



AGENDA
CITY COUNCIL/SUCCESSOR AGENCY/STANTON HOUSING AUTHORITY
JOINT REGULAR MEETING
STANTON CITY HALL, 7800 KATELLA AVENUE, STANTON, CA
TUESDAY, FEBRUARY 13, 2018 - 6:30 P.M.

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, please contact the Office of the City Clerk at (714) 890-4245. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

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- 1. CLOSED SESSION (6:00 PM)**

- 2. ROLL CALL** Council Member Donahue
 Council Member Ethans
 Council Member Warren
 Mayor Pro Tem Ramirez
 Mayor Shawver

- 3. PUBLIC COMMENT ON CLOSED SESSION ITEMS**

Closed Session may convene to consider matters of purchase / sale of real property (G.C. §54956.8), pending litigation (G.C. §54956.9(a)), potential litigation (G.C. §54956.9(b)) or personnel items (G.C. §54957.6). Records not available for public inspection.

4. CLOSED SESSION

4A. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Government Code Section 54956.9
(d) (2)

Number of Potential Cases: 4

4B. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Existing litigation pursuant to Government Code section 54956.9(d)(1)
Number of cases: 1

City of Stanton vs. Green Tree Remedy et al, Orange County Superior Court Case
Number: 30-2015-00813225-CU-JR-CJC

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

6. ROLL CALL Agency/Authority Member Donahue
Agency/Authority Member Ethans
Agency/Authority Member Warren
Vice Chairman Ramirez
Chairman Shawver

7. PLEDGE OF ALLEGIANCE

8. SPECIAL PRESENTATIONS AND AWARDS

Recognition of the City of Stanton's dedicated volunteers.

9. CONSENT CALENDAR

All items on the Consent Calendar may be acted on simultaneously, unless a
Council/Board Member requests separate discussion and/or action.

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**

RECOMMENDED ACTION:

City Council/Agency Board/Authority Board waive reading of Ordinances and Resolutions.

- 9B. APPROVAL OF WARRANTS**

City Council approve demand warrants dated January 18, 2018, January 24, 2018, and January 25, 2018, in the amount of \$543,923.22.

- 9C. APPROVAL OF MINUTES**

City Council/Agency/Authority Board approve Minutes of Regular Joint Meeting – January 23, 2018.

- 9D. APPROVAL FOR THE PURCHASE OF TRAFFIC SIGNAL CABINET AND EQUIPMENT FOR THE DALE AVENUE AND CHANTICLEER ROAD TRAFFIC SIGNAL PROJECT**

The Dale Avenue and Chanticleer Road Traffic Signal Project requires a traffic signal cabinet and internal equipment. This project is currently in the bidding process. Staff is planning to cut several months of delay time by procuring the necessary materials while the awarding process of the project is taking place.

RECOMMENDED ACTION:

1. City Council declare that the project is exempt from 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. Authorize the City Manager to execute a purchase with Econolite Group, Inc. to furnish a new TS2 cabinet and equipment for the Dale Avenue and Chanticleer Road Traffic Signal Project in the amount of \$35,478.74.

9E. ACCEPTANCE OF THE WESTERN AVENUE AND THUNDERBIRD LANE TRAFFIC SIGNAL PROJECT BY THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA

The Western Avenue and Thunderbird Lane Traffic Signal Project has been completed in accordance with the plans and specifications. The final construction cost for the project was \$220,155.68. The City Engineer, in his judgment, certifies that the work was satisfactorily completed as of February 1, 2018 and recommends that the City Council accept the completed work performed on this project.

The construction contract for the Western Avenue and Thunderbird Lane Traffic Signal Project is for \$287,115.41. The remaining balance of \$66,959.73 is based on the contractor not being allowed to build the center median island. The center median island will be a separate project in the future once Union Pacific gives the City of Stanton a Right-Of-Entry agreement. Other than the design changes created by Union Pacific, this project had no change orders created by field conditions, contractor or staff.

RECOMMENDED ACTION:

1. City Council declare this project categorically exempt under the California Environmental Quality Act, Class 1, and Section 15301c; and
2. Accept the completion of improvements for the Western Avenue and Thunderbird Lane Traffic Signal Project, as certified by the City Engineer, and affix the date of February 1, 2018 as the date of completion of all work on this project; and
3. Approve the final construction contract amount of \$287,115.41 with DBX, Inc.; and
4. Direct the City Clerk within ten (10) days from the date of acceptance to file the Notice of Completion (Attachment) with the County Recorder of the County of Orange; and
5. Direct City staff, upon expiration of the thirty-five (35) days from the filing of the "Notice of Completion," to make the retention payment to DBX, Inc. in the amount of \$11,007.78.

9F. ACCEPTANCE OF THE RUTLEDGE AVENUE AND PALAIS ROAD ALLEY IMPROVEMENT PROJECT BY THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA

The Rutledge Avenue and Palais Road Alley Improvement Project have been completed in accordance with the plans and specifications. The final construction cost for the project was \$900,172.92. The City Engineer, in his judgment, certifies that the work was satisfactorily completed as of February 1, 2018 and recommends that the City Council accept the completed work performed on this project.

The construction contract for the Rutledge Avenue and Palais Road Alley Improvement Project is for \$941,000.00. Staff was able to save \$40,827.08 during the construction phase and come in below the initial estimated cost due to field conditions. The existing base material of several streets throughout the Bradford Place was found to be in good condition even though the asphalt had failed. This allowed staff to modify the initial street section design. Staff was able to reduce the thickness of the base material required and in the end saving the City of Stanton construction cost.

RECOMMENDED ACTION:

1. City Council declare this project categorically exempt under the California Environmental Quality Act, Class 1, and Section 15301c; and
2. Accept the completion of improvements for the Rutledge Avenue and Palais Road Alley Improvement Project, as certified by the City Engineer, and affix the date of February 1, 2018 as the date of completion of all work on this project; and
3. Approve the final construction contract amount of \$900,172.92 with Hardy and Harper, Inc.; and
4. Direct the City Clerk within ten (10) days from the date of acceptance to file the Notice of Completion (Attachment) with the County Recorder of the County of Orange; and
5. Direct City staff, upon expiration of the thirty-five (35) days from the filing of the "Notice of Completion," to make the retention payment to Hardy and Harper, Inc. in the amount of \$45,008.65.

9G. PROPOSED CHANGES TO PERSONNEL RULES AND REGULATIONS

The City Council has established Personnel Rules and Regulations as set forth in Title II, Chapter 2.44 of the Stanton Municipal Code. From time to time the provisions of the Personnel Rules are changed based on changes in federal or state law or the needs of the organization have changed.

RECOMMENDED ACTION:

1. City Council declare 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 and procedure making; and
2. Approve Resolution No. 2018-03 amending the City of Stanton Personnel Rules and Regulations, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, AMENDING AND ADOPTING PERSONNEL RULES FOR THE ADMINISTRATION OF THE CITY'S PERSONNEL SYSTEM AND REPEALING ALL OTHER RESOLUTIONS AND MOTIONS INCONSISTENT HEREWITH."

END OF CONSENT CALENDAR

10. PUBLIC HEARINGS

10A. AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, IN ACCORDANCE WITH GOVERNMENT CODE SECTION 36937, IMPOSING A MORATORIUM TO TEMPORARILY PROHIBIT THE ESTABLISHMENT OF ANY AREA OF PERMIT PARKING PENDING STUDY AND ADOPTION OF REGULATORY STANDARDS

This ordinance proposes a new moratorium for the establishment of new permit parking areas so that staff may analyze alternative options to relieve parking issues in the City and to study and propose new regulatory standards. The City needs to evaluate permit parking due to immediate health, safety, and welfare issues. Requests for permit parking are often prompted by residents' complaints of overflow parking, which allegedly results in excessive litter, vehicle break-ins, thefts, and other crime. However, the City must balance those requests against a California Attorney General opinion related to permit parking.

Recently, the City has become aware of alternative options that could help relieve the City's parking issues, including opening certain public properties for overflow parking. These options could have a direct effect on the City's permit parking program, and therefore, staff recommends a one-year moratorium to analyze these new alternatives and to study and propose new regulatory standards.

RECOMMENDED ACTION:

1. City Council conduct a public hearing; and
2. Declare that the project is not subject to 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. Moreover, this Ordinance is statutorily exempt from further CEQA review under Section 15262 (feasibility and planning studies); and
3. Adopt Interim Urgency Ordinance No.1078, entitled:

"AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, IN ACCORDANCE WITH GOVERNMENT CODE SECTION 36937, ENACTING A TEMPORARY MORATORIUM PROHIBITING THE ESTABLISHMENT OF ANY AREA OF PERMIT PARKING PENDING STUDY AND THE ADOPTION OF REGULATORY STANDARDS."

10B. PUBLIC HEARING TO CONSIDER PRECISE PLAN DEVELOPMENT PPD-788, TENTATIVE TRACT MAP TM17-02, PLANNED DEVELOPMENT PERMIT PDP17-02 AND A DEVELOPMENT AGREEMENT TO SUBDIVIDE A 4.95 ACRE SITE FOR THE DEVELOPMENT OF A HOUSING SUBDIVISION CONSISTING OF THE CONSTRUCTION OF 35 SINGLE FAMILY DETACHED DWELLING UNITS, A PRIVATE STREET, AND PRIVATE PARK AREA FOR THE PROPERTY LOCATED AT 8232 LAMPSON AVENUE IN THE RH (HIGH DENSITY RESIDENTIAL) ZONE

A public hearing to consider subdivision of a 4.95 acre site for planned development purposes and to construct 35 single family detached dwelling units, community and private open space; a private street and associated improvements. Under consideration are Precise Plan of Development PPD-788, Tentative Tract Map TM17-02, Planned Development Permit PDP17-02 and a Development Agreement.

RECOMMENDED ACTION:

1. City Council conduct a public hearing; and
2. Declare that the project is categorically exempt per the California Environmental Quality Act (CEQA), under Section 15332, Class 32 (In-Fill Development Projects); and
3. Adopt Resolution No. 2018-04 approving Precise Plan of Development PPD-788, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA FINDING THAT THE DEVELOPMENT AT 8232 LAMPSON AVENUE IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING PRECISE PLAN OF DEVELOPMENT PPD-788, A REQUEST TO SUBDIVIDE A 4.95 ACRE SITE AND CONTRUCT 35 SINGLE-FAMILY DETACHED HOMES, INCLUDING A PRIVATE STREET, AND PRIVATE AND COMMON OPEN SPACE FOR THE PROPERTY LOCATED AT 8232 LAMPSON AVENUE IN THE RH (HIGH DENSITY RESIDENTIAL) ZONE AND THE SOUTH GATEWAY MIXED USE OVERLAY”; AND

4. Adopt Resolution No. 2018-05 approving Tentative Tract Map TM17-02, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA FINDING THAT THE DEVELOPMENT AT 8232 LAMPSON AVENUE IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING TENTATIVE TRACT MAP 18122 (TM 17-02) TO SUBDIVIDE A LEGAL PARCEL (4.95 ACRES) FOR PLANNED DEVELOPMENT PURPOSES FOR THE DEVELOPMENT OF 35 SINGLE-FAMILY DETACHED HOMES, INCLUDING A PRIVATE STREET

AND PRIVATE AND COMMON OPEN SPACE FOR THE PROPERTY LOCATED AT 8232 LAMPSON AVENUE IN THE RH (HIGH DENSITY RESIDENTIAL) ZONE AND THE SOUTH GATEWAY MIXED USE OVERLAY”; AND

5. Adopt Resolution No. 2018-06 approving Planned Development Permit PDP17-02, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF CITY OF STANTON, CALIFORNIA FINDING THAT THE DEVELOPMENT AT 8232 LAMPSON AVENUE IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING PLANNED DEVELOPMENT PERMIT PDP17-02 TO ALLOW CUSTOMIZED DEVELOPMENT STANDARDS FOR A 35-UNIT SINGLE-FAMILY DETACHED HOME DEVELOPMENT, INCLUDING A PRIVATE STREET, AND PRIVATE AND COMMON OPEN SPACE FOR THE PROPERTY LOCATED AT 8232 LAMPSON AVENUE IN THE RH (HIGH DENSITY RESIDENTIAL) ZONE AND THE SOUTH GATEWAY MIXED USE OVERLAY”; AND

6. Introduce Ordinance No. 1077, entitled:

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, MAKING FINDINGS THAT THE DEVELOPMENT AT 8232 LAMPSON AVENUE IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF STANTON AND STANTONLAMPSON 2017, LLC FOR CERTAIN REAL PROPERTY LOCATED AT 8232 LAMPSON AVENUE, WITHIN THE CITY OF STANTON PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65864 ET SEQ”; and

7. Set said ordinance for adoption at the regular City Council meeting on February 27, 2018.

11. UNFINISHED BUSINESS None.

12. NEW BUSINESS

12A. APPEAL OF CITY MANAGER'S DENIAL OF MASSAGE ESTABLISHMENT LICENSE MEL17-01 TO ALLOW FOR CONTINUED OPERATION OF A MASSAGE ESTABLISHMENT FOR THE PROPERTY LOCATED AT 10356 BEACH BLVD. IN THE CG (COMMERCIAL GENERAL) ZONE; SUBMITTED BY TRINITY NGUYEN

This is an appeal of the City Manager's decision to deny Massage Establishment License MEL17-01 for the operation of a massage establishment by Trinity Nguyen.

RECOMMENDED ACTION:

1. City Council declare the project exempt from CEQA under Section 15321 (Enforcement Actions by Regulatory Agencies); and
2. Consider Resolution No. 2018-01 upholding the City Manager's denial of Massage Establishment License MEL17-01 and deny the appeal, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA UPHOLDING THE CITY MANAGER'S DENIAL OF MASSAGE ESTABLISHMENT LICENSE MEL17-01 FOR THE OPERATION OF A MASSAGE ESTABLISHMENT LICENSE AT 10356 BEACH BLVD. BY TRINITY NGUYEN AND DENYING APPLICANT'S APPEAL”; and

3. If the City Manager's denial is upheld, the City Council designate the business closure date to be thirty (30) days from the date the City notifies the appellant of the City Council's decision.

12B. APPEAL OF CITY MANAGER’S DENIAL OF MASSAGE ESTABLISHMENT LICENSE MEL17-03 FOR THE OPERATION OF A MASSAGE ESTABLISHMENT LICENSE AT 12505 BEACH BLVD. #B3 BY TRINITY NGUYEN

This is an appeal of the City Manager’s decision to deny Massage Establishment License MEL17-03 for the operation of a massage establishment by Trinity Nguyen.

RECOMMENDED ACTION:

1. City Council declare the project exempt from CEQA under Section 15321 (Enforcement Actions by Regulatory Agencies); and
2. Consider Resolution No. 2018-02 upholding the City Manager’s denial of Massage Establishment License MEL17-03 and deny the appeal, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA UPHOLDING THE CITY MANAGER’S DENIAL OF MASSAGE ESTABLISHMENT LICENSE MEL17-03 FOR THE OPERATION OF A MASSAGE ESTABLISHMENT LICENSE AT 12505 BEACH BLVD. #B3 BY TRINITY NGUYEN AND DENYING APPLICANT’S APPEAL”; and

3. If the City Manager’s denial is upheld, the City Council designate the business closure date to be thirty (30) days from the date the City notifies the appellant of the City Council’s decision.

12C. AN ORDINANCE AMENDING THE LOCAL VENDOR PREFERENCE SECTION OF THE STANTON MUNICIPAL CODE AND REVISING ADMINISTRATIVE POLICY IV-4-12

City Council recently held discussions relating to the local vendor preference listed in Stanton's Municipal Code. As a result of those discussions, adjustments are being made to double the local vendor preference and to clarify the situations in which the preference can apply through the adoption of Ordinance No. 1076. In addition, a corresponding revision is being made to Administrative Policy IV-4-12, "Purchasing Policy and Procedures".

RECOMMENDED ACTION:

1. City Council declare 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. Introduce Ordinance No. 1076, entitled:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, AMENDING SECTION 2.56.075 OF THE MUNICIPAL CODE PERTAINING TO LOCAL VENDOR PREFERENCES"; and
3. Set said ordinance for adoption at the February 13, 2018 regular City Council meeting; and
4. Approve Administrative Policy IV-4-12, "Purchasing Policy and Procedures," as revised, effective the later of March 15, 2018 or 30 days after adoption of Ordinance No. 1076.

13. ORAL COMMUNICATIONS - PUBLIC

At this time members of the public may address the City Council/Successor Agency/Stanton Housing Authority regarding any items within the subject matter jurisdiction of the City Council/Successor Agency/Stanton Housing Authority, provided that NO action may be taken on non-agenda items.

- Members of the public wishing to address the Council/Agency/Authority during Oral Communications-Public or on a particular item are requested to fill out a REQUEST TO SPEAK form and submit it to the City Clerk. Request to speak forms must be turned in prior to Oral Communications-Public.
- When the Mayor/Chairman calls you to the microphone, please state your Name, slowly and clearly, for the record. A speaker's comments shall be limited to a three (3) minute aggregate time period on Oral Communications and Agenda Items. Speakers are then to return to their seats and no further comments will be permitted.
- Remarks from those seated or standing in the back of chambers will not be permitted. All those wishing to speak including Council/Agency/Authority and Staff need to be recognized by the Mayor/Chairman before speaking.

14. WRITTEN COMMUNICATIONS None.

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

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

At this time Council/Agency/Authority Members may report on items not specifically described on the agenda which are of interest to the community provided no discussion or action may be taken except to provide staff direction to report back or to place the item on a future agenda.

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

At this time Council/Agency/Authority Members may place an item on a future agenda.

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

At this time Council/Agency/Authority Members may place an item on a future study session agenda.

Currently Scheduled:

- February 20, 2018 (5:00 p.m.)
Marijuana Cultivation.
- February 27, 2018 (5:00 p.m.)
Mid-Year Budget Review.

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

17. ITEMS FROM CITY MANAGER/EXECUTIVE DIRECTOR

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.

18. ADJOURNMENT

I hereby certify under penalty of perjury under the laws of the State of California, the foregoing agenda was posted at the Post Office, Stanton Community Services Center and City Hall, not less than 72 hours prior to the meeting. Dated this 8th day of February, 2018.

s/ Patricia A. Vazquez, City Clerk/Secretary
