

REGULAR MEETING
CYPRESS CITY COUNCIL
September 10, 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
Assistant City Attorney Robert Khuu
Director of Finance and Administrative Services Matt Burton
Interim Director of Recreation and Community Services Janeen Laudenback
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 stated that the results of the community-wide survey would be discussed with the City Council.

The Senior Management Analyst introduced Timothy McLarney, Ph.D., True North Research, and indicated that the survey questionnaire was developed by staff and Council Members Johnson and Yarc. She spoke regarding the 10-day data collection process of approximately 800 residents.

Dr. McLarney spoke regarding the purpose and methodology of the study, and stated that surveys were done via postal mail, e-mail, and telephone. He indicated a random sampling of 748 residents was done with an average interview time of 18 minutes, and that the margin of error is plus or minus 3.55 percent.

Mayor Pro Tem Berry asked about the number of online and phone call surveys.

Dr. McLarney stated that two-thirds of the responses were received online and one-third were received by telephone, and that the response rate was higher than other communities.

Council Member Yarc stated that her household received a survey invitation letter and responded online.

Dr. McLarney reviewed the rating results that reflect what residents like best about Cypress. He indicated that the overall quality of life in the City rated high, and that safety and a low crime rate were what residents like most about living in Cypress, followed by recreational areas and being a clean, well-maintained city.

Council Member Morales asked about the number of choices.

Dr. McLarney stated that residents had three choices over the phone and more online. He indicated that verbatim verbal responses are reviewed and compiled.

Dr. McLarney indicated that responses to suggested changes to improve Cypress include 25 percent unsure and/or no recommended changes, with an overall satisfaction rating of 87 percent. He commented that the sentiment wide-spread in the survey reflects positively of the overall satisfaction with the City. He reviewed important services surveyed and indicated that public safety and public services rated high. He indicated that satisfaction with city services reflected high ratings for fire and emergency medical services, as well as maintaining city streets, and community events. He stated that lower rated matters include manage traffic congestion, growth and development, and address homelessness.

Mayor Peat asked if specific questions were asked of each category.

Dr. McLarney responded in the affirmative, and clarified that each category was rated.

Dr. McLarney stated that the perception of personal safety reflected that 9 out of 10 residents surveyed feel safe walking during the day and that after dark 8 out of 10 residents surveyed feel safe walking alone in their own neighborhood.

Dr. McLarney indicated that survey results showed that 23 percent of adults and 19 percent of children in the household participate in recreation programs, and that approximately 34 percent had an adult or child who participated in a City recreation program.

Mayor Peat asked if the yes responses include youth sports.

Dr. McLarney responded in the affirmative.

Dr. McLarney indicated that one-third of residents surveyed expressed a desire for additional recreation programs with aquatic, sports, and concerts rating the highest.

Council Member Morales asked for clarification on STEAM classes.

Dr. McLarney responded that STEAM classes are Science, Technology, Engineering, Arts and Math.

Mayor Peat asked if the community interest is for more than what is currently offered.

Dr. McLarney replied that there is an expressed interest for new and existing classes.

Dr. McLarney spoke regarding funding priorities and reviewed the survey funding priorities with high priorities of maintaining streets and roads, improving parks, new employers and jobs, and revitalization of commercial centers. He reviewed the satisfaction with communication and commented that 8 out of 10 residents surveyed expressed satisfaction.

Council Member Morales asked about survey results of other cities.

Dr. McLarney responded that communication survey results from other cities may reflect 7 out of 10 residents satisfied.

Dr. McLarney reviewed key conclusions that include residents' satisfaction with Cypress as a place to live, work and play, as well as the City performance in providing services, facilities, and policies. He stated that the numbers are earned and not easily given by residents and is a positive reflection on staff and City Council. He indicated that future improvements such as addressing homelessness, managing growth and development, and reducing traffic congestion should be considered. He commented on guidance for future recreation programs.

Council Member Johnson commented on two-thirds of responses done online and the likelihood of telephone hang ups.

Dr. McLarney stated that the average telephone survey was 18 minutes, and spoke regarding call screening, the necessity of offering an online survey, and letters of invitation. He informed that the survey was kept open longer due to activity.

Council Member Johnson asked about the last community survey.

The Senior Management Analyst responded that a community survey was done in 2001.

Council Member Yarc asked if the items needed for improvement were random or if the surveyor gave residents choices.

Dr. McLarney responded that some of the items needed for improvement were random and some were open-ended from a specific list.

CLOSED SESSION

The Assistant 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 Assistant 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:

- Lewis Land Developers, LLC and Province Group, LLC

The Assistant 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
- Cypress Police Management
- Cypress Police Officers' Association

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

At 6:02 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
Assistant City Attorney Robert Khuu
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
Senior Civil Engineer Nick Mangkalakiri
Maintenance Superintendent Kirk Streets
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 Father Binh Nguyen, St. Irenaeus Catholic Church.

REPORT OF WORKSHOP AGENDA/CLOSED SESSION

Mayor Peat asked for the report of the Workshop Session Agenda items discussed earlier in the evening.

The Assistant City Attorney reported that the City Council met in a Workshop Session regarding the community-wide survey update. He stated that no reportable action was taken.

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

The Assistant 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 Assistant 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: Lewis Land Developers, LLC and Province Group, LLC. He stated that direction was provided, discussion occurred, and no reportable action was taken.

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

PRESENTATIONS

Assemblywoman Sharon Quirk-Silva made a presentation regarding the State of the District.

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.

Debbie Jenkins, Cypress, spoke regarding parking in her neighborhood.

Shelley Henderson, Cypress, spoke regarding the desire for an American barbecue restaurant in the city.

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 Members Morales stated that Agenda Item No. 8, the Warrant Register, includes warrant no. 47747 for \$480.29 for 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. 47747 for the reason disclosed.

It was moved by Council Member Johnson and seconded by Mayor Pro Tem Berry, to approve Consent Calendar Items No. 1 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. 1: Approve Minutes – Meeting of August 27, 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: Adopt Resolutions to Revise Conflict of Interest Codes**

Recommendation: Adopt the Resolutions adopting Conflict of Interest Codes for the City of Cypress and Cypress Recreation and Park District, which supersede all prior Conflict of Interest Codes and amendments previously adopted.

Resolution No. 6700

A Resolution of the City Council of the City of Cypress, Adopting a Conflict of Interest Code Which Supersedes All Prior Conflict of Interest Codes and Amendments Previously Adopted

Resolution No. 6701

A Resolution of the City Council of the City of Cypress, Ex-Officio Governing Board of Directors of the Cypress Recreation and Park District, a Subsidiary District of the City Of Cypress, Adopting a Conflict of Interest Code Which Supersedes All Prior Conflict of Interest Codes and Amendments Previously Adopted

Item No. 4: Excuse Absences of Recreation and Community Services Commissioner Carlos Espinosa

Recommendation: Excuse the absences of Recreation and Community Services Commissioner Carlos Espinosa.

Item No. 5: Approve Plans and Specifications and Award Contracts for the Annual Slurry Seal, Project 214

Recommendation:

1. Approve Plans and Specifications for the Annual Slurry Seal, Project 214; and
2. Award a contract to American Asphalt South Inc., for \$595,385.30, and authorize a contingency of \$89,300; and
3. Approve a Task Order for Construction Inspection Services to Vali Cooper and Associates, Inc., for \$59,734, and authorize a contingency of \$8,960.

Item No. 6: Approve the Purchase of Replacement Police VehicleRecommendation:

1. Authorize the purchase of one replacement police vehicle for \$33,477 from Wondries Fleet Group via National Auto Fleet Group; and
2. Authorize an appropriation increase of \$38,697 in the City's Capital Replacement Fund to purchase and upfit the vehicle; and
3. Authorize a transfer of \$25,872 from the General Liability Fund to the City's Capital Replacement Fund for insurance proceeds from AIG Claims, Inc. available to pay for the replacement vehicle; and
4. Authorize a transfer of \$12,825 from the City's General Fund to the City's Capital Replacement Fund to pay the balance of the vehicle replacement.

Item No. 7: Approve Supplemental Appropriations and Increases to Estimated Revenues for FY 2017-18

Recommendation: Approve supplemental appropriations of \$564,200 and increase estimated revenues by \$466,900 for FY 2017-18.

Item No. 8: Approve Register of Warrants, Transfers, and Wires Issued for the Period of August 13, 2018 through August 31, 2018

Recommendation: Approve the attached payment register summarized below for the period of August 13, 2018 through August 31, 2018:

- Electronic Funds Transfers 4750 through 4754
- Warrants 47671 through 47799
- Payroll Transfer W1370 through W1371

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 Yarc:

Attended a Woman's Club of Cypress General Membership meeting. Attended an O.C. Sanitation District Operations Committee meeting. Attended the Farmers Market. Attended the Hobby Lobby Grand Opening.

Council Member Morales:

Attended the funeral services for Eric Bowman. Attended the Hobby Lobby Grand Opening. Attended the Fallen Officers event in Buena Park.

Mayor Pro Tem Berry:

Attended a Woman's Club of Cypress General Membership meeting. Attended a SCAG Community Education and Human Development Committee meeting. Attended a SCAG Regional Council meeting. Attended the Hobby Lobby Grand Opening.

Council Member Johnson:

Attended the funeral services for Eric Bowman. Attended the Farmers Market. Attended the Hobby Lobby Grand Opening.

Mayor Peat:

Attended the funeral services for Eric Bowman. Attended a 405 Project meeting with O.C. Supervisor Michelle Steel. Attended a community meeting with Assemblywoman Sharon Quirk-Silva. Attended the Hobby Lobby Grand Opening. Attended a Mayor's Prayer Breakfast meeting with Pastor Mike McKay.

CITY MANAGER REMARKS

The City Manager spoke regarding the upcoming opening of Hobby Lobby. He stated that the City Council would hold a Strategic Plan Update session on Tuesday, September 11.

CLOSED SESSION

The Assistant 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, Cypress Police Management, Cypress Police Officers' Association.

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

Mayor Peat recessed the meeting in memory of Eric Bowman at 7:31 p.m. to Closed Session.

RECONVENE

The meeting reconvened at 8:00 p.m.

The Assistant 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, Cypress Police Management, Cypress Police Officers' Association. He stated that no reportable action was taken.

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

ADJOURNMENT

Mayor Peat adjourned the meeting at 8:00 p.m. to an adjourned Special Meeting, to be held on Tuesday, September 11, 2018, beginning at 8:30 a.m. at the Cypress Community Center.

MAYOR OF THE CITY OF CYPRESS

ATTEST:

CITY CLERK OF THE CITY OF CYPRESS