

REGULAR MEETING
CYPRESS CITY COUNCIL
April 22, 2019
6:00 P.M.

A regular meeting of the Cypress City Council was called to order at 6:00 p.m. by Mayor Pro Tem Johnson 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 (arrived at 6:36 p.m.)
Mayor Pro Tem Rob Johnson
Council Member Paulo Morales (arrived at 6:05 p.m.)
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
Director of Community Development Doug Dancs
Director of Recreation and Community Services Cameron Harding
Recreation Supervisor Jeff Draper
Recreation Supervisor Shelly Myers
Senior Management Analyst Jason Machado
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)

The following spoke regarding the Workshop Session:

Pat Edep, Cypress Art League
Robert Meyer, Cypress Art League
Steve Moore, Cypress Art League
Colleen Janssen, Woman's Club of Cypress

WORKSHOP SESSION

Recreation Supervisor Draper provided an overview of the Non-Profit Contribution Policy which allows for consideration of support given to non-profit organizations. He stated the policy includes residency rates, facility fee waivers, and disbursement of funds on the biannual cycle July 1, 2019 through June 30, 2021. He indicated grant support includes direct and indirect funding, with 21 organization submittals this year, 12 of which used the new online application process. He stated the grant recommendation criteria included community benefit, cost and/or loss of revenue, organizational need and fiscal condition, and residency requirements.

Recreation Supervisor Draper provided an overview of the requests and recommendations, and indicated requested direct funding requests total \$59,870 with \$32,320 recommended to be funded. He stated there is an approximate \$7,600 difference between indirect funding requests and the staff recommendation, and an approximate \$35,000 difference between total funding requests and the staff recommendation. He indicated staff recommendations remain consistent with previous years for the six organizations that requested direct funding.

Recreation Supervisor Draper stated the Cypress Art League request includes \$750 annually for art league activities, \$810 for postage which would be billed-back to the group, and \$1,200 in year-one for updating the art gallery picture hanging system.

Recreation Supervisor Draper indicated the Cypress Chamber of Commerce direct funding request includes \$10,000 for a part-time Administrative Assistant, and the staff recommendation is for zero as it would not enhance recreational programming.

Recreation Supervisor Draper stated the Cypress Community Festival Association's \$17,000 direct funding request is for costs associated with additional insurance and business licensing requirements. He indicated the staff recommendation is for funding in the amount of \$10,000, which is consistent with past years.

Recreation Supervisor Draper stated the Friends of Cypress Recreation and Parks \$9,050 direct funding request is for costs associated with insurance, rental equipment, and a Certified Public Accountant (CPA). He indicated the staff recommendation is for zero, which is consistent with past years.

Council Member Yarc asked about the Cypress Art League postage request.

Recreation Supervisor Draper responded postage had been allocated as an indirect cost, however this year it has been more properly allocated as a direct cost.

The City Manager commented there was not a net difference and only a change in accounting.

Recreation Supervisor Draper responded in the affirmative.

Council Member Yarc asked if the postage amount would be the same as last year.

Recreation Supervisor Draper responded \$1,500 was granted to the Cypress Art League during the last two-year cycle and the City paid for postage.

Council Member Yarc asked if the same past year amount would be granted to the Cypress Art League if the picture hanging system was removed.

Recreation Supervisor Draper responded in the affirmative, and clarified direct funding for postage is available and the Cypress Art League would be billed actual postage costs.

Council Member Yarc asked about the cost of the picture hanging system.

Recreation Supervisor Draper stated the picture hanging system is approximately \$1,200.

Council Member Peat asked if postage would complete the Cypress Art League funding.

Ms. Edep remarked postage costs may exceed the requested amount.

Council Member Peat asked about the process to cover excessive postage amounts.

The City Manager replied he has the authority for discretionary allocation.

Council Member Yarc asked about the Friends of Cypress Recreation and Parks \$9,050 direct funding request.

Recreation Supervisor Draper responded the direct funding request would be for costs associated with the Cypress Community Festival Chili Cook-Off.

Recreation Supervisor Draper reviewed indirect funding requests from 21 organizations which is consistent with previous grant request cycles, and the staff recommendation is for approval. He stated two new organizations are Alzheimer's O.C. that requested once per month meeting room use, and American Legion Post 295 with a request for annual car show Temporary Use Permit (TUP) fee waiver. He indicated seven additional indirect funding requests include the Boys and Girls Club of Cypress for two additional moon

bounce permits, two additional park and picnic shelter uses, one public address system use, four banner TUP's, and the staff recommendation is for approval of all requests. He stated the Cypress Chamber of Commerce requests include two additional large room uses, with the staff recommendation of denial because the facility uses are part of existing joint use agreements.

Council Member Morales asked if the Cypress Chamber of Commerce requests are due to the recent restructure of the group.

Recreation Supervisor Draper responded in the affirmative, and clarified he has spoken with each group that submitted changes from past years.

The City Manager spoke regarding concerns with the Cypress Chamber of Commerce using District funds which are restricted for recreation purposes.

Mayor Pro Tem Johnson asked if use of the new Boys and Girls Club of Cypress Teen Center would be managed by the City or the Boys and Girls Club of Cypress.

The City Manager responded either entity could manage the Teen Center facility use, and the lease agreement provides for its community use.

Mayor Pro Tem Johnson asked about room availability for Alzheimer's O.C.

Recreation Supervisor Draper stated room use is on a first-come, first served basis.

Council Member Yarc asked if the Cypress Art League request is less than last year.

Recreation Supervisor Draper responded in the affirmative, and clarified the reduced amount is due to removal of the request for a picture hanging system that was previously installed. He stated additional funding was recommended to complete the project during this cycle.

Recreation Supervisor Draper stated Pony/Colt Baseball submitted a requested change from two small meeting room uses to two large room uses, and the staff recommendation is denial. He indicated the staff recommendation is for approval of one banner TUP. He indicated Cypress Youth Baseball submitted a requested change from two small meeting room uses to two large room uses, and the staff recommendation is denial.

Council Member Johnson asked why larger rooms were requested.

Recreation Supervisor Draper replied no explanation was given.

Recreation Supervisor Draper indicated the staff recommendation is for approval of the Cypress Youth Baseball request for two moon bounce permits.

Recreation Supervisor Draper stated the Friends of Cypress Cultural Arts request includes two additional large room uses for a total of three large room uses, and the policy stipulates usage of not more than two large room uses per year. He indicated the St. Irenaeus Catholic Church request includes one additional banner TUP, and the staff recommendation is for approval. He stated the Woman's Club of Cypress request includes use of the public address system for all of their meetings, and the staff recommendation is for approval.

Recreation Supervisor Draper stated athletic field use is the largest indirect cost and approximately 13,300 hours have been allocated for the Advisory Committee on Use of Athletic Facilities (ACUAF) groups on City-owned athletic fields. He indicated joint use agreements with the Cypress School District and the Anaheim Union High School District add an approximate 20,000 additional hours of athletic field use. He stated the athletic field costs recommended for ACUAF groups only include field use costs on City-owned fields and not the athletic field costs associated with the joint use agreements, however if it was included it would equate to approximately \$300,000 in additional costs.

Recreation Supervisor Draper stated City Council direction is requested for consideration at the next regular City Council meeting of May 13, 2019.

Council Member Yarc asked about costs associated with the joint use agreements.

Recreation Supervisor Draper replied no joint use agreement fees are paid.

The City Manager asked if the City reimburses the school districts for lighting.

Recreation Supervisor Draper responded the City pays the lighting fees.

Council Member Morales asked if the grant request deadline has occurred.

Recreation Supervisor Draper responded in the affirmative, and clarified the City Manager has the authority for discretionary allocation.

Council Member Yarc asked about corresponding with staff prior to the next regular City Council meeting of May 13, 2019.

The City Manager stated the City Council could contact Recreation staff with further questions.

Council Member Peat asked about potential postage increases for the Cypress Art League.

The City Manager stated staff would further discuss the matter with the Cypress Art League.

Mayor Pro Tem Johnson stated this matter would be considered by the City Council at its regular meeting of May 13, 2019.

CLOSED SESSION

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.

At 6:35 p.m., the Mayor recessed the meeting.

RECONVENE

The 7:00 p.m. session of the City Council meeting was called to order at 7:03 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
Police Commander Chris Revere
City Planner Doug Hawkins
City Engineer Kamran Dadbeh
Traffic Engineer Dave Roseman
Public Works Superintendent Kirk Streets
Recreation Supervisor Jeff Draper
Senior Management Analyst Jason Machado
Management Analyst Kirsten Graham
Senior Management Analyst Alisha Farnell
City Clerk Denise Basham

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was led by Mayor Pro Tem Johnson.

INVOCATION The invocation was given by Pastor Mike McKay, Cypress Church.

REPORT OF WORKSHOP AGENDA/CLOSED SESSION

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

The City Attorney reported that the City Council met in Workshop Session regarding review of Contribution Policy for Non-Profit Organizations and Non-Profit Grant Award Requests for FY 2019-20 and FY 2020-21. He stated that this matter would be discussed by the City Council at its next regular meeting of May 13, 2019.

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 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. He stated that no reportable action was taken.

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.

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

PRESENTATIONS

Mayor Berry presented a Proclamation to the Cypress Police Department proclaiming the week of May 12-18, 2019 as “National Police Week.”

Mayor Berry and the City Council presented a Certificate of Special Recognition to retiring City Clerk Denise Basham.

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.

Shelley Henderson, O.C. Breeze, spoke regarding upcoming events.

John Olson, Cypress, spoke regarding retired City Manager Darrell Essex.

Ed Kraemer, Cypress, spoke regarding the new City park.

Brittney Cook, Cypress, spoke regarding the new City Park.

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 14.

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 April 8, 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: Second Reading and Adoption of an Ordinance Updating Street and Sidewalk Vendor Regulations

Recommendation: Adopt the Ordinance updating street and sidewalk vendor regulations.

Ordinance No. 1175

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

Item No. 4: Proclaim the Week of May 12-18, 2019 as “National Police Week”

Recommendation: Proclaim the week of May 12-18, 2019 as “National Police Week.”

Item No. 5: Excuse Absence of Senior Citizens Commissioner Frann Shermet

Recommendation: Excuse the absence of Senior Citizens Commissioner Frann Shermet.

Item No. 6: Approve One Cellular Antenna Facility of an Existing SCE Utility Pole – Design Review Committee Permit No. 3140

Recommendation: Approve Design Review Committee Permit No. 3140, subject to the attached conditions.

Resolution No. 6727

A Resolution of the City Council of the City of Cypress Approving
Design Review Committee Permit No. 3140 - With Conditions

Item No. 7: Approve Plans and Specifications and Award Contracts for the Annual Concrete Rehabilitation, Project 221Recommendation:

1. Approve Plans and Specifications for the Annual Concrete Rehabilitation, Project 221; and
2. Award a contract to CJ Concrete Construction, Inc. for \$290,520, and authorize a contingency of \$43,600; and
3. Approve a Task Order for Construction Inspection Services to Vali Cooper and Associates, Inc., for \$29,100, and authorize a contingency of \$4,400.

Item No. 8: Approve an Amendment to the Commercial Real Estate Broker Services Agreement for 5095-5275 Katella Avenue (13-acre site)

Recommendation: Approve an amendment to the real estate broker services agreement for 5095-5275 Katella Avenue (13-acre site) with the Jones Lang Lasalle and Kosmont Realty Corporation.

Item No. 9: Award Contracts for Sewer Relining, Project 211Recommendation:

1. Approve Plans and Specifications for Sewer Relining, Project 211; and
2. Award a contract to Sancon Engineering, Inc. for \$275,960.25, and authorize a contingency of \$41,400; and
3. Approve a Task Order for Construction Inspection Services to Vali Cooper and Associates, Inc., for \$28,016, and authorize a contingency of \$4,200.

Item No. 10: Award Contract for Senior Center Skylight Replacement, Project 224Recommendation:

1. Approve plans and specifications for the Senior Center Skylight Replacement, Project 224; and
2. Award a contract to Harwood Construction, Inc. for \$467,000, and authorize a contingency of \$46,700.

Item No. 11: Receive and File the Annual Solid Waste Franchise Consumer Price Index Rate Adjustment

Recommendation: Receive and file the Annual Solid Waste Franchise Consumer Price Index Rate Adjustment.

Item No. 12: Receive and File the Strategic Plan Six-Month Objectives Update

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

Item No. 13: Receive and File the Investment Report for the Month Ended March 31, 2019

Recommendation: Receive and file the attached investment report.

Item No. 14: Approve Register of Warrants, Transfers, and Wires Issued for the Period of March 30, 2019 through April 12, 2019

Recommendation: Approve the attached payment register summarized below for the period of March 30, 2019 through April 12, 2019:

- Electronic Funds Transfers 5780 through 5787
- Warrants 49741 through 49862
- Payroll Transfers W1388

NEW BUSINESS

Item No. 15: Receive and File Police Department Strategic Plan Update

The Police Commander provided background information on this item.

It was moved by Council Member Peat and seconded by Mayor Pro Tem Johnson, to receive and file the Police Department Strategic Plan Update.

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. 16: Receive and File the Evaluation of Traffic Signal Systems and Traffic Flow Best Practices

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

The Traffic Engineer provided a brief review of the evaluation criteria for the condition, operation and maintenance of the traffic signal system, as well as recommendations for improvements. He indicated traffic signal timing is good, traffic signal system use is outstanding, and future planning for autonomous vehicles is good. He stated the five recommendations include improve system resiliency, retime the City's traffic signals, upgrade system software and control components, upgrade the City's video infrastructure, and provide adaptive control features.

Council Member Peat asked about a priority order of critical weaknesses.

The Traffic Engineer responded recommendations are listed in order of importance.

Mayor Pro Tem Johnson asked about the number of traffic cameras.

The Traffic Engineer responded there are approximately 72 remote video cameras.

Mayor Pro Tem Johnson asked if the remote video cameras are used in conjunction with the police department.

The Director of Community Development responded the Watch Commander has access to the remote video cameras.

Mayor Pro Tem Johnson asked about foreseeable legislative measures affecting the traffic signal system.

The Traffic Engineer stated hardware and software decisions would be made by the City and traffic signal timing is state mandated.

Mayor Pro Tem Johnson asked if audio crosswalk timing is state mandated.

The Traffic Engineer responded no, and clarified audio crosswalk timing is typically installed due to an engineering decision based upon need.

Mayor Berry asked about funding from other cities for the traffic signal timing on Katella Avenue.

The Traffic Engineer stated that was taken into consideration.

It was moved by Council Member Peat and seconded by Mayor Pro Tem Johnson, to receive and file the Evaluation of Traffic Signal Systems and Traffic Flow Best Practices.

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 Morales:

Hosted an Orange Frontier Scouting District Committee meeting. Attended the Cypress Senior Citizens Center Volunteer Recognition Celebration. Attended an O.C. Mosquito and Vector Control District meeting. Attended the Cypress High School Spirit Squad Awards Banquet. Attended a Realtors for Kids event.

Council Member Peat:

Attended an Orange Frontier Scouting District Committee meeting. Attended the Cypress Senior Citizens Volunteer Recognition Celebration. Attended a Japan External Trade Organization meeting. Attended a PACE Graduation at A.E. Arnold Elementary School. Attended Military Month at the Boys and Girls Club of Cypress. Attended the Spring Egg Hunt at Oak Knoll Park.

Council Member Yarc:

Attended the Spring Egg Hunt at Oak Knoll Park. Reminded of the Coyote Management meeting.

Mayor Pro Tem Johnson:

Attended the Cypress Senior Citizens Center Volunteer Recognition Celebration. Attended a PACE Graduation at A.E. Arnold Elementary School. Attended the Spring Egg Hunt at Oak Knoll Park.

Mayor Berry:

Attended the Cypress Chamber of Commerce Networking breakfast. Attended a PACE Graduation at King Elementary School. Attended a SCAG Emergency Technology Committee meeting. Attended an OCCOG General Assembly meeting. Attended the Cypress Senior Citizens Center Volunteer Recognition Celebration. Attended PACE Graduations at Grace Christian Elementary School and Morris Elementary School. Attended the Woman's Club of Cypress Quartermania. Toured the Lighthouse for human trafficking victims. Attended Military Month at the Boys and Girls Club of Cypress. Attended the Spring Egg Hunt at Oak Knoll Park. Attended an Eagle Scout Court of Honor ceremony. Attended an Earth Day Celebration at Earth Friendly Products. Reminded of the Commission recruitment.

CITY MANAGER REMARKS

The City Manager stated Tip-A-Cop would be held at Red Robin on Thursday, April 25. He indicated additional LARC Park community meetings would be held on Thursday, May 2 and Saturday, May 4. He announced the Grand Opening of the Boys and Girls Club of Cypress Teen Center on Friday, May 10. He indicated the Boys and Girls Club of Cypress and Cedar Glen Park are recipients of a Kaboom grant. He congratulated staff on the success of Community Cleanup Day. He spoke regarding retired City Manager Darrell Essex.

ADJOURNMENT

Mayor Berry adjourned the meeting in memory of retired City Manager Darrell Essex and California Highway Patrol Sergeant Steve Licon at 8:02 p.m. to an adjourned Special Meeting, to be held on Tuesday, May 7, 2019, beginning at 6:00 p.m. in the Executive Board Room.

MAYOR OF THE CITY OF CYPRESS

ATTEST:

ACTING CITY CLERK OF THE CITY OF CYPRESS