

MINUTES OF THE CITY COUNCIL / SUCCESSOR AGENCY / HOUSING AUTHORITY  
OF THE CITY OF STANTON  
JOINT REGULAR MEETING SEPTEMBER 10, 2019

**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 Taylor, Council Member Van, Mayor Pro Tem Ramirez, and Mayor Shawver.

Absent: Council Member Warren.

Excused: None.

**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

Heaven's Gate Funeral Home, Inc. v. City of Stanton, Superior Court of the State of California County of Orange, Case Number: 30-2019-01054997-CU-WM-CJC

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

Number of Potential Cases: 1

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

City of Huntington Beach v. City of Fountain Valley, et al. Orange County Superior Court, Case Number: 30-2019-01071652

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

Property: 8830 Tina Way, Stanton, CA (APN 126-481-01)  
8840 Tina Way, Stanton, CA (APN 126-481-02)  
8850 Tina Way, Stanton, CA (APN 126-481-03)  
8860 Tina Way, Stanton, CA (APN 126-481-04)  
8870 Tina Way, Stanton, CA (APN 126-481-05)  
8880 Tina Way, Stanton, CA (APN 126-481-06)  
8900 Tina Way, Stanton, CA (APN 126-481-08)  
8910 Tina Way, Stanton, CA (APN 126-481-09)  
8920 Tina Way, Stanton, CA (APN 126-481-10)  
8921 Pacific Avenue, Stanton, CA (APN 126-481-21)  
8961 Pacific Avenue, Stanton, CA (APN 126-481-17)  
8971 Pacific Avenue, Stanton, CA (APN 126-481-16)  
8890 Pacific Avenue, Stanton, CA (APN 126-482-07)  
8900 Pacific Avenue, Stanton, CA (APN 126-482-08)  
8960 Pacific Avenue, Stanton, CA (APN 126-482-14)

Negotiating Parties: Jarad L. Hildenbrand, City Manager, City of Stanton  
Trachy Family Trust, Owner  
Steven W. Reiss Trust, Owner  
Jennie Trust, Owner  
Trang Trust, Owner  
Binh Ngoc Nguyen and Phuong Thi Pham, Owner  
Triple Star Company, LLC, Owner  
8900 Tina Way, Owner  
Zichuan Li and Ying Zheng, Owner  
Binh Ngoc Nguyen and Phuong Thi Pham, Owner  
Sky Nguyen, Owner  
Binh Ngoc Nguyen and Phuong Thi Pham, Owner  
Steven W. Reiss Trust, Owner  
Ngoc Trieu and Andy Pham, Owner  
Pacific Wu Investments, LLC, Owner  
David M. Cook and Daphne Chakran, 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 6:35 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 Taylor, Agency/Authority Member Van, Vice Chairman Ramirez, and Chairman Shawver.

Absent: Agency/Authority Member Warren.

Excused: None.

**7. PLEDGE OF ALLEGIANCE**

Led by Mr. Matthew E. Richardson, City Attorney.

**8. SPECIAL PRESENTATIONS AND AWARDS** None.

**9. CONSENT CALENDAR**

- Mayor Shawver requested to pull Items 9B, 9D, 9F, 9G, 9H, and 9J from the Consent Calendar for separate discussion.
- Council Member Taylor requested to pull Item 9E from the Consent Calendar for separate discussion.
- Council Member Van requested to pull Item 9K from the Consent Calendar for separate discussion.

Motion/Second: Ramirez/Taylor

Motion unanimously carried by the following vote:

AYES: 4 (Ramirez, Shawver, Taylor, and Van)

NOES: None

ABSTAIN: None

ABSENT: 1 (Warren)

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.

- 9C. APPROVAL OF MINUTES**

The City Council/Agency/Authority Board approved Minutes of Regular Joint Meeting – August 27, 2019.

- 9I. LANDSCAPE MAINTENANCE AGREEMENT WITH CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS ADJACENT TO 11801 BEACH BOULEVARD**

The development of the property at 11801 Beach Boulevard will include landscaping along Beach Boulevard. The California Department of Transportation owns the right of way where the landscaping will be placed. They are requiring that the City enter into an agreement to maintain this landscaping in the event it is not properly maintained by the adjacent property owner.

1. The City Council declared that the project is categorically exempt under the California Environmental Quality Act, Class 1, Section 15301(h) as maintenance of existing landscaping; and
2. Approved an agreement with the California Department of Transportation to maintain the landscape improvements in the public right of way on Beach Boulevard; and
3. Authorized the Mayor and City Manager to bind the City of Stanton and the California Department of Transportation in said agreement.

**END OF CONSENT CALENDAR**

**9B. APPROVAL OF WARRANTS**

Mayor Shawver expressed his concerns with the Orange County Employees Retirement System (OCERS) unfunded liability and the potential impact to the City.

Motion/Second: Ramirez/Taylor

Motion unanimously carried by the following vote:

AYES: 4 (Ramirez, Shawver, Taylor, and Van)

NOES: None

ABSTAIN: None

ABSENT: 1 (Warren)

The City Council approved demand warrants dated August 21, 2019 and August 27, 2019, in the amount of \$2,095,072.06.

**9D. AUGUST 2019 GENERAL FUND REVENUE AND EXPENDITURE REPORT**

The monthly General Fund Revenue and Expenditure Report as of August 2019 has been provided to the City Manager in accordance with Stanton Municipal Code Section 2.20.080 (D)1 and is being provided to City Council.

Mayor Shawver expressed his concerns with the Orange County Employees Retirement System (OCERS) unfunded liability and the potential impact to the City.

Motion/Second: Ramirez/Taylor

Motion unanimously carried by the following vote:

AYES: 4 (Ramirez, Shawver, Taylor, and Van)

NOES: None

ABSTAIN: None

ABSENT: 1 (Warren)

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 Revenue and Expenditure Report as of August 2019.

**9E. PROFESSIONAL SERVICES AGREEMENT WITH SAGECREST PLANNING + ENVIRONMENTAL**

Requested is the authorization to allow the Mayor to enter into a Professional Services Agreement in an amount not to exceed \$226,200 with Sagecrest Planning + Environmental for planning consultant services. This contract will provide access to Sagecrest's expertise across a wide array of planning matters.

The City Council questioned staff regarding the plans for the Community and Economic Development Director position, when the next recruitment would take place, requested more information on the experience of the incoming interim, costs for services, on-call services, service levels of a contract vs. non-contract employee, attendance at City Council and Planning Commission meetings, and directed staff to research neighboring cities on how their Community Development Department is structured.

Introduction of contract City Planner Ms. Amy Stonich, Sagecrest Planning + Environmental.

Motion/Second: Taylor/Van

Motion unanimously carried by the following vote:

AYES: 4 (Ramirez, Shawver, Taylor, and Van)

NOES: None

ABSTAIN: None

ABSENT: 1 (Warren)

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); and
2. Approved and Authorized the Mayor to execute a Professional Services Agreement in an amount not to exceed \$226,200 with Sagecrest Planning + Environmental for planning consultant services.

**9F. PROFESSIONAL SERVICES AGREEMENT WITH HDL COMPANIES FOR CANNABIS MANAGEMENT SERVICES**

Requested is the authorization to allow the City Manager to enter into a Professional Services Agreement, as approved by the City Attorney's Office, with HdL Companies for Cannabis Management Services.

Mayor Shawver questioned if this item went out to bid for services and spoke regarding his concern with "*Objective 3: Develop Cannabis Tax Measure*".

Motion/Second: Van/Taylor

Motion unanimously carried by the following vote:

AYES: 4 (Ramirez, Shawver, Taylor, and Van)

NOES: None

ABSTAIN: None

ABSENT: 1 (Warren)

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); and
2. Approved and authorized the City Manager to execute an agreement with HdL Companies for Cannabis Management Services.

**9G. APPROVING THE LAST AND FINAL RECOGNIZED OBLIGATIONS PAYMENT SCHEDULE (ROPS) PURSUANT TO HEALTH & SAFETY CODE SECTION 34191.6 (SUCCESSOR AGENCY)**

This report summarizes the obligations of the Successor Agency under AB X1 26, AB 1484 and SB 107 to draft Recognized Obligation Payment Schedules and corresponding administrative budgets. Staff recommends the Successor Agency adopt the attached resolution approving the Last and Final ROPS.

Mayor Shawver requested confirmation that this would be the final payment, and wanted to ensure that the City receives funds owed, and also questioned if there is an opportunity for the City to refinance its current bonds.

Motion/Second: Shawver/Ramirez

Motion unanimously carried by the following vote:

AYES: 4 (Ramirez, Shawver, Taylor, and Van)

NOES: None

ABSTAIN: None

ABSENT: 1 (Warren)

1. The Successor Agency declared that the project is exempt from the California Environmental Quality Act ("CEQA") pursuant to 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. Adopted Resolution No. SA 2019-02 to approve the Last and Final Recognized Obligation Payment Schedule entitled:

**"A RESOLUTION OF THE BOARD OF THE SUCCESSOR AGENCY TO THE STANTON REDEVELOPMENT AGENCY, APPROVING THE LAST AND FINAL RECOGNIZED OBLIGATION PAYMENT SCHEDULE ("ROPS") PURSUANT TO HEALTH AND SAFETY CODE SECTION 34191.6"**

**9H. SEPTEMBER 2019 LEGISLATIVE TRACKING SUMMARY AND LEGISLATIVE MATRIX**

The monthly Legislative Tracking Summary and Legislative Matrix as of September 2019 is being provided to City Council.

Mayor Shawver requested that Townsend attend City Council meetings when legislative action is most active to verbally report out to the City Council on items that will/can affect the City.

Motion/Second: Shawver/Van  
Motion unanimously carried by the following vote:

AYES: 4 (Ramirez, Shawver, Taylor, and Van)  
NOES: None  
ABSTAIN: None  
ABSENT: 1 (Warren)

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 September 2019 Legislative Tracking Summary and Legislative Matrix.



**9J. APPROVAL OF BUDGET ADJUSTMENT NO. 2020-07 FOR THE SEWER CONDITION IMPROVEMENT PROJECT**

The City of Stanton recently awarded a contract for the construction of the Sewer Condition Improvement Project to Charles King Company. A budget adjustment is needed to allocate funds from the Sewer Maintenance Fund for this project.

Motion/Second: Shawver/Ramirez

Motion unanimously carried by the following vote:

AYES: 4 (Ramirez, Shawver, Taylor, and Van)

NOES: None

ABSTAIN: None

ABSENT: 1 (Warren)

1. The City Council declared that this project is exempt from the California Environmental Quality Act ("CEQA") under section 15378(b)(4) – The creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment; and
2. Approved Budget Adjustment No. 2020-07 to appropriate \$350,000 to the Sewer Improvement account in the Sewer Maintenance Fund for this project.

**9K. 2019 ANNUAL LEAGUE OF CALIFORNIA CITIES CONFERENCE RESOLUTIONS AND APPOINTMENT OF VOTING DELEGATE**

The League of California Cities Annual Conference is scheduled for October 16-18, 2019 in Long Beach. The League's Annual Business Meeting will be held on October 16, 2019. At this meeting, the League membership considers and takes action on resolutions that establish League policy. In order to vote at the Annual Business Meeting, the City Council must designate a voting delegate and review the League of California Cities resolution packet to determine the City's position on each resolution so that the voting delegate can represent the City's position.

**Resolution No. 1:**

Amendment to Rule 20A – Calls upon the California Public Utilities Commission (CPUC) to expand its Rule 20A program for undergrounding overhead utilities to include projects in high fire hazard severity zones (Information Resolution Packet attached).

**Resolution No. 2:**

International Transboundary Pollution Flows – Calls upon the state and the federal governments of the U.S. and Mexico to address water quality issues resulting from transboundary flows from Mexico's Tijuana River into the United States (Information Resolution Packet attached).

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

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

AYES: 4 (Ramirez, Shawver, Taylor, and Van)  
NOES: None  
ABSTAIN: None  
ABSENT: 1 (Warren)

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. Designated Council Member Hong Alyce Van as the City's voting delegate at the 2019 League of California Cities Annual Conference; and
3. Directed Council Member Hong Alyce Van to vote as she sees fit for the betterment of the City at the 2019 Annual League of California Cities Conference on both Resolution No. 1 and Resolution No. 2.

**10. PUBLIC HEARINGS** None.

**11. UNFINISHED BUSINESS**

**11A. APPROVAL OF ORDINANCE NO. 1093**

This Ordinance was introduced at the regular City Council meeting of August 27, 2019.

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

Motion/Second: Ramirez/Taylor

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

Motion unanimously carried:

1. The City Clerk read the title of Ordinance No. 1093, entitled:

**“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON TO AMEND THE CITY OF STANTON MUNICIPAL CODE TITLE 20, ARTICLE 4, TO ADD CHAPTER 20.455, “WIRELESS FACILITIES IN THE PUBLIC RIGHT-OF-WAY””; and**

2. The City Council declared that Ordinance No. 1093 is exempt from CEQA under 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; and

3. Adopted Ordinance No. 1093.

## **12. NEW BUSINESS**

### **12A. CARRYOVER PURCHASE ORDERS FROM FY 2018/19 TO FY 2019/20**

At each fiscal year end, City staff reviews remaining unspent budget appropriations at the end of the year to determine if any encumbered purchase orders should be carried forward from one fiscal year to the next. This report requests the carryover of 10 open purchase orders from FY 2018/19 to FY 2019/20, totaling \$168,530.18.

Staff report by Mr. Jarad L. Hildenbrand, City Manager.

Motion/Second: Van/Taylor

Motion unanimously carried by the following vote:

AYES: 4 (Ramirez, Shawver, Taylor, and Van)

NOES: None

ABSTAIN: None

ABSENT: 1 (Warren)

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 director 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. 2019-39 approving the carryover of certain purchase orders from fiscal year 2018/19 to fiscal year 2019/20.

**12B. AWARD OF A CONTRACT FOR THE RETROFIT OF CITY-OWNED STREETLIGHTS WITH LED FIXTURES TO TANKO LIGHTING**

The City recently acquired 944 streetlights from Southern California Edison. In order to reduce the use of electricity and the costs associated with the streetlights, staff recommends they be retrofitted with LED fixtures. Tanko Lighting has been assisting the City with acquisition process, and with this contract will also perform the retrofitting of the streetlights.

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

The City Council questioned staff regarding lighting styles, lifespan, energy credits, rebates, and funding.

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

AYES: 4 (Ramirez, Shawver, Taylor, and Van)  
NOES: None  
ABSTAIN: None  
ABSENT: 1 (Warren)

1. The City Council declared that the project is exempt from 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. Approved a contract with Tanko Lighting for the maximum contract sum of \$303,000; and
3. Authorized the City Manager to bind the City of Stanton and Tanko Lighting in a contract to provide these services.

## **DRAFT**

### **13. ORAL COMMUNICATIONS – PUBLIC**

- Ms. Lorena Flores and Ms. Eugenia Amaro spoke regarding the upcoming Stanton Family Resource Center Open House and Resource Fair, which is scheduled to be held on September 13, 2019 at the Stanton Family Resource Center.
- Mr. John Warren reported on the Southern California Association of Government's 2020 Regional Transportation Plan/Sustainable Communities Strategy and provided the City Council with information regarding the Regional Housing Needs Assessment and allocation methodology. Mr. Warren also provided the City Council with information on the process of filing an argument to request revisions to the assessment numbers that have been reported for the City of Stanton.

### **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 upcoming Citizen's Academy and encouraged members of the audience and Stanton residence to sign-up for the program.
- Mayor Shawver reported on the upcoming ICSC Western Conference, which he is scheduled to attend on September 16, 2019.

### **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**

None.

**DRAFT**

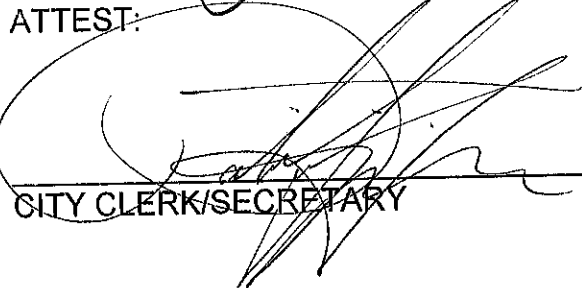
**17A. ORANGE COUNTY FIRE AUTHORITY**

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

- Fire Division Chief Shane Sherwood provided the City Council with an update on their current operations.
- Fire Division Chief Shane Sherwood reported on the September 11th event that is scheduled to take place on September 11, 2019 at 8:45 a.m. at Stanton Fire Station No. 46.
- Mayor Shawver expressed his gratitude to Lieutenant Nate L. Wilson for his time and efforts in planning the services honoring Orange County Sheriff's Deputy Carlos Cammon.

**18. ADJOURNMENT** Motion/Second: Shawver/  
Motion carried at 7:39 p.m.

  
\_\_\_\_\_  
MAYOR/CHAIRMAN

ATTEST:  
  
\_\_\_\_\_  
CITY CLERK/SECRETARY