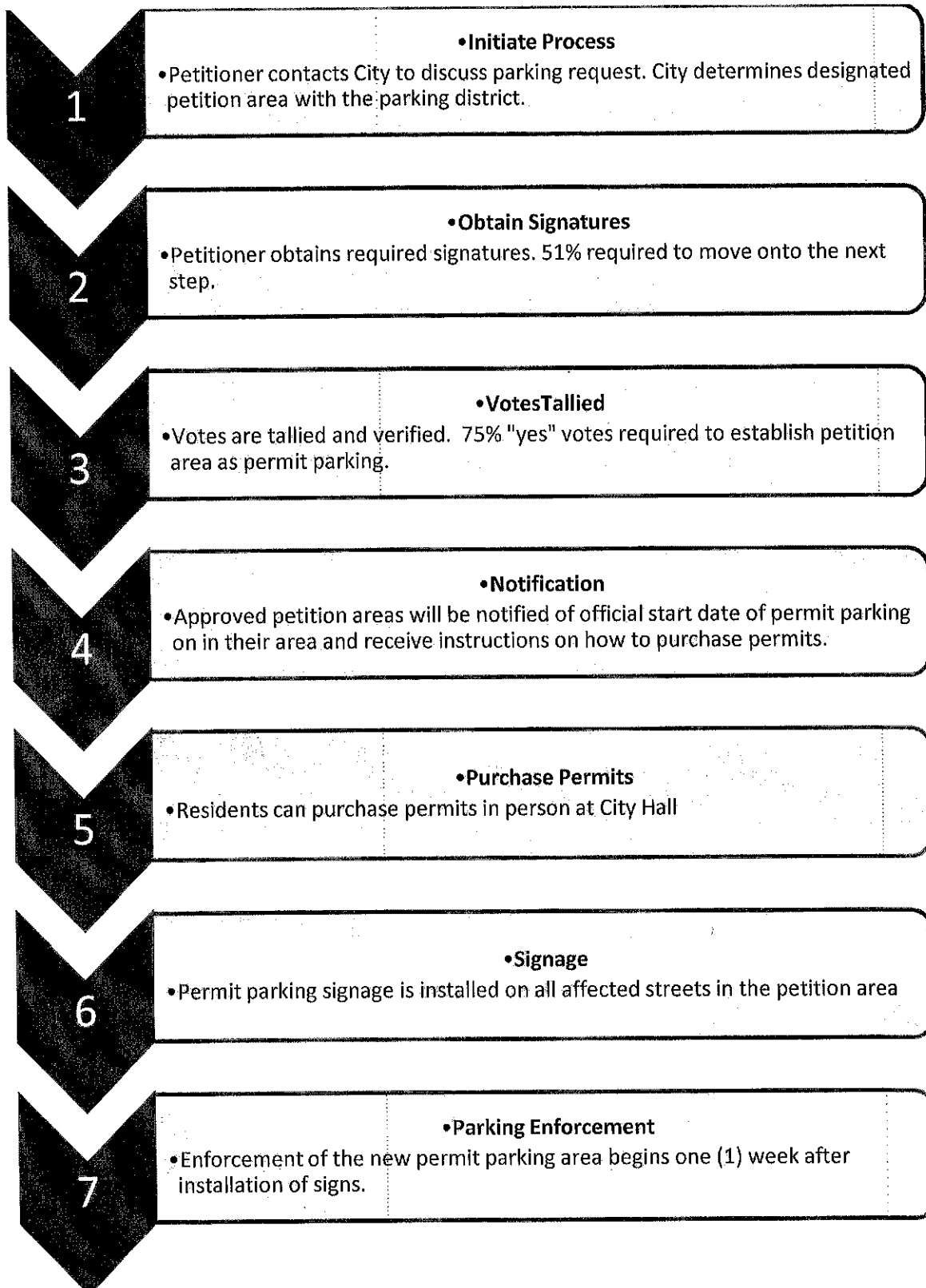
2. Petitioner obtains required signatures.
 - Qualifying petition will consist of signatures of property owners representing at least 51% of households in the pre-approved petition area.
 - The petitioner has sixty (60) calendar days to obtain the qualifying number of signatures within the petition area to move to the next phase of the process.
 - If the petitioner obtains less than 51% of signatures, City staff may consider revising the pre-approved petition area to provide an option to obtain signatures from the reduced petition area. If the petitioner only obtains less than 51% signatures from the reduced petition area, the City will deny the survey until the petitioner can obtain the required signatures.
 - If the petitioner obtains 51% of the signatures, the petition continues to Step 3.
3. City mails hard copy of the permit parking survey to residents within the petition area.
 - The permit parking survey will explain the process and serve as the official vote of which the property owner votes whether they would support permit parking on their street.
 - As part of their survey, a Good Neighbor Practices acknowledgment will be included and every permit holder will be asked to adhere to these practices. More information on this policy can be found in "Section 5 – Good Neighbor Practices."
 - Each property owner will have one vote. If the units in a multi-family property are individually owned, each owner has a vote. If no vote is received from the site address, staff will count it as a "no" vote.
4. Voting Results
 - Votes are tallied and verified by staff. If the survey vote results indicate at least 75% "yes" votes within the petition area, the petition area is approved within the district boundaries defined by the Public Works Department and the process continues to Step 5.
 - If the vote does not obtain 75% support for the petition area, that petition area cannot resubmit a petition until 2 years from the date survey results are verified and published by staff. A new petition process 2 years or later would initiate a new process, including the fee, from the beginning.
 - The entire district area does not need the 75% support rate, only the particular petition area within the district that desires permit parking. It may start on a smaller scale and would grow into the larger district area.
5. City informs residents of its decisions.
 - The City will inform residents via hard copy mail if the City has approved or denied the petition area for permit parking.
 - If the City has approved the petition area, the notification will include instructions related to the next steps in the permit parking process. This will include clear communications on the official start date upon which enforcement will begin and instructions on how they can request enforcement.
6. Residents can purchase permits in person at City Hall. Refer to "Section 4 – Obtaining Permits for more detailed information.
7. The City will install signs identifying streets in the district with Permit Parking within the approved petition area.



PERMIT PARKING GUIDELINES

8. The City will enforce permit parking one (1) week after the identified permit start date, which shall be after the City installs signage in the approved petition area.
 - Upon the official start date of the new permit parking area, City Code Enforcement staff will initiate a targeted focus in the new district. This will include extra enforcement during the first 30 days of the Program.

Process for Creating a New Permit Parking Area (Figure 1)





3 DISTRICTS

District Boundaries

Parking issues are best addressed at the neighborhood level rather than street by street. The City will determine the scale of the voting area based on walkability, parking supply, and existing constraints in the vicinity. Adjacent or nearby streets may be added to existing permit parking areas. Staff will consider continuity with nearby streets and balancing supply and demand in its formation of new districts.

Sometimes, physical factors such as commercial developments, flood channels, railroad tracks, and major thoroughfares could affect the exact geography of the district – however, the overarching principal of ensuring they are adequately sized remains. For example, if a nearby district is split by the presence of a major neighborhood boundary, the district may be better suited to join a nearby larger district to help spread out parking demand.

Generally, any residential street segment is eligible to petition for residential permit district designation, if it meets the other guidelines in this document. Staff may approve smaller districts, but the intent of the Program is to have districts that cover multiple streets. Thus, if residents or property owners submit multiple petitions throughout the area, the Public Works (Department) staff may consider and process the petitions together as once larger district. The City has not designed the Program to create small one, two, or three street segments – but rather to accommodate a larger district over time.

Figure 2 shows a conceptual map, with ideal district sizes and shapes. The City uses the arterials designated in the Circulation Element of the General Plan as guidance for developing the districts. Districts will aim to cover a whole neighborhood subarea, including both single- and multi-family homes, and generally provide parking opportunities within a reasonable walking distance – and confined by major arterials. The map in Figure 2 may be amended from time to time as may be necessary by the Director of Public Works or his/her designee. This District Guidance Map is intended to help give staff some assistance in creating the best district boundaries. There are, however, situations in which the City may need to adjust the boundaries shown in Figure 2.

Residential Permit Parking Guidelines Conceptual District Boundaries

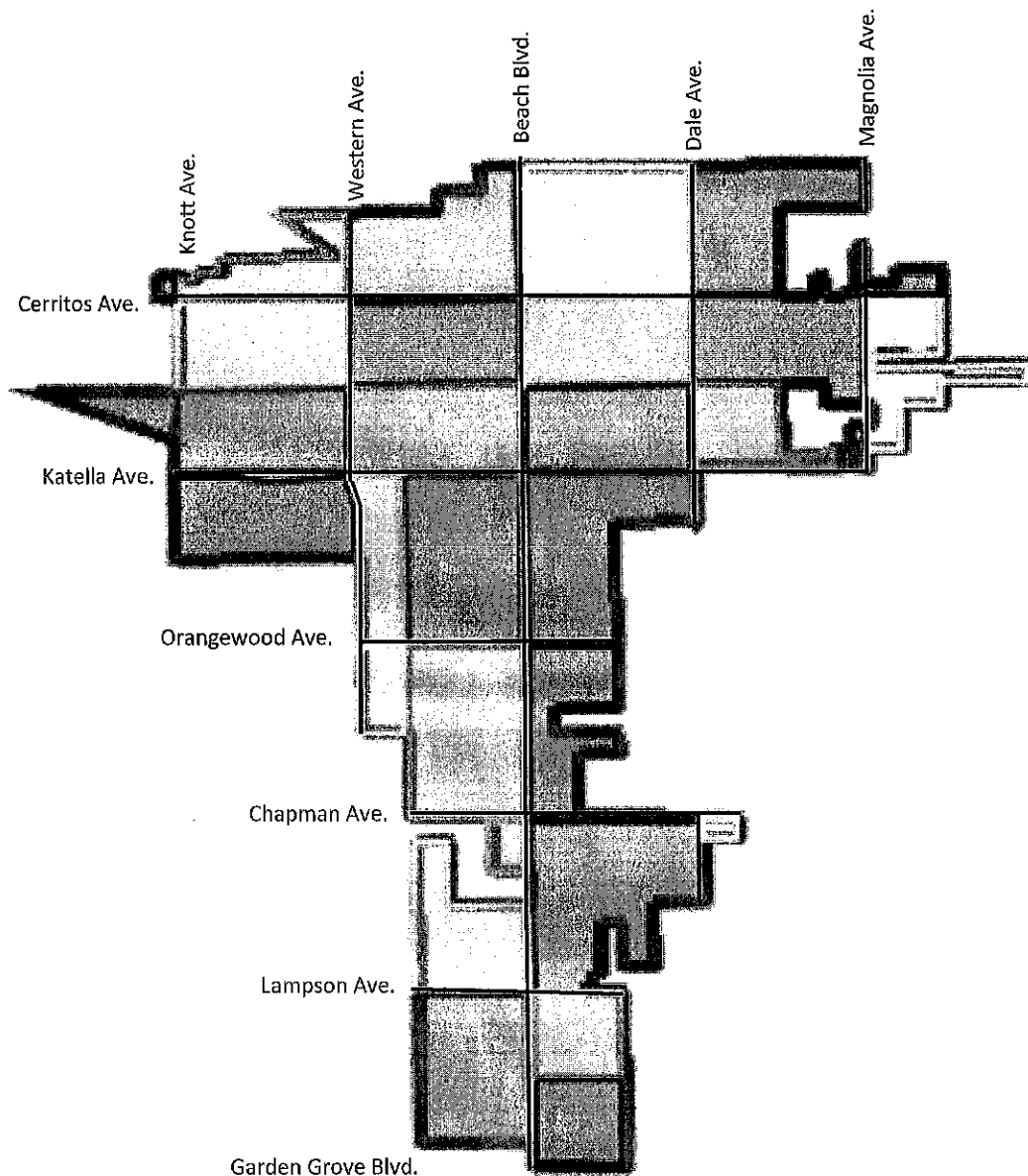


Figure 2: Conceptual District Boundaries

These boundaries represent guidance on approximate district size and boundaries to guide the City's future, district formation decisions. The goal is to ensure that districts are balancing parking demand and supply. The district boundaries do not require that all streets within it to become a singular district immediately. The entire district area does not need the 75% support rate, only the particular street segments within the district that desires permit parking. It may start on a smaller scale and would grow into the larger district area. However, as the City adds districts and streets, the districts should have the same district identification to the others nearby, as shown in the map.

4 OBTAINING PERMITS

How to obtain a permit

1. Resident will gather and submit required materials to the City (under "Eligibility") which also includes:

- Proof of residency
- Proof of vehicle ownership and registration or insurance
- Photo ID
- Fee

2. Staff will confirm that the resident lives on a street segment that is permit parking approved.

3. A maximum of 3 permits per household may be issued.

REQUIREMENTS

Eligibility

- Only residents who live in on an approved street within the district are eligible to purchase permits, up to the household maximum. Residents must provide proof of residency.
- Licensed drivers in that household on approved streets in the district are eligible to obtain permits. If a vehicle is not registered to a household on a permit parking street segment, a resident can also provide proof of insurance that includes the residence address as an alternative.
- Permits are only valid for each specific district in which the resident lives and are not transferable if the resident moves.
- The City will not issue permits for large, oversized vehicles such as tractors or other trailers, recreational vehicles, or towable trailers.
- To receive a permit, an application must demonstrate/self-certify or the Director must determine that the following requirements are met:
 - Residency at an address in the permit parking district
 - Current vehicle registration to the applicant at the address; or proof of insurance
 - Payment of the applicable parking permit fee(s).

Maximum Number of Permits

For all residences, a maximum of three (3) permits may be issued. In a multi-family property each unit shall be issued a maximum of three (3) permits.



PERMIT PARKING GUIDELINES

Purchasing Permits

- A Resident Parking Permit lasts two years, after which the resident must renew the permit. A fee as established by the City will be collected for each permit.
- Guest Permits are valid for one-day period, expiring at noon the following day. A fee as established by the City will be collected for each permit.
 - Guest permits are valid only in the district in which a resident permit-holder is located. Neither the City nor the permit holder can transfer the guest permit. They are only valid for the date identified on the permit.
 - Guest permits are limited to 100 per household per calendar year (resets on January 1); however, exceptions are possible for certain events. Residents or property owners may seek more guest permits for such events depending on a number of factors determined by staff, including but not limited to: events are consistent with the use of the property, number of available parking spaces, and residents have obtained necessary permits required by the Stanton Municipal Code for the event (if applicable).
 - Guest Permits can be obtained in person at City Hall.

Replacements

- Resident Parking Permits are valid for a single vehicle and are non-transferrable. The exception is if a resident obtains a new vehicle. If there is more than one year remaining on the permit, staff can issue a new permit to a replacement vehicle upon payment of the permit transfer fee. Upon issuance of the new resident parking permit, staff will terminate the prior permit and the resident shall remove the permit from the vehicle and discard the permit in such a manner as to not be reusable. Permits may be transferred a maximum of once per year.
- Any Parking Permit issued by the City shall be valid for a period of two years, provided the person to whom the City issued the permit continues to own or lease the property for which the person qualified for the permit.



5 GOOD NEIGHBOR PRACTICES

The City created the Residential Permit Parking Program to help improve parking availability and quality of life in our City's residential neighborhoods. It is often effective in doing so, but is merely one tool available among others, and requires further cooperation among neighbors to work best. It is up to everyone, both residents and City staff, to help contribute to parking solutions. Permit parking has been helpful in many neighborhoods in reducing nuisance issues such as litter and noise, but it is somewhat limited. Therefore, the City asks for neighborhood help in identifying solutions that extend to both holistic transportation demand solutions, and broader quality of life improvements. Stanton's Good Neighbor Practices encourages neighbors to work together constructively on transportation and neighborhood improvements. While the Residential Permit Parking Program can often help address parking challenges, it cannot serve to mediate all root issues of such challenges.

Good Neighbor Requests for Residents and Property Owners (Single and Multifamily)

1. Off-street, on-site parking supply shall be used efficiently for parking. Examples of non-efficient use include not utilizing garage space(s) and driveways for parking.
2. Permit parkers must not block or overhang any driveway, painted curb, wheelchair ramp, or other structure.
3. Permit parkers shall be considerate of noise and comply with applicable city noise ordinances.
4. Permit parkers shall not move solid waste containers in a manner that precludes collection of solid waste, obstructs driveways or other rights of way, or otherwise interferes with vehicular traffic in order to park on a street or portion thereof designated as permit parking only
5. Permit parkers shall not double park.
6. Permit parkers are restricted only to paved space in the public right-of-way and cannot park on any dirt or landscaped space.
7. Permit parkers and residents shall be courteous to each other and make a polite, kind, considerate request to correct their parking issues amongst each other before contacting the City.



6 OTHER CONSIDERATIONS

The Processing Queue

City staff will generally process district petitions in the order that staff receives them. However, City staff may group adjacent petitions, so that staff can handle requests in one district area jointly to streamline community dialogue and voting. For example, staff could advance a petition further down in the processing queue in order to consider the petition at the same time as a nearby request that is earlier in the queue.

Existing Authority/Appeals

The City Council has made efforts to streamline Program implementation, most notably delegating to Public Works staff all routine decisions, rather than requiring City Council approval. Staff will use this document to guide their review. Appeals of City staff decisions can be elevated to the Director, the Director may choose to make a decision on the matter, or forward to the City Council for review and consideration.

Permit District Time Restrictions

The default time restriction is a 24 hour/7 days a week (24/7) ban on all vehicles that do not display the resident parking permit.

Existing Street Segments with Permit Parking

Existing residential neighborhoods with Permit Parking Residential streets and street segments designated as permit parking prior to February 26, 2019 shall continue to be designated as permit parking, only. Applications for new permits within those designated permit parking areas shall be required to comply with requirements of this section, including the limitations on the maximum of number of permits.

Any new approved petition area adjoining an existing permit parking neighborhood will be approved under a new district, but would be eligible to park within the existing permit neighborhood if it is located within the same district.

Removal of Approved Permit Parking Neighborhoods

The City can remove street segments within a designated permit parking district as follows:

- Action cannot be initiated until at least two years have elapsed from the date the vote was approved by the City. This interim period will allow the Program to prove its effectiveness (or lack thereof).
- Removing a street segment from a permit parking district requires the same threshold as it takes to implement one: 75% approval of a street segment must be obtained in order to remove.

Revocation

All parking permits for a residence shall be subject to revocation if (i) a permit holder commits two (2) or more violations of any provision of the Stanton Municipal Code ("SMC"), the California Vehicle Code or



PERMIT PARKING GUIDELINES

the California Penal Code during the exercise of permit parking privileges in a continuous six (6) month period; or (ii) the permit is issued to a vehicle that has two (2) or more violations of SMC section 10.08.060 within a continuous period of six (6) months. These factors may also be taken into consideration by the Director or his or her designee when determining whether to issue a permit pursuant to SMC section 10.08.060.

Upon determining that grounds for permit revocation exist, the Director shall furnish written notice of the proposed revocation to the permit holder and inform them they can request a hearing within fifteen (15) calendar days of the postmarked date on the notice. If the request for a hearing is filed within fifteen (15) calendar days of mailing of the notice, the Director shall transmit the request to a Hearing Officer to provide a hearing.

At the hearing, the permit holder shall be entitled to testify under oath and call witnesses who shall testify under oath. Within ten (10) calendar days after the hearing, the Hearing Officer shall decide whether the grounds for revocation exist. If grounds for revocation exist, the Hearing Officer shall revoke the permit, specifying in writing the grounds upon which the permit is revoked. Notice of the decision of the Hearing Officer shall be given in writing to the permit holder. The decision of the Hearing Officer shall also be immediately transmitted to the Director. The decision of the Hearing Officer shall be deemed final.



City of Stanton
Public Works

To: CITY COUNCIL
FROM: ALLAN RIGG, PUBLIC WORKS DIRECTOR
Re: REPORT ON MEASURES TAKEN TO ALLEVIATE THE CONDITIONS WHICH LED TO THE ADOPTION OF ORDINANCE NO. 1078 ESTABLISHING A MORATORIUM ON THE ESTABLISHMENT OF NEW PERMIT PARKING AREAS

On February 13, 2018, the City Council adopted Urgency Ordinance No. 1078, enacting a moratorium on the establishment of new permit parking areas. That moratorium ends this month.

The Ordinance required the City to issue a report prior to the expiration of the Ordinance or any extension, describing the measures taken to alleviate the condition(s) which led to the adoption of the initial moratorium in the Ordinance.

Since the enactment of the Ordinance, the following actions have been taken:

- (1) The City's Community Development Department researched municipal codes of surrounding cities relating to permit parking programs.
- (2) The City's Community Development Department researched the best practices utilized by local jurisdictions throughout the State relating to application of permit parking and how to best manage the program.
- (3) The City's Community Development Department reviewed the City's permit parking guidelines to determine how to amend the guidelines and procedures.
- (4) The City's Community Development Department held meetings with some residential communities to discuss how different stakeholders would like to see the program be modified. These meetings included representation by the Apartment Association, property owners, property managers and residents.
- (5) The City Attorney's Office researched relevant case law regarding the regulation of permit parking, and how the Attorney General opinion affects the City's permit parking ordinance and policy, as well as surrounding cities.
- (6) The City's Community Development Department contracted with Stantec Engineering Services to analyze potential solutions to the parking issue.
- (7) The City's Public Works and Community Development Departments pursued further opportunities to address the parking issues by alternative means, other than the institution of a permit parking area.
- (8) The City's Public Works Department, in connection with the City's Community Development and Public Safety Departments, drafted and proposed Ordinance No. 2019-1084 to update the City's permit parking ordinance. New Residential Permit Parking Guidelines have also been developed and have been proposed for adoption.

CITY OF STANTON

REPORT TO THE CITY COUNCIL

TO: Honorable Mayor and Members of the City Council

DATE: February 12, 2019

SUBJECT: CITY COUNCIL APPOINTMENTS TO FILL FIVE VACANCIES ON THE STANTON PARKS, RECREATION AND COMMUNITY SERVICES COMMISSION AND FOUR VACANCIES ON THE STANTON PLANNING COMMISSION FOR TERM COINCIDING WITH THE CITY COUNCIL ELECTION

REPORT IN BRIEF:

The Council Member holding the seat corresponding to that numbered seat on the Parks, Recreation and Community Services Commission and 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.

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. Conduct an interview with each applicant; and
3. Make appointments to fill seats #1-Taylor, #2-Shawver, #3-Ramirez, and #4-Warren on the Stanton Planning Commission; and
4. Make appointments to fill seats #1-Taylor, #2-Shawver, #3-Ramirez, #6-Mayor Selection, and #7-Mayor Selection on the Stanton Parks, Recreation and Community Services Commission.

BACKGROUND AND ANALYSIS:

The Parks, Recreation and Community Services Commission consists of seven members who meet once a month. The Parks, Recreation and Community Services Commission acts in an advisory capacity to the City Council and City staff in matters pertaining to development/rehabilitation of parks and recreation facilities, recreation and youth services, senior citizen and human services, cultural arts services, neighborhood improvement, grants or other funding, and other matters as may be referred to the Commission by City Council from time to time.

The Planning Commission consists of five members who meet twice a month. The functions of the Planning Commission are to prepare, review and revise the general plan; implement the general plan through actions including administration of specific plans and zoning and subdivision ordinances; promote the coordination of local plans and programs; perform other functions as the legislative body provides, including conducting studies and preparing plans other than those required or authorized by this title.

FISCAL IMPACT:

The Parks, Recreation and Community Services Commission shall consist of seven members serving in a non-paid and voluntary position. The Planning Commission shall consist of five members each receiving \$171.31 per month. The total cost to the City for the year is \$10,278.28.

ENVIRONMENTAL IMPACT:

Not applicable.

LEGAL REVIEW:

None.

PUBLIC NOTIFICATION:

Notification through the normal agenda process.

STRATEGIC PLAN OBJECTIVE ADDRESSED:

Objective 1: Provide a safe community.

Objective 5: Provide a high quality of life.

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

Prepared By:




Patricia A. Vazquez
City Clerk

Concurred by:



Stephen M. Parker
Assistant City Manager

Approved by:



Robert W. Hall
Interim City Manager

Attachments:

- A. Commission Applications - Parks, Recreation and Community Services Commission
- B. Commission Applications – Planning Commission

CITY OF STANTON

JAN 29 2019



CITY CLERK'S OFFICE

7800 Katella Avenue
Stanton, California 90680 (714) 379-9222

COMMISSION APPLICATION

Application to be considered for the following Commission(s):
☒ Parks and Recreation Commission ☐ Planning Commission

The City of Stanton requests information from community members who are interested in serving on a City Commission. This request does not constitute an appointment as such appointments are made by the City Council.

Please Note:

- 1. Information provided on this form is public information and is subject to disclosure and/or distribution; and*
- 2. To qualify for an appointment, you must be a registered voter in the City of Stanton and you must reside within the City limits.*

Name: Greg Himes

Residence Address: [REDACTED]

Resident of Stanton Since: 1985

Home Phone: [REDACTED] Cell Phone:

E-Mail: [REDACTED]

Registered Voter in the City of Stanton: ☒ YES ☐ NO

Commission Application

Previous Service on any Commission/Board: ☒ YES ☐ NO

If Yes, Which Commission: Parks & Recreation When: 2017-2018

Are you available to attend evening meeting: ☒ YES ☐ NO

Do you presently contract any services or are you otherwise employed by the City:
☐ YES ☒ NO

If so, what is the nature of the contract or employment: _____

Please give a brief statement as to why you are interested in serving on the commission chosen and describe how your qualifications and skills would benefit the Commission:

As a Parks, Recreation and Community Services Commissioner from 2017 - 2018, I have been an active participant. I have led the Commission in discussions to discover if the items brought before us, are of any substantive value to the City and its citizens. As a Systems Analyst, I apply my professional skills to identify problems and benefits. As a photographer, I have a certain aesthetic sensibility which can apply to matters for the commission. I'm proud to have served my city these last 2 years, and would like to continue on.

Have you participated in any community service projects or civic activities? If yes, please list:

Various Stanton events, poll observer for the Election Integrity Project (2016)

Commission Application

Please describe your educational background and list any professional or vocational licenses/certificates.

U.S. Navy Veteran (1976-1980).

Studied Computer Science at Orange Coast College (1970's).

Attended various R.O.P. programs in Los Angeles and Orange Counties.

Certified In Emergency Medical Training, 1975.

Studied Commercial Photography at Golden West College and the Orange Coast College School of Photography.

Certification:

I certify that the above information is true and correct, and I authorize the verification of the information in the application in the event I am a finalist for the appointment.

Signature



Date

1/29/2019

INDIVIDUALS WITH DISABILITIES REQUIRING ANY ACCOMMODATION TO PARTICIPATE IN THE APPLICATION AND SELECTION PROCESS MUST INFORM THE CITY OF STANTON AT THE TIME THIS APPLICATION IS SUBMITTED. INDIVIDUALS NEEDING SUCH ACCOMMODATIONS MUST DOCUMENT THE NEED FOR SUCH ACCOMMODATION INCLUDING THE TYPE AND EXTENT OF ACCOMMODATIONS NEEDED TO COMPLETE THE APPLICATION FORM, PARTICIPATE IN THE SELECTION PROCESS OR PERFORM THE VOLUNTEER DUTIES/JOB FOR WHICH THEY ARE APPLYING.

CITY OF STANTON

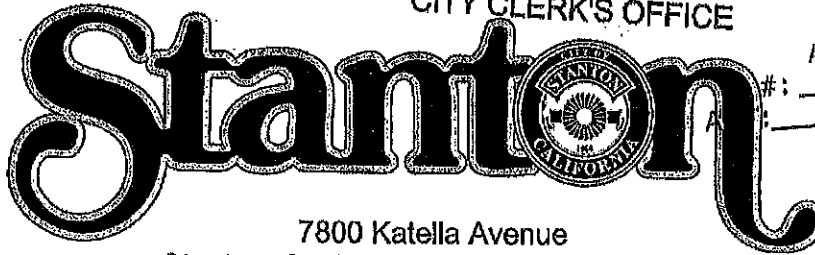
JAN 28 2019

CITY OF STANTON
PAID

JAN 28 2019

CITY CLERK'S OFFICE

AUTHORIZATION



7800 Katella Avenue
Stanton, California 90680 (714) 379-9222

COMMISSION APPLICATION

Application to be considered for the following Commission(s):
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Name: Nancy K. Heitman

Residence Address: [REDACTED]

Resident of Stanton Since: 1964

Home Phone: [REDACTED] Cell Phone: [REDACTED]

E-Mail: [REDACTED]

Registered Voter in the City of Stanton: ☒ YES ☐ NO

Commission Application

Previous Service on any Commission/Board: ☐ YES ☐ NO

If Yes, Which Commission: ~~BOYS & GIRLS CLUB~~ STANTON Community Foundation When: PRESENT TIME

Are you available to attend evening meeting: ☒ YES ☐ NO

Do you presently contract any services or are you otherwise employed by the City:
☐ YES ☒ NO

If so, what is the nature of the contract or employment: _____

Please give a brief statement as to why you are interested in serving on the commission chosen and describe how your qualifications and skills would benefit the Commission:

I have been a Parks & Recs Commissioner
Since 1966 - I grew up in a Parks &
Recreation program - and I understand
the importance this program provides for
the young people

Have you participated in any community service projects or civic activities? If yes, please list:

Stanton Community Foundation, Lions Club
Stanton's Boys & Girl's Club, Santa's Sirens Express
for many years -

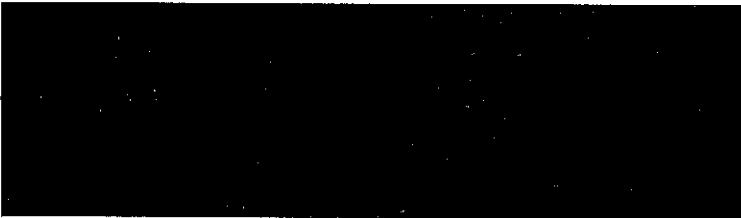
Commission Application

Please describe your educational background and list any professional or vocational licenses/certificates.

High School grad. Some College Classes
Co-owner Bud Whitman Backhoe & service -
Board member Stanton's

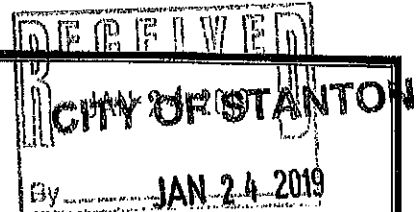
Certification:

I certify that the above information is true and correct, and I authorize the verification of the information in the application in the event I am a finalist for the appointment.



January 28, 2019
Date

INDIVIDUALS WITH DISABILITIES REQUIRING ANY ACCOMMODATION TO PARTICIPATE IN THE APPLICATION AND SELECTION PROCESS MUST INFORM THE CITY OF STANTON AT THE TIME THIS APPLICATION IS SUBMITTED. INDIVIDUALS NEEDING SUCH ACCOMMODATIONS MUST DOCUMENT THE NEED FOR SUCH ACCOMMODATION INCLUDING THE TYPE AND EXTENT OF ACCOMMODATIONS NEEDED TO COMPLETE THE APPLICATION FORM, PARTICIPATE IN THE SELECTION PROCESS OR PERFORM THE VOLUNTEER DUTIES/JOB FOR WHICH THEY ARE APPLYING.



7800 Katella Avenue
Stanton, California 90680-(714) 379-9222

CITY CLERK'S OFFICE

COMMISSION APPLICATION

Application to be considered for the following Commission(s):
☒ Parks and Recreation Commission ☐ Planning Commission

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Name: Beverly Henry

Residence Address: [REDACTED]

Resident of Stanton Since: 1953

Home Phone: [REDACTED] Cell Phone: _____

E-Mail: _____

Registered Voter in the City of Stanton: ☒ YES ☐ NO

Commission Application

Previous Service on any Commission/Board: ☒ YES ☐ NO

If Yes, Which Commission: Parks and Recreation When: Now

Are you available to attend evening meeting: ☒ YES ☐ NO

Do you presently contract any services or are you otherwise employed by the City:
☐ YES ☒ NO

If so, what is the nature of the contract or employment: _____

Please give a brief statement as to why you are interested in serving on the commission chosen and describe how your qualifications and skills would benefit the Commission:

I have lived in Stanton for 65 years. Growing up here I
only want to help making our city better. I raised my family
grand kids and now a great grandson. I believe a person
needs to be involved in ^{ones} ~~one~~ community. I have served on
the Commission for many years and would like to continue
helping our city be the best we can. Proud to be a commissioner.

Have you participated in any community service projects or civic activities? If yes, please list:

50th Ann. parade, set up for Easter event, judge Halloween
event as often as I can, Santa Siren, old board at the
Center, Work and Volunteer at Wakeham School, helped
with the design of our Central Park, food ministry for
11 yrs. at my church and anything I can.

Commission Application

Please describe your educational background and list any professional or vocational licenses/certificates.

Went to school here since 2nd grade. Graduated from
Rancho High School in 1964. Went to Cypress College and
Fullerton S.C. Have taken some training classes for
G.G.U.S.D for my job. 32 years as chapter 1 aide-
present Instructional aid II - Special Ed for 8 1/2 yrs -
totaling about 40 yrs.

Certification:

I certify that the above information is true and correct, and I authorize the verification of the information in the application in the event I am a finalist for the appointment.



1-24-2019
Date

INDIVIDUALS WITH DISABILITIES REQUIRING ANY ACCOMMODATION TO PARTICIPATE IN THE APPLICATION AND SELECTION PROCESS MUST INFORM THE CITY OF STANTON AT THE TIME THIS APPLICATION IS SUBMITTED. INDIVIDUALS NEEDING SUCH ACCOMMODATIONS MUST DOCUMENT THE NEED FOR SUCH ACCOMMODATION INCLUDING THE TYPE AND EXTENT OF ACCOMMODATIONS NEEDED TO COMPLETE THE APPLICATION FORM, PARTICIPATE IN THE SELECTION PROCESS OR PERFORM THE VOLUNTEER DUTIES/JOB FOR WHICH THEY ARE APPLYING.

JAN 28 2019



7800 Katella Avenue
Stanton, California 90680 (714) 379-9222

COMMISSION APPLICATION

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Name: ELIZABETH ASH

Residence Address: [REDACTED]

Resident of Stanton Since: 1968

Home Phone: [REDACTED]

Cell Phone: [REDACTED]

E-Mail: [REDACTED]

Registered Voter in the City of Stanton: ☒ YES ☐ NO

Commission Application

Previous Service on any Commission/Board: ☒ YES ☐ NO

PARKS & REC

If Yes, Which Commission: PLANNING When: 2002 - present

Are you available to attend evening meeting: ☒ YES ☐ NO

Do you presently contract any services or are you otherwise employed by the City:

☐ YES ☒ NO

If so, what is the nature of the contract or employment: _____

Please give a brief statement as to why you are interested in serving on the commission chosen and describe how your qualifications and skills would benefit the Commission:

I would like to continue to serve on the Planning
Commission and continue to be a part of the growth in our
community. I am a team player and work well with my
fellow commissioners and staff. I enjoy being able to
answer neighbors questions or directing them to the
appropriate person at City Hall.

Have you participated in any community service projects or civic activities? If yes, please list:

Stanton Community Foundation. I developed the backpack
program which led to the grant program for our
feeder schools. Also created the SCF "Shoot Out"
which benefits seniors in our community.

Commission Application

Please describe your educational background and list any professional or vocational licenses/certificates.

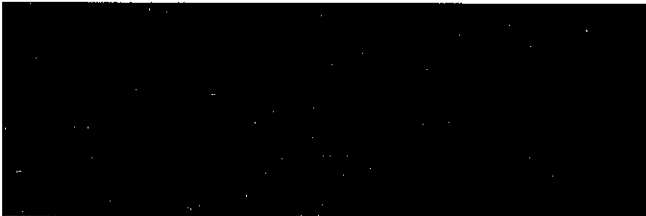
BA-Liberal Studies from CSF.

STATE OF CALIFORNIA TEACHING CREDENTIAL

CURRENTLY a CLINICAL COACH FOR CSUF DEPT. OF
EDUCATION.

Certification:

I certify that the above information is true and correct, and I authorize the verification of the information in the application in the event I am a finalist for the appointment.



1/21/19
Date

INDIVIDUALS WITH DISABILITIES REQUIRING ANY ACCOMMODATION TO PARTICIPATE IN THE APPLICATION AND SELECTION PROCESS MUST INFORM THE CITY OF STANTON AT THE TIME THIS APPLICATION IS SUBMITTED. INDIVIDUALS NEEDING SUCH ACCOMMODATIONS MUST DOCUMENT THE NEED FOR SUCH ACCOMMODATION INCLUDING THE TYPE AND EXTENT OF ACCOMMODATIONS NEEDED TO COMPLETE THE APPLICATION FORM, PARTICIPATE IN THE SELECTION PROCESS OR PERFORM THE VOLUNTEER DUTIES/JOB FOR WHICH THEY ARE APPLYING.

CITY OF STANTON

JAN 31 2019

CITY CLERK'S OFFICE



7800 Katella Avenue
Stanton, California 90680-(714) 379-9222

COMMISSION APPLICATION

Application to be considered for the following Commission(s):

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Name: Hong Alyce Van

Residence Address: [REDACTED]

Resident of Stanton Since: 1987

Home Phone: [REDACTED]

Cell Phone: [REDACTED]

E-Mail: [REDACTED]

Registered Voter in the City of Stanton: ☒ YES ☐ NO

Commission Application

Previous Service on any Commission/Board: ☐ YES ☒ NO

If Yes, Which Commission: N/A When: N/A

Are you available to attend evening meeting: ☒ YES ☐ NO

Do you presently contract any services or are you otherwise employed by the City:
☐ YES ☒ NO

If so, what is the nature of the contract or employment: N/A

Please give a brief statement as to why you are interested in serving on the commission chosen and describe how your qualifications and skills would benefit the Commission:

I have been a resident of Stanton for over 30 years and have witnessed dramatic change and positive development in our city throughout different periods of my life: as a child, a young adult, and now as a mother to a toddler and two foster kids. In 2015, I completed the Stanton Green Planning Academy; and in 2016, I completed the city's Citizen's Academy. I have always had a passion to serve others, and these experiences gave me a deeper appreciation and understanding on how I can be a more active member in our local community and help contribute to the future of Stanton.

Have you participated in any community service projects or civic activities? If yes, please list:

I am a board member of the Stanton Community Foundation, for which I serve as the chair of the following committees: New Programs & Services, Supply Our Schools, and Grants. I am currently a University of California Cooperative Extension Master Gardener in training and have been a Master Food Preserver since 2015. My leadership roles for this organization include being the chair of the Speakers Bureau and Marketing on Social Media. Lastly, I am the secretary of the Stanton Community Garden and a member of the Yale Club of Orange County.

Commission Application

Please describe your educational background and list any professional or vocational licenses/certificates.

Yale University - B.A. Anthropology

Johns Hopkins University - M.A. International Studies

Proficient in Microsoft Word, Excel, PowerPoint, and OneNote.

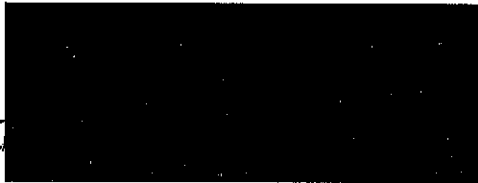
Adult and Pediatric First Aid, CPR and AED Certified.

Fluent in Vietnamese and Mandarin Chinese. Conversational in German, French, and Korean.

Certification:

I certify that the above information is true and correct, and I authorize the verification of the information in the application in the event I am a finalist for the appointment.

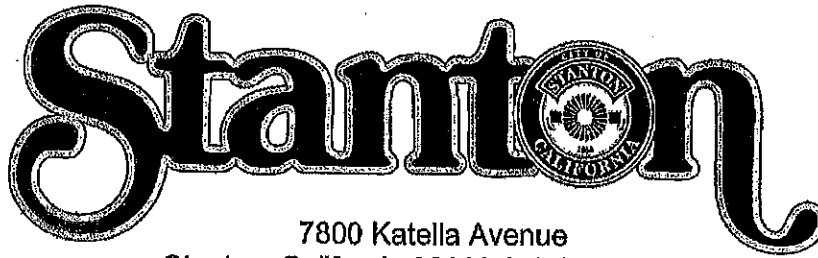
Signature



1/30/2019

Date

INDIVIDUALS WITH DISABILITIES REQUIRING ANY ACCOMMODATION TO PARTICIPATE IN THE APPLICATION AND SELECTION PROCESS MUST INFORM THE CITY OF STANTON AT THE TIME THIS APPLICATION IS SUBMITTED. INDIVIDUALS NEEDING SUCH ACCOMMODATIONS MUST DOCUMENT THE NEED FOR SUCH ACCOMMODATION INCLUDING THE TYPE AND EXTENT OF ACCOMMODATIONS NEEDED TO COMPLETE THE APPLICATION FORM, PARTICIPATE IN THE SELECTION PROCESS OR PERFORM THE VOLUNTEER DUTIES/JOB FOR WHICH THEY ARE APPLYING.



7800 Katella Avenue
Stanton, California 90680 • (714) 379-9222

RECEIVED
JAN 30 2019

COMMUNITY DEVELOPMENT

received @
11:55 am
Rht

COMMISSION APPLICATION

Application to be considered for the following Commission(s):
☐ Parks and Recreation Commission ☒ Planning Commission

The City of Stanton requests information from community members who are interested in serving on a City Commission. This request does not constitute an appointment as such appointments are made by the City Council.

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Name: Debi Grand

Residence Address: [REDACTED]

Resident of Stanton Since: 4/28/1990

Home Phone: [REDACTED] Cell Phone: [REDACTED]

E-Mail: [REDACTED]

Registered Voter in the City of Stanton: ☒ YES ☐ NO

Commission Application

Previous Service on any Commission/Board: ☒ YES ☐ NO

If Yes, Which Commission: Stanton Parks + Recreation Commission When: NOV 2007 - May 2012
Stanton Planning Commission When: Aug 2012 - present
Stanton Community Foundation Formation in 2009 - present

Are you available to attend evening meeting: ☒ YES ☐ NO

Do you presently contract any services or are you otherwise employed by the City:
☐ YES ☒ NO

If so, what is the nature of the contract or employment: _____

Please give a brief statement as to why you are interested in serving on the commission chosen and describe how your qualifications and skills would benefit the Commission:

I have had the honor of serving as a Stanton Planning Commissioner since 2012. I care very much about my city being an attractive, viable + economically thriving community. I am proud of our City Council's forward thinking vision + the Community Development Dept's hard work turning that vision into reality (e.g. development of Beach Blvd, creation of Stanton Business Alliance, working with businesses to attract + retain them, improving the quality of life for our residents.)
As a Planning Commissioner, I'm very grateful to have been part of this process for the last 6 1/2 years and would like to continue to do so.
Have you participated in any community service projects or civic activities? If yes, please list:

2002 - became Stanton Volunteer beginning with Summerfest

2007 - became Stanton Parks + Recreation Commissioner until commission dissolution in 2012

2008 - attended Stanton Citizen's Academy

2009 - became founding Stanton Community Foundation board member, serving as secretary since then

2012 - became Stanton Planning Commissioner + currently serving

2012-2014 - VIP (Volunteers in Policing) at Stanton Sheriff's substation

2013 - attended Orange County Sheriff's Dept Citizen's Academy

Currently president of my HOA + have served on board frequently throughout my 29-year residency.

Following my parents example, I began volunteering as a teenager (Head Start Terrace, as a parent - school, sports, scouts, as an adult - Green Networking for OC + other environmental/humanitarian groups.

2015 - attended Green Planning Academy

Commission Application

Please describe your educational background and list any professional or vocational licenses/certificates.

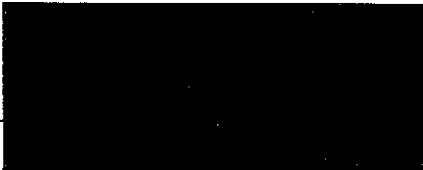
I have attended UCLA, El Camino College, Long Beach City College + Goldenwest College. My major fields of study were nursing + early childhood education.

I have had security training and until two years ago, I had a Guard Registration Card with the State of California.

Certification:

I certify that the above information is true and correct, and I authorize the verification of the information in the application in the event I am a finalist for the appointment.

Signature



Date

1/28/2019

INDIVIDUALS WITH DISABILITIES REQUIRING ANY ACCOMMODATION TO PARTICIPATE IN THE APPLICATION AND SELECTION PROCESS MUST INFORM THE CITY OF STANTON AT THE TIME THIS APPLICATION IS SUBMITTED. INDIVIDUALS NEEDING SUCH ACCOMMODATIONS MUST DOCUMENT THE NEED FOR SUCH ACCOMMODATION INCLUDING THE TYPE AND EXTENT OF ACCOMMODATIONS NEEDED TO COMPLETE THE APPLICATION FORM, PARTICIPATE IN THE SELECTION PROCESS OR PERFORM THE VOLUNTEER DUTIES/JOB FOR WHICH THEY ARE APPLYING.

CITY OF STANTON

JAN 11 2019

CITY CLERK'S OFFICE



7800 Katella Avenue
Stanton, California 90680 (714) 379-9222

COMMISSION APPLICATION

Application to be considered for the following Commission(s):

☐ Parks and Recreation Commission ☒ Planning Commission

The City of Stanton requests information from community members who are interested in serving on a City Commission. This request does not constitute an appointment as such appointments are made by the City Council.

Please Note:

1. Information provided on this form is public information and is subject to disclosure and/or distribution; and
2. To qualify for an appointment, you must be a registered voter in the City of Stanton and you must reside within the City limits.

Name: LOREEN BERLIN

Residence Address: [REDACTED]

Resident of Stanton Since: 1965

Home Phone: N/A

Cell Phone: [REDACTED]

E-Mail: [REDACTED]

Registered Voter in the City of Stanton: ☒ YES ☐ NO

Commission Application

Previous Service on any Commission/Board: ☒ YES ☐ NOIf Yes, Which Commission: public safety When: 2015 - CurrentAre you available to attend evening meeting: ☒ YES ☐ NODo you presently contract any services or are you otherwise employed by the City:
☐ YES ☒ NOIf so, what is the nature of the contract or employment: N/A

Please give a brief statement as to why you are interested in serving on the commission chosen and describe how your qualifications and skills would benefit the Commission:

our current planning Commission & City Council have
done an excellent job of moving Stanton forward in
residential housing & new business growth. With the
current vacancies on the planning Commission, I believe I
could be an asset in keeping the positive momentum
continuing in that same direction, bringing in business.

Have you participated in any community service projects or civic activities? If yes, please list:

No - I'm active in the community as a newspaper
reporter.

* dollars to help our city continue to grow in its
current positive direction, while providing safety
through police & fire protection for all residents
as well as activities for children & adults.

Commission Application

Please describe your educational background and list any professional or vocational licenses/certificates.

I hold a diploma in Radio Broadcasting from Kiis Radio Broadcasting School in Hollywood, CA (1981)

Have been a newspaper reporter since 1990 for The Star News in Pasadena & Orange County News in G.G.

Also have written Feature Articles, covered school board & city council meetings for Stanton, G.G., Westminster & Buena Park, along with Los Alamitos & Seal Beach.

Certification:

Have taught voice & diction for - so CA modeling Agency (8 yrs)

I certify that the above information is true and correct, and I authorize the verification of the information in the application, in the event I am a finalist for the appointment.

Currently teach Civic Journalism @ B.P. senior center (5 yrs)



01.11.19

Date

INDIVIDUALS WITH DISABILITIES REQUIRING ANY ACCOMMODATION TO PARTICIPATE IN THE APPLICATION AND SELECTION PROCESS MUST INFORM THE CITY OF STANTON AT THE TIME THIS APPLICATION IS SUBMITTED. INDIVIDUALS NEEDING SUCH ACCOMMODATIONS MUST DOCUMENT THE NEED FOR SUCH ACCOMMODATION INCLUDING THE TYPE AND EXTENT OF ACCOMMODATIONS NEEDED TO COMPLETE THE APPLICATION FORM, PARTICIPATE IN THE SELECTION PROCESS OR PERFORM THE VOLUNTEER DUTIES/JOB FOR WHICH THEY ARE APPLYING.

Have been active with the Buena Park Noon Lions Club since 1997, serving as the chair for the annual "Student speaker contest," & "Flag Day" presentation for B.P. elementary school classes. photographer for B.P. Lions' annual "Silverado Days" fundraiser - SilveradoDays.com

JAN 22 2019

CITY CLERK'S OFFICE



7800 Katella Avenue
Stanton, California 90680 (714) 379-9222

COMMISSION APPLICATION

Application to be considered for the following Commission(s):
☐ Parks and Recreation Commission ☒ Planning Commission

The City of Stanton requests information from community members who are interested in serving on a City Commission. This request does not constitute an appointment as such appointments are made by the City Council.

Please Note:

- 1. Information provided on this form is public information and is subject to disclosure and/or distribution; and*
- 2. To qualify for an appointment, you must be a registered voter in the City of Stanton and you must reside within the City limits.*

Name: Sou Moua

Residence Address: [REDACTED]

Resident of Stanton Since: 2011

Home Phone: [REDACTED]

Cell Phone: [REDACTED]

E-Mail: [REDACTED]

Registered Voter in the City of Stanton: ☒ YES ☐ NO

Commission Application

Previous Service on any Commission/Board: ☒ YES ☐ NO

If Yes, Which Commission: Planning When: 2014-current

Are you available to attend evening meeting: ☒ YES ☐ NO

Do you presently contract any services or are you otherwise employed by the City:
☐ YES ☒ NO

If so, what is the nature of the contract or employment: _____

Please give a brief statement as to why you are interested in serving on the commission chosen and describe how your qualifications and skills would benefit the Commission:

I would like to keep on helping to improve the city and community of Stanton. I also like to make the community a lot safer and better in our city. I'm service on the Planning Commission previous. I also work as a manager and supervisor for other company. I also work in the Design, Construction, Architect and Engineering field so I understand how to solve and come up with solution to better the work or better our community.

Have you participated in any community service projects or civic activities? If yes, please list:

I participated in some of the city event, like the holiday event or open of new business in the city.

Commission Application

Please describe your educational background and list any professional or vocational licenses/certificates.

I finish High School in 1989, went to College at Cal. State Long Beach in 1989, major in

Mechanical Engineering. Some of the profession that I have are Manager, Supervisor,

CAD Designer/CAD Operator/Drafter, Piping Designer, Civil Drafting, and Estimator.

Certification:

I certify that the above information is true and correct, and I authorize the verification of the information in the application in the event I am a finalist for the appointment.



01/18/19

Date

INDIVIDUALS WITH DISABILITIES REQUIRING ANY ACCOMMODATION TO PARTICIPATE IN THE APPLICATION AND SELECTION PROCESS MUST INFORM THE CITY OF STANTON AT THE TIME THIS APPLICATION IS SUBMITTED. INDIVIDUALS NEEDING SUCH ACCOMMODATIONS MUST DOCUMENT THE NEED FOR SUCH ACCOMMODATION INCLUDING THE TYPE AND EXTENT OF ACCOMMODATIONS NEEDED TO COMPLETE THE APPLICATION FORM, PARTICIPATE IN THE SELECTION PROCESS OR PERFORM THE VOLUNTEER DUTIES/JOB FOR WHICH THEY ARE APPLYING.

CITY OF STANTON

JAN 23 2019



CITY CLERK'S OFFICE

7800 Katella Avenue
Stanton, California 90680 (714) 379-9222

COMMISSION APPLICATION

Application to be considered for the following Commission(s):
☐ Parks and Recreation Commission ☒ Planning Commission

The City of Stanton requests information from community members who are interested in serving on a City Commission. This request does not constitute an appointment as such appointments are made by the City Council.

Please Note:

- 1. Information provided on this form is public information and is subject to disclosure and/or distribution; and*
- 2. To qualify for an appointment, you must be a registered voter in the City of Stanton and you must reside within the City limits.*

Name: Andrew N. Marques

Residence Address: [REDACTED]

Resident of Stanton Since: 1999

Home Phone: [REDACTED] Cell Phone: [REDACTED]

E-Mail: [REDACTED]

Registered Voter in the City of Stanton: ☒ YES ☐ NO

Previous Service on any Commission/Board: ☒ YES ☐ NO

If Yes, Which Commission: Public Safety When: Currently

Are you available to attend evening meeting: ☒ YES ☐ NO

Do you presently contract any services or are you otherwise employed by the City:
☐ YES ☒ NO

If so, what is the nature of the contract or employment: N/A
N/A

Please give a brief statement as to why you are interested in serving on the commission chosen and describe how your qualifications and skills would benefit the Commission:

As a resident of the city I believe it is my civic duty to
support the work of city management and to assist in
whatever way possible. I am a California Licensed
contractor and have a strong background in emergency
planning and disaster management this is an asset for the city

Have you participated in any community service projects or civic activities? If yes, please list:

The Citywide Influenza vaccine program
Serving as a VIP Stanton Sheriff's Office
Installing smoke alarms in the city with OCFA

Please describe your educational background and list any professional or vocational licenses/certificates.

See attached licenses and certificates.

See attached licenses and certificates.

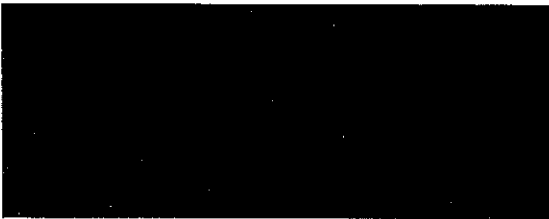
See attached licenses and certificates.

See attached licenses and certificates.

See attached licenses and certificates.

Certification:

I certify that the above information is true and correct, and I authorize the verification of the information in the application in the event I am a finalist for the appointment.



01/15/2019
Date

INDIVIDUALS WITH DISABILITIES REQUIRING ANY ACCOMMODATION TO PARTICIPATE IN THE APPLICATION AND SELECTION PROCESS MUST INFORM THE CITY OF STANTON AT THE TIME THIS APPLICATION IS SUBMITTED. INDIVIDUALS NEEDING SUCH ACCOMMODATIONS MUST DOCUMENT THE NEED FOR SUCH ACCOMMODATION INCLUDING THE TYPE AND EXTENT OF ACCOMMODATIONS NEEDED TO COMPLETE THE APPLICATION FORM, PARTICIPATE IN THE SELECTION PROCESS OR PERFORM THE VOLUNTEER DUTIES/JOB FOR WHICH THEY ARE APPLYING.



TEXAS A&M ENGINEERING EXTENSION SERVICE
The Texas A&M University System



Be it known that

Andrew W. Marques

has completed the training and satisfied the requirements for

INFRASTRUCTURE PROTECTION

with all the honors, rights, and privileges belonging thereto.

Given under the seal of the Texas A&M Engineering Extension Service
and The Texas A&M University System
on the thirty-first day of October, two thousand and sixteen.

Gary F. Sera
Gary F. Sera, Agency Director
Texas A&M Engineering Extension Service



H. Conner, Jr.
H. Conner, Jr., Director
National Emergency Response and Rescue Training Center
Texas A&M Engineering Extension Service

ADVANCE EXPLOSIVE RECOGNITION

Certificate of Training

This Is To Certify That

Andrew Marques

Has Completed an 8 Hour of Instruction & Live Fire Lab in

~ Introduction to Post Blast ~

On this 5th day of May, 2017

This Course meets the Requirements set Forth by NFPA 1033

"Standard for Professional Qualifications for Fire Investigator"

Following Subjects Covered & Discussed:

1. Combustion, 2. Flame, 3. Products of Combustion, 4. Heat Release Rate,
5. Heat Transfer, 6. Fire/Explosion Chemistry, 7. Fire/Explosion Dynamics,
8. Thermodynamics, 9. Kinetics

Instructor: Detective Edward Nordskog
with Los Angeles County Sheriff Department

Central Valley



INVESTIGATORS

E.R. Scott Baker

CVAI – President

E.R. Scott Baker



CCAI – Roundtable #7

Coordinator

George D. Mavrikis

California Specialized Training Institute



CalOES

GOVERNOR'S OFFICE
OF EMERGENCY SERVICES

Certificate of Training

This is to certify that

Andrew Marques

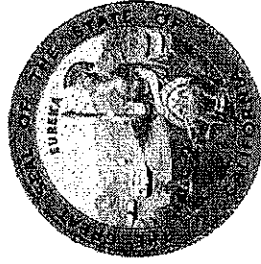
Has successfully completed the 20 hour Emergency Management Course

Disaster Mitigation (G393)

and in recognition therefore is awarded
this Certificate of Achievement

David Fukutomi, CSTI Director

Robert Lewis, Emergency Management Training Chief

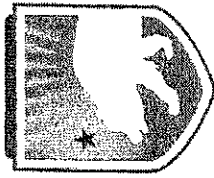


CSTI Course Manager

4/29-5/1/14

Date

California Specialized Training Institute



CalOES

GOVERNOR'S OFFICE
OF EMERGENCY SERVICES

Certificate of Training

This is to certify that

Andrew Marques

Has successfully completed the 8 hour Emergency Management Course

SEMS Combined Instructional Techniques

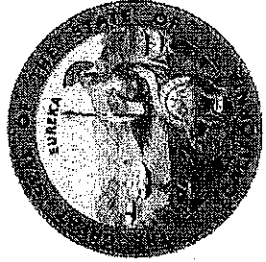
and in recognition therefore is awarded
this Certificate of Achievement

A stylized signature of David Fukutomi.

David Fukutomi, CSTI Director

A stylized signature of Robert Lewis.

Robert Lewis, Sr. Emergency Management Coordinator



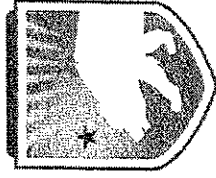
A stylized signature of the CSTI Course Manager.

CSTI Course Manager

2/10-10/15

Date

California Specialized Training Institute



Cal OES
GOVERNOR'S OFFICE
OF EMERGENCY SERVICES

Certificate of Training

This is to certify that

Andrew Marques

Has successfully completed the 8 hour Emergency Management Course

ICS/EOC Interface Workshop (GI91)

and in recognition therefore is awarded
this Certificate of Achievement

David Fukutomi, CSTI Director

Robert Lewis, Sr. Emergency Management Coordinator

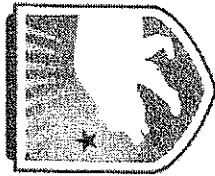


CSTI Course Manager

1/8-8/15

Date

California Specialized Training Institute



CalOES

GOVERNOR'S OFFICE
OF EMERGENCY SERVICES

Certificate of Training

This is to certify that

Andrew Marques

Has successfully completed the 24 hour Emergency Management Course

SEMS Emergency Operations Center Course (G611)

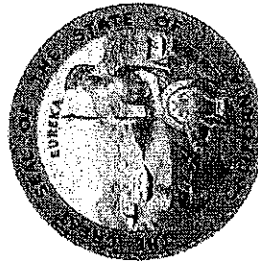
and in recognition therefore is awarded
this Certificate of Achievement

A stylized signature of David Fukutomi.

David Fukutomi, CSTI Superintendent

A stylized signature of Robert C. Lewis.

Robert Lewis, Emergency Management Training Chief



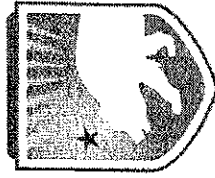
A stylized signature of the CSTI Course Manager.

CSTI Course Manager

1/6-8/15

Date

California Specialized Training Institute



Cal OES

GOVERNOR'S OFFICE
OF EMERGENCY SERVICES

Certificate of Training

This is to certify that

Andrew Marques

Has successfully completed the 16 hour Emergency Management Course

EOC Management & Operations (G775)

and in recognition therefore is awarded
this Certificate of Achievement

David Fukutomi, CSTI Director

Robert Lewis, Sr. Emergency Management Coordinator

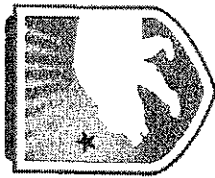


CSTI Course Manager

116-7115

Date

California Specialized Training Institute



Cal OES
GOVERNOR'S OFFICE
OF EMERGENCY SERVICES

Certificate of Training

This is to certify that

Andrew Marques

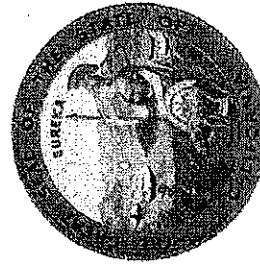
Has successfully completed the 4 hour Emergency Management Course

EOC Field Interface Train the Trainer

and in recognition therefore is awarded
this Certificate of Achievement

David Fukutomi, CSTI Director

Robert Lewis, Sr. Emergency Management Coordinator

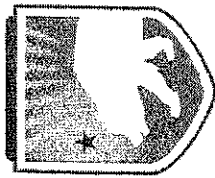


CSTI Course Manager

2/12-12/15

Date

California Specialized Training Institute



CalOES
GOVERNOR'S OFFICE
OF EMERGENCY SERVICES

Certificate of Training

This is to certify that

Andrew Marques

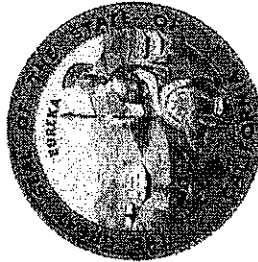
Has successfully completed the 8 hour Emergency Management Course

EOC Operations Train the Trainer

and in recognition therefore is awarded
this Certificate of Achievement

David Fukutomi, CSTI Director

Robert Lewis, Sr. Emergency Management Coordinator



CSTI Course Manager

2/11-11/15

Date

California Specialized Training Institute



Certificate of Training

This is to certify that

Andrew Marques

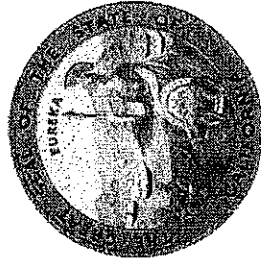
Has successfully completed the 28 hour Emergency Management Course

Debris Management G-202

and in recognition therefore is awarded
this Certificate of Achievement

David Fukutomi, CSTI Director

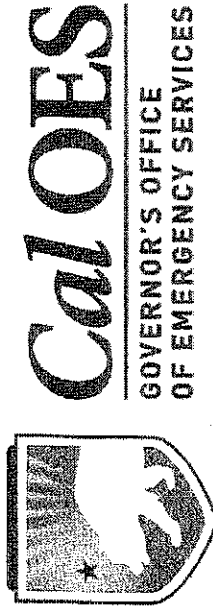
Robert Lewis, Sr. Emergency Management Coordinator


CSTI Course Manager

11/18-21/14

Date

California Specialized Training Institute



Certificate of Training

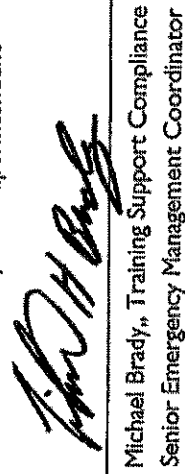
This is to certify that

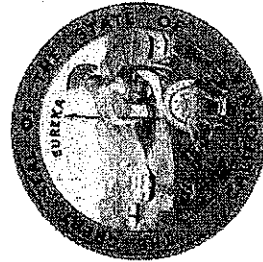
Andrew Marques

Has successfully completed the 8 hour Emergency Management Outreach Instructor Course

Emergency Management Curriculum Instructor Enhancement Train-the-Trainer


David Fukutomi, CSTI Superintendent

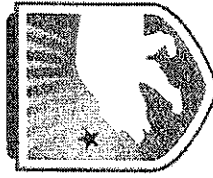

Michael Brady, Training Support Compliance
Senior Emergency Management Coordinator



2/12-13/15
Date

EMOI - 89
Emergency Management
Outreach Instructor #

California Specialized Training Institute



CalOES

GOVERNOR'S OFFICE
OF EMERGENCY SERVICES

Certificate of Training

This is to certify that

Andrew Marques

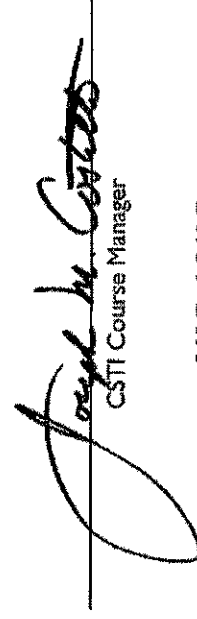
Has successfully completed the 40 hour Emergency Management Course

Introduction to Emergency Management: Earthquake

and in recognition therefore is awarded
this Certificate of Achievement


David Fukutomi, CSTI Superintendent



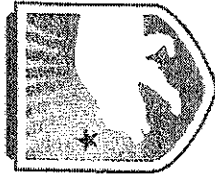

CSTI Course Manager

6/15-19/15

Date


Robert Lewis, Emergency Management Training Chief

California Specialized Training Institute



CalOES

GOVERNOR'S OFFICE
OF EMERGENCY SERVICES

Certificate of Training

This is to certify that

Andrew Marques

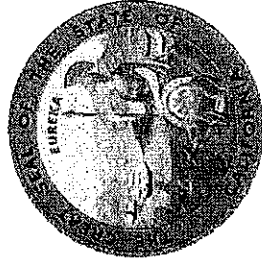
Has successfully completed the 20 hour Emergency Management Course

Disaster Recovery (G270.4)

and in recognition therefore is awarded
this Certificate of Achievement


David Fukutomi, CSTI Director


Robert Lewis, Emergency Management Training Chief

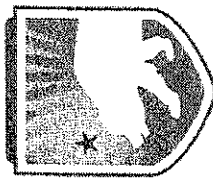



CSTI Course Manager

4/22-24/14

Date

California Specialized Training Institute



Cal OES

GOVERNOR'S OFFICE
OF EMERGENCY SERVICES

Certificate of Training

This is to certify that


Andrew Marques

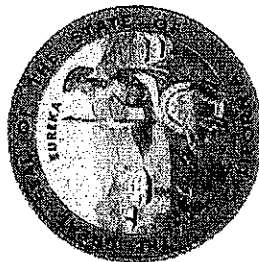
Has successfully completed the 4 hour Emergency Management Course

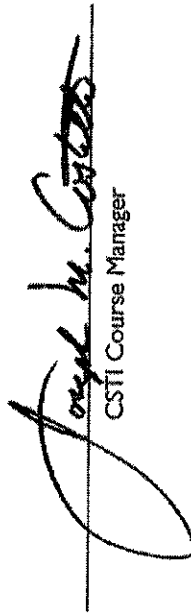
SEMS Introductory Course (G606)

and in recognition therefore is awarded
this Certificate of Achievement


David Fukutomi, CSTI Superintendent


Robert Lewis, Emergency Management Training Chief




CSTI Course Manager

6/15-19/15

Date

California Specialized Training Institute



Certificate of Training

This is to certify that

Andrew Marques

Has successfully completed the 24 hour Emergency Management Course

Emergency Planning (G235)

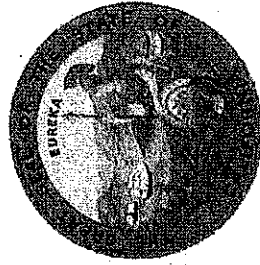
and in recognition therefore is awarded
this Certificate of Achievement



David Fukutomi, CSTI Director



Robert Lewis, Emergency Management Training Chief


CSTI Course Manager

3/25-27/14

Date

Emergency Management Institute



FEMA

This Certificate of Achievement is to acknowledge that

ANDREW N MARQUES

has reaffirmed a dedication to serve in times of crisis through continued professional development and completion of the independent study course:

IS-00700.a

**National Incident Management System (NIMS)
An Introduction**

Issued this 18th Day of June, 2013



0.3 IACET CEU

Tony Russell
Superintendent
Emergency Management Institute

Emergency Management Institute



FEMA

This is to certify that

Andrew N Marques


successfully completed

NIMS ICS All-Hazards Operations Section Chief
Silverado, California

2.80 IACET CEU

July 13 - 16, 2015




Superintendent
Emergency Management Institute

Emergency Management Institute



FEMA

This Certificate of Achievement is to acknowledge that

ANDREW N MARQUES

has reaffirmed a dedication to serve in times of crisis through continued professional development and completion of the independent study course:


IS-00800.b

National Response Framework, An Introduction

Issued this 11th Day of November, 2014



0.3 IACET CEU


Tony Russell
Superintendent
Emergency Management Institute

Emergency Management Institute



FEMA

This Certificate of Achievement is to acknowledge that

ANDREW N MARQUES

has reaffirmed a dedication to serve in times of crisis through continued professional development and completion of the independent study course:


IS-00703.a

NIMS Resource Management

Issued this 26th Day of December, 2014



0.3 IACET CEU


Tony Russell
Superintendent
Emergency Management Institute

Emergency Management Institute



FEMA

This is to certify that

Andrew N Marques

successfully completed

NIMS ICS All-Hazards Operations Section Chief
Silverado, California

2.80 IACET CEU

July 13 - 16, 2015




Superintendent
Emergency Management Institute

CALIFORNIA FIRE SERVICE TRAINING AND EDUCATION SYSTEM

The State Board of Fire Services recognizes

Andrew N. Marques

as having successfully met the

**California State Fire Marshal certification requirements for
FIRE FIGHTER II**

**on
November 2, 2016**



**Chief Michael J. Richwine
Acting State Fire Marshal**

#20818685

**CALIFORNIA FIRE SERVICE
TRAINING AND EDUCATION SYSTEM**

The State Board of Fire Services recognizes

Andrew N. Marques

as having successfully met the

**California State Fire Marshal certification requirements for
FIRE FIGHTER I**

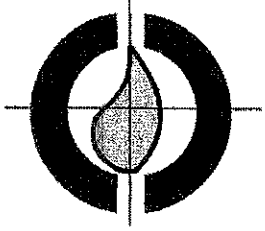
**on
September 29, 2016**



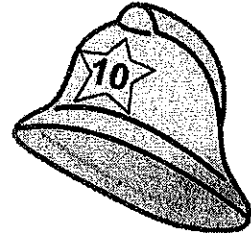
**Chief Michael J. Richwine
Acting State Fire Marshal**

#100773781

**WEST MIDLANDS
ARSON TASK FORCE
TARGETING ARSON**



Congratulations



Andrew Marques

.....

*You've been awarded the West Midlands Arson Task Force
Certificate for your excellent knowledge of arson and fire on*

Saturday, 13 January 2007

Signed,

Phil Butler

Dave Boden

Police & Fire in Partnership

CERTIFICATE OF TRAINING

This is to certify that

Andrew Marques

has successfully completed the

DHS ICS All Hazards Position Specific Training Course for

ALL HAZARDS OPERATIONS SECTION CHIEF

L-958



Silverado, CA

July 13 - 16, 2015

LOCATION

DATE

[Signature]

ICS PROJECT LEAD



RECEIVED

TEXAS A&M ENGINEERING EXTENSION SERVICE

National Emergency Response and Rescue Training Center

in cooperation with the

Department of Homeland Security

Federal Emergency Management Agency

Andrew N. Marques

has successfully completed

Critical Asset Risk Management

San Diego, California, United States

16 Hours

October 3 - 4, 2016

Continuing Education Units Earned 1.60

[Signature]
Gary F. Sera, Director
Texas A&M Engineering Extension Service

[Signature]
H. Lawson, Jr., Director
National Emergency Response and Rescue Training Center
Texas A&M Engineering Extension Service



TEXAS

TEXAS A&M ENGINEERING EXTENSION SERVICE

National Emergency Response and Rescue Training Center

in cooperation with the

Department of Homeland Security

Federal Emergency Management Agency

Andrew N. Marques

has successfully completed

Critical Infrastructure Security and Resilience Awareness

San Diego, California, United States

8 Hours

September 19, 2016

Continuing Education Units Earned .80

Gary F. Sera

Gary F. Sera, Director
Texas A&M Engineering Extension Service

H. Lawson, Jr.

H. Lawson, Jr., Director
National Emergency Response and Rescue Training Center
Texas A&M Engineering Extension Service



TEXAS

TEXAS A&M ENGINEERING EXTENSION SERVICE

National Emergency Response and Rescue Training Center

in cooperation with the

Department of Homeland Security

Federal Emergency Management Agency

Andrew N. Marques

has successfully completed

Advanced Critical Infrastructure Protection

San Diego, California, United States

8 Hours

October 5, 2016

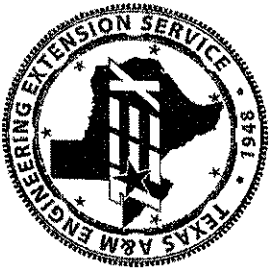
Continuing Education Units Earned .80

Gary F. Sera

Gary F. Sera, Director
Texas A&M Engineering Extension Service

H. Lawson, Jr.

H. Lawson, Jr., Director
National Emergency Response and Rescue Training Center
Texas A&M Engineering Extension Service



RECEIVED

TEXAS A&M ENGINEERING EXTENSION SERVICE

National Emergency Response and Rescue Training Center

in cooperation with the

Department of Homeland Security

Federal Emergency Management Agency

Andrew N. Marques

has successfully completed

Jurisdictional Threat and Hazard Identification and Risk Assessment

San Diego, California, United States

16 Hours

September 20 - 21, 2016

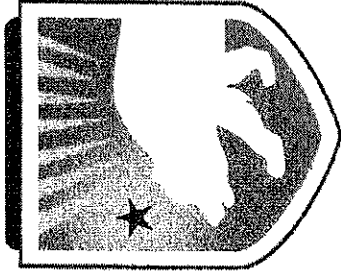
Continuing Education Units Earned 1.60

Gary F. Sera

Gary F. Sera, Director
Texas A&M Engineering Extension Service

H. Lawson, Jr.

H. Lawson, Jr., Director
National Emergency Response and Rescue Training Center
Texas A&M Engineering Extension Service



CalOES

GOVERNOR'S OFFICE
OF EMERGENCY SERVICES

Andrew N. Marques
Has successfully completed the
Safety Assessment Program Evaluator Training

And in recognition therefore is awarded this
Certificate of Achievement

Jim Barnes PE, Statewide Coordinator

June 8, 2015

Date of Training

Certificate of Completion

WILLDAN HOMELAND SOLUTIONS PRESENTS THIS CERTIFICATE TO

Andrew Marques

IN RECOGNITION OF PARTICIPATION AND SUCCESSFUL COMPLETION OF
CALIFORNIA P.O.S.T. CERTIFIED TRAINING COURSE

Emergency Operations Center (EOC) Local Government

Meets National Incident Management System & Standardized Emergency Management System guidelines

James E. Bailey

James E. Bailey, President, Willdan Homeland Solutions

March 3-5, 2014

Date

1174-23850-13001

P.O.S.T. Course Control #



2401 E. Kallala Avenue, Suite 220
Anaheim, California 92806-5941
T 714.940.6370 | F 714.940.4930 | www.willdan.com

WILLDAN
TRAINING
EXERCISE

Certificate of Completion

WILLDAN HOMELAND SOLUTIONS PRESENTS THIS CERTIFICATE TO

Andrew Marques

IN RECOGNITION OF PARTICIPATION AND SUCCESSFUL COMPLETION OF
CERTIFIED TRAINING COURSE

EOC Situational Awareness and Common Operating Picture (16 hours)

Meets National Incident Management System & Standardized Emergency Management System guidelines

James E. Bailey
James E. Bailey, President, Willdan Homeland Solutions

March 18-19, 2014

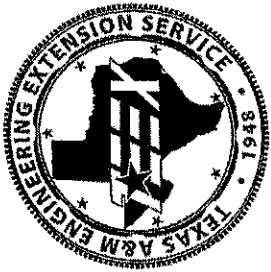
Date



2401 E. Katella Avenue, Suite 220
Anaheim, California 92806-5941
T 714.940.6370 | F 714.940.4930 | www.willdan.com

EMERGENCY
TRAINING
EXERCISE





FEENIA

TEXAS A&M ENGINEERING EXTENSION SERVICE

National Emergency Response and Rescue Training Center

in cooperation with the

Department of Homeland Security

Federal Emergency Management Agency

Andrew N. Marques

has successfully completed

Disaster Preparedness for Hospitals and Healthcare Organizations Within
the Community Infrastructure

Pomona, California

16 Hours

October 3 - 4, 2013

Continuing Education Units Earned 1.60

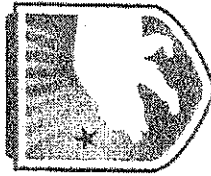
1776

Gary F. Seld, Director
Texas A&M Engineering Extension Service
EU MGT341 116 TEEC ID 1265741

AG Davis

A. G. Davis, Director
National Emergency Response and Rescue Training Center
Texas A&M Engineering Extension Service 00132

California Specialized Training Institute



Cal OES

GOVERNOR'S OFFICE
OF EMERGENCY SERVICES

Certificate of Training

This is to certify that

Andrew Marques

Has successfully completed the 16 hour Emergency Management Course

Rapid Assessment Workshop (G557)

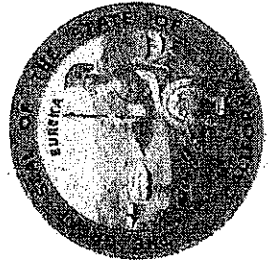
and in recognition therefore is awarded
this Certificate of Achievement

A stylized signature of David Fukutomi.

David Fukutomi, CSTI Director

A stylized signature of Robert C. Lewis.

Robert Lewis, Sr. Emergency Management Coordinator



A stylized signature of the CSTI Course Manager.

CSTI Course Manager

12/17-18/14

Date

California Specialized Training Institute



Certificate of Training

This is to certify that

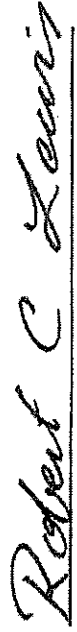
Andrew Marques

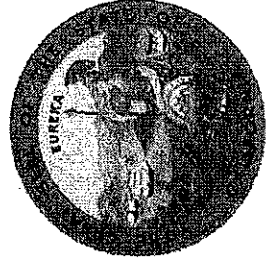
Has successfully completed the 16 hour Emergency Management Course

Integrating Access and Functional Needs into Emergency

and in recognition therefore is awarded
this Certificate of Achievement


David Fukutomi, CSTI Director


Robert Lewis, Emergency Management Training Chief




CSTI Course Manager

6/4-5/13
Date

EMS Patients with Special Challenges

CERTIFICATE OF COMPLETION

This is to acknowledge that

Andrew Marques

Has completed the online training and successfully passed the examination for the one hour EMS Patients with Special Challenges course. This course has been approved for 1.0 hour of continuing education by the County of San Diego EMS. TargetSolutions is an approved instructor based California EMS continuing education provider, provider number 37-0117. This certificate must be retained by the certificate holder for a period of 4 years after the date of the course. [Record ID #118254824] Napa State Hospital Fire Department

Ted Cudal

Ted Cudal, CSP, CHMM, CHCM, EMS-LA

September 22, 2017

Date of Training

TARGETSOLUTIONS

Certificate issued by TargetSolutions

Occupational & Environmental Courseware
San Diego, CA

Fire Prevention and Public Education

CERTIFICATE OF COMPLETION
This is to acknowledge that

Andrew Marques

has successfully completed the online training and passed the examination for the one-hour Fire Prevention and Public Education course. [Record ID #118164639] Napa State Hospital Fire Department

Ted Cudal
Ted Cudal, CSP, CHMM, CHCM, EMS-LA

September 20, 2017
Date of Training

Certificate issued by TargetSolutions

TARGETSOLUTIONS

Occupational & Environmental Courseware
San Diego, CA

EMS Assessing the Patient with Major Trauma

CERTIFICATE OF COMPLETION

This is to acknowledge that

Andrew Marques

Has completed the online training and successfully passed the examination for the two hour EMS Assessing the Patient with Major Trauma course. This course has been approved for 20 hours of continuing education by the County of San Diego EMS and for CCEMIP continuing education by the University of Maryland, Baltimore County, Department of Emergency Health Services, approval # 022015-CLSUMBC-16. TargetSolutions is an approved instructor based California EMS continuing education provider, provider number 37-0117. This certificate must be retained by the certificate holder for a period of 4 years after the date of the course. [Record ID #118254730] Napa State Hospital Fire Department

Ted Cudal
Ted Cudal, CSP, CHMM, CHCM, EMS-LA

October 07, 2017
Date of Training

Certificate issued by TargetSolutions

TARGETSOLUTIONS

Occupational & Environmental Courseware
San Diego, CA



Paula Wilson
President and Chief Executive Officer
Joint Commission Resources/Joint Commission International

Issue Date: June 26, 2014

on June 24-26, 2014

The Environment of Care, Emergency Management,
and Life Safety Chapters of The Joint Commission

Custom Education Program for
The California Department of State Hospitals:

In Recognition of Participation in the

Andrew Marques

Awarded to

Certificate of Attendance

Joint Commission
Resources



One Renaissance Boulevard
Oakbrook Terrace, IL 60181

This is to certify that

Andrew Marques

attended the one-day training equivalent to
8 professional development hours:

***FEMA P-767, Earthquake
Mitigation for Hospitals***

Presented

April 14, 2015

Orange County, California

John A. Gillengarten

John Gillengarten

Training Instructor



FEMA

CERTIFICATE OF APPRECIATION

This certificate is awarded to

Andrew Margulies
MD

Thanks to your hard work and dedication, the 2014 Christmas Toy Drive was an overwhelming success.
Your efforts are greatly appreciated.



STATE OF CALIFORNIA
Department of State Hospitals

Metropolitan State Hospital

[Signature]
Michael W. Barson, MD, Executive Director

01/06/15
Date

[Signature]
Andrew Signey, Hospital Administrator (A)

1-6-15
Date

[Signature]
Edward Park, Clinical Administrator (A)

12/31/14
Date

[Signature]
Nady Hanna, MD, Medical Director (A)

12/31/14
Date

STATE OF CALIFORNIA

Contractors State License Board

Pursuant to Chapter 9 of Division 3 of the Business and Professions Code
and the Rules and Regulations of the Contractors State License Board,
the Registrar of Contractors does hereby issue this license to:

JABA BUILDERS INC

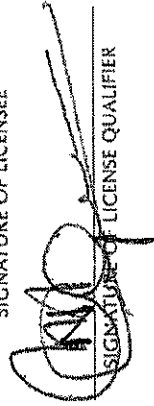
to engage in the business or act in the capacity of a contractor
in the following classification(s):

C-5 - FRAMING AND ROUGH CARPENTRY

Witness my hand and seal this day,
December 20, 2004

Issued December 18, 2004

SIGNATURE OF LICENSEE



SIGNATURE OF LICENSE QUALIFIER



Stephen P. Sands
Registrar of Contractors

851465

License Number

This license is the property of the Registrar of Contractors,
is not transferable, and shall be returned to the Registrar
upon demand when suspended, revoked, or invalidated
for any reason. It becomes void if not renewed.

CERTIFICATE OF APPRECIATION

This certificate is awarded to

Andrew Marques
Fire Chief


In recognition of your efforts in actively participating in the Strategic Planning Safety Committee. Thank you for going above and beyond the call of duty.

STATE OF CALIFORNIA
Department of State Hospitals

Metropolitan State Hospital

July 6, 2016




Michael Numb, RN, Nursing Administrator


Edward Park, Hospital Administrator


Joellyn Arce, RN, Clinical Administrator (A)


Nady Hamay, M.D., Medical Director


Michael W. Barsom, M.D., Executive Director

Certificate of Training

BCFS HEALTH AND HUMAN SERVICES
EMERGENCY MANAGEMENT

THIS CERTIFICATE IS AWARDED TO

Marques Andrew
for successful completion of the

AWR-330 Incorporating Whole Community Inclusive Planning into
the Emergency Management Process Course on
January 21, 2016

6.5 HOURS

Dawn Skaggs
DAWN SKAGGS, MA
NATIONAL DIRECTOR OF WHOLE
COMMUNITY PLANNING AND TRAINING

Lynn Shipp
LYNN SHIPP, MA, PMP
TRAINING SPECIALIST, WHOLE
COMMUNITY PLANNING AND TRAINING



BCFS HEALTH AND HUMAN SERVICES
EMERGENCY MANAGEMENT



FEMA



CERTIFICATE OF
NFPA®
EDUCATIONAL
ACHIEVEMENT

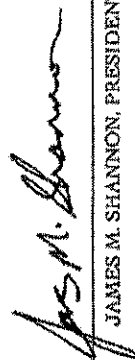
ANDREW MARQUES

has successfully completed the educational requirements of the

NFPA Electric Vehicle Safety Training

September 30, 2014




JAMES M. SHANNON, PRESIDENT



For general information, including purpose and limitations of NFPA Certificates, go to NFPA.org/certificate (FAQs).

Certificate of Completion

Andrew Marques

has successfully completed

Anticipating Hazardous Weather and Community Risk,
2nd Edition

Time to complete: 8:00 - 9:00 h

January 1, 2015



www.meted.ucar.edu

Certificate of Completion

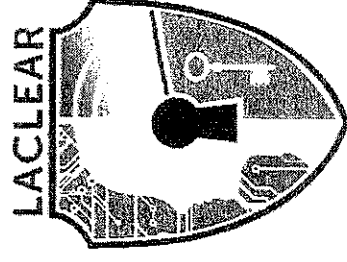
This is to certify that

Andrew Marques

Has successfully completed the 16 hour
Los Angeles HIDTA Course

L.E. Active Shooter Emergency Response (LASER)

Presented At
Commerce, CA
March 14-15, 2017



A handwritten signature in black ink, appearing to read "Roger Bass".

Roger Bass, LA HIDTA Director

Certificate of Attendance



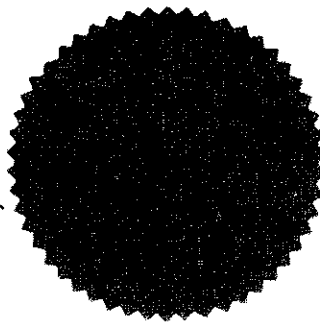
This certificate is presented to


Andrew Marques

for attending the

Changes to NFPA 72® – 2013 Edition

**August 28, 2013
Anaheim, California**




Shane M. Clary, Ph.D., Vice-President
Codes & Standards Compliance
BAY ALARM COMPANY

7 Contact Hours



Art Black, Principle
CARMEL FIRE PROTECTION ASSOC.

Certificate of Attendance



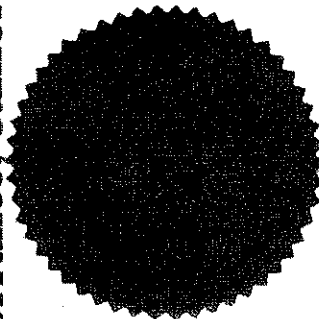
This certificate is presented to

Andrew Marques


for attending the

Fire Alarm Plan Review

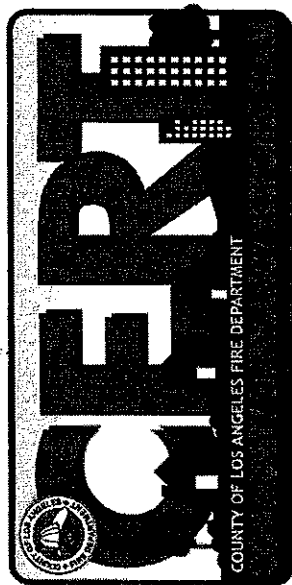
**September 13, 2013
Torrance, California**




William Green


Shane M. Clary, Ph.D., Vice President
Codes & Standards Compliance
BAY ALARM COMPANY

7 Contact Hours



This
Certificate of Achievement
is presented to

Andrew Marques

THIS CERTIFICATE IS PRESENTED IN RECOGNITION OF YOUR SUCCESSFUL COMPLETION OF THE LOS ANGELES COUNTY FIRE DEPARTMENT'S COMMUNITY EMERGENCY RESPONSE TEAM TRAINING PROGRAM. THIS TRAINING HAS BEEN PROVIDED IN COMPLIANCE WITH THE FEMA BASED TWENTY HOUR COURSE CURRICULUM.

Instructor

April 10, 2014

DATE

Dan L. Joly
Fire Chief Dan L. Joly
County of Los Angeles Fire Department

THE
INSTITUTION OF FIRE ENGINEERS



This is to certify that

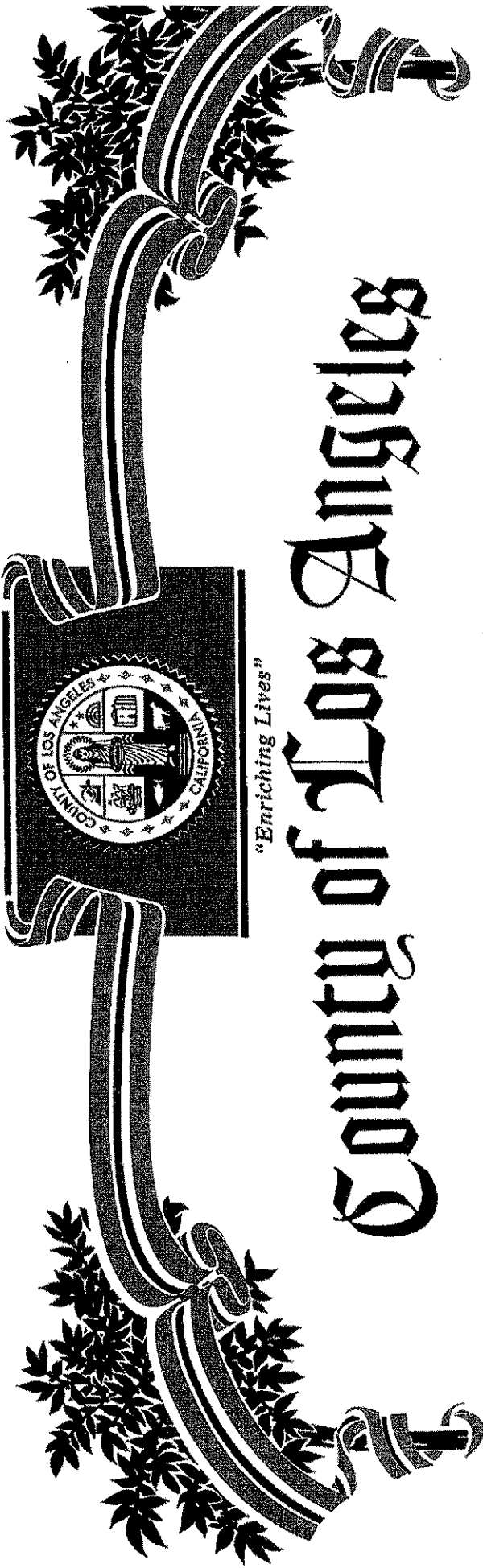
Andrew Noel Marques

passed the

Preliminary Examination

in 1986

President.....*David B. Smith*..... Chief Executive.....*J. H.*.....



County of Los Angeles

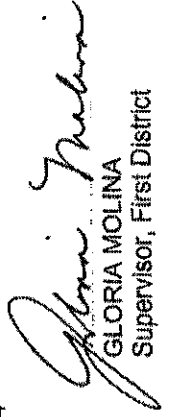


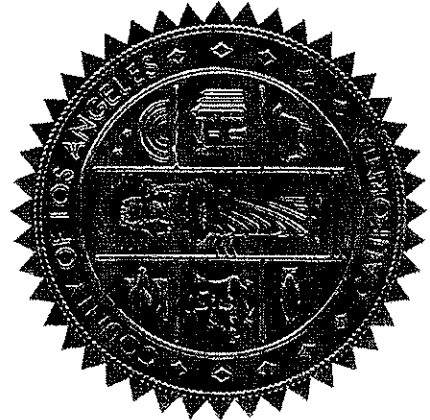
Certificate of Recognition

Andrew Marquez

The Los Angeles County Board of Supervisors recognizes your successful completion of the First District Community Emergency Response Team (CERT) training, sponsored in partnership with the Los Angeles County Fire Department; and commends your commitment to emergency preparedness in the City of Claremont.

April 9, 2014


GLORIA MOLINA
Supervisor, First District



Andrew N. Marques

September 6, 2018

marquesfamily@socal.rr.com

Position: Planning Commission City of Stanton

Objective: I have accrued a wealth of knowledge in my 38 years of Fire Department association in the areas of building safety, fire prevention, fire suppression (structural, wildland) arson investigations and fire prevention techniques. My expertise and specialized training in the management of the Emergency Operations Center and the National Incident Management System (NIMS) within the Incident Command System (ICS) of prevention, protection, mitigation, response and recovery and other training completed adds to my CV detailed below which makes me an excellent choice for this position.

The effective management of and Emergency Operations Center ensures that critical information is received and acted upon, efficient use of resources and documentation through risk assessment and preplanning of a disaster response and recovery.

This will save lives and prevent destruction of property caused by fire, earthquakes or human caused disasters.

Fire Departments served:

The Guyana Fire Service from September 15, 1980 to June 15, 1994 during my employment I served on the operational side of the department, fire prevention office, the general administration office the 911 communications center, the research and planning division the fire boat and international airport fire stations. While on the operational side of the department as an acting Sub Officer I was the Commanding Officer during my shift for Divisions A, B and D with responsibility for 10 fire stations and 150 staff protecting 600,000 residents, the commercial districts and their properties.

The London Fire Brigade On exchange training 1986

Orange County Fire Authority Fire Corps Program 2007 to present

The State of California Lanterman Developmental Center Fire Department 2013 to 2014

Current Employment: Fire Chief, Office of Protective Services, State of California Fire Department. (Pending SPB hearing and reinstatement to job)

Pertinent Education & Training

1979 Graduated Tutorial High School, Georgetown, Guyana

1980 Trained as a firefighter Guyana Fire Service 1980-1994

- 1986 Graduated Institution of Fire Engineers (London, England)
- 1986 Institution of Fire Engineers Certification:
 - Preliminary Certificate
 - Fire Prevention Certification
 - Building Construction
 - Management and Administration
 - Fire Service Equipment
 - Fire Engineering Science
- 2007 Completed Arson Investigator Certification, West Midlands Fire Department
- 2008 Professional member, International Code Council (USA)
- 2013 CPR/AED Professional Rescuer certification
- 2013 EMS Safety Services, first aid certification
- 2013 Introduction to Incident Command System ICS 100 Department of Homeland Security
- 2013 National Incident Management System (NIMS) Department of Homeland Security
- 2013 Fire Alarm Plan Review
- 2013 Integrating Access and Functional Needs into Emergency FEMA
- 2013 Changes to NFPA 72 ® -2013 Edition
- 2013 Disaster Preparedness for Hospitals and Healthcare Organizations within the Community Infrastructure Texas A & M Engineering, National Emergency Response and Rescue Training Center. In co-operation with the Department of Homeland Security and the Federal Emergency -Management Agency.

Ongoing 2013- 2017 Training

- Disaster and Terrorism Mitigation and Response Re-certification Completion April 2017
- Disaster Response Large Casualty treatment and Triage April 2017
- 2014 Emergency Operations Center (EOC) Local Government
- 2014 Emergency Operations Center Situational Awareness and Common Operating Picture
- 2014 Disaster Mitigation Governor's Office of Emergency Services (Cal OES)
- 2014 Rapid Assessment Governor's Office of Emergency Services (Cal OES)
- 2014 Debris Management Governor's Office of Emergency Services (Cal OES)
- 2014 Emergency Planning Governor's Office of Emergency Services (Cal OES)
- 2014 Disaster Recovery Governor's Office of Emergency Services (Cal OES)
- 2014 National Incident Management 703(a) (NIMS Resource Management (FEMA)
- 2014 National Response Framework 800(b) (FEMA)
- 2015 Department of Homeland Security All Hazards Operations Section Chief (ICS) (IMTC) and (FEMA)
- 2015 Safety Assessment Evaluator Governor's Office of Emergency Services (Cal OES)
- 2015 Incident Command System/ Emergency Operations Center Interface, Governor's Office of Emergency Services (Cal OES)
- 2015 State Emergency Management System Combined Instructional Techniques

2015 Emergency Operational Center Field Interface Trainer, Governor's Office of Emergency Services (Cal OES)

2015 Emergency Operations Center (Operations) Trainer Governor's Office of Emergency Services (Cal OES)

2015 Emergency Operations Center (Management & Operations Governor's Office of Emergency Services (Cal OES)

2015 State Emergency Management System Emergency Operations Center Course

2015 Emergency Management Curriculum Instruction Enhancement

2016 Critical Infrastructure Security and Resilience Awareness, Texas A & M Engineering

2016 Advance Critical Infrastructure Protection, Texas A & M Engineering

2016 Critical Asset Risk Management, Texas A & M Engineering

2016 Jurisdictional Threat and Hazard Identification and Risk Assessment, Texas A & M Engineering

2016 Infrastructure Protection, Texas A & M Engineering University System

2016 California State Fire Marshal Certification FF1, California State Board of Fire Services

2016 California State Fire Marshal Certification FF11, California State Board of Fire Services

2016 Post Blast and Explosive Aspect of Active Shooters, Central Valley Arson Investigators

2017 Arson and Bomb Detonation and Investigation Central Valley Arson Investigation, Los Angeles County Sheriff Bomb Squad.

2017 EMS Assessing the Patient with Major Trauma, Target Solutions for University of Maryland.

2017 EMS Patients with Special Challenges, Target Solutions for University of Maryland.

2017 EMS Medical Extrication and Rescue, Target Solutions for University of Maryland.

2017 EMS Fire Prevention and Public Education, Target Solutions for University of Maryland.

2017 Dealing with Difficult People and their Organizational Impacts (Fire Engineering)

Professional Licenses Held: California State Contractors Board

| | | | | |
|------|----------------------|---------|------------------|---------|
| 2004 | Building and Framing | #851465 | Drywall Mechanic | #851465 |
| 2010 | Building Framing | #953624 | Drywall Mechanic | #953624 |

Additional Training/Responsibility held:

..Project Management ..Staff Training & Supervision ..Facility Management

..Customer Service ..Budget Preparation and Administration of same

1988 Guyana Police Force

- Criminal Investigation's Department Course
- (Coast Guard) Urban, Sea Search and Rescue
- (Director of Public Prosecution office) Prosecution, Case Preparation Introduction

Program

- (Department of General Services California) Defensive Driving Certification

- (Orange County Sheriff Department) VIP Program City of Stanton
- Member Orange County Fire Authority Fire Corps

Work Experience:

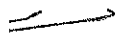
2013-Present Fire Chief, Office of Protective Services, State of California Fire Department
 2009-2010 Building Inspector, Huntington West properties, Inc.
 2004-Present JABA Builders, Inc (Owner, CEO)
 2000-2002 Pye Barker Fire Protection, Branch Manager
 1994-2000 Huntington West Properties, Inc: Accounts Receivable/payable clerk; Property manager
 1980-1994 Guyana Fire Service & London Fire Brigade: Fireman-Sub Officer (Equivalent to U.S. Firefighter – Battalion Chief)

References:

Jimmy Gaston, Anaheim Police Department Chaplain (jgaston045@AOL.com)
 Albert Blake, Retired Navy Pilot (anpblake@sbcglobal.net)
 Corey Smith Supervising Investigator, Department of Developmental Services
corey.smith@dds.ca.gov

Professional Subscriptions:

Fire Engineers Journal (London), Fire Engineering Magazine (Pennwall Corp.), Building Safety Journal
 (International Code Council), Fire Risk Management (Institution of Fire Engineers, USA)



CITY OF STANTON

REPORT TO THE CITY COUNCIL

TO: Honorable Mayor and Council Members

DATE: February 12, 2019

SUBJECT: CITY MANAGER EMPLOYMENT AGREEMENT

REPORT IN BRIEF:

For consideration is the employment agreement with Jarad L. Hildenbrand for City Manager.

RECOMMENDED ACTIONS:

That the City Council:

1. Find that this item 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 and procedure making, and
2. Authorize the Mayor to approve the City Manager Employment Agreement.

FISCAL IMPACT:

All General Fund expenditures related to this contract are within the existing budget.

ENVIRONMENTAL IMPACT:

In accordance with the requirements of the CEQA, this project has been determined to be exempt under Section 15378(b)(2).

LEGAL REVIEW:

The City Attorney's Office has reviewed the attached Employment Agreement.

PUBLIC NOTIFICATION:

Public notice for this item was made through the regular agenda process.

STRATEGIC PLAN OBJECTIVE ADDRESSED:

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

Prepared by:

Approved by:



Cynthia Guzman
Human Resources Specialist



Robert W. Hall
Interim City Manager

Attachment:

A. City Manager Employment Agreement

EMPLOYMENT AGREEMENT

THIS EMPLOYMENT AGREEMENT (the "Agreement") is made and entered into effective _____, 2019 between the CITY OF STANTON, a municipal corporation ("City") and JARAD L. HILDENBRAND ("Manager") as follows:

WHEREAS, City desires to employ the services of Manager as City Manager of City, as provided by the City Municipal Code, an

WHEREAS, it is the desire of the City Council of the City ("Council"), to provide certain benefits, establish certain conditions of employment and to set working conditions of said Manager, and

WHEREAS, it is the desire of the Council to (1) secure and retain the services of Manager and to provide inducement for him to remain in such employment, (2) to make possible full work productivity by assuring Manager's morale and peace of mind with respect to future security, and (3) to provide a means of terminating Manager's services when City may desire to terminate his employ, and

WHEREAS, Manager desires to accept employment as City Manager of City.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree as follows:

Section 1 – Employment

City hereby agrees to employ Manager as City Manager to perform the functions and duties specified in the City Municipal Code and the Government Code of the State of California. Manager shall perform the duties and responsibilities imposed by law, industry standards, and responsibilities and duties as specified in Exhibit "A," and such legally permissible further duties and functions as shall, from time to time, be assigned by the Council.

Manager shall devote such time, interest, and effort to the performance of his duties as may be reasonably necessary to fulfill the above requirements. Manager agrees to perform such services to the best of his ability, in an efficient and competent manner consistent with the standards of the profession. Due to the nature of the City Manager position, it is understood that flexibility is required for Manager's work schedule at Manager's reasonable discretion. Without limiting the generality of the foregoing, Manager understands and agrees that this position is an exempt, salaried, full-time position with regular required office hours Monday through Thursday and weekend hours when required in the best interests of the City.

Section 2 – Term and Renewal

This Agreement shall be effective as of _____, 2019 (the “Anniversary Date”) and shall continue unless terminated by the parties as set forth in this Agreement.

Section 3 – Termination and Severance Pay

- A. It is expressly understood that Manager, in his capacity as City Manager, is a contracted employee serving at the pleasure of the Council, subject to termination pursuant to the terms of this Agreement, and with no right to any hearing or appeal, including any so-called *Skelly* conference, other than the rights expressly provided in this Agreement.
- B. This Agreement shall automatically terminate upon Manager’s death, retirement, or permanent incapacity.
- C. For Cause Termination: In the event that this Agreement is terminated “for cause” as defined below, no further compensation or benefit shall be made to the Manager. Upon any allegation that Manager has engaged in conduct that would result in his termination “for cause” as defined below, Manager is entitled to address and attempt to rebut those allegations before the Council in a closed session prior to the Council making any final determination regarding the veracity of those allegations. In the event the Council, in its discretion, still finds merit to the allegations and terminates, the Manager shall not be entitled to any severance and will be owed no further compensation. However, if this Agreement is terminated “for cause,” the Manager shall have the right to appeal the Council’s decision upon written notice to the Council of such appeal within ten (10) days of the determination. Failure to provide written notice within the ten (10) day period will result in waiver of the right to appeal. Upon appeal, the parties will select an independent arbitrator, either mutually agreed to or selected from a list of seven (7) arbitrators provided by the State Mediation and Conciliation Service. If the parties are unable to agree upon an arbitrator, they shall alternate striking names from the list until such time as only one arbitrator remains on the list. Any arbitrator selected must be able to hear the matter within thirty (30) days of selection and render a decision within fifteen (15) days of the close of the hearing. The City shall bear the costs of the arbitrator. The issue at the hearing shall be limited solely to whether or not City’s “for cause” termination was arbitrary and capricious, entitling Manager to severance pursuant to Section 3D. Under no circumstances shall the Manager be entitled to reinstatement to the position of City Manager as a result of such hearing. Following the hearing, the hearing officer shall submit his/her findings and decision to the City, which shall be final and binding. Termination shall be “for cause” if the Manager: (1) Acts in bad faith and to the detriment of the City; (2) Refuses or fails to act in accordance with any legal requirement or specific direction or order of the City Council; (3) Exhibits in regard to his employment unfitness or unavailability for service, unsatisfactory performance, misconduct, dishonesty, habitual neglect, or incompetence; (4) Is involved in crime involving dishonesty, breach of trust, or

public conduct reflecting negatively on the City (no pending criminal prosecution need be in effect for termination due to fraud, embezzlement or public conduct reflecting on the City; rather the Council must only have a good faith belief based on a good faith investigation); (5) Creates physical or emotional harm to any person; or (6) Breaches any material term of this Agreement.

- D. Termination Without Cause: In the event Manager is terminated by a majority vote of the Council without cause at such time as Manager continues to be willing and able to perform his duties under this Agreement, City agrees to pay Manager a lump sum cash payment, or equal payments over an agreed upon period of time, equal to (6) months of aggregate salary, and health benefits and discretionary compensation. However, in the event Manager is terminated by a majority vote of the Council because of his commission of any illegal act involving a felony, an act or action constituting moral turpitude or personal gain to him, then in that event, City shall have no obligation to pay the aggregate severance sum designated in this paragraph.
- E. Except for a termination "for cause" as set forth in Section 3C above, the Manager may not be terminated by the City within three (3) months preceding or following a City General Municipal Election where one or more Council seats are contested on the ballot of such election (the "election cool-off period"). Notwithstanding the foregoing, if a majority vote of the Council should determine to terminate Manager during the election cool-off period, and such a termination is not "for cause," the Manager shall be entitled to an additional (3) months aggregate salary beyond the six (6) months as provided in Section 3D above.
- F. In the event City at any time during the term of the Agreement reduces the salary or other financial benefits of Manager in a greater percentage than an applicable across-the-board reduction for all department head level employees of City, or in the event City refuses, following written notice, to comply with any other provision benefitting Manager herein, or Manager resigns following a request, whether formal or informal, by a majority of the Council that he resign, Manager may, at his option, be deemed to be "terminated" at the date of such reduction, resignation or such refusal to comply, within the meaning and context of the severance pay provision set forth in Sections 3D.
- G. To the extent that any payments described in this section have been made to Manager based upon his termination, any cash settlement or payment related to the termination that Manager may receive from the City shall be fully reimbursed to the City if Manager is convicted of a crime involving an abuse of his office or position.
- H. Manager hereby expresses his intent to remain as Manager for a period of not less than three (3) years from the date of execution of this Agreement. Manager and Council agree that should Manager be offered other employment, he shall advise Council of his intent to accept the offer and provide Council the opportunity to

meet with him to discuss the offer and other matters as might be desirable by either party. In the event Manager voluntarily resigns his position with the City, Manager shall give City a minimum of thirty (30) days' written notice in advance.

Section 4 - Salary

As of _____, 2019, the City agrees to pay Manager for his services rendered pursuant hereto a monthly base salary of fifteen thousand and thirty dollars (\$15,030.00), payable in installments at the same time as other employees of City are paid. City agrees that the base salary of Manager shall be maintained at least seven and a half percent (7.5%) higher than any future base salary of the highest paid department head level City employee and, within thirty days of written request by the Manager, to increase such base salary of the Manager to maintain such seven and a half percent (7.5%) salary differential. In addition, City agrees to increase said base salary and/or other benefits of Manager in such amounts and to such extent that the Council may determine that is desirable to do so, provided however, that unless otherwise agreed to by both Manager and Council, Manager shall automatically receive any cost of living or other salary and/or fringe benefit increases provided to all department head level City employees. All compensation and comparable payments to be paid to Manager shall be less withholdings required by law.

Section 5 – Automobile/Telephone

The City agrees to pay to the Manager one hundred dollars (\$100.00) per month cellular telephone allowance, which shall be paid in equal installments in each pay period.

The City also agrees that upon proof of insurance coverage in an amount acceptable to the City, the City shall provide the Manager with a Four Hundred Dollar (\$400) monthly automobile allowance. Manager agrees to adhere to all laws, regulations, and City policies applicable to vehicles, driving, or traffic when operating his vehicle on City-related business.

Section 6 – Holidays Benefits

Manager shall be entitled to the same holidays as other department head level City employees.

Section 7 – Health, Disability and Life Insurance

- A. City agrees to provide medical, dental and vision coverage for Manager commensurate with the standard department head employee health benefits.
- B. City also agrees to provide Manager short-term and long-term disability insurance coverage commensurate with the standard City employee program.

- C. City also agrees to provide a term life insurance policy equal to a maximum of one hundred and fifty thousand (\$150,000.00).

Section 8 - Retirement

City agrees to execute all necessary agreements to enroll Manager in the California Public Employees Retirement System ("CalPERS") commensurate with the standard City employee retirement benefits program, as that program may be changed from time to time.

Section 9 -- Deferred Compensation

Manager may, at his own cost, participate in the City's deferred compensation program.

Section 10 -- Comprehensive Leave

In lieu of sick, vacation, administrative, or any other paid leave, Manager shall accrue annually up to a maximum of three hundred seventy five (375) hours of comprehensive leave. The City shall provide an initial balance of 100 hours upon the effective date of this Agreement. On June 30 of each year, Manager shall be paid, at the then current rate of pay, for all unused accumulated comprehensive leave up to a maximum of two hundred and twenty five (225) hours. After any such sell back of comprehensive leave under the previous sentence, any unused accumulated comprehensive leave remaining shall be carried forward to the following year. On July 1 of each year, the total amount of comprehensive leave available to Manager shall be replenished to reach the maximum comprehensive leave accumulation limit of three hundred seventy five (375) hours.

In the event that Manager voluntarily leaves the employ of the City, he shall receive in his final pay all accumulated but unused comprehensive leave at the then current rate of pay.

Section 11 -- Dues and Subscriptions

City agrees to pay for the professional dues and subscriptions of Manager necessary for his continuation and full participation in national, regional, state and local associations and organizations necessary and desirable for his continued professional participation, growth and advancement, and for the good of the City.

Section 12 -- Professional Development

- A. City hereby agrees to pay the travel and subsistence expenses of Manager for professional and official travel, meetings and occasions adequate to continue the professional development of Manager and to adequately pursue necessary official and other functions for City, including but not limited to, International City and County Management Association, California City Management Foundation and League of California Cities and other professional associations.

- B. City also agrees to pay for the travel and subsistence expenses of Manager for short courses, institutes and seminars that are necessary for his professional development and for the good of the City.
- C. City recognizes that certain expenses of a non-personal and generally job-affiliated nature are incurred by Manager, and hereby agrees to pay said general expenses subject to submission of written receipts and documentation of such expenses.

Section 13 – Performance Evaluation

- A. The Council shall review and evaluate the performance of Manager at the one year anniversary of the effective date of this Agreement and at least once annually thereafter. A full, formal review and evaluation shall be conducted each year on or before the anniversary date of the effective date of the Agreement. The Mayor of City shall provide Manager with a summary written statement of the findings of the Council and provide an adequate opportunity for Manager to discuss his evaluation with the Council. Said criteria may be modified as the Council may from time to time determine in consultation with Manager. The Council further agrees to review the Manager's total compensation on the first six month review and thereafter on the anniversary date of the effective date of the Agreement.
- B. Annually, the Council and Manager shall define such goals and performance objectives which they determine necessary for the proper operation of the City, and in the attainment of the Council's policy objectives, said goals and objectives to be reduced to writing. They shall generally be attainable within the time limitations as specified and the annual operating and capital budgets and appropriations provided.

Section 14 – Indemnification

City shall defend, save harmless and indemnify Manager against any tort, professional liability claim, and demand or other legal action, whether groundless or otherwise, arising out of an alleged act of omission occurring in the performance of Manager's duties as City Manager.

Section 15 - Bonding

City shall bear the full cost of any fidelity or other bonds required of Manager, acting as City Manager of the City, under any law or ordinance.

Section 16 – Other Terms and Conditions of Employment

- A. The Council, in consultation with the Manager, shall fix any such other terms and conditions of employment, as it may determine from time to time, relating to the performance of Manager, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement or State or Federal law.

- B. All provisions of the City Municipal Code and regulations and rules of City relating to vacation and sick leave, retirement and pension system contributions, life insurance, holidays and other fringe benefits and working conditions as they now exist, or thereafter may be amended, which apply to department head level City employees, except as otherwise set forth herein, shall also apply to Manager.

Section 17 – Notices

Notices pursuant to this Agreement shall be given by deposit in the custody of the United States Postal Service, postage prepaid and addressed as follows:

- | | |
|------------|---|
| 1. City | City of Stanton 7800 Katella Avenue Stanton, CA 90680 |
| 2. Manager | Jarad L. Hildenbrand Address on file |

Alternatively, notices required pursuant to this Agreement may be personally served in the same manner as is applicable to civil judicial practice. Notice shall be deemed given as of the date of personal service or as of the date of deposit of such written notice in the course of transmission in the United States Postal Service.

Section 18 – General Provisions

- A. The text herein shall constitute the entire Agreement between the parties.
- B. The Agreement shall become effective as provided herein.
- C. No provision of this Agreement may be modified, waived or discharged unless such waiver, modification or discharge is agreed to in writing by the City and the Manager.
- D. This Agreement shall be binding upon, or shall inure to the benefit of, the respective heirs, executors, administrators, successors and assigns of the parties provided, however, that Manager may not assign Manager's obligations hereunder.
- E. This Agreement shall be governed by and construed in accordance with the laws of the State of California. Any legal proceeding which may be initiated by either party relating to this Agreement shall be brought in the courts of Orange County, California or in the Central District of California.
- F. If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement, or

portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.

- G. Manager acknowledges that he has had the opportunity to consult legal counsel in regard to this Agreement, that he has read and understands this Agreement, that he is fully aware of its legal effect, and that he has entered into it freely and voluntarily and based on his own judgment and not on any representations or promises other than those contained in this Agreement.

IN WITNESS WHEREOF, the City and Manager have signed and executed this Agreement as of the day and year first above written.

CITY

ATTEST

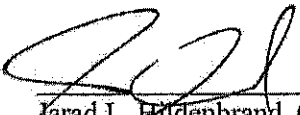
David J. Shawver, Mayor

Patricia A. Vazquez, City Clerk

APPROVED AS TO FORM

MANAGER

Matthew E. Richardson,
City Attorney


Jarad L. Hildenbrand, City Manager

CITY OF STANTON

Job Title: **City Manager**

Department: Administration

Salary Range:

Reports to: City Council

SUMMARY DESCRIPTION

Assumes a variety of professional and highly complex administrative functions in the oversight of City operations, finances and personnel; provides support and advisory assistance to the City Council on City issues and matters requiring legislative action; serves as the Chief Administrative Officer of the City responsible for providing effective municipal services through administrative direction of City departments in accordance with policies established by the City Council.

ESSENTIAL FUNCTIONS AND BASIC DUTIES

Under general policy direction provided by the City Council, directly supervises senior management staff in implementing and achieving departmental objectives and the City's strategic goals and initiatives.

Duties may include, but are not limited to, the following:

- Directs and participates in the development and implementation of long range goals as well as operational policies, programs and priorities for consideration and approval by the City Council.
- Prepares accurate information and appropriate recommendations on policy matters to aid the City Council in decision-making.
- Coordinates and reviews all City Council agenda items to provide the City Council with timely, adequate information for each meeting.
- Oversees all City operations and activities; ensures that departmental objectives, policies and priorities support and meet City Council strategic goals.
- Continuously monitors the efficiency and effectiveness of City operations through communication and follow up with department heads.
- Analyzes, interprets and explains management policies and procedures and initiates revisions when necessary.
- Establishes appropriate service and staffing needs; monitors and evaluates the efficiency and effectiveness of service delivery methods and procedures.
- Participates in the development and administration of the City budget; negotiates contracts and permits required by various administrative, fiscal and special projects.
- Conducts legislative analysis to determine the effect of proposed legislation on City operations and finances.
- Coordinates the City's working relationships with local, regional, state and federal public agencies on issues and problems affecting the City.
- Assesses community expectations and service requirements; ensures prompt and appropriate response of City departments to citizens' requests for service and complaints.

- Serves as liaison between City administration and community organizations and citizens; participates in a variety of boards, commissions, professional groups and committees.
 - Acts as the Director of Emergency Services when the City's Emergency Operations Center is activated.
 - Serves as the Executive Director of the Redevelopment Agency and the Housing Authority.
 - Coordinates law enforcement, fire protection, animal control and crossing guard services.
 - Performs related duties and responsibilities as assigned.
-

KNOWLEDGE

- Principles and practices of public administration, municipal planning, economic development, personnel management, finance and public relations.
 - Methods and techniques of policy development and implementation.
 - Principles and techniques of municipal budget preparation and administration.
 - Principles of supervision, training and performance evaluation.
 - Advance research methods and basic report preparation.
 - Pertinent Federal, State, and local laws, codes and regulations.
 - Safe driving principles and practices.
-

ABILITIES/SKILLS

- Administer a variety of citywide programs, services and budgetary activities.
 - Review proposed and existing policies and procedures to ensure optimum efficiency and effectiveness in service delivery methods.
 - Plan, organize, direct and coordinate the work of supervisory, professional, and technical personnel; delegate authority and responsibility.
 - Identify and respond to community and City Council issues, concerns and needs.
 - Analyze problems, identify alternative solutions, project consequences of proposed actions and implement recommendations in support of goals.
 - Prepare and administer large and complex budgets; allocate limited resources in a cost-effective manner.
 - Prepare clear and concise administrative and financial reports.
 - Operate modern office equipment including personal computer and applicable software programs.
 - Interpret and apply Federal, State and local policies, procedures, laws and regulations.
 - Communicate clearly and concisely, both orally and in writing.
 - Establish, maintain and foster positive and harmonious working relationships with those contacted in the course of work.
-

EXPERIENCE/TRAINING/EDUCATION

Any combination of experience and training that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

- Five years of responsible professional experience in municipal government administration including three years of administrative and supervisory experience.

- Equivalent to a Bachelor's degree from an accredited college or university with major course work in public administration, business administration, or related field. A Master's degree is desirable.
-

LICENSE/CERTIFICATE

- Possession of, or ability to obtain, an appropriate, valid California driver's license.
-

PHYSICAL ACTIVITIES AND REQUIREMENTS

- Ability to work in a standard office environment requiring prolonged sitting, standing, walking, reaching, twisting, turning, kneeling, bending, squatting, crouching and stooping in the performance of daily activities.
- Occasional pushing, pulling, dragging and lifting office items weighing 25 lbs.
- Movements frequently and regularly require using the wrists, hands and fingers to operate computers and office equipment.
- Willingness to work variable hours including nights, weekends and/or holidays.
- Ability to hear and convey detailed or important instructions or information verbally and accurately.
- Average visual acuity to prepare and read documents.
- Ability to communicate with both the public and co-workers in a clear and concise manner.
- Adapt to standard office sounds generated by office equipment as well as standard noise levels resulting from communication with co-workers and the general public.

CITY OF STANTON

REPORT TO CITY COUNCIL

TO: Honorable Mayor and Members of the City Council

DATE: February 12, 2019

SUBJECT: CONSIDERATION OF OPTIONS REGARDING COUNCIL VACANCY

REPORT IN BRIEF:

Mayor Pro Tem Alexander A. Ethans has provided to the City Clerk, in writing a notice that he will resign his position as a Council Member effective February 28, 2019. State law requires that in the event a Council vacancy should occur, the City of Stanton must within sixty (60) days fill the vacancy by appointment or call for a special election. Council is requested to give direction to staff on the process it chooses to follow regarding filling the vacancy created by Mayor Pro Tem Ethans' resignation.

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. Provide direction to staff on the process for filling the vacancy.

BACKGROUND:

On Thursday, February 7, 2019, Mayor Pro Tem Alexander A. Ethans provided to the City Clerk, written notice that he will resign his position on the Stanton City Council, to be effective on February 28, 2019. State laws requires that this vacancy either be filled by appointment or that the City Council call a special election to fill the vacancy no later than the next regularly established election date that is not less than 114 days from the date the election was called.

ANALYSIS/JUSTIFICATION:

The Council has a number of options if it chooses to fill the vacancy by appointment. Among the options are to form a subcommittee to make recommendations to the full Council, soliciting applications for appointment, or simply scheduling the appointment on a council agenda to make nominations and take votes without an application process. If the position is to be filled by special election, that election would need to be held no later than the next regularly established election date that is not less than 114 days from

the date the election was called. This would leave the position vacant until the election results are certified by the Orange County Registrar of Voters. The person either elected or appointed to fill the vacancy would complete the remainder of Mr. Ethans' term, which expires in November 2020.

Council is requested to give direction to staff as to how it wishes to proceed.

FISCAL IMPACT:

The cost of calling a special election to fill the vacancy is estimated to be \$38,500. The fiscal impact of filling the vacancy by appointment depends on which process the Council chooses to follow.

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).

LEGAL REVIEW:

The City Attorney has reviewed and approved the staff report as to form.

STRATEGIC PLAN OBJECTIVE ADDRESSED:

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

PUBLIC NOTIFICATION:

Through the normal agenda process.

Prepared By:


Patricia A. Vazquez
City Clerk

Concurred by:

Stephen M. Parker
Assistant City Manager

Approved by:

Robert W. Hall
Interim City Manager