



AGENDA
CITY COUNCIL/SUCCESSOR AGENCY/STANTON HOUSING AUTHORITY
JOINT REGULAR MEETING
STANTON CITY HALL, 7800 KATELLA AVENUE, STANTON, CA
TUESDAY, FEBRUARY 12, 2019 - 6:30 P.M.

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

- 2. ROLL CALL** Council Member Ramirez
 Council Member Taylor
 Council Member Warren
 Mayor Pro Tem Ethans
 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: 2

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

Title: City Manager

4C. 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

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

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

7. PLEDGE OF ALLEGIANCE

8. SPECIAL PRESENTATIONS AND AWARDS

Presentation by the Public Safety Services Department, providing the City Council with a Public Safety Committee update.

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 24, 2019 and January 31, 2019, in the amount of \$376,545.68.

9C. APPROVAL OF MINUTES

1. City Council/Agency/Authority Board approve Minutes of Regular Joint Meeting – January 22, 2019.
2. City Council approve Minutes of Special Meeting – January 29, 2019.

9D. ACCEPTANCE OF THE CONSTRUCTION OF THE COMMUNITY CENTER AND CIVIC CENTER ACCESSIBILITY IMPROVEMENT PROJECT BY THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA

The construction of the Community Center and Civic Center Accessibility Improvement Project has been completed in accordance with the plans and specifications. The final construction cost for the project was \$1,198,439.16. The approved budget by the council was \$1,220,229.40. The City Engineer, in his judgment, certifies that the work was satisfactorily completed as of February 12, 2019 and recommends that the City Council accept the completed work performed on this project.

RECOMMENDED ACTION:

1. City Council declare this project categorically exempt under the California Environmental Quality Act ("CEQA") under Section 15301(c) – Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities; and
2. Accept the completion of improvements for the Construction of the Community Center and Civil Center Accessibility Improvement Project, as certified by the City Engineer, and affix the date of February 12, 2019 as the date of completion of all work on this project, and
3. Approve the final construction contract amount of \$1,198,439.16 with C.S. Legacy Construction, 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 C.S. Legacy Construction, Inc. in the amount of \$59,921.96.

9E. EXTENSION OF CONTRACT WITH VENCO WESTERN, INC. TO PROVIDE PROFESSIONAL LANDSCAPE MAINTENANCE SERVICES

A contract was awarded to Venco Western, Inc. at the September 8, 2015 City Council meeting to provide Citywide Landscape Maintenance Services. The contract was extended for one year and is set to terminate on June 30, 2019. The terms of the contract allow for two one-year extensions at the sole discretion of the City. Staff recommends the award of the second extension for the period of July 1, 2019 to June 30, 2020.

RECOMMENDED ACTION:

1. City Council declare that the project is categorically exempt under the California Environmental Quality Act, Class 1, Section 15301(h) as maintenance of existing landscaping; and
2. Approve a contract extension to the firm of Venco Western, Inc. for citywide landscape maintenance services for the second of two allowable contract renewals at identical unit prices.

9F. STRATEGIC PLAN UPDATE

On November 27, 2018 the City Council was presented with an update and overview of the Strategic Plan. Senior staff provided the City Council with an updated six-month Strategic Plan Objectives / Components discussing, identifying, strengthening and prioritizing goals and strategies for the City. The City Council directed staff to refine objectives and return with a prioritized version of the Strategic Plan for further City Council consideration. This report provides an update of the City's goals and strategies as of February, 2019.

RECOMMENDED ACTION:

1. City Council find 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. Receive and file the report / six-month Strategic Plan Objectives and Components.

9G. CYPRESS COLLEGE FOUNDATION AMERICANA AWARDS DINNER

City Council consider purchasing a table at the Cypress College Foundation Americana Awards Dinner scheduled for Saturday, February 23, 2019 in the Grand Ballroom of the Disneyland Hotel at a cost of \$2,500. This Awards dinner honors the Citizen of the Year from surrounding communities. This year Mr. Glen McElroy has been selected and will be honored as the City of Stanton's Citizen of the Year.

RECOMMENDED ACTION:

1. City Council find 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. Authorize the purchase of a table at the Cypress College Foundation Americana Awards Dinner in the amount of \$2,500.

END OF CONSENT CALENDAR

10. PUBLIC HEARINGS None.

11. UNFINISHED BUSINESS None.

12. NEW BUSINESS

12A. AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, IN ACCORDANCE WITH GOVERNMENT CODE SECTIONS 36937 AND 65858 EXTENDING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT OF MASSAGE BUSINESSES FOR 10 MONTHS AND 15 DAYS PENDING STUDY AND THE PREPARATION OF AN UPDATE TO THE CITY'S MUNICIPAL AND ZONING CODE

Due to the continuing enforcement issues related to massage establishments, the City Council is asked to consider an interim urgency ordinance to temporarily prohibit the establishment of such businesses. The interim urgency ordinance would provide the City sufficient time to study the continuing impacts of these establishments and to develop new municipal and zoning code regulations. The length of the moratorium would be 10 months and 15 days.

RECOMMENDED ACTION:

1. City Council declare that the project is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15378 of the State of California Environmental Quality Act ("CEQA") Guidelines, because it has no potential for resulting in physical change in the environment, directly or indirectly. The City Council further finds, under Title 14 of the California Code of Regulations, section 15061(b)(3) that this interim urgency ordinance is nonetheless exempt from the requirements of CEQA. 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. Receive and file the 10-day action report for the conclusion of the 45-day moratorium; and
3. Adopt Urgency Ordinance No. 1085, entitled:

"AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, ENACTED PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTIONS 36937 AND 65858, EXTENDING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT OF MASSAGE BUSINESSES FOR 10 MONTHS AND 15 DAYS PENDING STUDY AND THE PREPARATION OF AN UPDATE TO THE CITY'S MUNICIPAL AND ZONING CODE".

ROLL CALL VOTE: Council Member Ramirez
Council Member Taylor
Council Member Warren
Mayor Pro Tem Ethans
Mayor Shawver

12B. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, ADDING CHAPTER 5.74 TO TITLE 5 OF THE STANTON MUNICIPAL CODE, IMPOSING REGULATIONS ON SIDEWALK VENDING IN COMPLIANCE WITH SENATE BILL 946

On September 17, 2018, Governor Jerry Brown signed Senate Bill 946, which establishes statewide governance of vending in the public right-of-way and parks. The bill went into effect on January 1, 2019. Local jurisdictions that wish to regulate sidewalk vending are required to first adopt an ordinance establishing rules and regulations consistent with SB 946. Staff has drafted the attached ordinance establishing a permit procedures and regulations regarding sidewalk vending in compliance with SB 946.

RECOMMENDED ACTION:

1. City Council declare that the Ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to State CEQA Guidelines, as it is not a “project” and has no potential to result in a direct or reasonably foreseeable indirect physical change to the environment. 14 Cal. Code Regs. § 15378(a). Further, this Ordinance is exempt from CEQA as there is no possibility that this Ordinance or its implementation would have a significant negative effect on the environment. 14 Cal. Code Regs. § 15061(b)(3); and
2. Introduce Ordinance No. 1086, entitled:

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, ADDING CHAPTER 5.74 TO TITLE 5 OF THE STANTON MUNICIPAL CODE, IMPOSING REGULATIONS ON SIDEWALK VENDING IN COMPLIANCE WITH SENATE BILL 946”;
and
3. Set said Ordinance No. 1086 for adoption at the February 26, 2019 City Council meeting.

ROLL CALL VOTE: Council Member Ramirez
Council Member Taylor
Council Member Warren
Mayor Pro Tem Ethans
Mayor Shawver

12C. INTRODUCTION OF ORDINANCE NO. 1084 OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA MODIFYING PERMIT PARKING AND ADOPTION OF RESOLUTION 2019-03 APPROVING RESIDENTIAL PERMIT PARKING GUIDELINES

For some time, the City has been working on permit parking guidelines to address a California Attorney General opinion related to the application of the Vehicle Code to permit parking. The opinion indicated that multi-family residential properties need to be treated the same as single family residential properties in regards to permit parking. The attached ordinance and guidelines have been written to conform with this opinion.

RECOMMENDED ACTION:

1. City Council 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; and
2. Introduce Ordinance No. 1084, entitled:

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA AMENDING SECTION 10.08.060 OF THE STANTON MUNICIPAL CODE REGARDING PERMIT PARKING”;
and
3. Set said Ordinance for adoption at the regular City Council meeting of February 26, 2019; and
4. Adopt Resolution 2019-03, approving Residential Permit Parking Guidelines; and
5. Receive and file the report regarding actions taken during moratorium.

ROLL CALL VOTE: Council Member Ramirez
Council Member Taylor
Council Member Warren
Mayor Pro Tem Ethans
Mayor Shawver

12D. CITY COUNCIL APPOINTMENTS TO FILL FIVE VACANCIES ON THE STANTON PARKS, RECREATION AND COMMUNITY SERVICES COMMISSION AND FOUR VACANCIES ON THE STANTON PLANNING COMMISSION FOR TERM COINCIDING WITH THE CITY COUNCIL ELECTION

The Council Member holding the seat corresponding to that numbered seat on the Parks, Recreation and Community Services Commission and Planning Commission shall be responsible for appointment of one Commissioner (who shall be a qualified elector of the City), with majority approval of the City Council. The terms of office shall coincide with the term of office of the Council Member or Mayor who made the appointment. Section 2.06.030 of the Stanton Municipal Code requires the submission of applications and interviews prior to appointment to any position. Section 2.06.030 also provides that the City Council, by majority vote, may waive to the requirement interview persons previously appointed by the City Council and who are requesting re-appointment to another term.

RECOMMENDED ACTION:

1. City Council find 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. Conduct an interview with each applicant; and
3. Make appointments to fill seats #1-Taylor, #2-Shawver, #3-Ramirez, and #4-Warren on the Stanton Planning Commission; and
4. Make appointments to fill seats #1-Taylor, #2-Shawver, #3-Ramirez, #6-Mayor Selection, and #7-Mayor Selection on the Stanton Parks, Recreation and Community Services Commission.

12E. CITY MANAGER EMPLOYMENT AGREEMENT

For consideration is the employment agreement with Jarad L. Hildenbrand for City Manager.

RECOMMENDED ACTION:

1. City Council find that this item 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. Authorize the Mayor to approve the City Manager Employment Agreement.

12F. CONSIDERATION OF OPTIONS REGARDING COUNCIL VACANCY

Mayor Pro Tem Alexander A. Ethans has provided to the City Clerk, in writing a notice that he will resign his position as a Council Member effective February 28, 2019. State law requires that in the event a Council vacancy should occur, the City of Stanton must within sixty (60) days fill the vacancy by appointment or call for a special election. Council is requested to give direction to staff on the process it chooses to follow regarding filling the vacancy created by Mayor Pro Tem Ethans' resignation.

RECOMMENDED ACTION:

1. City Council find 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. Provide direction to staff on the process for filling the vacancy.

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 26, 2019 (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 7th day of February, 2019.

s/ Patricia A. Vazquez, City Clerk/Secretary
