

MINUTES OF THE CITY COUNCIL / SUCCESSOR AGENCY / HOUSING AUTHORITY
OF THE CITY OF STANTON
JOINT REGULAR MEETING DECEMBER 13, 2022

1. CLOSED SESSION None.

In recognition and honor of outgoing Mayor Pro Tem Ramirez, Mayor Shawver requested to delegate authority to Mayor Pro Tem Ramirez to serve as the Presiding Officer of the December 13, 2022, City Council meeting, presiding over all agenda items up to item 12C, in which authority will be redelegated back to Mayor Shawver for completion of remaining agenda items.

Mayor Shawver received City Council consensus and Mayor Pro Tem Ramirez was delegated authority to serve as the Presiding Officer over all agenda items up to item 12C.

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 Pro Tem Ramirez.

3. PLEDGE OF ALLEGIANCE

Led by Mr. Donald Torres, Council Member Elect - District 1.

4. 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.

5. SPECIAL PRESENTATIONS AND AWARDS

The City Council along with the Office of Senator Josh Newman, presented certificates of recognition to the 2022 Citizen's Academy participants for completion of the City's four-week community and leadership development program.

6. CONSENT CALENDAR

Council Member Warren requested to pull item 6L from the consent calendar for separate discussion.

Motion/Second: Van/Warren

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

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 November 4, 2022 – November 17, 2022, in the amount of \$1,445,660.58.

6C. APPROVAL OF MINUTES

The City Council/Successor Agency/Housing Authority approved Minutes of Joint Regular Meeting – November 22, 2022.

6D. 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.

6E. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION FOR THE OFFICE OF MAYOR AND ELECTORAL DISTRICTS 1 AND 3 ON NOVEMBER 8, 2022, 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. Approved Resolution No. 2022-48, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION FOR THE OFFICE OF MAYOR AND ELECTORAL DISTRICTS 1 AND 3 ON NOVEMBER 8, 2022, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW.”

6F. ADOPT RESOLUTION APPROVING THE ANNUAL MEASURE M2 EXPENDITURE REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2022

Orange County Local Transportation Authority (OCTA) Ordinance No. 3 (“Ordinance”) requires that the City adopt a resolution approving an Annual Measure M2 Expenditure Report. This report accounts for the City’s share of Measure M2 revenues, developer/traffic impact fees, and the funds that were expended to satisfy the City’s Maintenance of Effort requirements (MOE). The Annual Measure M Expenditure Report for the fiscal year ended June 30, 2022, has been included as Exhibit A to the Resolution (Attachment A).

1. The City Council finds that this item is not subject to California Environmental Quality Act (“CEQA”) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 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. Adopted Resolution No. 2022-46 approving the Annual Measure M2 Expenditure Report for the Fiscal Year Ended June 30, 2022, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON CONCERNING THE MEASURE M2 EXPENDITURE REPORT FOR THE CITY OF STANTON FOR THE FISCAL YEAR ENDED JUNE 30, 2022”; and

3. Directed staff to submit the report with Orange County Local Transportation Authority (OCTA).

6G. OCTOBER 2022 INVESTMENT REPORT

The Investment Report as of October 31, 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 October 2022.

6H. OCTOBER 2022 INVESTMENT REPORT (SUCCESSOR AGENCY)

The Investment Report as of October 31, 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 October 2022.

6I. OCTOBER 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 October 31, 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 October 31, 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 October 2022 Revenue and Expenditure Report and Status of Capital Improvement Projects for the month ended October 31, 2022.

6J. AUTHORITY TO ADVERTISE FOR CONSTRUCTION: FAMILY RESOURCE CENTER RENOVATION PROJECT

The plans and specifications for the Family Resource Center Renovation Project ("Project") are substantially complete. In the interest of time, the City Engineer is recommending City Council approval of the draft specifications and plans for bidding, subject to revision by the City Engineer and the City Attorney, to ensure a construction contract is awarded for the project to be completed by the grant deadline. The draft Project plans and specifications are available in the City Engineer's Office for review.

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 bid specifications and plans, subject to revisions required by the City Engineer and the City Attorney; and
3. Authorized and advertised for bids the Family Resource Center Renovation Project.

6K. LOW AND MODERATE INCOME HOUSING ASSET FUND ANNUAL REPORT FOR FISCAL YEAR 2021-2022 (HOUSING AUTHORITY)

The attached Low and Moderate Income Housing Asset Fund Annual Report for Fiscal Year 2021-2022 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); and
2. Received and filed the Annual Progress Report.

6M. APPROVE RESOLUTION TO RECEIVE AND FILE FISCAL YEAR 2021/22 DEVELOPMENT IMPACT FEE REPORT AND MAKE CERTAIN FINDINGS PURSUANT TO GOVERNMENT CODE SECTION 66000, et. seq.

The Fiscal Year 2021/22 Annual Financial Report of Development Impact Fees (“Fiscal Year 2021/22 Development Impact Fee Report”) is hereby provided to City Council in Attachment A to this staff report 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, 2022. Consequently, there are no funds that are required by California Government Code Section 66006 to be refunded to property owners. Attachment A, pages 14-16 include Resolution No. 2022-47 to approve the receipt and filing of the Fiscal Year 2021/22 Development Impact Fee Report and certain findings the California Government Code requires the City Council to affirm.

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 Resolution No. 2022-47 to receive and file the Fiscal Year 2021/22 Development Impact Fee Report and make certain findings pursuant to Government Code Section 66006, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON TO RECEIVE AND FILE THE FISCAL YEAR 2021/22 DEVELOPMENT IMPACT FEE REPORT AND FIVE-YEAR REPORT AND MAKE CERTAIN FINDINGS, AS REQUIRED BY CALIFORNIA GOVERNMENT CODE SECTION 66000 et seq.”

6N. AWARD OF CONTRACT TO TPX COMMUNICATIONS TO PROVIDE MANAGED FIREWALL SERVICES

Staff recommends that the City Council approve the Professional Services Agreement with TPx Communications for managed firewall services.

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. Waived the competitive bidding requirements in the City’s purchasing policy for this procurement; and
3. Approved the Professional Services Agreement with TPx Communications to provide managed firewall services; and
4. Authorized the City Manager to bind the City of Stanton and TPx Communications in a contract to provide these services.

END OF CONSENT CALENDAR

6L. APPROVAL OF COOPERATIVE SERVICE AGREEMENT WITH COUNTY OF ORANGE TO PROVIDE MUNICIPAL SERVICES

The County of Orange performs various municipal services for cities within Orange County. The current agreement with the County of Orange is set to expire on January 16, 2023. City staff has worked with the County of Orange to draft a new Cooperative Service Agreement with an increased scope of services and a capacity not to exceed \$450,000.

Staff report by Ms. Hannah Shin-Heydorn, City Manager.

Motion/Second: Warren/Shawver
Motion carried by the following vote:

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

Motion unanimously carried:

1. The City Council declared this project to be categorically exempt under the California Environmental Quality Act, Class 1, Section 15301c; and
2. Approved a Cooperative Service Agreement with the County of Orange for Municipal Services for a three-year term and a not-to-exceed compensation amount of \$450,000; and
3. Authorized the City Manager to bind the City of Stanton and the County of Orange in a contract to provide services.

7. PUBLIC HEARINGS None.

8. UNFINISHED BUSINESS

8A. APPROVAL OF ORDINANCE NO. 1124

This Ordinance was introduced at the regular City Council meeting of November 22, 2022.

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

Motion/Second: Shawver/Warren

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 Clerk read the title of Ordinance No. 1124, entitled:

“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. The City Council adopted Ordinance No. 1124.

9. NEW BUSINESS

9A. PROPOSED ORDINANCE AMENDING PROVISIONS OF CHAPTER 5.04 (LICENSES) AND PROPOSING NEW CHAPTER 5.18 RELATED TO PERSONAL SERVICES; AND PROPOSED TERMINATION OF MORATORIUM RELATING TO SPECIFIED PERSONAL SERVICE AND MEDICAL OFFICE BUSINESSES; AND DETERMINING THE ORDINANCE TO BE EXEMPT FROM CEQA

On June 14, 2022, the City Council adopted Urgency Ordinance No. 1121, which established a 45-day moratorium on the establishment of specified personal care and medical office businesses (the “Moratorium”). The Moratorium was to address public alleged nuisance activity that had occurred at some day spas within the City. The Moratorium was extended on July 12, 2022, for 10 months and 15 days. After studying the issue, the City is proposing revisions to the City’s business licensing ordinances as well as proposing a new chapter in the Stanton Municipal Code (SMC) to impose additional regulations on certain personal services businesses. If the changes are adopted, the City also proposes to terminate the Moratorium.

Staff report by Ms. HongDao Nguyen, City Attorney.

Motion/Second: Warren/Van

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, waived further reading, and introduced for first reading Ordinance No. 1125, entitled:

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON AMENDING PORTIONS OF CHAPTER 5.04 (LICENSES) OF TITLE 5 (BUSINESS LICENSES AND REGULATIONS) AND ADDING CHAPTER 5.18 (PERSONAL SERVICES) TO TITLE 5 OF THE STANTON MUNICIPAL CODE; SETTING A TERMINATION DATE FOR URGENCY ORDINANCE NO. 1121 REGARDING A MORATORIUM ON PERSONAL CARE AND MEDICAL OFFICE BUSINESSES; AND DETERMINING THE ORDINANCE TO BE EXEMPT FROM CEQA”; and

- 2. Approved the termination of the Moratorium imposed pursuant to Urgency Ordinance No. 1121 so that the termination is effective December 31, 2022, and issued a written report pursuant to Government Code section 65858(d); and
- 3. Made a determination that the actions are not a “project” within the meaning of Section 15378, or otherwise exempt pursuant to Section 15061(b)(3) of the State of California Environmental Quality Act (“CEQA”) Guidelines.

10. ORAL COMMUNICATION None.

11. WRITTEN COMMUNICATIONS None.

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

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

Council Member Van reported on the City’s attendance at the Holiday Tree Farms, Inc. and Home Depot Store #6952 (*Stanton*) for the City’s annual Adopt-A-Tree Program, which was held on December 5, 2022.

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

Mayor Shawver requested to agenda discussion regarding the use of defensive wire along the storm drain channels within the city.

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

None.

Authority has been redelegated back to Mayor Shawver for completion of remaining agenda items.

12D. SWEARING IN / SEATING OF NEW 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 8, 2022:

- Mr. David John Shawver was elected as Mayor for the full term of four years; and
- Mr. Donald Torres was elected as Member of the City Council to represent Electoral District 1 for the full term of four years; and
- Mr. Gary Taylor was elected as Member of the City Council to represent Electoral District 3 for the full term of four years.

The City Clerk administered the Oaths of Office to Mr. David John Shawver and Mr. Gary Taylor.

Council Member Van ceremoniously administered the Oath of Office to Mr. Donald Torres.

The City Council expressed their congratulations to Mayor Shawver, Council Member Taylor and Council Member Torres on a successful election season.

12E. RECOGNITION OF OUTGOING MAYOR PRO TEM RIGOBERTO A. RAMIREZ

Presentation of honors by the City Council to Mayor Pro Tem Rigoberto A. Ramirez.

The City Council expressed their gratitude to outgoing Mayor Pro Tem Ramirez for his outstanding service to the Stanton community for the last 10 years as a City Council Member, Mayor Pro Tem, and Mayor.

Mayor Pro Tem Ramirez expressed his gratitude to the City Council, city staff, and Stanton Community.

12F. REORGANIZATION OF CITY COUNCIL

Annually, the City Council elects a Mayor Pro Tem.

Mayor Shawver opened nominations for Mayor Pro Tem.

Council Member Van nominated Council Member Carol Warren for the office of Mayor Pro Tem, which was seconded by Council Member Torres.

Mayor Shawver nominated Council Member Hong Alyce Van for the office of Mayor Pro Tem, which was seconded by Council Member Warren.

Mayor Shawver closed nominations for Mayor Pro Tem.

1. Council Member Carol Warren for the office of Mayor Pro Tem.

Motion/Second: Van/Torres

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

Motion failed.

2. Council Member Hong Alyce Van for the office of Mayor Pro Tem.

Motion/Second: Shawver/Warren

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

Motion unanimously carried:

Council Member Hong Alyce Van was unanimously elected Mayor Pro Tem.

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

None.

14. ITEMS FROM CITY MANAGER/EXECUTIVE DIRECTOR

None.

14A. ORANGE COUNTY FIRE AUTHORITY

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

Battalion Chief Erik Miranda provided the City Council with an update on their current operations.

- 15. ADJOURNMENT** in recognition and honor of outgoing Mayor Pro Tem Rigoberto A. Ramirez and his family.
Motion/Second: Shawver/
Motion carried at 7:36 p.m.

/s/ David J. Shawver

MAYOR/CHAIRMAN

ATTEST:

/s/ Patricia A. Vazquez

CITY CLERK/SECRETARY