

MINUTES OF THE CITY COUNCIL / SUCCESSOR AGENCY / HOUSING AUTHORITY
OF THE CITY OF STANTON
JOINT REGULAR MEETING SEPTEMBER 26, 2023

1. **CLOSED SESSION** None.

2. **CALL TO ORDER STANTON CITY COUNCIL / SUCCESSOR AGENCY / HOUSING AUTHORITY JOINT REGULAR MEETING**

The City Council / Successor Agency / Housing Authority meeting was called to order at 6:30 p.m. by Mayor Shawver.

3. **PLEDGE OF ALLEGIANCE**

Led by Council Member Donald Torres.

4. **ROLL CALL**

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

Absent: None.

Excused: None.

5. **SPECIAL PRESENTATIONS AND AWARDS**

A. The City Council proclaimed October 8-14, 2023 as Fire Prevention Week in the City of Stanton and presented a proclamation to Division Chief Steve Dohman, Orange County Fire Authority.

B. Presentation by Mr. Eric O'Donnell, Deputy Director, Townsend Public Affairs, providing the City Council with an update on State and Federal Legislation.

6. **CONSENT CALENDAR**

Motion/Second: Taylor/Torres

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

Motion unanimously carried:

CONSENT CALENDAR

6A. 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.

6B. APPROVAL OF WARRANTS

The City Council approved demand warrants dated August 25, 2023 – September 7, 2023, in the amount of \$3,493,370.74.

6C. APPROVAL OF MINUTES

The City Council/Successor Agency/Housing Authority approved Minutes of Joint Special and Regular Meeting – September 12, 2023.

6D. JUNE 2023 GENERAL FUND REVENUE AND EXPENDITURE REPORT; HOUSING AUTHORITY REVENUE AND EXPENDITURE REPORT; AND STATUS OF CAPITAL IMPROVEMENT PROGRAM

The Revenue and Expenditure Report for the month ended June 30, 2023, 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, this report includes a status of the City's Capital Improvement Projects (CIP) as of June 30, 2023. The figures reported represent preliminary figures through June 30, 2023. The fiscal year end closing process is still in progress and the final figures are pending completion of the City's annual financial statement audit.

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 June 2023 Revenue and Expenditure Report and Status of Capital Improvement Projects for the month ended June 30, 2023.

6E. JULY 2023 GENERAL FUND REVENUE AND EXPENDITURE REPORT; HOUSING AUTHORITY REVENUE AND EXPENDITURE REPORT; AND STATUS OF CAPITAL IMPROVEMENT PROGRAM

The Revenue and Expenditure Report for the month ended July 31, 2023, 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, this report includes a status of the City's Capital Improvement Projects (CIP) as of July 31, 2023. The figures reported represent preliminary figures through July 31, 2023. The fiscal year end closing process is still in progress and the final figures are pending completion of the City's annual financial statement audit.

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 July 2023 Revenue and Expenditure Report and Status of Capital Improvement Projects for the month ended July 31, 2023.

6F. CONTINUE APPROPRIATIONS FOR BUDGETED ACTIVITIES THAT WERE IN PROCESS AS OF JUNE 30, 2023

At the end of the fiscal year, City staff reviews the available budget balances in the operating budget to determine whether any unspent budget appropriations should be carried forward to the subsequent fiscal year. City Resolution No. 2023-19, which was approved by the City Council on June 13, 2023, authorizes all appropriations for outstanding encumbrances, unspent operating grant funds, and projects that remain unspent as of June 30, 2023, to be reappropriated to the Fiscal Year 2023/24 Operating and Capital Budget upon approval by the City Manager. The items listed in Attachment A require City Council approval for reappropriation to the Fiscal Year 2023/24 Operating Budget because they do not represent an outstanding encumbrance, unspent operating grant fund, or unspent project. Therefore, staff is seeking City Council approval to carryover the \$234,455 in unspent budgeted funds to the Fiscal Year 2023/24 Operating Budget.

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. Amended the Fiscal Year 2023/24 Operating Budget to continue the appropriation of unexpended funds for activities that were budgeted in Fiscal Year 2022/23, but were not completed by year end, as set forth in Attachment A.

6G. AUTHORITY TO ADVERTISE FOR CONSTRUCTION OF CERRITOS AVENUE RESURFACING PROJECT

The plans and specifications for the Cerritos Avenue Resurfacing Project are complete. The City Engineer is recommending City Council approve the specifications and plans for bidding, subject to revision by the City Engineer and the City Attorney, to ensure the construction contract is awarded in an efficient and timely manner. The Project plans and specifications are available in the City Engineer's Office for review.

RECOMMENDED ACTION:

1. The City Council finds that this project is exempt from the California Environmental Quality Act ("CEQA"), Class 1, Section 15301(c) as repair, maintenance, and minor alteration of existing public structures; and
2. Approved the bid specifications and plans, subject to revisions required by the City Engineer and the City Attorney; and
3. Authorized and advertise for bids the Cerritos Avenue Resurfacing Project.

6H. AUTHORITY TO ADVERTISE FOR CONSTRUCTION: STANTON CENTRAL PARK SHADE STRUCTURE INSTALLATION PROJECT

The plans and specifications for the Stanton Central Park Shade Structure Installation Project are complete. The City Engineer is recommending City Council approve the specifications and plans for bidding, subject to revision by the City Engineer and the City Attorney, to ensure the construction contract is awarded in an efficient and timely manner. The Project plans and specifications are available in the City Engineer's Office for review.

1. The City Council finds that this project is exempt from the California Environmental Quality Act ("CEQA"), Class 1, Section 15301 as a minor exterior alteration of an existing public facility; and
2. Approved the bid specifications and plans, subject to revisions required by the City Engineer and the City Attorney; and
3. Authorized and advertise for bids the Stanton Central Park Shade Structure Installation Project.

6I. LANDSCAPE MAINTENANCE AGREEMENT WITH CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS ADJACENT TO 12331-12435 BEACH BOULEVARD

The development of the property at 12331-12435 Beach Boulevard (Bonanni Development) will include improvements along the frontage of the property on Beach Boulevard, including landscaping, sidewalk, driveways, and a bus pad. The California Department of Transportation (Caltrans) owns the right of way where these improvements will be placed. They are requiring the City enter into an agreement to maintain this area of their right-of-way in the event it is not properly maintained by the adjacent property owner (“Caltrans Landscape Maintenance Agreement”). To protect the City’s interests, staff recommends a companion Maintenance Agreement transferring maintenance responsibility from the City to the developer.

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 the Caltrans Landscape Maintenance Agreement and authorized the Mayor and City Manager to bind the City and Caltrans, to maintain the landscape improvements in the public right-of-way on Beach Boulevard; and
3. Approved the Maintenance Agreement and authorized the City Manager to bind the City and Bonanni Development in a companion Maintenance Agreement, subject to revisions deemed necessary by the City Attorney and the Public Works Director.

6J. MAYOR’S REQUEST TO REMOTELY PARTICIPATE IN COUNCIL MEETINGS PURSUANT TO ASSEMBLY BILL 2449

Mayor David J. Shawver (Mayor) recently submitted a request to the City Council requesting that he be allowed to virtually participate at City Council meetings pursuant to Assembly Bill (AB) 2449. His request falls under an “emergency circumstances” provision in AB 2449, and if approved, would cover meetings through mid-November, including the meetings of October 10, 2023, October 24, 2023, and November 14, 2023.

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. Approved the Mayor’s request to participate in City Council meetings remotely through November 15, 2023, including the meetings of October 10, 2023, October 24, 2023, and November 14, 2023, pursuant to Government Code section 54953’s emergency circumstances exception.

6K. EQUIPMENT LEASE AND PROFESSIONAL SERVICES AGREEMENTS WITH C3 TECHNOLOGY SERVICES FOR OFFICE COPIERS AND MANAGED PRINT SERVICES

The City Council will consider entering into an Equipment Lease Agreement and Professional Services Agreement with C3 Technology Services (C3 Tech) for office copiers and managed print services. These two agreements will allow the City to upgrade to new multi-function printing devices that will meet the needs of City staff at a cost savings to the City.

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 Equipment Lease Agreement for a five-year term and authorized the City Manager to execute said Agreement in a form approved by the City Attorney; and
3. Approved the Maintenance Agreement for a five-year term and authorized the City Manager to execute said Agreement in a form approved by the City Attorney.

END OF CONSENT CALENDAR

7. PUBLIC HEARINGS None.

8. UNFINISHED BUSINESS

8A. SPECIAL PROJECTS QUARTERLY UPDATE PRESENTATION

Staff will provide a special projects quarterly update presentation regarding general funds expended to date and progress on projects currently underway or completed.

Introduction by Ms. Hannah Shin-Heydorn, City Manager.

Presentation by Mr. Jason Huynh, Management Analyst.

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 presentation.

9. NEW BUSINESS

9A. INFORMATIONAL REPORT ON CALIFORNIA JAYWALKING LAW AND CONSIDERATION OF ORDINANCE REGULATING PEDESTRIANS ON STREET MEDIAN ISLANDS AND DRIVE-THROUGHS

Earlier this year, the City Council directed the City Attorney’s office to provide a report on California’s new jaywalking law, which limits law enforcement’s ability to cite pedestrians who cross outside of a crosswalk or do not obey certain traffic signals. While the City acknowledges the State’s authority to relax restrictions on pedestrian road crossings, the local evidence demonstrates that vehicle versus pedestrian incidents have been and continue to be a public danger and concern within the City. To strengthen the health, safety, and welfare of the community, the Council will consider an ordinance to prohibit pedestrians from standing, lying, sitting or otherwise remaining on street median islands. For the reasons stated herein, the ordinance would also prohibit pedestrians from standing, lying, sitting or otherwise remaining in retail or service business drive-throughs and adjacent areas.

Staff report by Ms. HongDao Nguyen, City Attorney.

Motion/Second: Shawver/Warren

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

Motion unanimously carried:

1. The City Council finds that the ordinance is exempt from the requirements of the California Environmental Quality Act (“CEQA”) pursuant to State CEQA Guidelines Sections 15378(a) (the ordinance is not a “project” and has no potential for resulting in physical change to the environment, directly or indirectly) and 15061(b)(3) (there is no possibility that the ordinance or its implementation would have a significant negative effect on the environment) (14 Cal. Code Regs.); and
2. Introduced Ordinance No. 1133 for its first reading, to be read by title only, and waive further reading:

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, ADDING CHAPTERS 10.34 AND 10.36 TO TITLE 10 OF THE STANTON MUNICIPAL CODE REGARDING MEDIAN ISLANDS AND DRIVE-THROUGHS AND FINDING THE ORDINANCE TO BE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTIONS 15378 AND 15061(B)(3) OF THE STATE CEQA GUIDELINES”; and

3. Set said ordinance for adoption at the regular City Council meeting of October 10, 2023.

9B. MAYORAL/CITY COUNCIL TERM LIMITS; OVERVIEW AND POLICY OPTIONS

Staff is seeking direction from the City Council as to the language that the City should place on a ballot to amend Measure RR – the City’s current two-term lifetime limit on City Councilmember service. Moreover, staff seeks direction on, among other things, when to bring the measure or measures to the voters, which could be the March 5, 2024 or November 5, 2024 Municipal elections. The legal deadlines to place such a measure or measures on the ballot are December 8, 2023 and August 9, 2024, respectively.

Staff report by Ms. HongDao Nguyen, City Attorney.

Shall the City Council proceed with a ballot measure that would impose a three-term limit on City Councilmember service?

Motion/Second: Warren/Shawver

ROLL CALL VOTE:	Council Member Taylor	NO
	Council Member Torres	NO
	Council Member Warren	AYE
	Mayor Pro Tem Van	NO
	Mayor Shawver	AYE

Motion failed.

Shall the City Council proceed with a ballot measure that would impose a two-term limit on Mayoral service?

Motion/Second: Taylor/Torres

ROLL CALL VOTE:	Council Member Taylor	AYE
	Council Member Torres	AYE
	Council Member Warren	AYE
	Mayor Pro Tem Van	AYE
	Mayor Shawver	NO

Motion carried:

1. The City Council declared that the project is not subject to CEQA in accordance with Sections 15378(b)(5) and 15061(b)(3) of the State CEQA Guidelines; and
2. The City Council voted to proceed with a ballot measure that would impose a two-term limit on Mayoral service.

Shall the City Council proceed with separate term limits or combined term limits on Mayoral and Council service?

Motion/Second: Warren/Van

ROLL CALL VOTE:	Council Member Taylor	Combined
	Council Member Torres	Separate
	Council Member Warren	Separate
	Mayor Pro Tem Van	Separate
	Mayor Shawver	Separate

Motion carried:

1. The City Council declared that the project is not subject to CEQA in accordance with Sections 15378(b)(5) and 15061(b)(3) of the State CEQA Guidelines; and
2. The City Council voted to proceed with placement of separate two-term lifetime limits on Mayoral and Council service.

Shall the City Council proceed with placement of the aforementioned ballot measure or measures on either the March or November 2024 Municipal Election ballot?

Motion/Second: Van/Taylor

ROLL CALL VOTE:	Council Member Taylor	November
	Council Member Torres	November
	Council Member Warren	November
	Mayor Pro Tem Van	November
	Mayor Shawver	March

Motion carried:

1. The City Council declared that the project is not subject to CEQA in accordance with Sections 15378(b)(5) and 15061(b)(3) of the State CEQA Guidelines; and
2. The City Council voted to proceed with placement of the aforementioned ballot measure or measures on the November 2024 Municipal Election ballot.

10. ORAL COMMUNICATION

- Mr. Jose L. Guerrero, resident, expressed his concerns and frustrations with the emitting noise levels and increased odor being produced by CR&R, excessive speeding/traffic safety within his neighborhood, and inquired as to when the Santa Rosalia pedestrian bridge would be repaired for community access.
- Mr. Mike Pierce, resident, expressed his continuing concerns regarding speeding and traffic safety within the Santa Rosalia neighborhood and near the Carver Early Childhood Education Center, requested that the City install additional speed limit signs as well as adding school zone signs, further reported concerns with the increased odor being produced by CR&R, as well as CR&R’s upkeep of landscape maintenance of CR&R’s walkways/sidewalks.

11. WRITTEN COMMUNICATIONS None.

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

12A. COMMITTEE REPORTS/COUNCIL/AGENCY/AUTHORITY ANNOUNCEMENTS

- Mayor Pro Tem Van reported on her attendance at the League of California Cities Annual Conference and Expo, which was held in Sacramento, California on September 20-22, 2023.
- Mayor Pro Tem Van reported on the Orange County Community Resource / Housing and Community Development’s announcement that the Orange County Housing Authority (OCHA) has opened the Housing Choice Voucher Program (Section 8) waiting list and that they will continue to accept applications until September 29, 2023 (11:59 p.m.).
- Mayor Pro Tem Van reported on the upcoming 4th Annual Mid-Autumn Festival (Tết Trung thu) 2023, which is scheduled to take place on October 1, 2023, from 10:00 AM – 12:00 PM at Stanton Central Park.
- Council Member Torres reported on his attendance at the League of California Cities Annual Conference and Expo, which was held in Sacramento, California on September 20-22, 2023.
- Council Member Warren reported on her attendance at the Boys and Girls Club of Stanton’s Annual Casino Night event, which was held at the Mancave in Anaheim, California on September 23, 2023.
- Mayor Shawver reported on the success of the St. Polycarp Catholic Church’s Annual St. Polycarp Family Festival event, which was held on September 15-17, 2023 at the St. Polycarp Catholic Church.

- Mayor Shawver reported on the success of the September 2023 drive through food distribution event and expressed his gratitude to the volunteers who assisted with the event, which was held at Stanton Park.
- Mayor Shawver reported on the upcoming Annual Harry's Cafe Thanksgiving Dinner event, which is scheduled to be held on November 23, 2023.
- Mayor Shawver reported on his efforts to address transient activity and public health issues near the CA-22 Freeway and Garden Grove Boulevard, as well as his efforts in working with partner agencies such as the office of Senator Janet Nguyen, Caltrans, California Highway Patrol, City of Westminster, and the City of Garden Grove.

12B. COUNCIL/AGENCY/AUTHORITY INITIATED ITEMS FOR A FUTURE COUNCIL MEETING

None.

12C. COUNCIL/AGENCY/AUTHORITY INITIATED ITEMS FOR A FUTURE STUDY SESSION

None.

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

None.

14. ITEMS FROM CITY MANAGER/EXECUTIVE DIRECTOR

None.

14A. 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.

Ms. Hannah Shin-Heydorn, City Manager provided the City Council with an update on the Orange County Sheriff's Department's current operations.

Mayor Shawver expressed his gratitude to the Orange County Fire Authority and applauded their service and care to him and his family during his most recent need for their assistance. Mayor Shawver further expressed his gratitude to City staff and his fellow Council Members for filling in and representing for him while he has been away from office duties and further thanked the Stanton community for their thoughts and prayers and expressed his appreciation for each and every community member.

- 15. ADJOURNMENT** in memory and honor of former Stanton City Council Member,
Honorable Enrique “Henry” Mendez.
Motion/Second: Shawver/Van
Motion carried at 8:25 p.m.

/s/ David J. Shawver

MAYOR/CHAIRMAN

ATTEST:

/s/ Patricia A. Vazquez

CITY CLERK/SECRETARY