

REGULAR MEETING
CYPRESS CITY COUNCIL
June 25, 2018
6:15 P.M.

A regular meeting of the Cypress City Council was called to order at 6:15 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 (arrived at 6:16 p.m.)

STAFF PRESENT

City Manager Peter Grant
City Attorney Anthony Taylor
Director of Finance and Administrative Services Matt Burton
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 Legal Counsel – Existing Litigation, pursuant to Government Code Section 54956.9(a) & (d)(1), Orange County Catholic Worker et al. v. Orange County, et al., Case No. SA CV 18-0155-DOC (JDEx), U.S. District Court, Central District.

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: City Manager and Director of Finance and Administrative Services, Employee Groups:

- Executive Management
- Mid-Management
- Confidential
- Cypress Employees' Association
- Cypress Maintenance Employees' Association

The City Attorney reported that the City Council would be meeting in Closed Session regarding Public Employee Performance Evaluation, pursuant to Government Code Section 54957, Title: City Clerk.

At 6:16 p.m., the Mayor recessed the meeting.

RECONVENE

The 7:00 p.m. session of the City Council meeting was called to order at 7:00 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 Planner Doug Hawkins
City Engineer Kamran Dadbeh
Maintenance Superintendent Kirk Streets
Information Technology Manager Adrian Smith
Human Resources Manager Regina Nguyen
Recreation Supervisor Jeff Draper
Recreation Supervisor Jenni Worsham
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 Associate Pastor Brandon Beukelman, West Cypress Church.

REPORT OF WORKSHOP AGENDA/CLOSED SESSION

Mayor Peat 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 Legal Counsel – Existing Litigation, pursuant to Government Code Section 54956.9(a) & (d)(1), Orange County Catholic Worker et al. v. Orange County, et al., Case No. SA CV 18-0155-DOC (JDEx), U.S. District Court, Central District. He stated that no reportable action was taken.

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: City Manager and Director of Finance and Administrative Services, Employee Groups: Executive Management, Mid-Management, Confidential, Cypress Employees' Association, Cypress Maintenance Employees' Association. He stated that no reportable action was taken.

The City Attorney reported that the City Council met in Closed Session regarding Public Employee Performance Evaluation, pursuant to Government Code Section 54957, Title: City Clerk. He stated that no reportable action was taken.

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

PRESENTATIONS

Mayor Peat presented a Certificate of Special Recognition to Benjamin James on being selected as Delegate to the American Legion Boys State Program.

Mayor Peat presented a "Parks Make Life Better Month" Proclamation to the Director of Recreation and Community Services and staff.

The Mayor and Council Members recognized the Director of Recreation and Community Services on her retirement.

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.

Shelley Henderson, O.C. Breeze, spoke regarding the upcoming Dining, Arts and Entertainment Guide.

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.

Council Member Morales stated that Agenda Item No. 13, the Warrant Register, includes warrant no. 46769 for \$607.82 of which \$480.29 relates to a reimbursement 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. 46769 for the reason disclosed.

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

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. 1: Approve Minutes – Meeting of June 11, 2018

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: Proclaim the Month of July 2018 as “Parks Make Life Better Month”**

Recommendation: Proclaim the month of July 2018 as “Parks Make Life Better Month.”

Item No. 4: Approve an Agreement for Bus Shelter Operation and Advertising

Recommendation: Approve a ten-year agreement with a City option to extend for five years to Clear Channel Outdoor, Inc. for a Bus Shelter Program.

Item No. 5: Approve an Agreement with Data Ticket, Inc. for Parking Citation Processing

Recommendation: Approve a three-year agreement with Data Ticket, Inc. for processing parking citations with the City option to extend for two years.

Item No. 6: Award Contract for Annual Police Department Shooting Range Cleaning

Recommendation: Award a two-year contract, with three one-year extensions, to HCI Environmental & Engineering Service for annual Police Department range cleaning in the amount of \$14,700 annually.

Item No. 7: Accept a Department of Alcoholic Beverage Control Education and Enforcement Grant

Recommendation:

1. Adopt a Resolution accepting \$28,866 in Grant Assistance Program funds from the Department of Alcoholic Beverage Control; and
2. Increase FY 2018-19 estimated revenues in the General Fund Grants fund by \$28,866; and
3. Increase FY 2018-19 appropriations by \$28,866 in the General Fund Grants fund; and
4. Decrease FY 2018-19 appropriations by \$2,302 in the General Fund for personnel costs transferred to the General Fund Grants fund; and
5. Authorize the City Manager or Chief of Police to sign all necessary grant materials.

Resolution No. 6687

A Resolution of the City Council of the City of Cypress, California,
Modifying the Adopted Budget for Fiscal Year 2018-19 to Accept \$28,866 in
Grant Assistance Program Funds Administered by the California Department
of Alcoholic Beverage Control

Item No. 8: Approve Plans and Specifications for Willow Park Shade Shelter Replacement, Project 212

Recommendation: Approve plans and specifications for Willow Park Shade Shelter Replacement, Project 212.

Item No. 9: Receive and File the Strategic Plan Six-Month Objectives Update

Recommendation: Receive and file the strategic plan six-month objectives update.

Item No. 10: Receive and File a Contract to Conduct a Phase 1 Environmental Site Assessment for the Nine-Acre Park Site

Recommendation: Receive and file a contract with Ninyo & Moore to conduct a Phase 1 Environmental Site Assessment for the nine-acre park site.

Item No. 11: Receive and File a Request for Proposals for Traffic Signal Maintenance Services

Recommendation: Receive and file the attached investment report.

Item No. 12: Receive and File the Investment Report for the Month Ended May 31, 2018

Recommendation: Receive and file the attached investment report.

Item No. 13: Approve Register of Warrants, Transfers and Wires Issued for the Period of May 29, 2018 through June 8, 2018

Recommendation: Approve the attached payment register summarized below for the period of May 29, 2018 through June 8, 2018:

- Warrants 46678 through 46842
- Electronic Funds Transfers 4311 through 4315
- Payroll Transfer W1363

NEW BUSINESS

Item No. 14: Approve an Agreement to Conduct a Citywide Community Survey and Establish a City Council Ad Hoc Subcommittee to Assist with the Development of a Survey Questionnaire

The Senior Management Analyst provided background information on this item.

Dr. Tim McLarney, True North Research, provided an overview on his firm and the survey process.

Council Member Yarc asked if the survey would include all departments.

The Senior Management Analyst responded that the ad hoc subcommittee would development questions for a general overview of all City services and that a recreation survey had been done approximately 11 years ago.

Council Member Yarc spoke regarding the recreation survey and expressed concerns with the survey costs.

The City Manager stated the previous survey was focused on the community's needs and willingness to bonded indebtedness for the development of new facilities, and the focus of this survey would be related to community-wide service values and impacts.

Mayor Pro Tem Berry expressed concern with the survey cost and stressed that the data be useful, and asked about outreach tactics.

Dr. McLarney stated that community survey response rates are typically 10 percent and that participation monitoring would be done with various recruiting methods used.

Mayor Pro Tem Berry asked about customers' reluctance to provide personal information.

Dr. McLarney indicated that intrusive questions would not be asked.

Council Member Johnson asked about the survey timeframe and how many questions would be asked.

Dr. McLarney responded that the surveys are typically 15 to 20 minutes long and 75 data points would be collected.

Council Member Johnson asked about priority project questions.

Dr. McLarney replied that a priority section of speculative questions would be asked.

It was moved by Council Member Johnson and seconded by Mayor Pro Tem Berry, to approve an agreement with True North Research, Inc. to conduct a citywide community survey in the amount of \$31,538.

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

It was moved by Council Member Morales and seconded by Mayor Pro Tem Berry, to 1) Establish an ad hoc subcommittee to advise and assist with the development of a community survey questionnaire; and 2) Adopt a Resolution appointing Council Members Johnson and Yarc to the ad hoc subcommittee, establishing its duration, and its duties.

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. 6688

A Resolution of the City Council of the City of Cypress Establishing
 an Ad Hoc Subcommittee to Advise and Assist with the Development of a
 Community Survey Questionnaire

Item No. 15: Adopt a Resolution Approving a Three-Year Memorandum of Understanding with the Cypress Employees' Association

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

It was moved by Council Member Morales and seconded by Mayor Pro Tem Berry, to adopt a Resolution approving a Memorandum of Understanding with the Cypress Employees' Association from July 1, 2018 through June 30, 2021.

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. 6689

A Resolution of the City Council and Acting as Ex-Officio Board of Directors of the Cypress Recreation and Park District of the City of Cypress, Approving the Memorandum of Understanding Between the City of Cypress and the Cypress Employees' Association Concerning Wages, Salaries, Fringe Benefits and Conditions of Employment

Item No. 16: Adopt a Resolution Approving a Three-Year Memorandum of Understanding with the Cypress Maintenance Employees' Association

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

It was moved by Council Member Morales and seconded by Council Member Yarc, to adopt a Resolution approving a Memorandum of Understanding with the Cypress Maintenance Employees' Association from July 1, 2018 through June 30, 2021.

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. 6690

A Resolution of the City Council of the City of Cypress, Approving the Memorandum of Understanding Between the City of Cypress and the Cypress Maintenance Employees' Association Concerning Wages, Salaries, Fringe Benefits and Conditions of Employment

Item No. 17: Adopt a Resolution Establishing Salary and Benefits for Confidential Positions

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

It was moved by Council Member Johnson and seconded by Mayor Pro Tem Berry, to adopt a Resolution amending Resolution No. 6637 establishing salary and benefits for Confidential positions.

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. 6691

A Resolution of the City Council of the City of Cypress, and Acting as Ex-Officio Governing Board of Directors of the Cypress Recreation and Park District Amending Resolution No. 6637 Establishing Salary Ranges and Benefits for Confidential Positions

Item No. 18: Adopt Resolutions Establishing Salary and Benefits for Executive Management and Mid-Management Positions

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

It was moved by Mayor Pro Tem Berry and seconded by Council Member Johnson, to: 1) Adopt a Resolution establishing salary ranges for Executive Management positions; and 2) Adopt a Resolution establishing salary ranges for Mid-Management positions.

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. 6692

A Resolution of the City Council of the City of Cypress, and Acting as Ex-Officio Governing Board of Directors of the Cypress Recreation and Park District, Amending Resolution No. 6641 Establishing Salary Ranges and Benefits for Executive Management Positions

Resolution No. 6693

A Resolution of the City Council of the City of Cypress, and Acting as Ex-Officio Governing Board of Directors of the Cypress Recreation and Park District, Amending Resolution No. 6642 Establishing Salary Ranges and Benefits for Mid-Management Positions

Item No. 19: Second Reading of an Ordinance Approving Zone Change No. 3117 and the Oxford Place Specific Plan

Council Member Yarc recused herself from this item due to the proximity of her home to the project and left the Council Chambers.

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

It was moved by Council Member Johnson and seconded by Mayor Peat, to adopt the Ordinance by title only and waive further reading.

Mayor Pro Tem Berry reiterated her comments made at the regular City Council meeting of June 11 that she is not in favor of townhomes on Orange Avenue and would prefer all single-family homes. She indicated that she would vote no on this item.

The motion was carried by the following roll call vote:

AYES: 3 COUNCIL MEMBERS: Johnson, Morales, and Peat
 NOES: 1 COUNCIL MEMBERS: Berry
 ABSENT: 0 COUNCIL MEMBERS: None
 ABSTAIN: 1 COUNCIL MEMBERS: Yarc

Ordinance No. 1173

An Ordinance of the City Council of the City of Cypress, California, Adopting Zone Change No. 3117 and the Oxford Place Specific Plan, Changing the Zoning Classification of the Property Located at 5081 Orange Avenue From PS-1A Public and Semi-Public to PC Planned Community (PC-14)

Council Member Yarc returned to the Council Chambers.

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

None.

A video from the 25th Anniversary of the Cypress Senior Center was presented.

COUNCIL MEMBER REPORTS AND REMARKS

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

Council Member Johnson:

Attended the Flag Day ceremony at Cypress College. Attended an O.C. Waste and Recycling Committee meeting. Attended a Boys & Girls Club of Cypress Sponsor Appreciation event. Attended the Concert-on-the-Green. Spoke regarding the City of Irvine's possible withdrawal from the O.C. Fire Authority.

Mayor Pro Tem Berry:

Attended a planning meeting for the Woman's Conference. Attended a Soroptimist of Cypress business meeting. Spoke at the Flag Day ceremony at Cypress College. Attended the Ovation at Flora homes grand opening. Attended an O.C. Forums Elder Abuse conference. Volunteered at the Father's Day party at the Cypress Senior Center. Attended the Concerts-on-the-Green. Attended a Cypress Children's Advocacy Council meeting. Attended the 25th Anniversary Celebration of the Senior Center. Attended the Police Department Badge Pinning ceremony. Attended an OCCOG Board meeting. Attended the Cypress Chamber of Commerce Business Awards and Installation dinner. Attended the Golden West Police Academy graduation. Attended the Farmers Market.

Council Member Morales:

Attended a Boys & Girls Club of Cypress Sponsor Appreciation event. Met with residents to discuss Measure A. Attended the 25th Anniversary Celebration of the Senior Center. Attended an O.C. Mosquito and Vector Control District meeting. Attended the Cypress Chamber of Commerce Business Awards and Installation dinner. Met with the Director of Recreation and Community Services recruiter. Attended the Concert-on-the-Green.

Council Member Yarc:

Attended a Cypress College Americana Awards Steering Committee meeting. Attended a planning meeting for the Woman's Conference. Attended the Ovation at Flora homes grand opening. Attended the Farmers Market. Attended the Concerts-on-the-Green. Attended the 25th Anniversary Celebration of the Senior Center. Attended the Cypress Chamber of Commerce Business Awards and Installation dinner. Met with the Director of Recreation and Community Services recruiter.

Mayor Peat:

Attended the Ovation at Flora homes grand opening. Attended the Boys & Girls Club of Cypress Sponsor Appreciation event. Attended the Concerts-on-the-Green. Attended a West-Comm special meeting. Attended the 25th Anniversary Celebration of the Senior Center. Attended the Police Department Badge Pinning ceremony. Met with the Los Alamitos Race Course regarding Measure A. Attended the Cypress Chamber of Commerce Business Awards and Installation dinner. Attended the Golden West Police Academy graduation. Met with the Director of Recreation and Community Services recruiter.

The City Attorney spoke regarding the evaluation of California impacts related to a recent court decision made in South Dakota to impose sales taxes on online purchases delivered within that state from businesses located in a different state.

CITY MANAGER REMARKS

The City Manager stated that an onsite meeting was held at the nine-acre park site and that in-person tours would be scheduled for the City Council. Spoke regarding the slide show improvements to Channel 36. Acknowledged Video Coordinator, John Olson on his retirement.

ADJOURNMENT

Mayor Peat adjourned the meeting in memory of Cypress resident Tony Nieto at 8:11 p.m. to an adjourned Regular Meeting, to be held on Monday, July 9, 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