

MINUTES OF THE CITY COUNCIL / SUCCESSOR AGENCY / HOUSING AUTHORITY
OF THE CITY OF STANTON
JOINT REGULAR MEETING JANUARY 11, 2022

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 Taylor, Council/Agency/Authority Member Van, Council/Agency/Authority Member Warren, and Mayor/Chairman Shawver.

Absent: Mayor Pro Tem/Vice Chairman Ramirez.

Excused: None.

3. PUBLIC COMMENT ON CLOSED SESSION ITEMS None.

4. CLOSED SESSION

The members of the City Council / Successor Agency / Housing Authority of the City of Stanton proceeded to closed session at 6:01 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: 2

4B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
(Pursuant to Government Code Section 54956.8)

Property: 10692 Beach Boulevard, CA (APN 126-434-12)

Negotiating Parties: Jarad L. Hildenbrand, City Manager, City of Stanton
Hyuncho Park, Owner

Under Negotiation: Instruction to negotiator will concern price and terms of payment.

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.

6. ROLL CALL

Present: Council/Agency/Authority Member Taylor, Council/Agency/Authority Member Van, Council/Agency/Authority Member Warren, and Mayor/Chairman Shawver.

Absent: Mayor Pro Tem/Vice Chairman Ramirez.

Excused: None.

7. PLEDGE OF ALLEGIANCE

Led by Mr. Jarad L. Hildenbrand, City Manager.

The City Attorney / Agency Counsel reported that the Stanton City Council / Successor Agency / Housing Authority met in closed session from 6:01 to 6:30 p.m.

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

8. SPECIAL PRESENTATIONS AND AWARDS None.

9. CONSENT CALENDAR

Council Member Taylor pulled item 9G from the Consent Calendar for separate discussion.

Motion/Second: Taylor/Van

ROLL CALL VOTE:	Council/Agency/Authority Member Taylor	AYE
	Council/Agency/Authority Member Van	AYE
	Council/Agency/Authority Member Warren	AYE
	Mayor Pro Tem/Vice Chairman Ramirez	ABSENT
	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 December 3, 2021 – December 30, 2021, in the amount of \$3,963,336.50.

9C. APPROVAL OF MINUTES

1. The City Council/Successor Agency/Housing Authority approved Minutes of Joint Regular Meeting – December 14, 2021; and
2. The City Council approved Minutes of Special Meeting – December 16, 2021.

9D. NOVEMBER 2021 INVESTMENT REPORT

The Investment Report as of November 30, 2021, 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 November 2021.

9E. OCTOBER 2021 INVESTMENT REPORT (SUCCESSOR AGENCY)

The Investment Report as of October 31, 2021, 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 2021.

9F. NOVEMBER 2021 GENERAL FUND REVENUE AND EXPENDITURE REPORT AND STATUS OF CAPITAL IMPROVEMENT PROGRAM

The Revenue and Expenditure Report for the month ended November 30, 2021, 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. This report includes information for both the City’s General Fund and the Housing Authority Fund. In addition, staff has provided a status of the City’s Capital Improvement Projects (CIP) as of November 30, 2021.

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 and Housing Authority Fund’s November 2021 Revenue and Expenditure Report and Status of Capital Improvement Projects for the month ended November 30, 2021.

9H. MEETING DATES FOR THE STANTON CITY COUNCIL, STANTON PARKS, RECREATION AND COMMUNITY SERVICES COMMISSION, STANTON PLANNING COMMISSION, AND STANTON PUBLIC SAFETY COMMITTEE

City Council review the attached 2022 meeting dates for the Stanton City Council, Stanton Parks, Recreation and Community Services Commission, Stanton Planning Commission, and Stanton Public Safety Committee.

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 Stanton City Council, Stanton Parks, Recreation and Community Services Commission, Stanton Planning Commission, and Stanton Public Safety Committee meeting dates for the year 2022.

9I. AWARD OF CONTRACT TO NV5 TO PROVIDE PROFESSIONAL CONSULTING SERVICES FOR THE PREPARATION OF AN UPDATED SEWER MASTER PLAN

A Sewer Master Plan assesses the needs of the City’s sewer system and plans and prioritizes maintenance and rehabilitation of the system with available funding. An updated sewer master plan is not only a requirement of the City’s Waste Discharge Permit issued by the Santa Ana Regional Water Quality Control Board but is also a useful planning tool for the City’s Capital Improvement Plan. Preparation of the updated Sewer Master Plan will require the services of a highly specialized consulting firm. The previous Sewer Master Plan update was prepared in 2014 by AKM Consulting Engineers. City staff released a “Request for Proposal” (RFP) soliciting proposals to provide an updated Sewer Master Plan to reflect the current condition of the sewer system, to assess the capacity of the existing system to handle flows generated at the ultimate “build-out” of the City, and to develop a comprehensive 10-year Capital Improvement Program with recommended projects. One firm provided a proposal: NV5. City staff believes that NV5 is qualified to update the City’s Sewer Master Plan.

1. The City Council declared this project to be categorically exempt under the California Environmental Quality Act, Class 1, Section 15301b; and

2. Awarded a contract to NV5 to provide an updated Sewer Master Plan and to develop a 10-year comprehensive prioritized Capital Improvement Program with recommended projects for a maximum contract amount of \$499,265; and
3. Approved an appropriation of \$50,000 from the Sewer Maintenance Fund's available balance to increase the Fiscal Year 2021/22 budget for the Sewer Master Plan project (Task Code No. 2022-301) from \$500,000 to \$550,000; and
4. Authorized the City Manager to bind the City of Stanton and NV5 in a contract to provide the services; and
5. Authorized the City Manager to approve contract change orders with NV5, as needed and determined by City staff, up to a total contract amount of \$550,000.

9J. RENEWAL OF AUTHORIZATION FOR VIRTUAL PUBLIC MEETINGS PURSUANT TO AB 361

Consideration of the circumstances of the state of emergency related to the COVID-19 pandemic to determine whether remote teleconference meetings of the City Council, Committees, and Commissions can continue to be held under the provisions of AB 361.

1. The City Council declared that this item is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) and 15060(c)(3); and
2. Reconsidered the circumstances of the state of emergency; and
3. Finds that state or local officials have continued to impose or recommend measures to promote social distancing; and
4. Directed staff, no later than 30 days after the City Council approves the recommended action, to report back on the state-proclaimed state of emergency so that City Council may reconsider the circumstances of the emergency, and, if appropriate, make findings to continue to hold virtual meetings of City legislative bodies pursuant to AB 361.

9K. AGREEMENT TO TRANSFER FUNDS” TO THE CITY OF STANTON OF THE BOARD OF STATE AND COMMUNITY CORRECTIONS (BSCC) 2021-2022 NORTH ORANGE COUNTY PUBLIC SAFETY COLLABORATIVE FUNDING PROGRAMS

The City, as part of and on behalf of the North Orange County Public Safety Collaborative, has been designated to receive \$7,800,000 in 2021-2022 Corrections Planning and Grant Programs funding from the Board of State and Community Corrections (BSCC). The funds will support a regional collaborative effort for the purpose of violence prevention, intervention, and suppression activities. The funds are to be spent during the funding period—from October 1, 2021 through June 30, 2026.

1. The City Council declared that this item is not subject to the California Environmental Quality Act (“CEQA”) pursuant to Sections 15060(c)(2) and 15060(c)(3); and
2. Received and filed the “Agreement to Transfer Funds” to the City of Stanton of the Board of State and Community Corrections (BSCC) 2021-2022 North Orange County Public Safety Collaborative Funding Programs.

END OF CONSENT CALENDAR

9G. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA APPROVING SUBDIVISION TRACT MAP NO. 18107

The subdivision tract map for the development of seventeen (17) three-story attached condominium units for the property located at 11752 Beach Blvd has been submitted by the developer for final certification and recordation.

Motion/Second: Taylor/Shawver

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

Motion unanimously carried:

1. The City Council declared this project categorically exempt under the California Environmental Quality Act, Class 32, and Section 15332; and

2. Adopted Resolution No. 2022-03 approving final Tract Map No. 18107, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, APPROVING SUBDIVISION TRACT MAP NO. 18107 FOR THE PROPERTY LOCATED AT 11752 BEACH BOULEVARD”; and

3. Finds that the recordation of Tract Map No. 18107 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, or any specific plan adopted pursuant to Article 8 (commencing with Section 65450) of Chapter 3 of Division 1 of the Government Code; and
5. Directed the City Engineer to review and approve any further technical edits necessary to allow for County Surveyor approval and for recordation of the map with the County Recorder of Orange County, and if edits are necessary, to require a revised Tract Map with a revised City Engineer’s certificate on the face of Tract Map for endorsement by the current City Engineer; and
6. Directed the City Engineer to collect any security instruments required by the Stanton Municipal Code and the Subdivision Map Act to guarantee construction of private and public improvements prior to the City Clerk endorsing the City Clerk’s certificate on the face of the Tract Map; and
7. Directed the City Clerk to endorse on the face of the map of the Tract Map, the certificate which embodies the approval of said map, and submit the map to the County Recorder of Orange County for recording.

10. PUBLIC HEARINGS

- 10A. **PUBLIC HEARING TO CONSIDER SITE PLAN AND DESIGN REVIEW SPDR-811, CONDITIONAL USE PERMIT CUP 20-04, PLANNED DEVELOPMENT PERMIT PDP 20-07, DEVELOPMENT AGREEMENT DA 20-04, TENTATIVE TRACT MAP NO. 19119 AND ADOPTION OF THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND ASSOCIATED MITIGATION MONITORING AND REPORTING PROGRAM FOR A NEW 79-UNIT TOWNHOME PROJECT INCLUDING 7 LOW INCOME AFFORDABLE UNITS LOCATED AT 12200 BEACH BOULEVARD IN THE COMMERCIAL GENERAL (CG), GENERAL MIXED-USE (GLMX) OVERLAY ZONE**

A public hearing to consider a new 79-unit, single family, townhome project including 7 low-income affordable units and associated improvements located at 12200 Beach Boulevard. Applications include Development Agreement DA 20-04, Site Plan and Design Review SPDR-811, Conditional Use Permit CUP 20-04, Planned Development Permit PDP 20-07 and Tentative Tract Map No. 19119.

Introduction by Ms. Jennifer A. Lilley, Community and Economic Development Director.

Staff Report by Ms. Estefany Franco, Associate Planner.

The City Council questioned staff regarding parking, affordable housing, preference to persons who live / work in Stanton, aesthetics, and a parking management plan.

The public hearing was opened.

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

Motion/Second: Shawver/Taylor

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

Motion unanimously carried:

1. The City Council conducted a public hearing; and
2. Adopted Resolution No. 2022-01 adopting an Initial Study and Mitigated Negative Declaration and a Mitigation Monitoring and Reporting Program (MMRP) for the development of 79 townhome units including 7 low-income affordable units and associated improvements at 12200 Beach Boulevard, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, ADOPTING AN INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE DEVELOPMENT OF 79 TOWNHOME UNITS INCLUDING 7-LOW INCOME AFFORDABLE UNITS AND ASSOCIATED IMPROVEMENTS AT 12200 BEACH BOULEVARD”; and

3. Introduced Ordinance No. 1118, entitled:

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF STANTON AND BONANNI DEVELOPMENT FOR CERTAIN REAL PROPERTY LOCATED AT 12200 BEACH BOULEVARD WITHIN THE CITY OF STANTON PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65864 ET SEQ.”; and

4. Adopted Resolution No. 2022-02 approving Site Plan and Design Review SPDR-811, Conditional Use Permit C20-04, Planned Development Permit PDP 20-07 and Tentative Tract Map No. 19119 for a new 79-unit, townhome development including 7 low-income affordable units and associated improvements, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, APPROVING SITE PLAN AND DESIGN REVIEW SPDR-811, CONDITIONAL USE PERMIT C20-04, PLANNED DEVELOPMENT PERMIT PDP 20-07 AND TENTATIVE TRACT MAP NO. 19119 FOR A NEW 79-UNIT TOWNHOME DEVELOPMENT INCLUDING 7 LOW-INCOME AFFORDABLE UNITS AND ASSOCIATED IMPROVEMENTS FOR THE PROPERTY LOCATED AT 12200 BEACH BOULEVARD LOCATED IN THE COMMERCIAL GENERAL (CG), GENERAL MIXED-USE (GLMX) OVERLAY ZONE”; and

5. Set Ordinance No. 1118 for second reading and adoption at the January 25, 2022 regularly scheduled City Council meeting.

11. UNFINISHED BUSINESS

11A. APPROVAL OF ORDINANCE NO. 1114

This Ordinance was introduced at the regular City Council meeting of December 14, 2021.

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

Motion/Second: Taylor/Van

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

Motion unanimously carried:

1. The City Clerk read the title of Ordinance No. 1114, entitled:

“AN ORDINANCE OF THE CITY COUNCIL OF STANTON, CALIFORNIA AMENDING STANTON MUNICIPAL CODE TITLE 20, ZONING, SECTION 20.400.330 ACCESSORY DWELLING UNITS, TO UPDATE THE CITY’S ACCESSORY DWELLING UNIT (ADU) AND JUNIOR ACCESSORY DWELLING UNIT (JADU) REGULATIONS”;
and

2. The City Council adopted Ordinance No. 1114.

11B. APPROVAL OF ORDINANCE NO. 1116

This Ordinance was introduced at the regular City Council meeting of December 14, 2021.

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

Motion/Second: Warren/Taylor

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

Motion unanimously carried:

1. The City Clerk read the title of Ordinance No. 1116, entitled:

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, ADDING SECTION 6.06 OF THE STANTON MUNICIPAL CODE REQUIRING “MANDATORY ORGANIC WASTE DISPOSAL REDUCTION” AND FINDING SAME EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT”; and

2. The City Council adopted Ordinance No. 1116.

12. NEW BUSINESS

12A. MAYOR’S APPOINTMENTS OF COUNCIL MEMBERS AS REPRESENTATIVES TO VARIOUS BOARDS, COMMISSIONS, COMMITTEES AND AGENCIES

Traditionally, Council Members have been appointed by the Mayor to serve on numerous outside committees, boards, commissions and agencies. Each appointee is responsible for representing the City and voting on behalf of the City Council. The Mayor conducts a review and selects appointees, as detailed in Attachment A, with the exception of the Orange County Fire Authority (“OCFA”) appointment, which is required to be made by City Council Resolution, the Mayor may otherwise make appointments to each committee, board, commission or agency by nomination and Minute Order confirmation. In addition, the Fair Political Practices Commission (“FPPC”) regulations require the adoption and posting of Form 806, Agency Report of Public Official Appointments, in order for individual Council Members to participate in a City Council vote that would result in him or her serving in a position that provides compensation of \$250 or more in any 12-month period.

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

Motion/Second: Taylor/Van

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

Motion unanimously carried:

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. The City Council discussed and confirmed the Mayor’s appointments; and
3. Approved Fair Political Practices Commission Form 806 and authorized the City Clerk to post the form on the City’s website.

12B. PURCHASE AND SALE AGREEMENT FOR 10692 AND 10712 BEACH BOULEVARD AND APPROPRIATION OF FUNDS

The attached Purchase and Sale Agreement would authorize the City to complete the purchase of 10692 and 10712 Beach Boulevard, Stanton, for appropriate public purposes and further revitalization of Beach Boulevard.

Staff report by Mr. Jarad L. Hildenbrand, City Manager.

Ms. HongDao Nguyen, City Attorney reported that there was an amendment made to Sections 2.2 and 3.4 of the Purchase and Sale Agreement, noting that if the City is unable to close that the City’s deposit will be returned.

Motion/Second: Warren/Taylor

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

Motion unanimously carried:

1. The City Council declared that this item is not subject to the California Environmental Quality Act (“CEQA”) pursuant to Sections 15060(c)(2) and 15060(c)(3); and
2. Approved the Purchase and Sale Agreement (Agreement) as amended for the properties of 10692 and 10712 Beach Boulevard, Stanton; and
3. Authorized the City Manager to execute the Agreement as amended and take other necessary actions to perform Stanton’s obligations under the Agreement; and
4. Appropriated \$2,800,000 from the American Rescue Plan Act Fund (Fund 257).

13. ORAL COMMUNICATIONS – PUBLIC None.

14. WRITTEN COMMUNICATIONS None.

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

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

None.

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

Mayor Shawver requested to agendaize discussion regarding private security services for the City.

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

- Ms. Patricia A. Vazquez, City Clerk, reported on upcoming Redistricting Stanton Public Hearing #3, which is scheduled to be held on January 25, 2022 at 6:45 pm.
- Mr. Jarad L. Hildenbrand, City Manager provided the City Council with an update on the City's response to COVID-19 and the recent surge of the Omicron variant.

17A. ORANGE COUNTY FIRE AUTHORITY

Fire Division Chief Mike Petro provided the City Council with an update on their current operations.

- 18. ADJOURNMENT** in memory and honor of both Ms. Gloria Yolanda Soto and Mr. Alex Mascarenas.
Motion/Second: Shawver/
Motion carried at 7:38 p.m.

/s/ David J. Shawver

MAYOR/CHAIRMAN

ATTEST:

/s/ Patricia A. Vazquez

CITY CLERK/SECRETARY