

MINUTES OF THE CITY COUNCIL / SUCCESSOR AGENCY / HOUSING AUTHORITY
OF THE CITY OF STANTON
JOINT REGULAR MEETING MARCH 26, 2019

1. CALL TO ORDER / CLOSED SESSION

The City Council meeting was called to order at 6:00 p.m. by Mayor Shawver.

2. ROLL CALL

Present: Council Member Ramirez, Council Member Taylor, Council Member Warren,
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 6:00 p.m. for discussion regarding:

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

Number of Potential Cases: 1

4B. 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

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

Heaven's Gate Funeral Home, Inc. v. City of Stanton, Superior Court of the State of
California County of Orange, Case Number: 30-2019-01054997-CU-WN-CJC

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 6:00 to 6:30 p.m.

The City Attorney reported that direction was given by the City Council to take action to defend the City in the case of Heaven's Gate Funeral Home, Inc. v. City of Stanton.

6. ROLL CALL

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

Absent: None.

Excused: None.

7. PLEDGE OF ALLEGIANCE

Led by City Manager Jarad L. Hildenbrand.

8. SPECIAL PRESENTATIONS AND AWARDS

8A. Presentation of the Lifetime Achievement Business Award by the Mayor and City Council honoring and recognizing ORCO Block & Hardscape.

- Presentation of Certificate of Recognition by the office of Assemblywoman Sharon Quirk-Silva honoring ORCO Block & Hardscape.

8B. Mayor Shawver proclaimed the month of April 2019 to be DMV/Donate Life California Month and presented a proclamation to One Legacy Ambassador Lynda Trachtman.

- Ms. Trachtman expressed her gratitude to the City Council, shared her legacy story, and reported on Donate Life's upcoming Donate Life Run/Walk event.

9. CONSENT CALENDAR

Motion/Second: Ramirez/Warren

Motion unanimously carried by the following vote:

AYES: 4 (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 March 7, 2019 and March 14, 2019, in the amount of \$2,655,239.78.

9C. APPROVAL OF MINUTES

1. The City Council approved Minutes of Special Meeting – February 26, 2019.
2. The City Council/Agency/Authority Board approved Minutes of Regular Joint Meeting – February 26, 2019.
3. The City Council/Agency/Authority Board approved Minutes of Regular Joint Meeting – March 12, 2019.

9D. DESIGNATION OF VOTING DELEGATE AND/OR ALTERNATE FOR THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) 2019 REGIONAL CONFERENCE GENERAL ASSEMBLY

The Southern California Association of Governments (SCAG) Regional Conference General Assembly will be held on May 2 – 3, 2019 at the JW Marriott Desert Springs Resort & Spa in Palm Desert, California. Each year, SCAG's member cities select a Delegate and/or Alternate to represent their City to participate at this Annual Meeting.

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. Appointed Council Member David J. Shawver to attend and serve as the City's Voting Delegate and appointed Council Member Carol Warren to attend and serve as the Alternate Voting Delegate for the Southern California Association of Governments (SCAG) Regional Conference General Assembly.

9E. APPROVAL OF RESOLUTION 2019-13 ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2019-20 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

To satisfy the accountability requirements of SB-1 Transportation Funding (2018-2019, Beall); the City must adopt a list of projects to be funded with SB-1 funds for FY 2019/20.

1. The City Council declared that the project is exempt from the California Environmental Quality Act ("CEQA") under Section 15378(b)(5) – Organizational or administrative activities of governments that will not result in direct or indirect physical change in the environment; and
2. Approved Resolution No. 2019-13, adopting a list of projects to be funded by SB-1 in FY 2019/20, entitled:

"RESOLUTION ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2019-20 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017".

9F. FIGTREE PACE FINANCING PROGRAM

Adopt Resolution 2019-05, consenting to the inclusion of Properties within the City's Jurisdiction in the Statewide California Enterprise Development Authority to allow commercial and industrial property owners to participate in funding programs for energy efficiency, renewable energy, and water conservation projects.

1. The City Council declared that the project is exempt from the California Environmental Quality Act ("CEQA") under Section 15061(b)(3) as the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and
2. Adopted Resolution No. 2019-05 joining the California Enterprise Development Authority (CEDA) as an Associate Member and authorizing CEDA, through Dividend Finance, LLC, to offer their program and levy assessments within the City of Stanton, and execute the indemnification agreement, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, APPROVING ASSOCIATE MEMBERSHIP BY THE CITY IN THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY; AUTHORIZING AND DIRECTING THE EXECUTION OF AN ASSOCIATE MEMBERSHIP AGREEMENT RELATING TO ASSOCIATE MEMBERSHIP OF THE CITY IN THE AUTHORITY; AUTHORIZING THE CITY TO JOIN THE FIGTREE PACE PROGRAM; AUTHORIZING THE CALIFORNIA ENTERPRISE DEVELOPMENT AUTHORITY TO CONDUCT CONTRACTUAL ASSESSMENT PROCEEDINGS AND LEVY CONTRACTUAL ASSESSMENTS WITHIN THE TERRITORY OF THE CITY OF STANTON; AND AUTHORIZING RELATED ACTIONS"; and

3. Authorized the City Manager to execute all related documents.

9G. GENERAL PLAN ANNUAL PROGRESS FOR CALENDAR YEAR 2018

The attached General Plan Annual Progress Report for Calendar Year 2018 for the City of Stanton is being presented to the City Council for review as required by State Law.

1. The City Council declared that the project is exempt from the California Environmental Quality Act ("CEQA") under section 15061(b)(3) as the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment the activity is not subject to CEQA; and
2. Received and filed General Plan Annual Progress Report, and authorized submittal to the Governor's Office of Planning and Research and the State Housing and Community Development Department.

9H. FEBRUARY 2019 INVESTMENT REPORT

The Investment Report as of February 28, 2019 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 February 2019.

9I. FEBRUARY 2019 INVESTMENT REPORT (SUCCESSOR AGENCY)

The Investment Report as of February 28, 2019 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 February 2019.

9J. RESOLUTION INITIATING PROCEEDINGS AND ORDERING THE ENGINEER TO PREPARE AND TO FILE A REPORT FOR THE STANTON LIGHTING AND LANDSCAPING DISTRICT NO. 1

As part of the annual update to the Lighting and Landscaping District No. 1, certain procedural resolutions must be adopted by the City Council. The proposed resolution orders the Engineer's report for the 2019-2020 update.

1. The City Council finds that this item is not subject to California Environmental Quality Act ("CEQA") pursuant to Section 15378(b)(4); and
2. Adopted Resolution No. 2019-14 initiating proceedings and ordering the Engineer's report for the fiscal year 2019-2020 update, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, INITIATING PROCEEDINGS FOR THE ANNUAL ASSESSMENTS FOR THE STANTON LIGHTING AND LANDSCAPING DISTRICT NO. 1 FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 AND ENDING JUNE 30, 2020; AND ORDERING THE ENGINEER TO PREPARE AND FILE A REPORT IN ACCORDANCE THEREWITH".

END OF CONSENT CALENDAR

10. PUBLIC HEARINGS

- 10A. PUBLIC HEARING TO CONSIDER PRECISE PLAN DEVELOPMENT PPD-787, TENTATIVE TRACT MAP TM17-01, ZONE CHANGE ZC17-02 INCLUDING GENERAL PLAN AND ZONING MAP AMENDMENTS AND A MITIGATED NEGATIVE DECLARATION TO SUBDIVIDE A 0.92 ACRE SITE FOR THE DEVELOPMENT OF A HOUSING SUBDIVISION CONSISTING OF THE CONSTRUCTION OF 17 THREE-STORY ATTACHED CONDOMINIUM UNITS FOR THE PROPERTY LOCATED AT 11752 BEACH BLVD. IN THE CG (COMMERCIAL GENERAL) ZONE WITH THE GENERAL MIXED-USE OVERLAY, AND THE RE (RESIDENTIAL ESTATE) ZONE**

A public hearing to consider subdivision of a 0.92 acre site for condominium purposes and to construct 17 three-story attached condominium units, common and private open space; a private street and associated improvements. Under consideration are Precise Plan of Development PPD-787, Tentative Tract Map TM17-01, Zone Change ZC17-02 and a Mitigated Negative Declaration.

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

Staff report by Ms. Rose Rivera, Associate Planner.

The City Council questioned staff regarding public safety activity on the lot in its current state, easement concerns, square footage of each model, fencing, and setbacks.

The public hearing was opened.

- Mr. Patel, business owner, spoke regarding his willingness to work with the City in maintaining the aforementioned easement.

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

Motion/Second: Ramirez/Warren

ROLL CALL VOTE:	Council Member Ramirez	AYE
	Council Member Taylor	AYE
	Council Member Warren	AYE
	Mayor Shawver	AYE

Motion unanimously carried:

1. The City Council conducted a public hearing; and
2. Adopted Resolution No. 2019-07 approving the Mitigated Negative Declaration (SCH# 2018121037) and a Mitigation Monitoring and Reporting Program, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON ADOPTING A MITIGATED NEGATIVE DECLARATION (SCH#2018121037) AND A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE DEVELOPMENT OF 17 ATTACHED CONDOMINIUM UNITS LOCATED AT 11752 BEACH BLVD.”; and

3. Adopted Resolution No. 2019-08 approving Precise Plan of Development PPD-787, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON APPROVING PRECISE PLAN OF DEVELOPMENT PPD-787 FOR THE DEVELOPMENT OF A HOUSING SUBDIVISION CONSISTING OF THE CONSTRUCTION OF 17 THREE-STORY ATTACHED CONDOMINIUM UNITS FOR THE PROPERTY LOCATED AT 11752 BEACH BLVD. IN THE CG (COMMERCIAL GENERAL) ZONE WITH THE GENERAL MIXED-USE OVERLAY, AND THE RE (RESIDENTIAL ESTATE) ZONE”; and

4. Adopted Resolution No. 2019-09 approving Tentative Tract Map TM17-01, entitled:

“A RESOLUTION OF THE CITY OF STANTON, CALIFORNIA RECOMMENDING THE CITY COUNCIL APPROVE TENTATIVE TRACT MAP 18107 (TM17-01) TO SUBDIVIDE A LEGAL PARCEL (0.92 ACRES) FOR CONDOMINIUM PURPOSES FOR THE DEVELOPMENT OF 17 THREE-STORY ATTACHED CONDOMINIUM UNITS FOR THE PROPERTY LOCATED AT 11752 BEACH BLVD. IN THE CG (COMMERCIAL GENERAL) ZONE WITH THE GENERAL MIXED-USE OVERLAY, AND THE RE (RESIDENTIAL ESTATE) ZONE”; and

5. The City Council introduced Ordinance No. 1087, entitled:

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, APPROVING ZONE CHANGE ZC17-02 AND ASSOCIATED GENERAL PLAN AND ZONING MAP AMENDMENTS FOR THE PROPERTY LOCATED AT 11752 BEACH BLVD. (ASSESSORS PARCEL NO. 131-242-04) FROM RE (RESIDENTIAL ESTATE) ZONE TO CG (COMMERCIAL GENERAL) ZONE WITH THE GENERAL MIXED-USE OVERLAY”; and

6. Set said Ordinance No. 1087 for adoption at the regular City Council meeting on April 9, 2019.

10B. CONSIDERATION OF AN EXCLUSIVE RIGHT TO NEGOTIATE AGREEMENT WITH KB HOMES FOR THE PROPERTY LOCATED AT 7455 KATELLA AVENUE

The Development Committee, upon review of options related to the Authority owned property at 7455 Katella Ave., directed staff to pursue the potential sale of the property. In furtherance of that direction, an Exclusive Right to Negotiate Agreement (ENA) with KB Homes for the future sale and potential development of the property has been prepared.

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

The public hearing was opened.

- Mr. Bob Lewis, resident, requested verification of the location of the proposed project and questioned if the proposed project included the business on the corner of Katella Avenue and Western Avenue as well.

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

Motion/Second: Ramirez/Warren

Motion unanimously carried by the following vote:

AYES: 4 (Ramirez, Shawver, Taylor, Warren)

NOES: None

ABSTAIN: None

ABSENT: None

1. The City Council declared that the project is not subject to the California Environmental Quality Act (“CEQA”) pursuant to Section 15060(c)(3) (the activity is not a project as defined in Section 15378 of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly); and
2. Approved the Exclusive Right to Negotiate Agreement with KB Homes and authorized the City Manager to execute all necessary documents.

10C. ESTABLISHMENT OF A FEE FOR THE PROCESSING OF SIDEWALK VENDING PERMIT APPLICATIONS

In February of 2019, the City Council adopted Ordinance No. 1089, which established new regulations and permit requirements for sidewalk vendors. As part of the new regulations, sidewalk vendors are now required to obtain a permit in order to operate within the City. This resolution would establish a fee to recover the costs associated with the processing of the Sidewalk Vending Permit applications and renewals.

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

The City Council questioned staff if the proposed fee would be a yearly or onetime fee, if there would be additional costs via the health department, and the City's ability to revisit the approved code.

The public hearing was opened.

- Mr. Michael Gorsuch, resident spoke in opposition to the establishment of a fee for the processing of sidewalk vending permit applications and in opposition to the City allowing this type of activity within its city limits.
- Ms. Barbara Snider, resident, spoke in opposition to the establishment of a fee for the processing of sidewalk vending permit applications and in opposition to the City allowing this type of activity within its city limits.
- Mr. Bud Heitman, resident questioned if street vending would be allowed on Beach Boulevard and if so, would Caltrans also allow this type of activity.
- Mr. John R. Harris, resident respectfully suggested that the City postpone their vote on this item until the City Council is presented with more comparable data and specified information on the definitions of a street vendor in order to make an informed decision.

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

Motion/Second: Taylor/Ramirez

Motion unanimously carried by the following vote:

AYES: 4 (Ramirez, Shawver, Taylor, Warren)

NOES: None

ABSTAIN: None

ABSENT: None

1. The City Council conducted a public hearing; and
2. Declared that this action is not a project as defined in the California Environmental Quality Act ("CEQA") Section 15378(b)(4) as it involves the creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment; and

3. Adopted Resolution No. 2019-11 establishing an application fee for processing of Sidewalk Vending Licenses, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, ADOPTING A PERMITTING FEE FOR THE PROCESSING OF SIDEWALK VENDING APPLICATIONS AND PERMIT RENEWALS IN THE CITY OF STANTON”.

11. UNFINISHED BUSINESS None.

12. NEW BUSINESS

12A. MEMORANDUM OF UNDERSTANDING FOR THE NORTH ORANGE COUNTY SERVICE PLANNING AREA HOMELESS OUTREACH EFFORTS

This Memorandum of Understanding establishes a multi-jurisdictional approach for the construction and operation of “Navigation Centers” that will serve homeless adults, children and families located within the North Service Planning Area of Orange County.

Staff report by Mr. Stephen M. Parker, Assistant City Manager.

Mr. Parker requested that the City Council add an additional recommended action to this item to approve budget Adjustment No. 2019-15 to appropriate funds for Stanton’s share of navigation center construction in conjunction with the North SPA MOU.

Motion/Second: Taylor/Ramirez

Motion unanimously carried with amendment including approval of listed item number three (3) by the following vote:

AYES: 4 (Ramirez, Shawver, Taylor, Warren)

NOES: None

ABSTAIN: None

ABSENT: None

1. The City Council finds that this item is not subject to California Environmental Quality Act (“CEQA”) pursuant to Section 15378(b)(4); and
2. Approved the Memorandum of Understanding for the North Orange County Service Planning Area, authorized the City Manager to approve non-substantive changes as needed and authorized the Mayor and City Clerk to execute the agreement on behalf of the City; and
3. Approved budget Adjustment No. 2019-15 appropriating funds for Stanton’s share of navigation center construction in conjunction with the North SPA MOU.

13. ORAL COMMUNICATIONS – PUBLIC

- Mr. Michael Gorsuch, resident spoke regarding transient issues and the effects that these issues are having on the City's local businesses.
- Mr. John Warren, resident spoke regarding his appreciation of the approved North Service Planning Area of Orange County Memorandum of Understanding efforts.
- Mr. Jerry Ristrom, resident spoke in response to Mr. Gorsuch transient issues/concerns and also shared his appreciation of the City's change/movement over the last ten years. Mr. Ristrom also expressed his contentment with the services being provided by the City, city staff, and the Orange County Sheriff's Department.

14. WRITTEN COMMUNICATIONS None.

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

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

- Mayor Shawver reported on the Orange County Fire Authority's (OCFA) pending determination on if the City of Irvine will be returning to the OCFA and the OCFA's new training facility, CERT program, and reducing unfunded liability for the City.
- Council Member Warren reported on her attendance at the Chateau Estates Grand Opening ribbon cutting ceremony event which was held on March 15, 2019.
- Council Member Ramirez spoke regarding the City's "Talk on the Block" program.
- Council Member Ramirez spoke regarding the City's monthly business visitations program.
- Council Member Ramirez spoke regarding the City's Annual Stanton Business Alliance Luncheon event.
- Council Member Taylor reported on his participation in the Public Policy Making Academy which is being conducted at the University of California Irvine.

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

- Council Member Warren requested to agendaize discussion regarding increasing the City's Transient Occupancy Tax (TOT).
- Council Member Warren requested to agendaize discussion regarding creating a business improvement district.

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

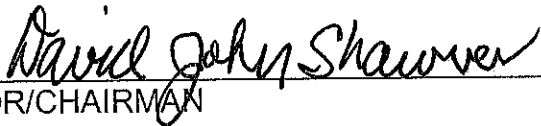
17A. ORANGE COUNTY SHERIFF'S DEPARTMENT

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.

Mayor Shawver expressed his gratitude to Council Member Warren, the Women of Distinction committee, and city staff for a very successful inaugural Women of Distinction Awards program.

- 18. ADJOURNMENT** Motion/Second: Shawver/
Motion carried at 8:23 p.m.



MAYOR/CHAIRMAN

ATTEST:



CITY CLERK/SECRETARY