

MINUTES OF THE CITY COUNCIL / SUCCESSOR AGENCY / HOUSING AUTHORITY
OF THE CITY OF STANTON
JOINT REGULAR MEETING DECEMBER 8, 2020

1. CALL TO ORDER / CLOSED SESSION

The City Council / Successor Agency / Housing Authority meeting was called to order at 6:00 p.m. by Mayor / Chairman Shawver.

2. ROLL CALL

Present: Council/Agency/Authority Member Ramirez, Council/Agency/Authority Member Taylor, Council/Agency/Authority Member Van, Mayor Pro Tem/Vice Chairperson Warren, and Mayor/Chairman Shawver.

Absent: None.

Excused: None.

3. PUBLIC COMMENT ON CLOSED SESSION ITEMS None.

4. CLOSED SESSION

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

4A. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code section 54956.9(b)

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

Mars Olsen, Duane Denny Elizondo and Douglas Dionne vs. City of Stanton, Orange County Superior Court Case Number: 30-2020-01169774-CU-CR-CXC

4C. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Existing litigation pursuant to Government Code section 54956.9(d)(1)

Number of cases: 1

Mohammed Awwad Yasin vs. City of Stanton, Orange County Superior Court Case Number: 30-2020-01162489-CU-PO-CJC

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

The meetings were called to order at 6:30 p.m. by Mayor / Chairman Shawver.

The City Attorney / Agency Counsel reported that the Stanton City Council / Successor Agency / Housing Authority met in closed session from 6:02 to 6:30 p.m.

The City Attorney / Agency Counsel reported that there was no reportable action.

6. ROLL CALL

Present: Council/Agency/Authority Member Ramirez, Council/Agency/Authority Member Taylor, Council/Agency/Authority Member Van, Mayor Pro Tem/Vice Chairperson Warren, and Mayor/Chairman Shawver.

Absent: None.

Excused: None.

7. PLEDGE OF ALLEGIANCE

Led by Council Member Rigoberto A. Ramirez.

8. SPECIAL PRESENTATIONS AND AWARDS None.

9. CONSENT CALENDAR

Motion/Second: Ramirez/Taylor

ROLL CALL VOTE:	Council/Agency/Authority Member Ramirez	AYE
	Council/Agency/Authority Member Taylor	AYE
	Council/Agency/Authority Member Van	AYE
	Mayor Pro Tem/Vice Chairperson Warren	AYE
	Mayor/Chairman Shawver	AYE

Motion unanimously carried:

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 November 6, 2020 – November 19, 2020, in the amount of \$2,367,824.19.

9C. APPROVAL OF MINUTES

The City Council/Agency/Authority Board approved Minutes of Regular Joint Meeting – November 24, 2020.

9D. ANNUAL FINANCIAL REPORT OF DEVELOPMENT IMPACT FEES PURSUANT TO GOVERNMENT CODE SECTION 66006 (AB 1600)

The Annual Financial Report of Development Impact Fees for the fiscal year ended June 30, 2020, is provided to City Council in Attachment A as required by California Government Code Section 66006, which was enacted by Assembly Bill No. 1600 (AB 1600). All development impact fees that have been collected, including interest earned on the fees, have been spent or have been earmarked for spending as of June 30, 2020. Consequently, there are no funds that are required by California Government Code Section 66006 to be refunded to property owners.

In addition, staff has prepared the annual reports for the previous five fiscal years as well, which are included in Attachments B through F. In compliance with California Government Code Section 65940.1, Attachments A through F will be posted on the City's website after City Council approval.

1. The City Council finds 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. Approved the attached Annual Financial Reports of Development Impact Fees and make the findings contained herein.

9E. OCTOBER 2020 INVESTMENT REPORT

The Investment Report as of October 31, 2020, 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 October 2020.

9F. OCTOBER 2020 INVESTMENT REPORT (SUCCESSOR AGENCY)

The Investment Report as of October 31, 2020, 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 October 2020.

9G. OCTOBER 2020 GENERAL FUND REVENUE AND EXPENDITURE REPORT

The monthly General Fund Revenue and Expenditure Report for the month ended October 30, 2020, has been provided to the City Manager in accordance with Stanton Municipal Code Section 2.20.080 (D) and is being provided to City Council.

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 General Fund Revenue and Expenditure Report for the month ended October 31, 2020.

9H. RESOLUTION CLASSIFYING AND FIXING COMPENSATION RANGES FOR POSITIONS IN THE CITY SERVICE

The attached Resolution makes changes to the Position Classification Manual by modifying the salary range for the position of Intern, Park Ranger, and Recreation Leader.

1. The City Council declared that this project is exempt from the California Environmental Quality Act ("CEQA") under Section 15378(b)(2) – continuing administrative or maintenance activities, such as purchases for supplies, personnel-related actions, general policy or procedure making; and
2. Adopted Resolution No. 2020-49 amending the Salary Schedule for all City classifications, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, CLASSIFYING AND FIXING COMPENSATION RANGES FOR POSITIONS IN THE CITY SERVICE."

9I. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD IN CITY ELECTORAL DISTRICTS 2 AND 4 ON NOVEMBER 3, 2020 DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW

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. Approves Resolution No. 2020-50, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD IN THE CITY ELECTORAL DISTRICTS 2 AND 4 ON NOVEMBER 3, 2020 DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW."

9J. AWARD OF CONTRACT TO DEMOLISH THE BUILDING AT 8881 PACIFIC AVENUE BY THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA AND APPROPRIATION OF FUNDS REPORT

The building located at 8881 Pacific Avenue is in in severe disrepair and is no longer viable. Bids to demolish this building were opened on December 2, 2020. Based on post bid analysis of the two (2) bids received, staff recommends that the bid submitted by Interior Demolition, Inc. to be the lowest responsible bid. The cost for completing these services is a maximum of \$91,800.00.

1. The City Council declared the work proposed under this scope increase to be categorically exempt under the California Environmental Quality Act, Class 1, Section 153011 (3); and
2. Awarded a construction contract for the FY 20/21 City Building Abatement and Demolition Project to the lowest responsible bidder Interior Demolition, Inc. for the amount \$91,800.00; and
3. Authorized the Mayor to bind the City of Stanton with Interior Demolition, Inc. in a contract for the completion of the FY 20/21 City Building Abatement and Demolition Project; and
4. Authorized the City Manager to approve contract changes, not to exceed 10%.

9K. ACCEPTANCE OF THE FY20/21 CITYWIDE STREET RESURFACING PROJECT BY THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA

The FY 20/21 Citywide Street Resurfacing Project has been completed in accordance with the plans and specifications. The final construction cost for the project was \$641,136.49. The original construction contract cost for the FY 20/21 Citywide Street Resurfacing Project was for \$674,990.00. The City Engineer, in his judgment, certifies that the work was satisfactorily completed as of December 8, 2020 and recommends that the City Council accepts the completed work performed on this project.

1. The City Council declared this project categorically exempt under 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. Accepted the completion of improvements for the FY 20/21 Citywide Street Resurfacing Project, as certified by the City Engineer, and affixed the date of December 8, 2020 as the date of completion of all work on this project; and
3. Approved the final construction contract amount of \$641,136.49 with R.J. Noble Company; and

4. 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
5. Directed City staff, upon expiration of 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 R.J. Noble Company in the amount of \$32,056.82.

9L. ACCEPTANCE OF THE FY20/21 CITYWIDE SLURRY SEAL PROJECT BY THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA

The FY 20/21 Citywide Slurry Seal Project has been completed in accordance with the plans and specifications. The final construction cost for the project was \$474,307.89. The City Engineer, in his judgment, certifies that the work was satisfactorily completed as of December 8, 2020 and recommends that the City Council accepts the completed work performed on this project.

The original construction contract cost for the FY 20/21 Citywide Slurry Seal Project was for \$512,450.84.

1. The City Council declared this project categorically exempt under 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. Accepted the completion of improvements for the FY 20/21 Citywide Slurry Seal Project, as certified by the City Engineer, and affixed the date of December 8, 2020 as the date of completion of all work on this project; and
3. Approved the final construction contract amount of \$474,307.89 with Roy Allan Slurry Seal, Inc.; and
4. 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
5. Directed City staff, upon expiration of 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 Roy Allan Slurry Seal, Inc. in the amount of \$23,715.39.

9M. HOUSING AUTHORITY ANNUAL PROGRESS REPORT (HOUSING AUTHORITY)

The attached Housing Authority Report for Fiscal Year 2019-2020 is being presented for consideration as required by State Law.

1. The Authority Board 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 the Annual Progress Report.

END OF CONSENT CALENDAR

10. PUBLIC HEARINGS

10A. CONSIDERATION OF ORDINANCE NO. 1107 AMENDING STANTON CODE TITLE 5, BUSINESS LICENSES AND REGULATIONS, CHAPTER 5.16, MESSAGE ESTABLISHMENTS, TO UPDATE THE CITY'S MESSAGE REGULATIONS

As part of a periodic review of the Stanton Municipal Code, a series of updates are recommended to address various issues throughout the city. The issues addressed in Ordinance No. 1107 include updates to the City's Massage Regulations.

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

The public hearing was opened.

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

Motion/Second: Warren/Van

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

Motion unanimously carried:

1. The City Council conducted a public hearing; and
2. Declared that the project is not subject to CEQA in accordance with Section 15061(b)(3) as the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and
3. Introduced Ordinance No. 1107 entitled:

“AN ORDINANCE NO. 1107 AMENDING STANTON CODE TITLE 5, BUSINESS LICENSES AND REGULATIONS, CHAPTER 5.16, MASSAGE ESTABLISHMENTS, TO UPDATE THE CITY’S MASSAGE REGULATIONS”; and

4. Set said Ordinance for adoption at the January 12, 2021 regularly scheduled City Council meeting.

11. UNFINISHED BUSINESS

11A. REVIEW OF PROPOSED CHANGES TO CR&R SERVICES/CHARGES AND APPROVAL OF A PROPOSITION 218 NOTICE

On May 26, 2020 the City Council reviewed proposed changes to the services provided for by CR&R in Stanton and the associated fees. The Council reviewed the proposals and formed a subcommittee of Councilmembers Van and Ramirez to further study the issues and negotiate with CR&R.

After six months of negotiations and multiple meetings, the subcommittee and CR&R have come to a consensus on services and rates. Residential cart service will be changed from a two-cart system to a three-cart system (adding a third cart for recyclables). The additional fee for this service change and to charge for processing organics at the Anaerobic Digestion facility is \$3.40 monthly. The fees for commercial bin services will be reduced from 10% to 15% depending on the type of service. Finally, the rates for commercial recyclable and organics services will be set at 75% of the rates charged for bins used for trash.

These changes are required to be approved through the Proposition 218 process. The attached Proposition 218 Notice (Notice) is a requirement of the process. Staff is asking for the Council’s review/approval of the changes to the services and rates and of the Notice. The revised fees would become effective April 1, 2021 which is when the new residential carts would be delivered.

Staff report by Mr. Allan Rigg, Public Works Director / City Engineer.

The City Council questioned staff regarding if the reduced overall rates are comparable to the surrounding Orange County cities, status of the evergreen clause within the City's contract, requirement of recyclable / organic services for commercial businesses, implementation of a blue bin, oversight to ensure that the blue bin is utilized properly, if there is going to be a consequence for misuse, compliance with the current green bins within the City, and the intake and outtake within the current transfer facilities.

Motion/Second: Ramirez/Taylor

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

Motion unanimously carried:

1. The City Council declared that the project is categorically exempt from the California Environmental Quality Act ("CEQA") under Section 15308 – Action by regulatory agencies for protection of the environment; and
2. Reviewed the proposed rates for Commercial Organics and Recyclables Collection, proposed rates for Residential Collection, and proposed rates for Commercial Refuse Collection; and
3. Reviewed said rates changes and determined that they are appropriate; and
4. Directed staff to proceed with the Notice and the Proposition 218 process.

12. NEW BUSINESS None.

13. ORAL COMMUNICATIONS – PUBLIC None.

14. WRITTEN COMMUNICATIONS None.

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

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

- Mayor Shawver reported on the health access to free COVID-19 testing sites within the City of Stanton.
- Mayor Shawver reported on the success and accessibility of the City's food distribution program.

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

None.

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

Currently Scheduled: February 23, 2021: Discussion regarding the City's participation in the Community Choice Aggregation or Energy program.

15D. SEATING OF NEW CITY COUNCIL MEMBERS

The Orange County Registrar of Voters and the Stanton City Council has declared and determined that as a result of the General Municipal Election held on November 3, 2020:

- Ms. Hong Alyce Van was elected as Member of the City Council to represent Electoral District 2 for the full term of four years; and
- Ms. Carol Warren was elected as Member of the City Council to represent Electoral District 4 for the full term of four years.

Presentation by Ms. Patricia A. Vazquez, City Clerk.

The City Council expressed their congratulations to both Ms. Van and Ms. Warren on a successful election season.

15E. RECOGNITION OF OUTGOING MAYOR PRO TEM CAROL WARREN

Presentation of certificate recognition by the City Council.

Presentation by Ms. Patricia A. Vazquez, City Clerk.

The City Council expressed their gratitude to Mayor Pro Tem Warren on a successful year served as Mayor Pro Tem.

15F. REORGANIZATION OF CITY COUNCIL

Annually, the City Council elects a Mayor Pro Tem.

The City Clerk opened nominations for Mayor Pro Tem.

Council Member Van nominated Council Member Gary Taylor for the office of Mayor Pro Tem.

The City Clerk closed nominations for Mayor Pro Tem.

Motion/Second: Van/Warren

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

Motion unanimously carried:

Council Member Gary Taylor was unanimously elected Mayor Pro Tem.

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

None.

17. ITEMS FROM CITY MANAGER/EXECUTIVE DIRECTOR

None.

~~17A. ORANGE COUNTY FIRE AUTHORITY~~

~~At this time the Orange County Fire Authority will provide the City Council with an update on their current operations.~~

Item 17A was tabled for reporting at the January 12, 2021 regularly scheduled City Council meeting.

The City Council recessed back into closed session at 7:12 p.m.

The City Council reconvened in open session at 8:29 p.m.

The City Attorney reported that the City Council met in closed session from 7:12 to 8:29 p.m.

The City Attorney reported that there was no reportable action.

SWEARING IN/SEATING NEW COUNCIL MEMBERS

Ms. Patricia A. Vazquez, City Clerk administered the Oath of Office to:

- Ms. Hong Alyce Van who was elected as Member of the City Council to represent Electoral District 2 for the full term of four years*; and
- Ms. Carol Warren who was elected as Member of the City Council to represent Electoral District 4 for the full term of four years*.

*Assemblywoman Sharon Quirk-Silva, District 65 ceremonially administered the Oath of Office to both Ms. Hong Alyce Van and Ms. Carol Warren which was documented for the City's historical files and for public consumption via the City's social media platforms.

- 18. ADJOURNMENT** Motion/Second: Shawver/
Motion carried at 8:34 p.m.



MAYOR/CHAIRMAN

ATTEST:



CITY CLERK/SECRETARY