

MINUTES OF THE CITY COUNCIL / SUCCESSOR AGENCY / HOUSING AUTHORITY
OF THE CITY OF STANTON
JOINT REGULAR MEETING APRIL 28, 2020

1. CALL TO ORDER / CLOSED SESSION

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

2. ROLL CALL

Present: Council/Authority Member Ramirez, Council/Authority Member Taylor, Council/Authority Member Van, Mayor Pro Tem/Vice Chairperson Warren, and Mayor/Chairman Shawver.

Absent: None.

Excused: None.

3. PUBLIC COMMENT ON CLOSED SESSION ITEMS None.

4. CLOSED SESSION

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

4A. CONFERENCE WITH COUNTY COUNSEL - THREAT TO PUBLIC SERVICES OR FACILITIES

Pursuant to Government Code Section 54957

Consultation with: City Attorney

4B. CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION

Initiation of litigation pursuant to Government Code Section 54956.9 (d) (4)

Number of Potential Cases: 1

4C. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code section 54956.9(d)(2)

Number of potential cases: 1

4D. 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

4E. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Pursuant to Government Code Section 54957.6)

Title: City Manager

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

The meetings were called to order at 6:32 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 Member Ramirez, Agency Member Taylor, Agency Member Van, Vice Chairperson Warren, and Chairman Shawver.

Absent: None.

Excused: None.

7. PLEDGE OF ALLEGIANCE

Led by Council Member Rigoberto A. Ramirez.

8. SPECIAL PRESENTATIONS AND AWARDS

8A. The City Council proclaimed the month of April, as Donate Life California Month within the City of Stanton.

8B. The City Council proclaimed the month of May, as Community Action Month within the City of Stanton.

9. CONSENT CALENDAR

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

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

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 warrants dated April 3 – 9, 2020 in the amount of \$90,517.34.

9C. MARCH 2020 INVESTMENT REPORT

The Investment Report as of March 31, 2020 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 March 2020.

9D. MARCH 2020 INVESTMENT REPORT (SUCCESSOR AGENCY)

The Investment Report as of March 31, 2020, 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 March 2020.

9E. DESIGNATION OF AGENT FOR FEMA RECOVERY

The California Office of Emergency Services (Cal OES) requires that the City of Stanton take certain steps to ensure emergency public assistance from state and federal agencies. Among those steps is submittal of a Cal OES Form 130. The form will be applicable to the COVID-19 emergency, as well as any other disaster over the next three years.

1. The City Council 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
2. Approved the attached Cal OES 130 resolution, Designation of City of Stanton's Agent Resolution for Non-State Agencies, and designate the City Manager and Finance Director as the City's authorized agents.

9F. AUTHORIZATION TO PURCHASE MICROSOFT OFFICE 365 MIGRATION AND SERVICE AND APPROPRIATION OF FUNDS

The city currently is getting its email through an on-premise server using Microsoft Exchange 2010. This software is going into end of life on October 13, 2020 and security updates will not be provided. Purchasing and utilizing Microsoft Office 365 will provide software that will be secure, updated, and supported by the vendor.

1. The City Council declared that this action is not a project per CEQA; and
2. Approved the migration of the city's email to Microsoft Office 365 and their office suite applications to the Office 365 suite; and

3. Approved the spending of \$25,953 to C3 Tech for migrating the city's email to Office 365; and
4. Approved the spending of \$15,360 for 1 year of service for 65 Microsoft 365 G3 licenses and 35 G1 licenses; and
5. Authorized the City Manager to execute the spending for the email migration and Office 365 subscription; and
6. Approved an appropriation of \$26,000 in account number (102-1520-701050) from the Transaction & Use Tax Fund's reserves to fund this project.

9G. MARCH 2020 GENERAL FUND REVENUE AND EXPENDITURE REPORT AND APPROPRIATION OF FUNDS

The monthly General Fund Revenue and Expenditure Report as of March 2020 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.

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 March 2020; and
3. Authorized the appropriation of \$500,000 from the Transaction & Use Tax Fund's Reserves (Fund 102) to fund expenditures related to the COVID-19 pandemic; and
4. Authorized staff to transfer the restricted funds held in the General Fund (Section 115 Trust Fund monies) to the Employee Benefits Internal Service Fund (Fund 604).

9H. APPLICATION FOR, AND RECEIPT OF, LOCAL GOVERNMENT PLANNING (LEAP) SUPPORT GRANT PROGRAM FUNDS

The Department of Housing and Community Development (HCD) issued a Notice of Funding Availability (NOFA) as part of the Local Government Planning Support Grants Program (referred to as the Local Early Action Planning Grants program or LEAP). The City of Stanton qualifies for up to \$150,000 in grant funding for projects that assist in the preparation and adoption of planning documents and process improvements that accelerate housing production and facilitate compliance to implement the sixth cycle of the regional housing need assessment (RHNA). An executed resolution authorizing application for grant funds is required to initiate the application process.

1. The City Council 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
2. Adopted City Council Resolution No. 2020-12, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, AUTHORIZING APPLICATION FOR, AND RECEIPT OF, LOCAL GOVERNMENT PLANNING (LEAP) SUPPORT GRANT PROGRAM FUNDS."

END OF CONSENT CALENDAR

10. PUBLIC HEARINGS

The City Attorney asked the City Council regarding ex-parte contacts prior to the hearing, City Council responded in turn.

10A. PUBLIC HEARING TO CONSIDER SITE PLAN AND DESIGN REVIEW PPD-803, TENTATIVE TRACT MAP TM19-04, PLANNED DEVELOPMENT PERMIT PDP19-03 AND DEVELOPMENT AGREEMENT DA19-02 TO SUBDIVIDE A 2.35 ACRE SITE FOR THE CONSTRUCTION OF 40 DETACHED CONDOMINIUM UNITS AND ASSOCIATED IMPROVEMENTS FOR THE PROPERTY LOCATED AT 10871 WESTERN AVENUE, IN THE HIGH DENSITY RESIDENTIAL (RH) ZONE

A public hearing to consider subdivision of a 2.35 acre site for planned development purposes and to construct 40 detached condominium units; community and private open space; and private street and associated improvements at 10871 Western Avenue. Applications include Site Plan and Design Review PPD-803, Tentative Tract Map TM19-04, Planned Development Permit PDP19-02 and Development Agreement DA19-02.

Staff report by Ms. Rose Rivera, Senior Planner.

Presentation by Mr. Kurt Bausback, KB Home Coastal, Inc., applicant.

The public hearing was opened.

- Ms. Elizabeth Hansburg, People for Housing OC, submitted an e-comment in favor of the proposed project and spoke regarding the need for more housing in Orange County communities.
- Mr. David Mizell, Sheppard Mullin Richter & Hampton LLP, submitted an e-comment in favor of the proposed project and spoke regarding the critical shortage of housing in California and how this project would bring much needed housing to the City, the region, and the State.
- Mr. Keith Gifford and Mrs. Terri Gifford, residents, submitted an e-comment in opposition of the proposed project and spoke regarding concerns with the proposed setbacks, parking, traffic flow, increase in traffic, and their request that the City Council uphold the Planning Commission's decision of denial of the proposed project.
- Mr. Jim Nunez, resident, submitted an e-comment in opposition of the proposed project and spoke regarding concerns with the proposed setback requirements, ADA parking, general parking, and requests that the City Council uphold the Planning Commission's decision of denial of the proposed project.

- Ms. Stella, resident, submitted an e-comment of concern for the proposed project and spoke regarding separation between each habitual structure, setbacks, parking requirements, insufficient parking, Parking and Development standards for driveways, Parking and Development standards for landscape, and questioned the details of the provided traffic study.
- Ms. Cynthia Vegas, resident, submitted an e-comment in favor of the proposed project and spoke regarding the critical shortage of housing in California.
- Mr. Cesar Covarrubias, The Kennedy Commission, submitted an e-comment in favor of the proposed project and spoke regarding the need for the City to prioritize affordable housing with rents that are affordable to households with very low and extremely low incomes.
- Ms. Melissa Saldana, resident, submitted an e-comment in opposition of the proposed project and spoke regarding concerns with the proposed amount of units to be built, increase in traffic, traffic safety, parking deficiencies, proposed setback, personal space, fire safety, possibility of rezoning the area to be single family, and requests that the City Council uphold the Planning Commission's decision of denial of the proposed project.
- Mr. Mark Sumrall, resident, submitted an e-comment in opposition of the proposed project and spoke regarding concerns with the proposed setbacks, parking, traffic flow, increase in traffic, plan design, and requested that the City Council uphold the Planning Commission's decision of denial of the proposed project.
- Mr. Jerry Ristrom, resident, submitted an e-comment in favor of the proposed project and stated that the proposed project would contribute to the entire community of Stanton and assist Stanton in rebuilding and beautifying the Southern sites of the City.
- Mr. Danny Williams, resident, submitted an e-comment in opposition of the proposed project and spoke regarding concerns with community fit and flow within the neighborhood, setback requirements, and representation by the City Council of its residents.
- Ms. Elizabeth Hansburg, People for Housing OC, submitted an e-request to speak card in favor of the proposed project and spoke regarding the need for more housing in Orange County communities.

- Ms. Melissa Saldana, resident, submitted an e-request to speak card in opposition of the proposed project and spoke regarding concerns with the proposed amount of units to be built, increase in traffic, traffic safety, parking deficiencies, proposed setback, personal space, fire safety, possibility of rezoning the area to be single family, and requests that the City Council uphold the Planning Commission's decision of denial of the proposed project.
- Mr. Jerry Ristrom, resident, submitted an e-request to speak card in favor of the proposed project and stated that the proposed project would contribute to the entire community of Stanton and assist Stanton in rebuilding and beautifying the Southern sites of the City.
- Ms. Stella, resident, submitted an e-request to speak card of concern for the proposed project and spoke regarding separation between each habitual structure, setbacks, parking requirements, insufficient parking, Parking and Development standards for driveways, Parking and Development standards for landscape, and questioned the details of the provided traffic study.
- Ms. Faye, resident, submitted an e-request to speak card of concern for the proposed project and spoke regarding separation between each habitual structure, setbacks, parking requirements, insufficient parking, Parking and Development standards for driveways, Parking and Development standards for landscape, and questioned the details of the provided traffic study.
- Mr. Steve LaMotte, Building Industry Association of Orange County, submitted an e-request to speak card in favor of the proposed project and spoke regarding the significant housing supply crisis and the need for housing in California.
- Mr. Keith Gifford and Mrs. Terri Gifford, residents, submitted an e-request to speak card in opposition of the proposed project and spoke regarding concerns with the proposed setbacks, parking, traffic flow, increase in traffic, and their request that the City Council uphold the Planning Commission's decision of denial of the proposed project.
- Mr. Mark Sumrall, resident, submitted an e-request to speak card in opposition of the proposed project and spoke regarding concerns with the proposed setbacks, parking, traffic flow, increase in traffic, plan design, and requested that the City Council uphold the Planning Commission's decision of denial of the proposed project.
- Mr. Danny Williams, resident, submitted an e-request to speak card in opposition of the proposed project and spoke regarding concerns with community fit and flow within the neighborhood, setback requirements, and representation by the City Council of its residents.

Closing comments by Mr. Kurt Bausback, KB Home Coastal, Inc., applicant.

Having reported on received e-comments and completed calls for e-request to speak live comments the public hearing was closed.

The City Council inquired about the planned development agreement, variances, driveway width, Orange County Fire Authority requirements/plan check, parking regulations/requirements, garage conversions (HOA enforcement), landscaping, Planning Commission denial, traffic safety and flow, turning radius, and visibility.

Ms. Amy Stonich, Contract City Planner, noted a revision to the verbiage to Resolution No. 2020-11 regarding pedestrian and traffic safety / traffic visibility for the project located at 10871 Western Avenue, Stanton, CA 90680.

Motion/Second: Van/Warren

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

Motion unanimously carried:

1. The City Council conducted a public hearing; and
2. Declared that the project is categorically exempt per the California Environmental Quality Act (CEQA), under Section 15332, Class 32 (In-Fill Development Projects); and
3. Adopted Resolution No. 2020-11 approving Site Plan and Design Review PPD-803, Tentative Tract Map TM19-04, and Planned Development Permit PDP19-02, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA FINDING THAT THE DEVELOPMENT AT 10871 WESTERN AVENUE IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY (CEQA) ACT AND APPROVING APPROVE SITE PLAN AND DESIGN REVIEW (PPD)-803, TENTATIVE TRACT MAP (TM) 19-04, AND PLANNED DEVELOPMENT PERMIT (PDP) 19-03 TO ALLOW THE CONSTRUCTION OF A 40-UNIT DETACHED CONDOMINIUM SUBDIVISION LOCATED AT 10871 WESTERN AVENUE IN THE HIGH RESIDENTIAL (RH) ZONE"; and

4. Introduced Ordinance No. 1099, entitled:

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF STANTON, CALIFORNIA, APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF STANTON AND KB HOME COASTAL INC., A CALIFORNIA CORPORATION FOR CERTAIN REAL PROPERTY LOCATED AT 10871 WESTERN AVENUE, WITHIN THE CITY OF STANTON PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65864 ET SEQ. AND MAKING CEQA FINDINGS IN CONNECTION THEREWITH”; and

5. Set Ordinance No. 1099 for second reading at the regular City Council meeting on May 12, 2020.

11. **UNFINISHED BUSINESS** None.

12. **NEW BUSINESS** None.

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 Van reported on the Stanton Community Foundation's proactive efforts in donating cloth facemasks to the vulnerable and senior population.
- Council Member Van reported on the Stanton Community Foundation's Restaurant Relief Fund program which benefits local businesses in Orange County and in turn also benefits and serves our public safety personal and essential service workers.

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

- Mayor Shawver requested to agendize discussion regarding the Orange County Sheriff's Department Contract.
- Council Member Van requested to agendize discussion regarding the censuring of Mayor David. J. Shawver.

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.

17A. ORANGE COUNTY SHERIFF'S DEPARTMENT

At this time the Orange County Sheriff's Department will provide the City Council with an update on their current operations.

- Lieutenant Nate L. Wilson provided the City Council with an update on their current operations.

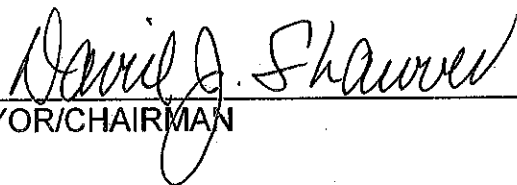
The City Council recessed back into closed session at 8:32 p.m.

The City Council reconvened in open session at 9:14 p.m.

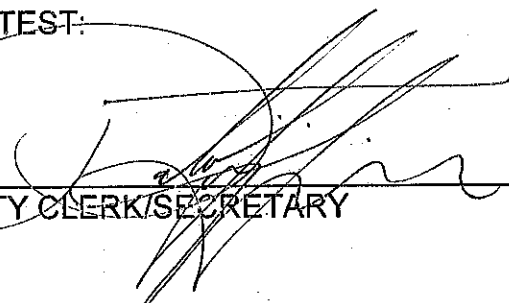
The City Attorney reported that the Stanton City Council met in closed session from 8:32 to 9:14 p.m.

The City Attorney reported that there was no reportable action.

18. ADJOURNMENT Motion/Second: Shawver/
Motion carried at 9:16 p.m.



MAYOR/CHAIRMAN

ATTEST:


CITY CLERK/SECRETARY