

MINUTES OF THE CITY COUNCIL / SUCCESSOR AGENCY / HOUSING AUTHORITY
OF THE CITY OF STANTON
SPECIAL AND JOINT REGULAR MEETING NOVEMBER 22, 2022

1. CALL TO ORDER / CLOSED SESSION

The City Council / Successor Agency / Housing Authority meeting was called to order at 5:30 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, Mayor Pro Tem/Vice Chairman Ramirez, and Mayor/Chairman Shawver.

Absent: None.

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 5:31 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: 8830 Tina Way, Anaheim, CA (APN 126-481-01)
8840 Tina Way, Anaheim, CA (APN 126-481-02)
8850 Tina Way, Anaheim, CA (APN 126-481-03)
8860 Tina Way, Anaheim, CA (APN 126-481-04)
8870 Tina Way, Anaheim, CA (APN 126-481-05)
8880 Tina Way, Anaheim, CA (APN 126-481-06)
8890 Tina Way, Anaheim, CA (APN 126-481-07)
8900 Tina Way, Anaheim, CA (APN 126-481-08)
8910 Tina Way, Anaheim, CA (APN 126-481-09)
8920 Tina Way, Anaheim, CA (APN 126-481-10)
8930 Tina Way, Anaheim, CA (APN 126-481-11)

8940 Tina Way, Anaheim, CA (APN 126-481-12)
8950 Tina Way, Anaheim, CA (APN 126-481-13)
8960 Tina Way, Anaheim, CA (APN 126-481-14)
8970 Tina Way, Anaheim, CA (APN 126-481-15)
8841 Pacific Avenue, Anaheim, CA (APN 126-481-29)
8851 Pacific Avenue, Anaheim, CA (APN 126-481-28)
8861 Pacific Avenue, Anaheim, CA (APN 126-481-27)
8870 Pacific Avenue, Anaheim, CA (APN 126-482-05)
8871 Pacific Avenue, Anaheim, CA (APN 126-481-26)
8880 Pacific Avenue, Anaheim, CA (APN 126-482-06)
8881 Pacific Avenue, Anaheim, CA (APN 126-481-25)
8890 Pacific Avenue, Anaheim, CA (APN 126-482-07)
8891 Pacific Avenue, Anaheim, CA (APN 126-481-24)
8900 Pacific Avenue, Anaheim, CA (APN 126-482-08)
8901 Pacific Avenue, Anaheim, CA (APN 126-481-23)
8910 Pacific Avenue, Anaheim, CA (APN 126-482-09)
8911 Pacific Avenue, Anaheim, CA (APN 126-481-22)
8920 Pacific Avenue, Anaheim, CA (APN 126-482-10)
8921 Pacific Avenue, Anaheim, CA (APN 126-481-21)
8930 Pacific Avenue, Anaheim, CA (APN 126-482-11)
8931 Pacific Avenue, Anaheim, CA (APN 126-481-20)
8940 Pacific Avenue, Anaheim, CA (APN 126-482-12)
8941 Pacific Avenue, Anaheim, CA (APN 126-481-19)
8950 Pacific Avenue, Anaheim, CA (APN 126-482-13)
8951 Pacific Avenue, Anaheim, CA (APN 126-481-18)
8960 Pacific Avenue, Anaheim, CA (APN 126-482-14)
8961 Pacific Avenue, Anaheim, CA (APN 126-481-17)
8970 Pacific Avenue, Anaheim, CA (APN 126-482-15)
8971 Pacific Avenue, Anaheim, CA (APN 126-481-16)

Negotiating Parties: Hannah Shin-Heydorn, City Manager, City of Stanton
Hannah Shin-Heydorn, Executive Director, Housing
Authority
Hannah Shin-Heydorn, Executive Director, Successor
Agency
David M. Cook and Chaicran Daphnie, Owner
Jennie Trust, Owner
Nga Summer Thien Trang (Trang Trust), Owner
Ngoc Trieu and Andy Pham, Owner
Sky Nguyen / Nguyen Sky SN Living Trust, Owner
Steven W. Reiss Trust (Steven W. Reiss), Owner
Tammy T. Doan and H. Le Harvey, Owner
Trachy Family Trust (Phillip R. Trachy), 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 6:37 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, Mayor Pro Tem/Vice Chairman Ramirez, and Mayor/Chairman Shawver.

Absent: None.

Excused: None.

7. PLEDGE OF ALLEGIANCE

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

8. SPECIAL PRESENTATIONS AND AWARDS None.

The City Attorney / Agency Counsel reported that the Stanton City Council / Successor Agency / Housing Authority met in closed session from 5:31 to 6:37 p.m.

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

9. CONSENT CALENDAR

Council Member Van requested to pull item 9G from the consent calendar for separate discussion.

Motion/Second: Ramirez/Warren

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| 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 | 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 October 21, 2022 – November 3, 2022, in the amount of \$2,178,671.76.

9C. APPROVAL OF MINUTES

The City Council/Successor Agency/Housing Authority approved Minutes of Joint Regular Meeting – November 8, 2022.

9D. SEPTEMBER 2022 INVESTMENT REPORT

The Investment Report as of September 30, 2022, 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 September 2022.

9E. SEPTEMBER 2022 INVESTMENT REPORT (SUCCESSOR AGENCY)

The Investment Report as of September 30, 2022, 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 September 2022.

9F. SEPTEMBER 2022 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 September 30, 2022, 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 September 30, 2022.

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 September 2022 Revenue and Expenditure Report and Status of Capital Improvement Projects for the month ended September 30, 2022.

9H. AMENDMENT OF AGREEMENT FOR CONSULTING SERVICES WITH KTG Y FOR THE PREPARATION OF THE TOWN CENTER SPECIFIC PLAN

Due to staffing changes among the consultant team, additional time is requested to complete the Town Center Specific Plan and associated studies. The original term of the contract ended June 30, 2022. Staff requests the Council authorize an extension to June 30, 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 Amendment to the Agreement for Consulting Services with KTG Y to extend the term of the contract to June 30, 2023; and
3. Authorized the City Manager to execute the Amendment between the City of Stanton and KTG Y.

9I. AWARD OF CONTRACT TO DISABILITY ACCESS CONSULTANTS, LLC TO PROVIDE AMERICANS WITH DISABILITIES ACT (ADA) SELF-EVALUATION AND TRANSITION PLAN DEVELOPMENT SERVICES AND APPROPRIATION OF FUNDS (TASK CODE 2022-839)

City staff released a Request for Proposal (RFP) soliciting proposals to provide professional ADA self-evaluation and transition plan development services. Disability Access Consultants, LLC is the best qualified firm to provide the professional services and staff is recommending award of contract to that firm. In addition, staff is requesting City Council approval for an appropriation of \$20,000 from the Gas Tax Fund (#211) to increase the budget for the ADA Self-Evaluation and Transition Plan project from \$90,000 to \$110,000.

1. The City Council declared this action to be categorically exempt under the California Environmental Quality Act, since the action herein does not constitute a “project” as defined by Section 15378 of the CEQA guidelines; and
2. Awarded a contract to Disability Access Consultants, LLC to provide professional ADA Self-Evaluation and Transition Plan development services for a maximum contract amount of \$99,730; and
3. Authorized the City Manager to bind the City of Stanton and Disability Access Consultants, LLC in a contract to provide the services; and
4. Authorized the City Manager to approve a contingency in the amount of \$10,000 to Disability Access Consultants, LLC; and
5. Appropriated \$20,000 from the Gas Tax Fund (#211) to increase the ADA Self-Evaluation and Transition Plan Development project’s budget to \$110,000.

9J. PROFESSIONAL SERVICES AGREEMENT FOR SPLASH PAD MAINTENANCE

As the current contract is set to expire on November 30, 2022, City staff released a Request for Proposal (RFP) soliciting proposals to provide professional splash pad maintenance services at Stanton Central Park and Harry M. Dotson Park. California Waters Development, Inc. DBA California Waters is qualified to provide the professional services and staff is recommending award of contract to that firm.

1. The City Council declared this action to be categorically exempt under the California Environmental Quality Act, since the action herein does not constitute a “project” as defined by Section 15378 of the CEQA guidelines; and
2. Awarded a contract to California Waters Development, Inc. DBA California Waters to provide professional splash pad maintenance and repair services for a maximum contract amount of \$14,940 annually, excluding CPI adjustments as provided for in the Professional Services Agreement; and

3. Authorized the City Manager to bind the City of Stanton and California Waters Development, Inc. DBA California Waters in a contract to provide the services; and
4. Authorized the City Manager to approve a contingency in the amount of \$5,000 to California Waters Development, Inc. DBA California Waters.

9K. AWARD OF CONTRACT TO BUCKNAM INFRASTRUCTURE GROUP TO PROVIDE A PAVEMENT MANAGEMENT PLAN

City staff released a Request for Proposal (RFP) soliciting proposals to provide a professional Pavement Management Plan. Bucknam Infrastructure Group is the best qualified firm to provide the professional services and staff is recommending award of contract to the firm. In addition, staff is requesting City Council approval for an appropriation of \$26,196.

1. The City Council declared this action to be categorically exempt under the California Environmental Quality Act, since the action herein does not constitute a “project” as defined by Section 15378 of the CEQA guidelines; and
2. Awarded a contract to Bucknam Infrastructure Group to provide a professional Pavement Management Plan for a maximum contract amount of \$23,796; and
3. Authorized the City Manager to bind the City of Stanton and Bucknam Infrastructure Group in a contract to provide the services; and
4. Authorized the City Manager to approve a contingency in the amount of \$2,400 to Bucknam Infrastructure Group; and
5. Appropriated \$26,196 from the Gas Tax Fund (#211).

9L. 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.

END OF CONSENT CALENDAR

9G. RESOLUTION APPROVING AND ADOPTING AN AMENDED CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974

Pursuant to the Political Reform Act (“Act”), the City Council directed staff to: (1) conduct a review of the City’s Conflict of Interest Code (“Code”) to determine if a change in the Code was necessary; (2) file a biennial notice regarding the results of the review no later than the required deadline; (3) revise the Code if necessary based upon such review; and (4) submit the amended Code to the City Council for adoption and approval, in accordance with Section 87303 of the Act.

During the review process, staff found that amendments to the City’s Conflict of Interest Code are necessary. A redline version of the proposed amended Code is attached.

Council Member Van requested that staff remove references made in regard to the Stanton Community Foundation (SCF), as the SCF amended their bylaws in December of 2020 establishing their separation from the City of Stanton as a single entity.

Motion/Second: Van/Taylor
Motion carried by the following vote:

AYES: 5 (Ramirez, Shawver, Taylor, Van, and Warren)
NOES: None
ABSTAIN: None
ABSENT: None

Motion unanimously carried as amended:

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 and adopted Resolution No. 2022-44 as amended, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON APPROVING AND ADOPTING AN AMENDED CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974”.

10. PUBLIC HEARINGS

10A. URGENCY ORDINANCE AMENDING SECTION 20.400.330 OF THE STANTON MUNICIPAL CODE REGARDING ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS AND DETERMINING THE ORDINANCE TO BE EXEMPT FROM CEQA

In September 2022, the California Legislature approved, and the Governor signed into law, a new bill (“SB 897”) that further amends Government Code sections 65852.2 and 65852.22—the state statutes regulating accessory dwelling units (“ADUs”) and junior accessory dwelling units (“JADUs”), respectively. SB 897 goes into effect on January 1, 2023. If the City’s ADU ordinance does not comply with state law, then its entire ADU ordinance becomes null and void as a matter of law. The attached urgency ordinance updates the City’s ADU ordinance to comply with SB 897.

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

The public hearing was opened.

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

Motion/Second: Ramirez/Van

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

Motion unanimously carried:

1. The City Council conducted a public hearing; and
2. Waived further reading and find that Urgency Ordinance No. 1123 is necessary for the immediate preservation of the public peace, health or safety for the reasons stated therein, entitled:

2. Authorized the Mayor to enter into a lease agreement for a one-year term with the PCTA, in a form approved by the City Attorney.

12B. AMENDMENTS TO STANTON MUNICIPAL CODE CHAPTER 5.77 – COMMERCIAL CANNABIS BUSINESSES

The Council will consider an amended and restated version of Chapter 5.77 of Title 5 of the Stanton Municipal Code related to commercial cannabis businesses. The proposed amendments clarify portions of the chapter as well as provide more recent best practices in processing, permitting, and regulating such businesses.

Staff report by Ms. HongDao Nguyen, City Attorney.

Motion/Second: Taylor/Van

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

Motion unanimously carried:

1. The City Council considered and introduced for first reading Ordinance No. 1124, titled:

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON AMENDING AND RESTATING CHAPTER 5.77 (COMMERCIAL CANNABIS BUSINESSES) OF TITLE 5 (BUSINESS LICENSES AND REGULATIONS) OF THE STANTON MUNICIPAL CODE AND DETERMINING THE ORDINANCE TO BE EXEMPT FROM CEQA PURSUANT TO STATE CEQA GUIDELINES SECTIONS 15060(C)(2), 15061(B)(3) AND 15378(b)(5)”; and

2. Set Ordinance No. 1124 for second reading at the regular City Council meeting of December 13, 2022.

13. ORAL COMMUNICATIONS – PUBLIC None.

14. WRITTEN COMMUNICATIONS None.

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

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

- Council Member Van reported on the City's attendance at the Boys & Girls Club of Stanton's 39th Annual Harvest Celebration, which was held on November 20, 2022.
- Mayor Shawver reported on the success of the drive thru food distribution event, which was held on November 19, 2022, at Stanton Park.
- Ms. Zenia Bobadilla, Community Services Director reported on the City's upcoming Annual Christmas Tree Lighting Ceremony event, which is scheduled to be held at 6:30 PM on December 1, 2022, at Stanton city hall.

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

None.

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. PURCHASING POLICY AND PROCEDURES

The City's Purchasing Policy and Procedures (Policy) were last updated in 2018. Pursuant to the Stanton Municipal Code, the Policy establishes guidelines surrounding the purchase and procurement of supplies, services, and equipment on behalf of the City. The City Council will consider updates to the Policy.

Staff report and presentation by Ms. Hannah Shin-Heydorn, City Manager and Mr. Jason Huynh, Management Analyst.

The City Council discussed selection of a threshold, banking, consumer price index (CPI), purchasing agent, review processes and procedures, timeframes, and established protocols.

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. Consensus was received and the City Council directed staff to proceed with staff proposed recommendations and further directed staff to bring this item back for City Council review when completed.

~~17B. ORANGE COUNTY SHERIFF’S DEPARTMENT~~

~~Chief Charles L. Walters provided the City Council with an update on their current operations.~~

Item 17B was tabled for reporting at the January 10, 2023, regularly scheduled City Council meeting.

Introduction of Deputy B.Manerro, Orange County Sheriff’s Department to the City Council.

Chief Steve Dohman, Orange County Fire Authority (OCFA) reported on the OCFA’s Spark of Love Holiday Toy Drive, which is scheduled to be held from November 28, 2022 through December 24, 2022 at various fire stations and community locations throughout Orange County.

Recognition of outgoing Community and Economic Development Director Ms. Jennifer A. Lilley by Mayor Shawver.

- 18. ADJOURNMENT** Motion/Second: Shawver/
Motion carried at 8:24 p.m.

/s/ David J. Shawver

DAVID J. SHAWVER, MAYOR

ATTEST:

/s/ Patricia A. Vazquez

CITY CLERK/SECRETARY