

REGULAR MEETING
CYPRESS CITY COUNCIL
January 8, 2018
5:30 P.M.

A regular meeting of the Cypress City Council was called to order at 5:30 p.m. by Mayor Peat 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 Jon Peat
Mayor Pro Tem Stacy Berry
Council Member Rob Johnson
Council Member Paulo Morales
Council Member Mariellen Yarc

STAFF PRESENT

City Manager Peter Grant
City Attorney Anthony Taylor
Director of Finance and Administrative Services Matt Burton

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.

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 Number 241-221-23, Located at the Northeast Corner of Cerritos Avenue and Denni Street, Parties Negotiating With: Los Alamitos Race Course, Negotiating Party: City Manager, Under Negotiation: Term of Payment.

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

At 5:32 p.m., the Mayor recessed the meeting.

RECONVENE

The 7:00 p.m. session of the City Council meeting was called to order at 7:02 p.m. by Mayor Peat.

ROLL CALL

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

Mayor Jon Peat
 Mayor Pro Tem Stacy Berry
 Council Member Rob Johnson
 Council Member Paulo Morales
 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
 Redevelopment Project Manager Steve Clarke
 Human Resources Administrator Regina Nguyen
 Senior Civil Engineer Nick Mangkalakiri
 Public Works Superintendent Kirk Streets
 Information Technology Manager Adrian Smith
 Senior Management Analyst Alisha Farnell
 City Clerk Denise Basham

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

INVOCATION The invocation was given by Pastor Mike McKay, 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 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 Real Property Negotiators, pursuant to Government Code Section 54956.8, Real Property Identified by APN Number 241-221-23, Located at the Northeast Corner of Cerritos Avenue and Denni Street, Parties Negotiating With: Los Alamitos Race Course, Negotiating Party: City Manager, Under Negotiation: Term of Payment. He stated that the matter was discussed and no reportable action was taken.

The City Attorney reported that the 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, and Cypress Maintenance Employees' Association was not held.

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

PRESENTATIONS

The Chief of Police introduced Police Officer Hector Mercado.

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

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

Frank Sherren, Los Alamitos Race Course, spoke regarding the Cypress Town Center and Commons 2.0.

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 Participation in FY 2018-19 and 2019-20 Community Development Block Grant Program

The Redevelopment Project Manager provided background information on this item.

The public hearing was opened.

The public hearing was closed.

It was moved by Council Member Johnson and seconded by Council Member Morales, to adopt the Resolution approving participation in the FY 2018-19 and 2019-20 Community Development Block Grant Program.

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. 6656

A Resolution of the City Council of the City of Cypress Approving the City's Participation in the Fiscal Year 2018-2019 & 2019-2020 Housing and Community Development Block Grant (CDBG) Program With the County of Orange

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 Pro Tem Berry requested Agenda Item No. 4 be pulled from the Consent Calendar.

Council Members Morales stated that Agenda Item No. 8, the Warrant Register, includes warrant no. 44734 for \$547.98 and warrant no. 45024 for \$480.29 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. 44734 and warrant no. 45024 for the reason disclosed.

It was moved by Council Member Johnson and seconded by Council Member Yarc, to approve Consent Calendar Items No. 2, 3, and 5 through 8.

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

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

Item No. 2: Approve Minutes – Meetings of November 27 and December 11, 2017

Recommendation: Approve as submitted.

Item No. 3: Introduce and/or Adopt All Ordinances and Resolutions Presented for Consideration by Title Only and to Waive Further Reading

Item No. 5: Approve Final Parcel Map No. 2013-163 for 8551 Belmont Street

Recommendation: Approve Final Parcel Map No. 20113-163 and authorize the City Clerk to sign the record map.

Item No. 6: Award Contract for Council Chamber Audiovisual Technology Enhancements

Recommendation:

1. Award a \$275,480.34 contract to Western Audio Visual for audiovisual technology enhancements in the Council Chamber, and authorize a contingency of \$13,775; and
2. Approve an appropriation increase of \$39,256 in the Equipment Replacement Fund for the purchase of the audiovisual enhancements with restricted Public Education Grant monies; and
3. Approve a transfer of \$64,256 from the Public Education Grant Fund to the Equipment Replacement Fund to support the purchase.

Item No. 7: Review and File the Investment Report for the Month Ended November 30, 2017

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 November 13, 2017 through December 15, 2017

Recommendation: Approve the attached payment register summarized below for the period of November 13, 2017 through December 15, 2017:

- Warrants 44653 through 45099
- Electronic Funds Transfers 3599 through 3730
- Payroll Transfers W1348 through W1350

Regarding Item No. 4: Award Design Contract for Police Department Seismic Retrofit, Emergency Operations Center and Modernization Project, Mayor Pro Tem Berry spoke in opposition to spending funds from infrastructure reserves and suggested that only the seismic retrofit be done at this time.

The Director of Community Development stated that the structural engineering in the design estimate is approximately \$92,000 with a total seismic retrofit cost of \$700,000.

It was moved by Mayor Pro Tem Berry that the City Council move forward with the seismic retrofitting design of the Police Department in City Hall only.

A substitute motion was made by Council Member Johnson and seconded by Council Member Morales, to: 1) Award a design contract to Robert Borders & Associates for \$398,420, and authorize a contingency of \$60,000; and 2) Approve a Task Order to AndersonPenna Partners, Inc., for constructability review, for \$57,580, and authorize a contingency of \$8,700.

The motion was carried by the following roll call vote:

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

NEW BUSINESS

Item No. 9: Authorize a Retirement/Resignation Incentive for Civilian Employees

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

Mayor Pro Tem Berry asked if the notice of resignation submittal date allows ample time to adjust the budget accordingly.

The Director of Finance and Administrative Services responded in the affirmative, and indicated that the submittal date was determined based upon budget deadlines.

Mayor Pro Tem Berry asked about impacts to City services should more employees than anticipated accept the incentive.

The Director of Finance and Administrative Services spoke of the unlikelihood of a high number of employees accepting the incentive and stated that City services would be affected nonetheless.

Council Member Johnson asked if the anticipated incentive is equally divided among each department.

The Director of Finance and Administrative Services responded in the affirmative, and clarified that the incentive would not be offered to sworn officers.

Mayor Peat asked about previous incentive offerings.

The Director of Finance and Administrative Services responded that an early retirement incentive was offered in the mid 1990's and approximately five or six years ago.

Mayor Peat asked about service level changes.

The Director of Finance and Administrative Services stated that service level changes would be determined once the incentive deadline has been reached and vacated positions are determined.

It was moved by Council Member Yarc and seconded by Council Member Johnson, to: 1) Adopt a Resolution authorizing an Early Retirement/Resignation Incentive for Executive Management, Mid-Management and Confidential Employees; and 2) Adopt a Resolution approving Side Letters of Agreement with the Cypress Employees' Association and the Maintenance Employees' Association authorizing an Early Retirement/Resignation Incentive.

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

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

Resolution No. 6657

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, Authorizing the Implementation of an Early Retirement/Resignation Incentive for Executive Management, Mid-Management and Confidential Employees

Resolution No. 6658

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 Approving the Side Letters of Agreement Between the City Of Cypress and the Cypress Employees' Association and the Cypress Maintenance Employees' Association Regarding an Early Retirement/Resignation Incentive

Item No. 10: Traffic Commission Recruitment/Appointment

The City Clerk provided background information on this item.

Mayor Peat spoke regarding interest by a Cypress resident.

Council Member Johnson spoke regarding the number of Traffic Commissioners, the impact of the vacancy, and in favor of filling the vacancy. He spoke in support of the Cypress resident mentioned by Mayor Peat.

Council Member Morales asked about the timeline for a recruitment process.

The City Clerk indicated that the recruitment would be based upon the City Council schedule and that normal Commission recruitments allow for a 30-day application filing process.

Council Member Morales asked about the next regular meeting of the Traffic Commission.

Mayor Peat indicated that the Traffic Commission meets the third Tuesday of each month.

Council Member Morales suggested that an open recruitment be done.

Council Member Yarc concurred with Council Member Morales, and stated that she is aware of several residents who would be interested in serving on City commissions. She spoke in favor of waiting until the next regular Commission recruitment in 2019 or filling the vacancy with an open recruitment.

Mayor Pro Tem Peat concurred with Council Member Johnson and the need to fill the vacancy at this time.

It was moved by Mayor Pro Tem Berry and seconded by Council Member Johnson, to conduct a recruitment to fill the commission vacancy.

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

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

Item No. 11: February 12, 2018 City Council Meeting Update

The City Clerk provided background information on this item.

Mayor Peat asked about Strategic Plan items that would have been agendized for the February 12, 2018 City Council meeting.

The City Manager indicated that the Strategic Plan items would likely be agendaized for the February 26, 2018 meeting.

It was moved by Council Member Johnson and seconded by Council Member Morales, to receive and file an update on the February 12, 2018 City Council meeting.

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

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

Item No. 12: Receive and File the Strategic Plan Six-Month Objectives Update

The City Manager provided background information on this item.

It was moved by Council Member Johnson and seconded by Mayor Pro Tem Berry, to receive and file the strategic plan six-month objectives update.

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

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

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

Stevan Abdmalik, State Senator Josh Newman's Office, spoke regarding Women of the Year 2018.

COUNCIL MEMBER REPORTS AND REMARKS

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

Council Member Morales:

Attended the breakfast and community coffee meetings hosted by Assemblywoman Sharon Quirk-Silva.

Council Member Johnson:

Attended a 4th of July Ad Hoc Committee meeting. Attended an O.C. Waste and Recycling meeting. Attended the Cypress Chamber of Commerce Holiday Extravaganza. Attended the Coronado Family holiday sing-along. Attended the holiday party on Edgemont Circle. Attended the breakfast and community coffee meetings hosted by Assemblywoman Sharon Quirk-Silva. Attended a Los Alamitos Race Course Ad Hoc Sub-Committee meeting. Complimented emergency services on their recent house fire rescue efforts.

Mayor Pro Tem Berry:

Attended a PACE Graduation at Holder Elementary School. Participated in shoe and sock deliveries at the Boys and Girls Club of Cypress with the Cypress Children's Advocacy Council. Attended an Orange County Korean American Citizens League Board Installation Ceremony and Dinner. Attended the Cypress Police Department badge pinning and retirement luncheon. Attended the Cypress Chamber of Commerce Holiday Extravaganza. Attended the Cypress Senior Citizens Center holiday party and luncheon. Attended the holiday party on Edgemont Circle. Attended the Farmers Market. Attended an O.C. Mosquito and Vector Control Board meeting. Attended Los Alamitos Race Course Ad-Hoc Subcommittee meetings.

Mayor Peat:

Attended a City/Anaheim Union High School District Joint Steering Committee meeting. Attended a Senior Center Ad-Hoc Subcommittee meeting. Attended the Cypress Police Department badge pinning and retirement luncheon. Attended the Cypress Chamber of Commerce Holiday Extravaganza. Attended the Grand Opening of Representative Alan Lowenthal's Orange County office in Garden Grove. Attended the holiday party on Edgemont Circle. Attended a City/Cypress School District Joint Steering Committee meeting. Attended an AYSO meeting. Attended the breakfast and community coffee meetings hosted by Assemblywoman Sharon Quirk-Silva. Wished everyone a Happy New Year.

CITY MANAGER REMARKS

The City Manager stated that the State of the City would be held on January 17, 2018. Indicated that a joint meeting with the Cypress School District Trustees would be held on January 23, 2018 at the Cypress School District. Thanked the Public Works Department for their rain preparations.

The City Attorney stated that the United States Attorney General's Office issued a memo that gave discretion to local federal prosecutors to prosecute marijuana violations even in states where recreational marijuana is legal. He stated that the City Council had acted in 2017 to ban marijuana uses in the City, consistent with the federal law and not allowing any of the dispensaries and other uses.

ADJOURNMENT

Mayor Peat adjourned the meeting in memory of Cypress resident Tom Ferguson at 7:52 p.m. to an adjourned Regular Meeting, to be held on Monday, January 22, 2018, 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