

REGULAR MEETING
CYPRESS CITY COUNCIL
August 27, 2018
6:00 P.M.

A regular meeting of the Cypress City Council was called to order at 6:00 p.m. by Mayor Peat 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 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
Director of Community Development Doug Dancs
Senior Management Analyst Alisha Farnell
City Clerk Denise Basham

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

None.

WORKSHOP SESSION

The City Manager reported that a Workshop Session would be held regarding developer proposals at Katella Avenue and Winners Circle. He spoke regarding the development and evaluation process and stated that representatives were invited to make 15-minute presentations. He indicated that, following the presentations, the City Council would discuss this matter in Closed Session.

Kevin McCook, Shea Properties, provided a history of the company and their experience with both retail and multi-family development. He presented projects similar in size to Cypress including Alhambra Place, Mercado del Barrio, Symmetry, and Vantis in Aliso Viejo.

Mr. McCook spoke about the Cypress City Center project and indicated that Shea has received letters of interest from potential tenants. He stated the project will be California casual architecture with plenty of outdoor areas.

Mr. McCook stated that Option 1 would include a 128-room hotel and 40,000 square feet theater, and Option 2 would include a 17,000 square foot grocery tenant, 25,000 square foot possible theater, and a 128-room hotel. He indicated that potential tenants include a theater or a brew house.

Mr. McCook discussed the constraints of the project including entitlements, geotechnical issues, stormwater and sidewalk and landscaping improvements. Mr. McCook indicated that work on the proposal was completed by Shea Properties design team and costs were vetted by a general contractor with local construction knowledge.

Mr. McCook spoke regarding community outreach that would include meeting with neighbors to discuss concerns and benefits of the development, website, phone, and email outreach, hosting community meetings, mailers and newspaper articles, and roundtable discussions.

Council Member Johnson asked about differences in this process compared to the previous process.

Mr. McCook responded that all options were not considered during the first process and that this process would include a multi-family component.

Council Member Johnson commented that Shea's last 10 to 15 projects have been multi-use and asked if they would do an all retail project.

Mr. McCook indicated that 75 percent of the project would have a mixed-use component.

Council Member Johnson asked about retail built below with apartments above and the height of this development.

Greg Anderson, Shea Properties, stated that it would be a four-story building without retail below.

Council Member Johnson asked about the 17,000 square foot site on Option 2.

Mr. McCook indicated that the area would be a Mother's Market grocery store with a hotel behind.

Council Member Yarc asked about the differences between Option 1 and Option 2.

Mr. McCook stated that there is a grocery store on one and a theater on the other.

Council Member Yarc asked if both options could include a restaurant and theater.

Mr. McCook responded in the affirmative.

Mayor Pro Tem Berry asked about plan changes with the passage of the recent ballot measure at the race course, and asked if more apartments are needed in the area.

Mr. Anderson responded that there is more than enough demand for housing and that high quality projects increase the quality of the neighborhood.

Mayor Pro Tem Berry asked about the confidence in tenants for the project so stores are not sitting empty.

Mr. McCook indicated that there would be a mix of retail and that major tenants have expressed interest.

Mayor Pro Tem Berry asked about coordinating efforts with the Los Alamitos Race Course for a cohesive plan.

Mr. McCook responded that, if chosen, Shea Properties would meet with Los Alamitos Race Course.

Mayor Pro Tem Berry asked about a central gathering area.

Mr. McCook replied that there would be an outdoor gathering area with patio and dining near Katella Avenue and Winners Circle.

Mark Kerslake, Province Group, LLC spoke of the company history and partnership with Lewis Land Developers, LLC, and that both companies are family-owned and privately held. He indicated that recent projects include the Barton Place mixed-use and a 31-acre mixed-use development in Denver, Colorado that includes 385 garden apartments and a car dealership.

Richard Lewis, Lewis Land Developers, LLC, provided history and background information on the company. He introduced his brother Randall Lewis. He stated that he is communicating with Los Alamitos Race Course should they be chosen.

Mr. Randall Lewis discussed their approach on the project and stated that legacy projects make a difference in a community. He spoke of recent projects that include Renaissance in Rialto and Rio Rancho in Pomona.

Mr. Lewis provided their vision for the proposed Cypress Town Center project.

A representative from Province Group indicated the site would include a movie theater, hotel, and specialty market.

Mr. Lewis stated that the project does not have a residential component but they would work with the City Council and community to determine if that would be a goal and/or benefit.

Mr. Kerslake spoke regarding Barton Place constraints which are similar to the City site. He discussed the relationship they have with Los Alamitos Race Course to solve issues on the current proposal. He spoke regarding community outreach and the importance of having engagement with Los Alamitos residents.

Council Member Johnson spoke in support of retail and the design program presented. He asked about what type of tenants would go in the 11,000 square foot parcel on Katella Avenue.

A representative from Province Group indicated that quick service restaurants are located in 9,000 to 11,000 square foot areas.

Council Member Johnson asked about a hotel development.

A representative from Province Group responded that a 120 room hotel is proposed since there is market to support it.

Council Member Yarc commented on the assisted living instead of a restaurant development at the Barton Place development, and spoke in support of a high-end restaurant development. She asked about changes since their prior proposal.

Mr. Kerslake responded that the Barton Place development is commercial-challenged since it is located mid-block without a left turn. He stated the site was marketed for two years without interest. He stated this site is different due to two signals and a prominent sense of arrival to the site.

Council Member Morales asked why this design is better than Shea Properties.

Mr. Kerslake replied that their proposal is responsive to the City's desire to maximize revenue.

Mayor Pro Tem Berry commented that Shea Properties indicated the highest, best use would be commercial/retail but wants to make sure a retail only project would sustain as proposed by Lewis Land Developers.

At 6:57 p.m., the Mayor recessed the meeting.

RECONVENE

The 7:00 p.m. session of the City Council meeting was called to order at 7:07 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
Interim Director of Recreation and Community Services Janeen Laudenback
City Planner Doug Hawkins
Maintenance Superintendent Kirk Streets
Recreation Supervisor Jeff Draper
Recreation Supervisor Shelly Myers
Recreation Supervisor Jenni Worsham
Human Resources Administrator Regina Nguyen
Senior Management Analyst Alisha Farnell
City Clerk Denise Basham

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

INVOCATION The invocation was given by Pastor Sam Kim, Lord's Light Community 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 Workshop Session regarding review, discussion, and possible direction regarding developer proposals at Katella Avenue and Winners Circle. He stated that the City Council received presentations by Shea Properties and Lewis Land Developers, LLC and Province Group, LLC, and that no reportable action was taken.

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

PRESENTATIONS

The Chief of Police introduced Police Service Dog Kubo and recognized the Cypress Police Foundation for their donations.

Mayor Peat presented a Certificate of Special Recognition to the Cypress College Baseball Coach Scott Pickler.

Mayor Peat presented a Certificate of Special Recognition to the Tanglewood North Homeowners Association.

The Interim Director of Recreation and Community Services recognized the Cypress Community Festival Association/Cypress Run volunteers and presented plaques to the Executive Board.

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.

Rob Feldman, Los Alamitos, spoke regarding development of the 13 acre site.

Diana Murley, Cypress, Straight Talk Clinic, spoke regarding the clinic relocation.

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

Colleen Janssen, Woman's Club of Cypress President, thanked City staff and the Traffic Commission for efforts in remedying a traffic issue.

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. 17, the Warrant Register, includes warrant no. 47094 for \$480.29 and warrant no. 47409 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. 47094 or warrant no. 47409 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 17.

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 – Meetings of July 9, August 3, and August 21, 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: Second Reading of an Ordinance Approving Specific Plan Amendment No. 2018-01 Adding Thrift Stores to the Lincoln Avenue Specific Plan

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

Item No. 4: Accept Rubberized Play Surface at Veterans Park and Willow Park, Project 202

Recommendation: Accept the Rubberized Play Surface at Veterans Park and Willow Park, Project 202, in the amount of \$139,730 and approve the final payment of \$6,986.50 to Robertson Industries, Inc.

Item No. 5: Accept Cypress Police Foundation Donation

Recommendation: Accept the donation of a Police Service Dog (PSD), Basic Handlers Course, leather muzzle, and handgun lights from the Cypress Police Foundation valued at \$24,484.98.

Item No. 6: Approve Agreement for Fiber Internet Services

Recommendation: Approve a three year agreement for Fiber Internet Services with Spectrum Business for \$37,404.

Item No. 7: Approve a Revised Legal Services Agreement with Bordin Semmer LLP

Recommendation: Approve a Revised Legal Services Agreement with Bordin Semmer LLP.

Item No. 8: Approve a Task Order for Design of Sewer Improvements on Cambridge Street and Bloomfield Street, Project 218

Recommendation: Approve a Task Order to Harris and Associates for \$56,363 for Engineering Design Services and authorize a \$8,500 contingency.

Item No. 9: Approve the Purchase of 800 Megahertz Mobile Radios for the Mobile Command Post Vehicle

Recommendation: Approve a \$37,187.77 purchase from Motorola Solutions for seven 800 MHz public safety mobile radios for the West Cities Mobile Command Post vehicle.

Item No. 10: Approve the Purchase of Replacement Police Tasers

Recommendation:

1. Approve the purchase of 55 Taser X26 Electronic Control Devices, cartridges and holsters from AXON Enterprise, Inc., in the amount of \$77,041.25; and
2. Approve an appropriation of \$60,042 in the City's Capital Replacement Fund for the purchase; and
3. Approve a transfer of \$60,042 from the Narcotics Asset Seizure Fund to the City's Capital Replacement Fund for the purchase.

Item No. 11: Adopt a Resolution Establishing Benefits for Executive Management and Mid-Management Positions

Recommendation: Adopt a Resolution amending the Schedule of Benefits for Management employees.

Resolution No. 6698

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, a Subsidiary District of the City of Cypress, Amending Resolution No. 6643 Establishing Benefits for Management Employees

Item No. 12: 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. 6699

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. 6655 Establishing Hourly Pay Ranges for Temporary Part-Time and Seasonal Positions

Item No. 13: Declare Surplus Equipment and Approve the Donation to the Boys & Girls Club of Cypress and Cypress School District.

Recommendation: Declare the identified computer equipment surplus and approve its donation to the Boys & Girls Club of Cypress and the Cypress School District.

Item No. 14: Receive and File North Orange County Public Safety Task Force Status Update

Recommendation: Receive and file North Orange County Public Safety Task Force Status Update.

Item No. 15: Receive and File the Strategic Plan Six-Month Objectives Update

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

Item No. 16: Receive and File the Investment Reports for the Month Ended June 30, 2018 and July 31, 2018

Recommendation: Receive and file the attached investment reports.

Item No. 17: Approve Register of Warrants, Transfers and Wires Issued for the Period of June 25, 2018 through August 10, 2018

Recommendation: Approve the attached payment register summarized below for the period of June 25, 2018 through August 10, 2018:

- Electronic Funds Transfers 4416 through 4731
- Warrants 46972 through 47670
- Payroll Transfers W1365 through W1369

NEW BUSINESS**Item No. 18: Appoint Roger Hollenbeck to the Recreation and Community Services Commission**

The City Clerk provided background information on this item.

Council Member Johnson asked if Nettie Bryan would be eligible for reappointment should her election to the City Council be unsuccessful.

The City Clerk responded no, and clarified that Ms. Bryan could reapply during the 2019 Commission recruitment.

It was moved by Mayor Pro Tem Berry and seconded by Council Member Yarc, to: 1) Receive and file Nettie Bryan's resignation from the Recreation and Community Services Commission; and 2) Appoint Roger Hollenbeck to the Recreation and Community Services Commission.

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. 19: Receive and File Police Department Strategic Plan

The Chief of Police provided background information on this item.

Mayor Peat complimented the Chief of Police and his staff on the strategic plan.

It was moved by Council Member Morales and seconded by Council Member Johnson, to receive and file the Police Department Strategic Plan.

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)

None.

COUNCIL MEMBER REPORTS AND REMARKS

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

Council Member Johnson:

Attended the Boys and Girls Club of Cypress ribbon cutting. Spoke regarding the O.C. Fire Authority 4th of July incidents report.

Mayor Pro Tem Berry:

Announced the West Orange County Women's Conference to be held on Wednesday, September 26 at the Cypress Community Center.

Council Member Yarc:

Spoke regarding the speakers at the West Orange County Woman's Conference to be held on Wednesday, September 26 at the Cypress Community Center.

Council Member Morales:

Thanked the Interim Director of Recreation and Community Services for the success of this year's Community Festival and Run. Thanked the Chief of Police for this year's National Night Out.

Mayor Peat:

Attended an Eagle Scout Court of Honor for three Cypress residents. Attended the grand opening of Patron Property Management.

The Mayor stated the meeting would be adjourned in memory of California Highway Patrol Officer Kirk Griess and Draper City, Utah Battalion Chief Matthew Burchett.

Chief Cox stated that California Highway Patrol Officer Kirk Griess was struck and killed by a vehicle on August 10, 2018 while conducting a traffic stop on I-80 in Solano, California. Officer Griess was a Marine Corp Veteran and had served on the California Highway Patrol for 19 years. He is survived by his wife, two daughters, and a son..

Chief Lockhart stated that Draper City, Utah Battalion Chief Matthew Burchett passed away on August 13, 2018 after being struck by a tree at the Mendocino Fire, the largest fire in California's history. Battalion Chief Matthew Burchett is survived by his wife and son.

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 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, Negotiating Party: City Manager, Parties Negotiating with:

- Shea Properties
- Lewis Land Developers, LLC and Province Group, LLC

At 8:05 p.m., the Mayor recessed the meeting.

RECONVENE

The meeting reconvened at 9:05 p.m.

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 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, Negotiating Party: City Manager, Parties Negotiating with: Shea Properties, Lewis Land Developers, LLC and Province Group, LLC. He stated that no reportable action was taken.

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

ADJOURNMENT

Mayor Peat adjourned the meeting at 9:05 p.m. to an adjourned Regular Meeting, to be held on Monday, September 10, 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