

REGULAR MEETING
CYPRESS CITY COUNCIL
April 8, 2019
5:30 P.M.

A regular meeting of the Cypress City Council was called to order at 5:30 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
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
Human Resources Administrator Regina Nguyen

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 Labor Negotiator, pursuant to Government Code Section 54957.6, Agency Negotiators: City Manager and Director of Finance and Administrative Services, Employee Groups: Cypress Police Officers' Association.

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 Public Employee Performance Evaluation, pursuant to Government Code Section 54957, Title: City Manager.

At 5:31 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 Berry.

ROLL CALL

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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
Public Works Superintendent Kirk Streets
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 Father Binh Nguyen, St. Irenaeus Catholic Church.

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 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 no reportable action was taken.

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

PRESENTATIONS

Mayor Berry presented a proclamation to West Cities Police Communications staff proclaiming April 14 – 20, 2019 as “National Public Safety Telecommunicators Week.”

Bill Weston, Care Ambulance Services, made a presentation regarding services provided to Cypress.

The Public Works Superintendent spoke regarding the new alternative fuel, compressed natural gas sewer cleaning truck.

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.

Peter Korody, Cypress, spoke regarding Agenda Item No. 9.

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. 11, the Warrant Register, includes warrant no. 49678 for \$533.75 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. 49678 for the reason disclosed.

It was moved by Mayor Pro Tem Johnson and seconded by Council Member Peat, 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 March 25, 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 Week of April 14 – 20, 2019 as “National Public Safety Telecommunicators Week”

Recommendation: Proclaim the week of April 14 – 20, 2019 as “National Public Safety Telecommunicators Week.”

Item No. 4: Adopt the 2019 State and Federal Legislative Platform

Recommendation: Adopt the 2019 State and Federal Legislative Platform.

Item No. 5: Accept Valley View Median Restoration, Project 179

Recommendation: Accept the Valley View Median Restoration, Project 179, in the amount of \$1,145,907.55 and approve the final payment of \$56,675.38 to Griffith Company.

Item No. 6: Award Contracts for Arterial Rehabilitation, Project 213

Recommendation:

1. Approve Plans and Specifications for the Arterial Rehabilitation, Project 213; and
2. Approve a \$56,490 appropriation increase in the RMRA Fund for the project; and

3. Approve a \$56,490 transfer from the Measure M Fund to the RMRA Fund; and
4. Approve a contract to RJ Noble Company for \$692,887 and authorize a contingency of \$69,290; and
5. Approve a Task Order for Construction Inspection Services to TRC (Vali Cooper and Associates, Inc.), for \$69,726, and authorize a contingency of \$6,973.

Item No. 7: Award of Task Order for Traffic Engineering Services

Recommendation: Award a task order to Albert Grover & Associates (AGA) in an amount not to exceed \$50,000 to perform traffic engineering services through June 30, 2019.

Item No. 8: Approve a Contract for On-Call Labor and Employment Legal Services

Recommendation: Approve a contract with Liebert Cassidy Whitmore for on-call labor and employment legal services.

Item No. 9: Approve an Exclusive Negotiating Agreement with Shea Properties for the City-Owned 13-Acre Parcel at Katella Avenue and Winners Circle

Recommendation: Approve an Exclusive Negotiating Agreement with Shea Properties for the city-owned 13-acre parcel at Katella Avenue and Winners Circle.

Item No. 10: Approve Senate Bill 1 Road Maintenance and Rehabilitation Account Funding and Project List

Recommendation: Adopt a Resolution approving the FY 2019-20 project list for Senate Bill 1 (SB1) Road Maintenance and Rehabilitation Account (RMRA) funding.

Resolution No. 6725

A Resolution of the City Council of the City of Cypress Adopting a List of Projects for Fiscal Year 2019-20 Funded by SB 1: The Road Repair and Accountability Act of 2017

Item No. 11: Approve Register of Warrants, Transfers, and Wires Issued for the Period of March 16, 2019 through March 29, 2019

Recommendation: Approve the attached payment register summarized below for the period of March 16, 2019 through March 29, 2019:

- Electronic Funds Transfers 5699 through 5779
- Warrants 49607 through 49740
- Payroll Transfers W1387

NEW BUSINESS

Item No. 12: Establish a City Council Ad Hoc Subcommittee to Review the City Charter

The City Manager provided background information on this item.

Mayor Berry asked if one motion could be made.

The City Manager indicated past practice has been for the Mayor to recommend ad hoc subcommittee members and separate motions made.

It was moved by Council Member Peat and seconded by Council Member Morales, to establish a City Council ad hoc subcommittee to review the City Charter.

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

It was moved by Council Member Peat and seconded by Council Member Morales, to adopt a Resolution appointing Mayor Pro Tem Johnson and Council Member 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: Morales, Peat, Yarc, Johnson and Berry
NOES: 0 COUNCIL MEMBERS: None
ABSENT: 0 COUNCIL MEMBERS: None

Resolution No. 6726

A Resolution of the City Council of the City of Cypress Establishing an
Ad Hoc Subcommittee to Review and Recommend
Amendments to the City Charter

Item No. 13: Approve an Ordinance Updating Street and Sidewalk Vendor Regulations

The City Attorney provided background information on this item.

Mayor Pro Tem Johnson asked if regulations vary based on profit or non-profit status.

The City Attorney responded no.

Mayor Pro Tem Johnson asked about the display of maps depicting distance regulations.

The City Attorney stated radius maps would be available to the City Council and the public.

It was moved by Council Member Peat and seconded by Mayor Pro Tem Johnson, to introduce for first reading the Ordinance, by title only, updating street and sidewalk vendor regulations.

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

Ordinance No.

An Ordinance of the City Council of the City of Cypress, California,
Amending Section 16-62 of Article X of Chapter 16 of the Cypress City Code,
Relating to Street and Sidewalk Vendor Regulations

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 Morales:

Participated in Youth in Government Day. Attended a District Operations for Scouting in Orange County meeting. Attended an Orange Frontier District's Camporee. Met with Cypress College Foundation members Gail Taylor and Howard Kummerman. Met with Cypress High School Athletic Boosters. Attended the Cypress High School Fiesta Night supporting Grad Nite.

Council Member Peat:

Participated in Youth in Government Day. Attended the opening for Experience Restaurant Group. Attended the Travel House grand opening. Attended a City/Cypress School District Joint Steering Ad Hoc Committee meeting. Attended the Cypress High School and Lexington Junior High School award ceremonies. Attended the Cypress High School Fiesta Night supporting Grad Nite. Attended the Police Department badge pinning ceremony.

Mayor Pro Tem Johnson:

Participated in Youth in Government Day. Attended an O.C. Fire Authority Board meeting. Attended the Travel House grand opening. Attended a City/Cypress School District Joint Steering Ad Hoc Committee meeting. Attended the Cypress High School and Lexington Junior High School award ceremonies.

Mayor Berry:

Participated in Youth in Government Day. Attended a Cypress College Ad Hoc Committee meeting. Attended an Orange County Human Trafficking Task Force meeting. Attended a Tolerance Summit at Lexington Junior High School. Attended a Soroptimist Program meeting. Attended an OCCOG Board meeting. Attended the Heroes With Hearts dinner. Attended a League of California Cities Community Services Policy Committee meeting. Attended a Soroptimist fundraiser. Attended the Teen Fashion Scene at the Cypress Community Center. Attended the grand opening ceremonies for Experience Restaurant Group and Travel House. Attended the Lexington Junior High School and Cypress High School Civic Learning of Excellence awards. Attended SCAG meetings. Attended an O.C. League of California Cities Board meeting. Attended the Cypress High School Fiesta Night supporting Grad Nite. Attended the Kennedy High School Scholarship dinner. Attended the Police Department badge pinning ceremony. Reminded of the Commission recruitment.

CITY MANAGER REMARKS

The City Manager spoke regarding AB 302 which requires California community colleges with parking facilities to develop plans to permit students to sleep overnight in their cars, and stated the City has taken a position of opposition. He stated Cypress Village Shopping Center sold for approximately \$15 million and it would not become a housing development and is not zoned for residential use. He spoke regarding the recent passing of California Highway Patrol Sergeant Steve Licon. He announced the Cypress Senior Citizens Center Volunteer Recognition Celebration on April 12, Community Cleanup Day on April 13, and Spring Egg Hunt on April 20.

ADJOURNMENT

Mayor Berry adjourned the meeting at 7:46 p.m. to an adjourned Regular Meeting, to be held on Monday, April 22, 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