

REGULAR MEETING  
CYPRESS CITY COUNCIL  
September 25, 2017  
5:30 P.M.

A regular meeting of the Cypress City Council was called to order at 5:30 p.m. by Mayor Morales in the Executive Board Room, 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

STAFF PRESENT

City Manager Peter Grant  
City Attorney Anthony Taylor  
Director of Finance and Administrative Services Matt Burton  
Chief of Police Rod Cox  
Director of Community Development Doug Dancs  
Director of Recreation and Community Services June Liu  
Police Commander Steve Ramsey  
Police Commander Chris Revere  
City Engineer Kamran Dadbeh  
Public Works Superintendent Kirk Streets  
Senior Civil Engineer Nick Mangkalakiri  
City Clerk Denise Basham

ORAL COMMUNICATIONS

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

None.

CLOSED SESSION

The City Attorney reported that the City Council would be meeting in Closed Session regarding Conference with Real Property Negotiators, pursuant to Government Code Section 54956.8, Real Property Identified by APN Numbers 241-091-22 through 26, Inclusive, 13.329 Acres Located at the Northwest Corner of Katella Avenue and Winners Circle, Parties Negotiating With: Shea Properties, Negotiating Party: City Manager, Under Negotiation: Price and Terms of Payment.

At 5:31 p.m., the Mayor recessed the meeting.

The meeting reconvened at 6:01 p.m.

WORKSHOP SESSION

The Chief of Police spoke regarding the Police Department Seismic Retrofit, Emergency Operations Center and Modernization project. He provided an overview of the existing conditions of the Police Department and indicated that it has not had a significant improvement in more than 20 years. He reviewed projects from 1998 through 2016 with a total cost of \$521,533. He stated that the project, as approved in the Capital Improvement Project (CIP) budget process, would consist of a full modernization that would include public space improvements and a safer, more customer-oriented space with improved workflow efficiency.

The Chief of Police indicated that the existing Emergency Operations Center at the City Public Works Maintenance Yard would relocate to the Police Department to a hardened facility that would also serve as a flexible workspace.

The Chief of Police stated that work space improvements would enhance productivity and morale, improve ergonomics, respond to changes in law, and improve vital evidence handling and processing capabilities. He indicated that the property room and evidence storage would be moved downstairs.

Council Member Yarc asked if there would be a loss of space.

The Chief of Police responded that the modernization does not increase square footage and adjustments to office space would be made to in order to accommodate larger areas.

The City Manager commented on the inefficiency of the current layout of the department.

The Chief of Police stated that the upgrades would positively impact his ability to recruit quality officers.

Mayor Pro Tem Peat commented that the Police Department has received upgraded vehicles and communications, and asked if the modernization project is the final update to the department.

The Chief of Police responded in the affirmative, and commented that there would be a future heating, ventilation, and air conditioning (HVAC) project.

The City Manager stated that an upgrade to the Police Department workout facility was not feasible without a facility expansion.

The Chief of Police stated that the seismic retrofit alternative would not include aesthetic or interior upgrades. He reviewed the interior refurbishment alternative which would include flooring, paint, restrooms, as well as a refreshed lobby and locker rooms.

Council Member Yarc asked about the disruption to staff during the project.

The Chief of Police responded that consideration has been given to completely relocate or have the project done in phases.

Council Member Yarc asked about relocation areas.

The City Manager responded that trailers in the Civic Center parking lot could serve as a temporary relocation site.

The Director of Community Development spoke of the Community Center remodel and the relocation of Recreation staff to trailers in the Community Center parking lot.

Mayor Pro Tem Peat asked why some of the full modernization projects are not fully achievable.

The City Manager responded that the building is not large enough, and spoke regarding possible expansion options that were determined to not be feasible.

The Chief of Police reviewed the project outcomes.

Mayor Pro Tem Peat asked about the approved CIP amount.

The City Manager commented that the modernization project would allow the Police Department to not require a major investment for at least 20 years.

The Chief of Police indicated that 60 percent of the \$2,650,000 budgeted amount comes from asset forfeiture monies.

Council Member Yarc asked if the asset forfeiture monies were reflected in the budget.

The City Manager responded in the affirmative, and stated that the monies would not be appropriated until the next fiscal year.

Mayor Morales asked if the entire asset forfeiture monies would be used.

The Director of Finance and Administrative Services responded in the affirmative.

The Chief of Police commented that there would be additional asset forfeiture monies.

Mayor Pro Tem Peat asked about the project timeframe and if future asset forfeiture monies could be used later in the project.

The City Manager responded in the affirmative, and indicated that any restricted monies would be used instead of City General Fund monies.

Council Member Johnson asked how long it took to accumulate \$2.6 million in asset forfeiture monies.

The Director of Finance and Administrative Services responded that the fund accumulation has taken approximately six to eight years, however it is being spent on a regular basis.

The City Manager stated that asset forfeiture monies were used for various Police Department vehicle, equipment, and training expenses. He stated that the monies are being earned more quickly than they can be spent due to the spending restrictions.

The Chief of Police reviewed the timeline for the modernization project which would include finalizing the Request for Proposals (RFP) process, architect selection, and award of contract by the City Council by the winter of 2017.

Mayor Pro Tem Peat asked about the lengthiness of the process.

The Director of Community Development indicated that the timeline is a conservative estimate and that the architect selection process would take approximately six to nine months.

The City Manager stated that the City Council would appropriate the construction budget as part of the Fiscal Year 2018-19 CIP, and asked about the construction timeline.

The Director of Community Development responded that the construction process will take approximately nine to 12 months based upon the project design.

Mayor Morales asked if the cost for trailers in the Civic Center parking lot as a temporary relocation site is in addition to the project cost.

The City Manager stated that trailer costs are included in the project cost.

Council Member Yarc asked if the \$725,000 project cost is included in this year's budget.

The City Manager responded in the affirmative, and indicated that the second year of the seven-year CIP reflects the \$4.7 million.

Council Member Yarc asked if alterations could be made should the structure of the City Council change next year.

The City Manager responded in the affirmative, and clarified that City Council could decide to delay and/or alter the project.

Mayor Morales asked about the layout of the clerical staff furniture.

The Chief of Police indicated that furniture could be reconfigured.

The City Manager stated that modular walls and ergonomic equipment would be part of the project.

Council Member Johnson spoke regarding security concerns with the current structure.

At 6:36 p.m., the Mayor recessed the meeting.

### RECONVENE

The 7:00 p.m. session of the City Council meeting was called to order at 7:01 p.m. by Mayor Morales.

### ROLL CALL

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

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

### 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  
City Engineer Kamran Dadbeh  
City Planner Doug Hawkins  
Building Official Bob Decker  
Public Works Superintendent Kirk Streets  
Assistant Planner Judy Aquino  
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 Bill Wynder, Church of Jesus Christ of Latter-Day Saints.

### REPORT OF WORKSHOP AGENDA/CLOSED SESSION

The Mayor asked for the report of the Closed Session Agenda items discussed earlier in the evening.

The City Attorney reported that the City Council met in Closed Session regarding Conference with Real Property Negotiators, pursuant to Government Code Section 54956.8, Real Property Identified by APN Numbers 241-091-22 through 26, Inclusive, 13.329 Acres Located at the Northwest Corner of Katella Avenue and Winners Circle, Parties Negotiating With: Shea Properties, Negotiating Party: City Manager, Under Negotiation: Price and Terms of Payment. He stated that the matter was discussed and direction was provided by the City Council.

The City Attorney stated that the City Council met in a Workshop Session regarding the Police Department Seismic Retrofit, Emergency Operations Center and Modernization Project. He stated that the Chief of Police made a presentation regarding workplace improvements.

No other action was taken in Closed Session, nor was any solicited.

## PRESENTATIONS

The Chief of Police introduced Police Officer Sergio Godoy.

Ralph Brown, POST Bureau Chief, presented a POST Executive Certificate to the Chief of Police.

Ken Vecchiarelli, Golden State Water Company, made a presentation regarding the 2017 General Rate Case Filing.

## 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.

David Frias, Boys and Girls Club of Cypress, spoke regarding Agenda Item No. 15.

Sue Osbon, Boys and Girls Club of Cypress, spoke regarding Agenda Item No. 15.

Samantha Johnson, Boys and Girls Club of Cypress, spoke regarding Agenda Item No. 15.

Anne Hertz, Boys and Girls Club of Cypress, spoke regarding Agenda Item No. 15.

## PUBLIC HEARINGS

Public comments – five minutes per speaker, unless extended by the City Council.

Council Members should disclose communications with anyone relevant to a Public Hearing

Item No. 1: Approve a Request to Convert Four Apartments to Condominiums at 8751-8757 Moody Street - Conditional Use Permit No. 3104 and Tentative Parcel Map No. 2017-132

The Assistant Planner provided background information on this item.

Council Member Berry asked about modifications to the dwellings.

The Assistant Planner indicated that this item would be for the approval of the condominium plan and that the applicant indicated that there would be minor improvements to the buildings.

Council Member Berry asked if the layout and exterior of the units would remain the same.

The Assistant Planner responded in the affirmative.

Council Member Johnson asked about parking near the location.

The Assistant Planner stated no parking complaints were received from adjacent properties.

Council Member Johnson asked about the placement of trash bins.

The Assistant Planner responded that trash bins would be placed on the curb.

Council Member Johnson asked if public parking would impact the placement of trash bins.

The Assistant Planner responded no.

Council Member Johnson asked about emergency vehicle access.

The Assistant Planner stated that the driveway would likely provide sufficient emergency vehicle access.

The Director of Community Services stated that the Tract Map standards meet emergency vehicle access.

Council Member Yarc asked about conversion from an apartment to a condominium.

The Director of Community Development stated that the development was originally built as a condominium and conversions would not be necessary.

Council Member Yarc asked if egress and ingress access would remain.

The Director of Community Development responded in the affirmative.

Council Member Yarc asked about mechanical concerns expressed by a tenant and if there would be a City inspection.

The Director of Community Development responded that interior concerns would be addressed between the tenant and landlord unless they are a public safety issue. He stated that this project does not require new building permits.

Mayor Pro Tem Peat asked if there would be a homeowners' association.

The Assistant Planner responded in the affirmative, and clarified that a homeowners' association is a requirement of the Conditions, Covenants, and Restrictions (CC&R's).

Mayor Morales clarified that this action is an administrative process to reclassify the apartments back to their original condominium classification.

The Director of Community Development responded in the affirmative, and indicated that the condominiums would be available for sale.

The applicant, Tom Gausepohl, stated that he agrees with the conditions of approval.

Council Member Yarc asked about the letter received and asked if improvements would be made prior to selling.

Mr. Gausepohl responded in the affirmative.

The public hearing was opened.

The public hearing was closed.

It was moved by Mayor Pro Tem Peat and seconded by Council Member Johnson, that the City Council approve Conditional Use Permit No. 3104 and Tentative Parcel Map No. 2017-132, subject to the conditions of approval.

The motion was unanimously carried by the following roll call vote:

AYES: 5 COUNCIL MEMBERS: Berry, Johnson, Yarc, Peat and Morales  
NOES: 0 COUNCIL MEMBERS: None  
ABSENT: 0 COUNCIL MEMBERS: None

Resolution No. 6647

A Resolution of the City Council of the City of Cypress Approving Conditional Use Permit No. 3104 - With Conditions

Resolution No. 6648

A Resolution of the City Council of the City of Cypress Approving Tentative Parcel Map No. 2017-132 - With Conditions

Item No. 2: Public Hearing and Second Reading and Adoption of an Ordinance Prohibiting All Commercial Marijuana Activities, Regulating Personal Indoor Marijuana Cultivation, and Banning Outdoor Personal Marijuana Cultivation

The City Attorney provided background information on this item.

Mayor Pro Tem Peat asked about the allowance for medical marijuana consumption.

The City Attorney responded that medical marijuana consumption does not have to occur within a residence as there would be the ability of medical marijuana delivery.

The public hearing was opened.

Kevin McMahon, Cypress, spoke regarding the ban on outdoor marijuana cultivation.

The public hearing was closed.

It was moved by Council Member Johnson and seconded by Mayor Pro Tem Peat, that the City Council: 1) Conduct a public hearing of an Ordinance prohibiting all commercial marijuana activities, regulating personal indoor marijuana cultivation, and banning outdoor personal marijuana cultivation; and 2) Adopt the Ordinance by title only and waive further reading.

The motion was carried by the following roll call vote:

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

Ordinance No. 1167

An Ordinance of the City Council of the City of Cypress, California, Adding Chapter 15I (Personal Marijuana Cultivation), and Chapter 15J (Marijuana Uses and Activities Prohibited), to the Code of the City of Cypress, and, Amending Article 6 (Definitions), and Zoning Tables of Sections 2.05.030, 2.06.030, 2.07.030, and 2.08.030 of Article 2 (Zoning Districts and Allowable Land Uses), of Appendix I (Zoning) of the Code of the City of Cypress, Relating to Marijuana Uses, Activities and Personal Cultivation

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 requested that Agenda Item No. 3 be pulled from the Consent Calendar.

It was moved by Mayor Pro Tem Peat and seconded by Council Member Johnson, to approve Consent Calendar Items No. 4 through 14.

The motion was unanimously carried by the following roll call vote:

AYES: 5 COUNCIL MEMBERS: Berry, Johnson, Yarc, Peat and Morales  
NOES: 0 COUNCIL MEMBERS: None  
ABSENT: 0 COUNCIL MEMBERS: None

Item No. 4: Introduce and/or Adopt All Ordinances and Resolutions Presented for Consideration by Title Only and to Waive Further Reading

Item No. 5: Second Reading of an Ordinance to Provide Expedited Permitting Procedures for Electric Vehicle Charging Stations

Recommendation: Adopt the Ordinance by title only and waive further reading.

Ordinance No. 1168

An Ordinance of the City of Cypress Amending Chapter 5 of the Cypress Municipal Code to Establish an Expedited Permitting Process for Electric Vehicle Charging Systems

Item No. 6: Second Reading of an Ordinance to Lower the Speed Limit on Walker Street

Recommendation: Adopt the Ordinance by title only and waive further reading.

Ordinance No. 1169

An Ordinance of the City Council of the City of Cypress Amending Chapter 16, Article XV, of the Code of the City of Cypress Modifying Speed Limits at Walker Street Between Orange Avenue and Cerritos Avenue

Item No. 7: Award Contract for Security Patrol and Recreation Facility Lock Up Services

Recommendation: Award a two-year contract for Security Patrol and Lock Up Services to Hunter Security, Inc. for \$15,969 annually with an option for up to three, one-year extensions, and authorize the City Manager to execute the contract.

Item No. 8: Receive and File 2017 Citywide Traffic Counts

Recommendation: Receive and file the 2017 Citywide Traffic Counts.

Item No. 9: Adopt Administrative Budget for the Cypress Successor Agency for the Six-Month Period of January 1, 2018 through June 30, 2018

Recommendation: Adopt the administrative budget for the Successor Agency for the six-month period of January 1, 2018 through June 30, 2018, per the attached Exhibit A.

Item No. 10: Approve Continuing Appropriations, Revenues and Transfers from FY 2016-17 to FY 2017-18

Recommendation:

1. Authorize the appropriation of \$1,842,598 in FY 2017-18 for the carryover of items from FY 2016-17 as detailed in Attachment A.
2. Authorize the appropriation of \$2,856,722 in FY 2017-18 for the carryover of items encumbered at June 30, 2017 as detailed in Attachment B.
3. Authorize the continuation of operating transfers totaling \$1,152,073 and estimated grant revenue totaling \$1,469,453 from Fiscal Year 2016-17 to Fiscal Year 2017-18 as detailed in Attachment C to support carryover appropriations.

Item No. 11: Approve Cypress Recreation and Park District Continuing Appropriations and Transfers from FY 2016-17 to FY 2017-18

Recommendation:

1. Authorize the appropriation of \$1,290,253 in Fiscal Year 2017-18 for items encumbered at June 30, 2017, as detailed in Attachment A.
2. Authorize the appropriation of \$8,558 in Fiscal Year 2017-18 for the carryover of continuing appropriations, as detailed in Attachment A.

Item No. 12: Approve Supplemental Appropriations and Estimated Revenues for FY 2016-17

Recommendation: Approve supplemental appropriations of \$273,100 and increase estimated revenues by \$27,000 for FY 2016-17.

Item No. 13: Receive and File the Investment Report for the Month Ended August 31, 2017

Recommendation: Receive and file the attached investment report.

Item No. 14: Approve Register of Warrants, Electronic Funds Transfers and Wires Issued for the Period of September 4, 2017 through September 15, 2017

Recommendation: Approve the attached payment register summarized below for the period of September 4, 2017 through September 15, 2017:

- Warrants 43927 through 44055
- Electronic Funds Transfers 3310 through 3315
- Payroll Transfers W1343

Regarding Item No. 3: Approve Minutes – Meeting of September 11, 2017, Mayor Morales stated that he inadvertently voted in opposition to Agenda Item No. 12 regarding the establishment of a supplemental pension trust with the Public Agency Retirement Services (PARS) however, his intention was to vote in favor of the item.

It was moved by Council Member Johnson and seconded by Mayor Pro Tem Peat, that the City Council approve the minutes as amended.

The motion was unanimously carried by the following roll call vote:

AYES: 5 COUNCIL MEMBERS: Berry, Johnson, Yarc, Peat and Morales  
NOES: 0 COUNCIL MEMBERS: None  
ABSENT: 0 COUNCIL MEMBERS: None

#### NEW BUSINESS

Item No. 15: Approve the First Amendment to Boys & Girls Club of Cypress Lease and the Installation of a Fire Sprinkler System

The Director of Community Development provided background information on this item.

It was moved by Mayor Pro Tem Peat and seconded by Council Member Johnson, to:  
1) Approve the first amendment to the Lease Agreement and Special Agreement with the Boys & Girls Club of Cypress; 2) Waive the City fees for the expansion project; 3) Appropriate \$126,500 in the Capital Projects Fund for the installation of a fire sprinkler system at the Boys & Girls Club facility; and 4) Transfer of \$126,500 from the Infrastructure Reserve Fund to the Capital Projects fund for the installation of the fire sprinkler system at the Boys & Girls Club facility.

The motion was unanimously carried by the following roll call vote:

AYES: 5 COUNCIL MEMBERS: Berry, Johnson, Yarc, Peat and Morales  
NOES: 0 COUNCIL MEMBERS: None  
ABSENT: 0 COUNCIL MEMBERS: None

Item No. 16: Receive and File Computer Aided Dispatch/Records Management System Implementation Update

The Chief of Police provided background information on this item.

Cassandra Bowden, West-Comm Communications Director, provided an update on the Computer Aided Dispatch/Records Management System.

Council Member Yarc asked about possible service downtime.

Ms. Bowden stated that the system transition would be immediate and no service downtime is anticipated.

Council Member Yarc asked if the old system could be relied upon as back-up should there be complications with the new system.

Ms. Bowden responded in the affirmative.

Council Member Johnson congratulated the West-Comm staff on the system update.

Mayor Pro Tem Peat complimented the West-Comm staff on their service and spoke in support of the system update.

It was moved by Council Member Johnson and seconded by Mayor Pro Tem Peat, that the City Council receive and file the West Cities Police Communications Computer Aided Dispatch/Records Managements System update.

The motion was unanimously carried by the following roll call vote:

AYES: 5 COUNCIL MEMBERS: Berry, Johnson, Yarc, Peat and Morales  
NOES: 0 COUNCIL MEMBERS: None  
ABSENT: 0 COUNCIL MEMBERS: None

### 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 Johnson:

Attended a Cypress School District Ad-Hoc Committee meeting. Attended an O.C. Recycling and Waste Committee meeting.

#### Council Member Yarc:

Attended the Farmers Market.

#### Council Member Berry:

Attended the League of California Cities Annual Conference in Sacramento. Attended the Farmers Market. Attended a Cypress Children's Advocacy Council meeting. Attended a Woman's Club of Cypress Board meeting. Attended the Police Department Badge Pinning ceremony. Attended an O.C. Vector Control Board meeting. Volunteered at the Cypress Senior Citizens Center Hoe Down. Attended the 20<sup>th</sup> Anniversary of West-Comm. Announced the Woman's Conference to be held on Wednesday, September 27, and the Movie on the Green to be held on Friday, September 29. Asked for clarification on the bulky item pick up reduction by Valley Vista Services.

The City Manager indicated that, under the terms of the Franchise Amendment approved by the City Council, the number of free bulky items pick up is reduced from 12 to two, effective October 1.

#### Mayor Pro Tem Peat:

Attended a Veteran Recognition Committee meeting. Attended the Police Department Badge Pinning ceremony. Attended the pet adoption event sponsored by Assemblywoman Sharon Quirk-Silva. Attended the 20<sup>th</sup> Anniversary of West-Comm.

#### Mayor Morales:

Attended the League of California Cities Annual Conference in Sacramento. Met with three Boy Scout Webelos. Attended the Police Department Badge Pinning ceremony. Attended the pet adoption event sponsored by Assemblywoman Sharon Quirk-Silva. Attended the 20<sup>th</sup> Anniversary of West-Comm.

CITY MANAGER REMARKS

The City Manager spoke regarding the trash franchise stabilization rate increase and the process for returning protests. He announced the Cypress College Foundation fundraiser to be held on Monday, October 2. He reminded of the Farmers Market on Saturdays from 10:00 a.m. – 2:00 p.m.

ADJOURNMENT

Mayor Morales adjourned the meeting at 8:31 p.m. to an adjourned Regular Meeting, to be held on Monday, October 9, 2017, beginning at 5:30 p.m. in the Executive Board Room.

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MAYOR OF THE CITY OF CYPRESS

ATTEST:

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CITY CLERK OF THE CITY OF CYPRESS