

REGULAR MEETING
CYPRESS CITY COUNCIL
November 27, 2017
5:00 P.M.

A regular meeting of the Cypress City Council was called to order at 5:02 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
Director of Community Development Doug Dancs
Director of Recreation and Community Services June Liu
Recreation Supervisor Jeff Draper
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 Labor Negotiator, pursuant to Government Code Section 54957.6, Agency Negotiators: Peter Grant and Matt Burton, Employee Groups: Executive Management, Mid-Management, Confidential, Cypress Employees' Association, Cypress Maintenance Employees' Association, Cypress Police Management, Cypress Police Officers' Association.

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.

The City Attorney reported that the City Council would be meeting in Closed Session regarding Conference with Legal Counsel – Anticipated Litigation, Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2), Number of Cases: One Potential Case.

The meeting recessed at 5:03 p.m.

The meeting reconvened at 6:14 p.m.

WORKSHOP SESSION

The Director of Recreation and Community Services provided a synopsis of what is being termed as Next Leagues and indicated that the Recreation and Community Services Commission and all of the youth sports groups have been involved in the

process to amend the policy to allow such leagues. She stated that instituting Next Leagues is an effort by the youth sports groups to stave off the loss of participation. She commented that the sports groups wish to create a new level of play involving a tryout league that is more competitive than recreation based leagues, however, it is not the same as play at the travel ball level. She indicated that Next Leagues would include inter-league play from other cities, tournament play, mid-priced league fees, and a lower player minimum than recreation leagues.

The Director of Recreation and Community Services stated potential impacts include competition for practice fields, changes in residency make-up of leagues, gateway to travel teams, and uncertainty as to whether or not the school districts would include Next Leagues in their joint use agreements.

Council Member Berry asked if Next Leagues would be feasible without the availability of school sites.

The Director of Recreation and Community Services responded that it would be difficult due to limited available City field usage and high demand for use of school fields in the two districts.

The Director of Recreation and Community Services spoke regarding the annual number of participants in AYSO, Youth Baseball, Pony Baseball, and Girls Softball. She stated that Girls Softball is not proposing any form of Next Leagues at this time

The Director of Recreation and Community Services reviewed conceptual Next Leagues field use hours, as well as City and school shared usage, using data provided by the youth sports groups. She stated that school field usage would also require on-site custodial costs.

The Director of Recreation and Community Services stated staff's recommendation will be for the City Council to approve Next League fees in concept, implement an hourly rental fee, increase the resident/non-resident fees, and increase tournament fees. She indicated that all of the youth sports groups have approved the conceptual fees being proposed.

The Director of Recreation and Community Services spoke regarding instituting a required minimum number to participate in recreation leagues and Next Leagues. She indicated that field use would require a resident team to be on the field during games and practices and have proper identification and permits. She stated that the youth leagues offered to wear unique, identifying uniforms to identify authorized Next League players on a field.

The Director of Recreation and Community Services stated that the ensuing steps would include receiving direction from the City Council, finalization of the proposed policy, staff meetings with the school districts, and City Council approval of the recommended policy early next year.

Council Member Yarc asked if Next Leagues would be in addition to the recreation and travel ball leagues.

The Director of Recreation and Community Services affirmed in that participants would play in one of the three leagues.

Council Member Yarc asked if the addition of Next Leagues would reduce participation in the recreation leagues and create field availability.

The Director of Recreation and Community Services stated that the recreation leagues' desire is to eventually increase participation, and that some groups' field use is currently at its lowest threshold due to loss of participation thus, field impacts will not be realized right away.

Council Member Berry asked if field use is at its maximum.

The Director of Recreation and Community Services spoke regarding field use blanketing by the youth sports groups which prevents others from reserving a field. She indicated that what occurs is that the youth groups do not actually use what they reserve, therefore, through prohibition of blanketing or subletting, there is likely field availability.

Council Member Johnson commented on reserved fields that are not used and asked if Cypress school enrollment qualifies as residency registration.

The Director of Recreation and Community Services responded in the affirmative for Cypress schools that fall within the boundaries of the Joint Use Agreements in place.

Council Member Johnson asked about Next Leagues players' play time compared to recreation leagues.

The Director of Recreation and Community Services indicated that Next Leagues would establish a minimum play rule for participants, which is currently required for recreation leagues.

Council Member Johnson asked about playing various levels of players.

The Director of Recreation and Community Services stated that her understanding is that participants would play in one or the other league, but not both simultaneously. She indicated that children who play in an independent travel ball league could play in a recreation or Next Leagues if they chose.

Council Member Johnson spoke regarding decreased league participation, in support of tournament fees, and the need to allow inter-league play for the older age leagues due to less number of players. He stated that he is in favor of Next Leagues.

The Director of Recreation and Community Services indicated that Next Leagues must be governed and operated simultaneously with the recreation league under the governance of the youth sports groups. She stated that travel ball has paid personnel and Next Leagues and recreation leagues would not.

Council Member Yarc asked about travel ball field usage.

The Director of Recreation and Community Services responded that travel ball must rent City and school fields and do not receive a high priority for scheduling as the other groups do.

Mayor Pro Tem Peat suggested that the current sports groups that do not meet the suggested minimum number of participants required for recreation and Next Leagues be grandfathered in and there not be a time limit to reach the required participation numbers.

The Director of Recreation and Community Services indicated that the youth sports recreation leagues, excluding Pony Baseball which consistently has lower numbers, be required to have a minimum of 125 participants. She stated that Next Leagues must have a minimum of 25 participants, but cannot exceed 30% of the number of recreation league participants.

Jamie Powell, Pony Baseball, spoke in support of Mayor Pro Tem Peat's comments and stated that his organization is long-established. He thanked staff for their work.

Jimmy Fuller, AYSO, complimented staff on their work and spoke in support of Next Leagues.

At 6:54 p.m., the Mayor recessed the meeting.

RECONVENE

The 7:00 p.m. session of the City Council meeting was called to order at 7:04 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

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
Water Quality Manager Gonzalo Vazquez
Public Works Superintendent Kirk Streets
Management Analyst Anna Sanchez
Human Resources Administrator Regina Nguyen
Senior Management Analyst Alisha Farnell
City Clerk Denise Basham

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was led by Mayor Pro Tem Peat.

INVOCATION The invocation was given by Associate Pastor Brandon Beukelman, West Cypress Church.

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 Workshop Session regarding review of recommended ACUAF amendments for Next Leagues. He stated that the Director of Recreation and Community Services made the presentation and received direction from the City Council.

The City Attorney reported that the City Council met in Closed Session regarding Conference with Labor Negotiator, pursuant to Government Code Section 54957.6, Agency Negotiators: Peter Grant and Matt Burton, Employee Groups: Executive Management, Mid-Management, Confidential, Cypress Employees' Association, Cypress Maintenance Employees' Association, Cypress Police Management, and Cypress Police Officers' Association. He stated that the matter was discussed and no reportable action was taken.

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 no reportable action was taken.

The City Attorney reported that the City Council met in Closed Session regarding Conference with Legal Counsel – Anticipated Litigation, Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2), Number of Cases: One Potential Case. He stated that the matter was discussed and no reportable action was taken.

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

The City Attorney stated that supplemental information for Agenda Item No. 3 was available for the public.

PRESENTATIONS

The Chief of Police introduced Police Officer James Dowdell.

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.

Shelley Henderson, O.C. Breeze, spoke regarding upcoming events.

Gail Taylor, Cypress College, spoke regarding the Americana Awards.

Pat Edep, Cypress, spoke regarding Agenda Item No. 15.

Adam Wood, Building Industry Association, spoke regarding Agenda Item No. 3.

Derek Kirk, North Orange County Chamber, spoke regarding Agenda Item No. 3.

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.

It was moved by Mayor Pro Tem Peat and seconded by Council Member Johnson, to approve Consent Calendar Items No. 1 through 13.

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. 1: Approve Minutes – Meeting of November 13, 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: Second Reading of an Ordinance Amending the City's Park Development Fee

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

Ordinance No. 1170

An Ordinance of the City Council of the City of Cypress, California, Amending Sections 25-46 and 25-47 of Article VI of Chapter 25 of the Cypress Municipal Code Relating to the City's Park Development Fees Within the City of Cypress

Item No. 4: Second Reading of an Ordinance Approving a Third Amendment to the Development Agreement with Warland Investments Company

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

Ordinance No. 1171

An Ordinance of the City Council of the City of Cypress, California, Approving a Third Amendment to the Development Agreement with Warland Investments Company, a California Limited Partnership

Item No. 5: Approve First Amendment to Security Patrol Service and Lock Up Services Agreement

Recommendation

1. Approve the First Amendment to the Security Patrol and Lock Up Services Agreement with Hunter Security, Inc., and authorize the City Manager to execute; and
2. Approve an increase in appropriations to the City's General Fund by \$1,350 (Private Contract Services - Park Buildings) and an increase in estimated revenues of \$1,350 (Park District Reimbursements) in the City's General Fund; and
3. Authorize an appropriation increase of \$1,350 (Contract Services - Maintenance Charges) in the Cypress Recreation and Park District General Fund to reimburse the City for lock up security services.

Item No. 6: Award Contracts for Sewer Relining, Project 200

Recommendation:

1. Approve Plans and Specifications for Sewer Relining, Project 200; and
2. Award a contract to Insituform Technologies, LLC, for \$268,771, and authorize a contingency of \$40,300; and
3. Approve a Task Order for Construction Inspection Services to Vali Cooper and Associates, Inc., for \$27,548, and authorize a contingency of \$4,200.

Item No. 7: Receive and File Bus Shelter Program Request for Proposals

Recommendation: Receive and file Bus Shelter Program Request for Proposals.

Item No. 8: Approve a Reimbursement Agreement for an Environmental Analysis of Modification to a Previously Approved Commercial Retail Center

Recommendation: Approve a reimbursement agreement with Shea Properties and approve a \$62,150 Task Order to LSA for the preparation of environmental documents, and authorize a \$6,215 contingency.

Item No. 9: Approve a Reimbursement Agreement for an Environmental Analysis of a Proposed 46 Unit Residential Project at 5081 Orange Avenue

Recommendation: Approve a reimbursement agreement with Melia Homes and approve a \$96,375 Task Order to LSA for the preparation of a specific plan and environmental documents, and authorize a \$9,600 contingency.

Item No. 10: Accept Mackay Park, Project 166

Recommendation: Accept Mackay Park, Project 166, in the final amount of \$2,578,119.24, and approve the final retention payment of \$128,905.96 to Los Angeles Engineering, Inc.

Item No. 11: Amend Hourly Pay Ranges for Temporary Part-Time and Seasonal Employees

Recommendation: Adopt a Resolution amending hourly pay ranges for temporary part-time and seasonal employees.

Resolution No. 6655

A Resolution of the City Council of the City of Cypress, and Acting as Ex-Officio Board of Directors of the Cypress Recreation and Park District, Amending Resolution No. 6638 Establishing Hourly Pay Ranges for Temporary Part-Time and Seasonal Positions and Adding Part-Time Management Classifications to the Temporary Part-Time and Seasonal Employees Hourly Pay Range Schedule

Item No. 12: Receive and File the Investment Report for the Month Ended October 31, 2017

Recommendation: Receive and file the attached investment report.

Item No. 13: Approve Register of Warrants, Electronic Funds Transfers and Wires Issued for the Period of October 30, 2017 through November 10, 2017

Recommendation: Approve the attached payment register summarized below for the period of October 30, 2017 through November 10, 2017:

- Warrants 44514 through 44652
- Electronic Funds Transfers 3496 through 3598
- Payroll Transfers W1347

NEW BUSINESS**Item No. 14: Update on State Mandated Commercial and Organics Recycling Program**

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

Council Member Johnson asked if the mandate applied to single-family residences.

The Director of Community Development responded no, and clarified that the green waste cans could eventually be used for organics recycling.

Council Member Berry asked about selling or donating recyclables to another hauler.

The Director of Community Development stated State law allows the sale and/or donation of recyclables, and clarified that the current franchise agreement prohibits other solid waste haulers from coming into the city and charging customers for those services.

Council Member Berry asked about State enforced outreach, education, and monitoring and if fines would be imposed for disregard of doing so.

The Director of Community Development responded in the affirmative, and stated that the diversion rates would reflect non-compliance.

Mayor Pro Tem Peat asked if multi-family units are required to recycle organics or establish a recycling program.

The Director of Community Development responded that multi-family units with dumpster service would be required to recycle organics.

Mayor Pro Tem Peat asked about the implementation date.

The Director of Community Development replied that enforcement would begin in 2023 or 2024.

It was moved by Council Member Johnson and seconded by Mayor Pro Tem Peat, to receive and file State Mandated Commercial and Organics Recycling Program 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

ITEMS FROM CITY COUNCIL MEMBERS

Item No. 15: Fee Waiver and Financial Support for Arts on the Green 2018

Council Member Yarc provided background information on this item.

Council Member Johnson stated he attended the 2017 event and spoke in support of it.

It was moved by Council Member Johnson and seconded by Council Member Berry, to approve fee waivers for direct and indirect financial support of Arts on the Green 2018.

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 an O.C. Fire Authority Board of Directors meeting. Conducted the coin toss at a Cypress High School football game. Attended the Siemens Grand Opening. Attended a Los Alamitos Race Course Ad-Hoc Subcommittee meeting.

Council Member Berry:

Attended a Woman's Club of Cypress Board meeting. Attended a Soroptimist of Cypress Program meeting. Attended the City of Buena Park Mayor's Prayer breakfast. Attended the Siemens Grand Opening. Attended an O.C. Mosquito and Vector Control Board meeting. Attended the Cypress Farmers Market. Attended a Los Alamitos Race Course Ad-Hoc Subcommittee meeting.

Council Member Yarc:

Attended an O.C. Sanitation District Board meeting. Attended the Siemens Grand Opening. Attended a Cypress Chamber of Commerce Board meeting. Attended the O.C. Sanitation District State of the District breakfast. Conducted the coin toss at the Cypress High School football game. Attended the Cypress Holiday Craft Fair.

Mayor Pro Tem Peat:

Attended the Siemens Grand Opening. Conducted the coin toss at the Cypress High School football game. Attended the Cypress Holiday Craft Fair.

Mayor Morales:

Attended a Police Officer Retirees breakfast. Attended the City of Buena Park Mayor's Prayer Breakfast. Attended the Joint Forces Training Base Thanksgiving luncheon for families of deployed personnel. Attended the Siemens Grand Opening. Conducted the coin toss at the Cypress High School football game.

CITY MANAGER REMARKS

The City Manager spoke regarding increased businesses in the Business Park.

ADJOURNMENT

Mayor Morales adjourned the meeting at 7:52 p.m. to an adjourned Regular Meeting, to be held on Monday, December 11, 2017, beginning at 5:30 p.m. in the Executive Board Room.

MAYOR OF THE CITY OF CYPRESS

ATTEST:

CITY CLERK OF THE CITY OF CYPRESS