

MINUTES OF THE CITY COUNCIL / SUCCESSOR AGENCY / HOUSING AUTHORITY
OF THE CITY OF STANTON
JOINT REGULAR MEETING NOVEMBER 13, 2018

1. CALL TO ORDER / CLOSED SESSION

The City Council meeting was called to order at 6:00 p.m. by Mayor Shawver.

2. ROLL CALL

Present: Council Member Ethans, Council Member Warren, Mayor Pro Tem Ramirez,
and Mayor Shawver.

Absent: None.

Excused: Council Member Donahue.

3. PUBLIC COMMENT ON CLOSED SESSION ITEMS None.

4. CLOSED SESSION

The members of the Stanton City Council of the City of Stanton proceeded to closed session at 6:00 p.m. for discussion regarding:

4A. 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

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

Orange County Catholic Worker et al v. Orange County et al, United States District Court,
Central District of California Case Number: 8:18-cv-00155-DOC-JDE

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

Property: 10511 Flower Avenue, Stanton, CA (APN 079-334-25)
7922 Cerritos Avenue, Stanton, CA (APN 079-331-13)

Negotiating Parties:

Robert W. Hall, Interim Executive Director, Stanton Housing Authority
Stanton Housing Authority, Owner
Habitat for Humanity, Negotiating Party

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

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

Number of Potential Cases: 1

**4E. PUBLIC EMPLOYEE APPOINTMENT
(Pursuant to Government Code Section 54957)**

Title: City Manager

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

The meetings were called to order at 6:33 p.m. by Chairman Shawver.

The City Attorney reported that the Stanton City Council met in closed session from 6:00 to 6:30 p.m.

The City Attorney reported that there was no reportable action.

6. ROLL CALL

Present: Agency/Authority Member Ethans, Agency/Authority Member Warren, Vice Chairman Ramirez, and Chairman Shawver.

Absent: None.

Excused: Agency/Authority Member Donahue.

7. PLEDGE OF ALLEGIANCE

Led by Fire Division Chief Shane Sherwood.

8. SPECIAL PRESENTATIONS AND AWARDS

- Mayor Shawver introduced newly appointed Orange County Fire Authority Fire Division Chief Shane Sherwood to the City Council.
 - Fire Division Chief Shane Sherwood made a brief introduction about himself to the City Council.

9. CONSENT CALENDAR

Motion/Second: Warren/Ramirez
Motion unanimously carried by the following vote:

AYES: 4 (Ethans, Ramirez, Shawver, and Warren)
NOES: None
ABSTAIN: None
ABSENT: 1 (Donahue)

The City Council/Agency Board/Authority Board approved the following Consent Calendar items:

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 warrant dated October 17, 2018, October 25, 2018, and November 1, 2018 in the amount of \$3,725,177.01.

9C. PROFESSIONAL SERVICES AGREEMENT WITH CHARLES ABBOTT ASSOCIATES, INC. FOR BUILDING AND SAFETY SERVICES

Requested is the authorization to allow the Interim City Manager to enter into a Professional Services Agreement with Charles Abbott Associates, Inc. to provide Building and Safety Services for the City of Stanton for a term of three years with two one year options.

1. The City Council declared that the action is not a project and is exempt from the California Environmental Quality Act ("CEQA") under Section 15378(b)(5) as the contract falls under organizational or administrative activities of governments that will not result in direct or indirect physical change in the environment; and

2. Approved the contract for Charles Abbott Associates, Inc.; and
3. Authorized the Interim City Manager to bind the City of Stanton and Charles Abbott Associates, Inc. in a contract to provide Building and Safety Services.

9D. DECLARATION OF SURPLUS PROPERTY

From time to time equipment purchased by the City has outlived its useful life and needs to be sold or otherwise disposed of. In compliance with the purchasing policy, staff is required to petition the Council to declare the property surplus, obsolete, or unusable.

1. The City Council declared that this action is not a project per the California Environmental Quality Act; and
2. Declared the equipment listed on Attachment 1 as surplus; and
3. Directed staff to sell or salvage equipment according to the Administrative Policy IV-4-12: Purchasing Policy and Procedures.

9E. PROFESSIONAL SERVICES AGREEMENT WITH MICHAEL BAKER INTERNATIONAL, INC. FOR ENVIRONMENTAL SERVICES FOR THE TINA/PACIFIC PROJECT

Requested is the authorization to allow the Interim City Manager to enter into a Professional Services Agreement with Michael Baker International, Inc. to provide environmental services for the Tina/Pacific project in an amount of \$146,493.

1. The City Council declared that the action is not a project and is exempt from the California Environmental Quality Act ("CEQA") under Section 15378(b)(5) as the contract falls under organizational or administrative activities of governments that will not result in direct or indirect physical change in the environment; and
2. Approved the contract for Michael Baker International, Inc.; and
3. Authorized the Interim City Manager to bind the City of Stanton and Michael Baker International, Inc. in a contract to provide environmental services for the Tina/Pacific neighborhood.

END OF CONSENT CALENDAR

10. PUBLIC HEARINGS

10A. APPEAL OF PLANNING COMMISSION'S DECISION TO DENY CONDITIONAL USE PERMIT C17-11 FOR THE OPERATION OF A NEW MASSAGE ESTABLISHMENT FOR THE PROPERTY LOCATED AT 10450 BEACH BOULEVARD, #105 IN THE CG (COMMERCIAL GENERAL) ZONE; SUBMITTED BY DIEN CHU PHAN

This is an appeal of the Planning Commission's decision to deny the application for Conditional Use Permit C17-11 for a new massage establishment from the property located at 10450 Beach Blvd. #105.

Mr. Matthew E. Richardson, City Attorney stepped down from the dais and Ms. Cristina Talley, Harper & Burns, LLP stepped in to advise the City Council during this public hearing.

Staff report by Ms. Kelly Hart, Community and Economic Development Director.

New information was provided to the City by the Orange County Sheriff's Department (OCSD) regarding the applicant, after the posting of the City Council agenda. The OCSD provided the City with a memorandum, which was in turn provided to the appellant's representative this afternoon. Lieutenant Nate L. Wilson, reported that investigators with the human trafficking taskforce have been conducting a long term prostitution and human trafficking investigation related to Julia Pham and Garrett Biggs who own and operate several massage businesses. Based on evidence obtained throughout the investigation a search warrant was obtained and executed. Evidence of prostitution was discovered and several subjects were taken into custody for the pimping and pandering of adults. As a result of the investigation several individuals have been associated with illicit massage businesses and based on the recommendation of the OCSD, should not be allowed to open or continue to operate any type of massage business within the City of Stanton.

The public hearing was opened.

- Mr. Terrance Shannon, applicant representative, reported that he had just been made aware of the reported memorandum this afternoon and has yet to see a copy and read its content. Mr. Shannon is concerned with the mention that his client is somehow associated with cited individuals. Mr. Shannon further reported that his client is not a named defendant and requests that this matter be continued for thirty days, so that they have time to investigate exactly what association the applicant has to this prostitution and human trafficking investigation.

Mayor Shawver motioned to continue this item to the November 27, 2018 City Council Meeting.

Ms. Cristina Talley, Special Counsel, recommends that if this item is to be continued, that the City Council will need to keep the public hearing opened.

Motion/Second: Shawver/Warren
Motion failed.

AYES: 2 (Shawver and Warren)
NOES: 2 (Ethans and Ramirez)
ABSTAIN: None
ABSENT: 1 (Donahue)

Mayor Shawver motioned to continue this item to the November 27, 2018 City Council Meeting.

Motion/Second: Shawver/Warren

ROLL CALL VOTE:	Council Member Donahue	ABSENT
	Council Member Ethans	NO
	Council Member Warren	AYE
	Mayor Pro Tem Ramirez	NO
	Mayor Shawver	AYE

Motion failed.

Mayor Shawver motioned to continue this item to the December 11, 2018 City Council Meeting.

Motion/Second: Shawver/Ethans

ROLL CALL VOTE:	Council Member Donahue	ABSENT
	Council Member Ethans	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. Continued the item to the December 11, 2018 City Council meeting.

The public hearing will remain open until the item is heard on December 11, 2018 at the regularly scheduled City Council meeting.

10B. INITIAL REVIEW OF A DISPOSITION AND DEVELOPMENT AGREEMENT WITH HABITAT FOR HUMANITY OF ORANGE COUNTY FOR THE PURCHASE AND DEVELOPMENT OF 7922 CERRITOS AVENUE AND 10522 FLOWER AVENUE (HOUSING AUTHORITY)

Conduct an initial review of proposed Disposition and Development Agreement negotiations between Habitat for Humanity of Orange County and the Stanton Housing Authority.

Staff report by Ms. Kelly Hart, Community and Economic Development Director.

The public hearing was opened.

- Mr. Troy Hendrickson, Vice President, Habitat for Humanity, spoke in favor of the project and provided the City Council with additional details on the project.

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

Motion/Second: Ramirez/Ethans

Motion unanimously carried by the following vote:

AYES: 4 (Ethans, Ramirez, Shawver, and Warren)

NOES: None

ABSTAIN: None

ABSENT: 1 (Donahue)

1. The Housing Authority conducted a public hearing; and
2. Declared 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
3. Authorized Authority staff to negotiate the terms of a Disposition and Development Agreement with Habitat for Humanity of Orange County for the purchase and development of the properties located at 7922 Cerritos Avenue and 10522 Flower Avenue.

11. UNFINISHED BUSINESS None.

12. NEW BUSINESS

12A. PROPOSED AMENDMENT TO THE STANTON MUNICIPAL CODE REGARDING CONSTRUCTION AND DEMOLITION DEBRIS

The California Building Standards Commission recently added provisions to the California Green Building Standards (CALGreen) Code regulating C&D Debris. The City's Municipal Code needs to be amended to comply with these new provisions.

Staff report by Mr. Allan Rigg, Public Works Director / City Engineer.

Motion/Second: Ethans/Warren

ROLL CALL VOTE:	Council Member Donahue	ABSENT
	Council Member Ethans	AYE
	Council Member Warren	AYE
	Mayor Pro Tem Ramirez	AYE
	Mayor Shawver	AYE

Motion unanimously carried:

1. The City Council finds that this Ordinance is not subject to the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3); and
2. Introduced Ordinance No 1082, entitled:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA AMENDING SECTIONS 6.04.090 AND 6.04.100 OF THE STANTON MUNICIPAL CODE REGARDING CONSTRUCTION AND DEMOLITION DEBRIS"; and

3. Set said Ordinance for second reading and adoption at the November 27, 2018 regular City Council meeting.

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 Warren reported on her attendance at the Public Cable Television Authority (PCTA) meeting and announced that the City of Huntington Beach is considering leaving the PCTA and will continue to report on the potential impacts that this decision may bring to Stanton.
- Council Member Ethans complemented the Community Services Department on a successful Veterans Day event, which was held on November 11, 2018.
- Mayor Shawver reported on the upcoming Annual Harvest Celebration to benefit the Boys & Girls Club of Greater Stanton event, which is scheduled to be held on December 9, 2018.

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

Mr. Allan Rigg, Public Works Director / City Engineer reported that the Pyles Elementary School traffic signal on Chanticleer and Dale has been completed and is now operational.

Due to the Paradise, California wildfires this item was pulled from the agenda for presentation at a future City Council meeting.

~~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** Motion/Second: Shawver/
Motion carried at 7:33 p.m.

David John Shawver

MAYOR/CHAIRMAN

ATTEST:

[Signature]

CITY CLERK/SECRETARY