

REGULAR MEETING
CYPRESS CITY COUNCIL
January 23, 2017
7:00 P.M.

A regular meeting of the Cypress City Council was called to order at 7:01 p.m. by Mayor Morales in the Council Chambers, 5275 Orange Avenue, Cypress, California.

ROLL CALL

Cypress City Council, also acting as the Ex-Officio Governing Board of Directors of the Cypress Recreation and Park District

Mayor Paulo Morales
Mayor Pro Tem Jon Peat
Council Member Stacy Berry
Council Member Rob Johnson
Council Member Mariellen Yarc (Absent)

STAFF PRESENT

City Manager Peter Grant
City Attorney Anthony Taylor
Director of Finance and Administrative Services Matt Burton
Chief of Police Rodney Cox
Director of Community Development Doug Dancs
Director of Recreation and Community Services June Liu
Assistant Director of Finance and Administrative Services Donna Mullally
City Engineer Kamran Dadbeh
City Planner Doug Hawkins
Public Works Superintendent Kirk Streets
Management Analyst Anna Sanchez
Senior Management Analyst Alisha Farnell
City Clerk Denise Basham

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was led by Council Member Johnson.

INVOCATION The invocation was given by Father Rudy Alumam, St. Irenaeus Catholic Church.

PRESENTATIONS:

Mayor Morales presented a Certificate of Special Recognition to Cypress Veteran Ronald Kovach.

Mayor Morales recognized Stacy Berry, Linda Keenan, Sandy Montez, Doty Jacobson, and Mary Ellen Oves, representing the Cypress Children's Advocacy Council, for their donation, along with Cypress resident Carole Fujishiro-Fukuroku and Cypress Certified Public Accountant firm Murphy, Murphy and Murphy, Inc. who were unable to attend the meeting.

Christopher Aguilera, representing Assemblywoman Sharon Quirk-Silva's Office, recognized Cypress Veteran Ronald Kovach and the Cypress Children's Advocacy Council.

Mayor Morales asked for an update on the recent rainstorms and their impact on the City.

O.C. Fire Authority Division Chief, Dave Steffen, provided an update on rainstorm preparations and stated that rainfall totals exceed six inches over the last five days throughout many areas of Orange County along with sustained winds of 25 to 35 miles per hour. He indicated that concerns included already saturated soils and storm runoff

impacting the storm channels, as well as downed trees. He informed that sand and sandbag station supplies were replenished, and provided information on the calls for service during the 24 hour rainstorm period.

The Director of Community Development stated that there were reports of several disabled cars and water coming onto sidewalks, driveways, and garages. He indicated that several street areas were closed and that there was downed power in several areas. He stated that the City's Public Works Department partners with the Police Department and O.C. Fire Authority to assure flooded road closures, clear inlets, and monitor the pump stations.

The Director of Community Development provided pictures of the Nature Park, which is a County of Orange water retention basin, and water overflow that affected the area. He assured that City and County of Orange pump stations were working, however the amount of rainfall was too overwhelming. He provided pictures depicting various areas of flooding in the City and spoke of sandbag preparations.

Council Member Berry thanked the Public Works and Police Departments, as well as the Orange County Fire Authority for their assistance during the recent rainstorms.

ORAL COMMUNICATIONS (Limited to 30 minutes – three minutes per speaker, unless extended by the City Council)

Mayor Morales asked anyone who wished to speak on any topic not included on the meeting Agenda to come forward.

Roberta O'Toole, Cypress, thanked the City Council and staff for their assistance during the recent rainstorm.

CONSENT CALENDAR

All matters listed on the Consent Calendar are to be approved with one motion unless a Council Member requests separate action on a specific item.

Mayor Morales stated that Agenda Item No. 8, the Warrant Register, includes warrant no. 41266 for \$359.65 for reimbursements he receives as a retired employee of the City of Cypress. He indicated that in voting for any motion to approve the Warrant Register, he would not be voting on warrant no. 41266 for the reason disclosed.

It was moved by Council Member Johnson and seconded by Council Member Berry, to approve Consent Calendar Items No. 1 through 8.

The motion was carried by the following roll call vote:

AYES: 4 COUNCIL MEMBERS: Berry, Johnson, Peat and Morales
 NOES: 0 COUNCIL MEMBERS: None
 ABSENT: 1 COUNCIL MEMBERS: Yarc

Item No. 1: Approve Minutes – Meeting of January 9, 2017

Recommendation: Approve as submitted.

Item No. 2: Introduce and/or Adopt All Ordinances and Resolutions Presented for Consideration by Title Only and to Waive Further Reading

Item No. 3: Approve Plans and Specifications and Award Contracts for the Annual Concrete Rehabilitation, Project 176

Recommendation:

1. Approve Plans and Specifications for the Annual Concrete Rehabilitation, Project 176; and

2. Award a contract in the amount of \$206,342.50 to Ruiz Concrete & Paving, Inc., for the Annual Concrete Rehabilitation, Project 176, and authorize a contingency of \$30,950; and
3. Approve a Task Order for Construction Inspection Services to Vali Cooper and Associates, Inc., for \$25,730, and authorize a contingency of \$3,860.

Item No. 4: Approve a Reimbursement Agreement to Conduct an Environmental Analysis for a Self-Storage Facility at 9141 Valley View Street

Recommendation:

1. Authorize the Mayor to execute the attached reimbursement agreement; and
2. Approve a Task Order for the preparation of environmental documents to the Annealta Group in the amount of \$50,330 and authorize a contingency of \$5,100.

Item No. 5: Approve an Antenna Facility at 4041½ Ball Road – Design Review Committee Permit No. 3080

Recommendation: Approve Design Review Committee Permit No. 3080, subject to the attached conditions.

Resolution No. 6606

A Resolution of the City Council of the City of Cypress Approving Design Review Committee Permit No. 3080 – With Conditions

Item No. 6: Accept Donations to the Recreation and Park District and Appropriate Funds

Recommendation: Accept donations for recreation activities and supplies and increase estimated program revenues and appropriations by \$4,825.

Item No. 7: Receive and File the Investment Report for the Month Ended December 31, 2016

Recommendation: Receive and file the attached investment report.

Item No. 8: Approve Register of Warrants, Electronic Funds Transfers and Wires Issued for the Period of December 26, 2016 through January 13, 2017

Recommendation: Approve the attached payment register summarized below for the period of December 26, 2016 through January 13, 2017:

- Warrants 41163 through 41337
- Electronic Funds Transfers 2398 through 2401
- Payroll Wire W1324

NEW BUSINESS

Item No. 9: Award a Contract for a Comprehensive User Fee Study and Full Cost Allocation Plan

The Director of Finance and Administrative Services provided background information on this item.

Council Member Johnson commented on the fee study consideration that occurred while he served on the Recreation and Community Services Commission, and asked about the extensiveness of this study.

The Director of Finance and Administrative Services indicated that a partial internal fee analysis was done approximately 10 to 12 years ago and that this fee study would be all-inclusive along with preparing a cost allocation plan.

Council Member Johnson asked about the need for an outside agency to conduct the fee study.

The Director of Finance and Administrative Services responded that an outside agency would provide experience, structure and organization.

Council Member Johnson asked about the need for a review of the fee study every five to eight years.

The Director of Finance and Administrative Services responded in the affirmative, and clarified that the consultant stated that it would be common for the fee study to be evaluated every three to five years.

Council Member Johnson asked if the Quimby Act fees would be done separately.

The Director of Finance and Administrative Services responded in the affirmative, and stated that developer fees would not be included with this study.

Council Member Johnson asked if the fee study would also include consideration of program offerings that should be fee based.

The Director of Finance and Administrative Services responded in the affirmative, and stated that there would be consideration for obsolete and/or unnecessary fees.

Council Member Berry asked if it has been 12 to 13 years since fees have been increased.

The Director of Finance and Administrative Services responded that there have been a few minor fee adjustments over the years, however an all-inclusive review of fees was done approximately 10 to 12 years ago.

Council Member Berry asked about local city comparisons and if those cities have been chosen and what parameters were used in the selection process.

The Director of Finance and Administrative Services responded that local neighboring cities would be considered and that the consultant would decide Cypress' market for comparability.

Council Member Berry requested assurance that the compared cities' fees be up-to-date.

The Director of Finance and Administrative Services responded in the affirmative, and indicated that our cost recuperation would be considered, as well.

Council Member Berry asked if the new recreation software would affect the cost allocation.

The Director of Recreation and Community Services stated that the new recreation software has not yet been launched and that the transition would be seamless and the possible establishment of a technology fee or the administrative fee could offset, but not fully cover, the cost of technology.

Council Member Berry spoke in support of the fee study and asked how long it would take to recover the \$52,000 fee study contract fee.

The Director of Finance and Administrative Services indicated that the contract fee recovery would largely be decided by the City Council when the fee study recommendation is done and actual adjustments to the fees occur.

Council Member Berry asked if the timeline schedule and the anticipated compilation date of April 2017 allows ample time for review and implementation into the Fiscal Year 2017-18 Budget.

The Director of Finance and Administrative Services responded in the affirmative, and clarified that the final analysis would likely not be done until closer to May 2017.

Mayor Pro Tem Peat asked how fee cost recovery is determined.

The Director of Finance and Administrative Services responded that the fee study would include full cost recovery options and that fees would be set at the discretion of the City Council.

Mayor Morales asked if the Recreation and Park District would be included in the fee study.

The Director of Finance and Administrative Services responded in the affirmative, and indicated that Park Development Fees would not be included in the fee study.

It was moved by Mayor Pro Tem Peat and seconded by Council Member Johnson, to award a contract in the amount of \$52,930 to MGT of America Consulting, LLC to prepare a Comprehensive User Fee Study and Full Cost Allocation Plan.

The motion was carried by the following roll call vote:

AYES: 4 COUNCIL MEMBERS: Berry, Johnson, Peat and Morales
 NOES: 0 COUNCIL MEMBERS: None
 ABSENT: 1 COUNCIL MEMBERS: Yarc

ORAL COMMUNICATIONS (Five minutes per speaker, unless extended by the City Council)

None.

COUNCIL MEMBER REPORTS AND REMARKS

Mayor Morales requested reports from the Council Members on their respective committee assignments.

Council Member Berry:

Attended a Soroptimist of Cypress Business meeting. Attended the Mackay Park groundbreaking. Attended a Library Advisory Board meeting. Attended a Cypress Children's Advocacy Program meeting. Attended the Cypress State of the City Luncheon. Attended a Community Services Policy Committee meeting in Sacramento.

Mayor Pro Tem Peat:

Attended the Mackay Park groundbreaking. Attended the Rotary Club of Cypress Christmas Party. Attended a Rotary Club of Cypress meeting. Attended the Cypress State of the City Luncheon.

Council Member Johnson:

Attended the Mackay Park groundbreaking. Attended the Rotary Club of Cypress Christmas party. Attended the funeral mass for Cypress resident Jacqueline Wiedel. Attended the Cypress State of the City Luncheon.

Mayor Morales:

Attended the Mackay Park groundbreaking. Attended the swearing-in ceremony for Senator Josh Newman. Attended a Rotary Club of Cypress luncheon. Attended the Cypress State of the City Luncheon. Attended a Relay for Life planning meeting.

CITY MANAGER REMARKS

The City Manager stated that a special City Council meeting would be held on Monday, January 30, 2017 at 6:00 p.m. at the Cypress Community Center. He thanked the Public Works Department, Police Department, and O.C. Fire Authority for their response to the recent rainstorm.

Thanked the public works, police and fire for response to recent storm.

ADJOURNMENT

Mayor Morales adjourned the meeting at 8:06 p.m. to an adjourned Special Meeting, to be held on Monday, January 30, 2017, beginning at 6:00 p.m. at the Cypress Community Center.



MAYOR OF THE CITY OF CYPRESS

ATTEST:



CITY CLERK OF THE CITY OF CYPRESS