

REGULAR MEETING
CYPRESS CITY COUNCIL
January 28, 2019
4:00 P.M.

A regular meeting of the Cypress City Council was called to order at 4:00 p.m. by Mayor Berry 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 Stacy Berry
Mayor Pro Tem Rob Johnson
Council Member Paulo Morales (arrived at 4:04 p.m.)
Council Member Jon Peat
Council Member Mariellen Yarc

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 Public Employee Appointment, pursuant to Government Code Section 54957, Title: City Clerk.

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: Lewis Land Developers, LLC and Province Group, LLC, Negotiating Party: City Manager, Under Negotiation: Price and Terms of Payment.

At 4:02 p.m., the Mayor recessed the meeting.

At 6:18 p.m., the Mayor reconvened the meeting.

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 Cameron Harding
Assistant Director of Finance and Administrative Services Donna Mullally
City Engineer Kamran Dadbeh
City Planner Doug Hawkins
Building Official Bob Decker
Human Resources Administrator Regina Nguyen
Senior Management Analyst Jason Machado
Senior Management Analyst Alisha Farnell
City Clerk Denise Basham

WORKSHOP SESSION

The Director of Finance and Administrative Services provided an overview of the fee analysis and recommendations, and stated the fees were last updated in 2006 and 2008. He stated the workshop would include analysis and review of individual fees and developing recommendations. He provided an update of the process, as well as the current and recommended overview summary and stated six new fees are proposed.

The Director of Finance and Administrative Services stated the proposed fees reflect a recommendation for full cost recovery with a few exceptions. He indicated the four types of fee recommendations include no subsidy (full cost recovery), partial subsidy (not applicable to fees presented tonight), new fees, and fully-subsidized services.

The Director of Finance and Administrative Services reviewed the proposed arrest booking fee increase from \$160 to full cost recovery of \$328.

Council Member Yarc asked about the collection of booking fees.

The City Attorney responded that booking fees are collected through Restitution Orders.

Council Member Morales commented that there would not be compensation for every arrest.

The City Attorney responded in the affirmative, and clarified arrest extenuating circumstances include indigent persons and failure to appear.

The Director of Finance and Administrative Services stated billings are not always successful.

Council Member Morales commented that arrest fees are limited by State law.

The City Attorney responded in the affirmative.

The City Manager stated that imposed fees are limited to full cost recovery and optional fees are limited by the current market and/or other City Council restrictions.

The Director of Finance and Administrative Services stated the staff recommendation is in general to remove the subsidy from existing fees. He indicated the business licensing processing fee would increase from zero to \$26 to include staffing and new system enhancements used for processing. He stated the fee would be consistent with business license fees in other cities, and the business license tax remains unchanged.

The Director of Finance and Administrative Services indicated the residential alarm permit would increase from zero to \$40 and is commonly charged in surrounding cities and currently paid by businesses within the City.

The Director of Finance and Administrative Services stated there is currently no charge for an Alcohol Beverage Control (ABC) permit fee and the recommended minimum fee would be \$1,033 in order to accommodate significant police work.

Council Member Yarc asked if the permit would be for new liquor stores and restaurants.

The Chief of Police responded in the affirmative.

The Director of Finance and Administrative Services stated there is currently no fee for blood draw recovery, it is a contracted service and the \$107 recovery fee would apply upon conviction.

The Director of Finance and Administrative Services indicated massage permits and annual renewals would increase from zero to \$517 for renewal and \$1,033 for an initial permit. He stated the Municipal Code requires a background investigation and an annual renewal would ensure compliance.

The Director of Finance and Administrative Services stated there is no fee recommended for vacation house checks since they are typically performed by the Volunteers In Policing (VIP's) and offer a significant community benefit.

Council Member Peat asked if the \$91,000 annual surplus/subsidy is for sworn staff to perform the vacation house checks.

The Director of Finance and Administrative Services responded in the affirmative, and indicated the cost also includes staff coordination and oversight of the VIP's.

Council Member Yarc asked about the \$888 cost of bingo licensing.

The City Manager responded one community hall in the city dedicates one day per week for six non-profit and charitable groups and each charity benefits in excess of \$100,000 annually. He stated bingo licensing is processed through the Police Department.

Council Member Morales commented that the \$1,033 ABC permit fee is extreme.

The Director of Finance and Administrative Services responded the fee is consistent with development fees and compliance requires time of sworn officers. He stated the minimum fee is \$1,033 and would be based on actual cost which could increase with complex permitting.

The City Manager commented the ABC permit is revenue-worthy to restaurants.

Mayor Pro Tem Johnson asked about compliance requirements for full liquor compared to only beer and wine.

The Chief of Police responded that all alcohol investigation is handled the same.

The Director of Finance and Administrative Services stated items for further consideration include Municipal Code updates and adjustments to reflect the recommended fees using Fiscal Year 2019-20 costs.

Council Member Yarc asked if fees are raised due to cost of living and if that is a fair way to adjust them.

The Director of Finance and Administrative Services responded in the affirmative, and stated fees may be adjusted with the Consumer Price Index.

The Director of Finance and Administrative Services stated direction and consensus of the City Council is recommended, and the Community Development fee analysis and recommendations would be presented to the City Council on February 11, 2019.

It was the consensus of the City Council to adjust the Administration and Police fees as recommended/presented by staff.

RECONVENE

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

ROLL CALL

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

Mayor Stacy Berry
Mayor Pro Tem Rob Johnson
Council Member Paulo Morales
Council Member Jon Peat
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 Cameron Harding
City Planner Doug Hawkins
City Engineer Kamran Dadbeh
Senior Civil Engineer Nick Mangkalakiri

Senior Management Analyst Alisha Farnell
City Clerk Denise Basham

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

INVOCATION The invocation was given by Interfaith Specialist Ken Jenks, Church of Jesus Christ of Latter-Day Saints.

REPORT OF WORKSHOP AGENDA/CLOSED SESSION

Mayor Berry 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 Public Employee Appointment, pursuant to Government Code Section 54957, Title: City Clerk. 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, Parties Negotiating with: Lewis Land Developers, LLC and Province Group, LLC, Negotiating Party: City Manager, Under Negotiation: Price and Terms of Payment. He stated that no reportable action was taken.

The City Attorney reported that the Closed Session regarding Public Employee Appointment, pursuant to Government Code Section 54957, Title: City Clerk, would not be held.

The City Attorney reported that the Closed Session regarding Public Employee Discipline/Dismissal/Release, pursuant to Government Code Section 54957, would not be held.

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

Mayor Berry asked for the report of the Workshop held earlier in the evening.

The City Attorney stated that the City Council met in a Workshop Session to discuss the Administration and Police fee analysis and recommendations.

PRESENTATIONS

Mayor Berry presented a "Career Technical Education Month" proclamation to Kathi Kent, North Orange County ROP Instructional Program Administrator.

Mayor Berry presented a Certificate of Special Recognition to the Cypress High School Traditional Competitive Cheer Team.

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

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

Shirley Bradley, Cypress Chamber of Commerce, congratulated the ROP on their "Career Technical Education Month" proclamation, and announced the upcoming Networking breakfast.

Doug Easer, Cypress, spoke regarding an Air Bed and Breakfast (Airbnb) in the Sorrento Homes neighborhood.

Jonathan Matson, Cypress, spoke regarding an Airbnb in the Sorrento Homes neighborhood.

Shelley Henderson, O.C. Breeze, apologized for technical difficulties to the newspaper website and announced upcoming events.

Anne Hertz, Boys and Girls Club of Cypress, provided an update on the Teen Center construction and spoke regarding upcoming events.

Mike McGill, Cypress, spoke regarding Agenda Item No. 3.

Ashley Herrera spoke regarding Youth Leadership America (YLA) and upcoming events.

Tram Le and Nathan Mai spoke regarding Youth Leadership America (YLA) and community impact projects.

Katie Wiedel, Cypress, expressed her appreciation for the Public Works Department.

Lori Zeller, O.C. Fire Authority, spoke regarding Agenda Item No. 8.

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 Johnson and seconded by Council Member Morales, to approve Consent Calendar Items No. 1 through 11.

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

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

Item No. 1: Approve Minutes – Meeting of January 14, 2019

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 January 2019 as “Slavery and Human Trafficking Prevention and Awareness Month”

Recommendation: Proclaim the month of January 2019 as “Slavery and Human Trafficking Prevention and Awareness Month.”

Item No. 4: Proclaim the Month of February 2019 as “Career Technical Education Month”

Recommendation: Proclaim the month of February 2019 as “Career Technical Education Month.”

Item No. 5: Proclaim January 13, 2019 as “Korean American Day”

Recommendation: Proclaim January 13, 2019 as “Korean American Day.”

Item No. 6: Excuse Absence of Recreation and Community Services Commissioner Carlos Espinosa

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

Item No. 7: Approve Contract Services Agreements for On-Call Sanitary Sewer and Storm Drain Design Services

Recommendation: Approve contract services agreements for on-call sanitary sewer and storm drain design services to AKM Consulting Engineers (AKM) and Joseph C. Truxaw and Associates, Inc.

Item No. 8: Approve Fourth Amendment to OCFA Joint Powers Authority Agreement Formalizing the Accelerated Pension Liability Pay Down Plan

Recommendation: Approve the Fourth Amendment to the Amended Orange County Fire Authority JPA Agreement.

Item No. 9: Extend the Time to Develop City-owned Property at 5732 Lincoln Avenue

Recommendation: Adopt a Resolution extending the time to develop city-owned property at 5732 Lincoln Avenue.

Resolution No. 6719

A Resolution of the City Council of the City of Cypress Extending the Development Period for the Property At 5732 Lincoln Avenue Acquired By the Former Cypress Redevelopment Agency With Low and Moderate Income Housing Funds to be Used for the Development of Low And Moderate Income Housing

Item No. 10: Receive and File the Investment Report for the Month Ended December 31, 2018

Recommendation: Receive and file the attached investment report.

Item No. 11: Approve Register of Warrants, Transfers, and Wires Issued for the Period of December 22, 2018 through January 18, 2019

Recommendation: Approve the attached payment register summarized below for the period of December 22, 2018 through January 18, 2019:

- Electronic Funds Transfers 5304 through 5442
- Warrants 48918 through 49045
- Payroll Transfer W1381 through W1382

NEW BUSINESS**Item No. 12: Award Preliminary Design Contract for LARC Park**

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

Mayor Berry asked about online questioning for the community in order to have a wider audience response.

The Director of Community Development responded that staff would work with the consultant to provide additional outreach resources, and stated that staff could be emailed and information would be available on the City website.

It was moved by Council Member Peat and seconded by Mayor Pro Tem Johnson, to 1) Award a contract to Community Works Design Group for the preliminary design of LARC Park for \$285,900 and authorize a contingency of \$43,000; and 2) Direct the Recreation & Community Services Commission and department to develop recommendations for a permanent name for the LARC Park site; and 3) Authorize the City Manager to execute the attached Repayment Agreement and Promissory Note between the City and Cypress Recreation and Park District for an amount not to exceed \$900,000.

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

AYES: 5 COUNCIL MEMBERS: Morales, Peat, Yarc, Johnson and Berry
 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 Berry requested reports from the Council Members on their respective committee assignments.

Council Member Yarc:

Attended a Cypress College Foundation meeting. Attended an O.C. Sanitation District Operations Committee meeting. Attended a Cypress College Americana Awards food tasting at the Disneyland Hotel. Attended the State of the City luncheon.

Mayor Pro Tem Johnson:

Hosted a tour of City Hall for Grace Christian School Boy Scouts. Attended the Goodwill of Orange County ribbon cutting. Attended the State of the City luncheon. Attended an O.C. Fire Authority Board meeting.

Council Member Morales:

Attended the State of the City luncheon. Attended the Goodwill of Orange County ribbon cutting. Attended Boy Scouts of America meetings.

Council Member Peat:

Attended the Goodwill of Orange County ribbon cutting. Attended the State of the City luncheon.

Mayor Berry:

Attended a Library Advisory Board meeting. Attended the State of the County luncheon. Attended the inaugural meeting of the SCAG Emergency Technology Committee. Participated in the State of the City luncheon. Attended a Cypress Chamber of Commerce mixer. Attended an OCCOG Board meeting. Attended "An Interfaith Conversation: Finding Common Ground in Divided Times" hosted by Assemblywoman Sharon Quirk-Silva. Reminded of the Farmers Market every Saturday from 9:00 a.m. – 2:00 p.m. Provided Youth Leadership America a tour of the Cypress Police Department.

CITY MANAGER REMARKS

The City Manager spoke regarding the State of the City luncheon and complimented on the Cypress Community Center. He indicated that staff would participate in a countywide emergency preparedness exercise on January 30. He announced the February 8 groundbreaking for the Cypress College Science, Engineering and Mathematics (SEM) building and a future groundbreaking for the Veterans Resource Center. He spoke regarding the Coyote Management Plan.

ADJOURNMENT

Mayor Berry adjourned the meeting at 7:52 p.m. to an adjourned Regular Meeting, to be held on Monday, February 11, 2019, 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