A regular meeting of the Cypress City Council was called to order at 6:02 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 – arrived at 6:03 p.m.

STAFF PRESENT

City Manager Peter Grant
City Attorney Anthony Taylor
Community Development Director Doug Dancs

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 Legal Counsel – Significant Exposure to Litigation, pursuant to Government Code Section 54956.9(d)(2), Number of Cases: Two Potential Cases.

At 6:03 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
Assistant City Attorney Robert Khuu
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 Clerk Alisha Farnell
City Engineer Kamran Dadbeh
City Planner John Ramirez
Police Commander Chris Revere
Maintenance Superintendent Kirk Streets
Senior Management Analyst Jason Machado
Management Analyst Kirsten Graham

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was led by Boy Scout Troop 295.

INVOCATION The invocation was given by Pastor Ray Huab, Cottonwood 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 Legal Counsel – Significant Exposure to Litigation, pursuant to Government Code Section 54956.9(d)(2), Number of Cases: Two Potential Cases. He stated that no reportable action was taken.

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

PRESENTATIONS

Mayor Berry presented Community Outreach Officer Julie Marquez with a “Red Ribbon Week” proclamation.
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.

Beth Piburn, Los Alamitos, spoke regarding the sale of the City-owned 13-acre site. Orlando Gutierrez, Los Alamitos Race Course, spoke regarding upcoming events.

PUBLIC HEARINGS

Public comments – five minutes per speaker, unless extended by the City Council.

Mayor Berry indicated that Council Members should disclose communications with anyone relevant to a Public Hearing item.

No communications were disclosed.

Item No. 1: Approve a Pilates Studio at 10135 Valley View Street – Conditional Use Permit No. 3150

The City Planner provided background information on this item.

Council Member Yarc asked if any other tenants of that shopping center are open until 10:00 p.m.

The City Planner indicated that Stater Brothers and McDonalds are open at that time.

Mayor Berry asked if any other businesses in the shopping center are open at 5:00 a.m.

The Director of Community Development indicated that he was not aware of other businesses in that center open at that time.

Mayor Berry expressed concerns regarding music being played at 5:00 a.m. and the possibility of disturbance to the adjacent residences.

The City Planner indicated that the conditions of approval contain provisions that require the rear door to remain closed during business hours.

Mayor Berry asked if the rear parking lot and back door would be accessible to customers.

The Director of Community Development stated that the customers would park and enter the studio from the front.

Mayor Pro Tem Johnson asked if there is adequate lighting in the rear parking lot.
The City Planner indicated he was unsure and would need to review the site plan to make that determination.

Mayor Pro Tem Johnson asked if the studio would have restrooms located inside.

The City Planner stated that there would be one accessible restroom in the studio. He further stated that given the number of customers able to utilize the studio at once, one restroom is enough.

The City Manager indicated that the Starbucks in that shopping center is open at 4:30 a.m.

Mayor Berry referenced the lighting in the rear parking lot and asked if the rear entrance would be utilized by studio staff only.

The City Planner indicated that the conditions of approval could be modified to reflect that and the applicant could confirm their agreement to the condition during the Public Hearing.

The public hearing was opened.

The applicant, Bora Park, agreed with the conditions of approval. She stated that the business hours from 5:00 a.m. to 10:00 p.m. are to maximize hours, however they tend to open from 6:00 a.m. to 9:00 p.m.

The public hearing was closed.

Mayor Berry asked Ms. Park if she agrees to the modification to the conditions of approval to restrict rear door access only for staff.

Ms. Park agreed.

It was moved by Council Member Peat and seconded by Council Member Yarc, to approve a Pilates studio at 10135 Valley View Street, Conditional Use Permit No. 3150, with a modification to the conditions of approval restricting the back door for only staff or maintenance uses.

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. 6751

A Resolution of the City Council of the City of Cypress Approving Conditional Use Permit No. 3150 – With Conditions

Item No. 2: Approve First Reading of an Ordinance Updating Massage Establishment Regulations and a Resolution Adopting Massage Licensing and Permitting Fees

Mayor Berry indicated that Council Members should disclose communications with anyone relevant to a Public Hearing item.

Council Member Morales stated he spoke to the owner of White Sands Salon regarding this item.

The City Attorney and Assistant City Attorney provided information on this item.

Mayor Pro Tem Johnson asked how the new regulations would be enforced.

The Assistant City Attorney stated it would be a combined effort by the Planning Division and Police Department.

The public hearing was opened.

The public hearing was closed.

It was moved by Mayor Pro Tem Johnson and seconded by Council Member Yarc, to approve the first reading of an Ordinance, by title only, updating massage establishment regulations and approve a Resolution adopting massage licensing and permitting fees.

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. 1177

An Ordinance of the City Council of the City of Cypress, California Amending and Replacing Chapter 15A; Amending Table 2-6 of Section 2.06.030 of Section 6 of Article 2 of Appendix I; Amending Section 6.31.020 of Section 31 of Article 6 of Appendix I; Adding Section 3.17.250 to Section 17 of Article 3 of Appendix I; and Adding Section 5.25.260 to Section 25 of Article 5 of Appendix I of the Cypress Municipal Code Relating to the Regulation of Massage Establishments
Resolution No. 6752

A Resolution of the City Council of the City of Cypress Adopting Certain Fees Relating to the Licensing, Permitting, and Regulation of Massage Establishments and Operators Thereof Pursuant to Chapter 15A of the Cypress Municipal Code

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. 18, the Warrant Register, includes warrant no. 51532 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. 51532 for the reason disclosed.

It was moved by Mayor Pro Tem Johnson and seconded by Council Member Yarc, to approve Consent Calendar Items No. 3 through 18.

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. 3: Approve Minutes – Meetings of September 9, 2019 and September 16, 2019

Recommendation: Approve as submitted.

Item No. 4: Introduce and/or Adopt All Ordinances and Resolutions Presented for Consideration by Title Only and to Waive Further Reading

Item No. 5: Proclaim the Week of October 20-26, 2019 as “Red Ribbon Week”

Recommendation: Proclaim the week of October 20-26, 2019 as “Red Ribbon Week.”

Item No. 6: Approve Continuing Appropriations, Revenues and Transfers from FY 2018-19 to FY 2019-20

Recommendation:

1. Authorize the appropriation of $1,007,652 in FY 2019-20 for the carryover of items from FY 2018-19, as detailed in Attachment A; and
2. Authorize the appropriation of $1,967,620 in FY 2019-20 for the carryover of items encumbered at June 30, 2019, as detailed in Attachment B; and

3. Authorize the continuation of operating transfers totaling $477,396 and estimated grant revenue totaling $384,939 from FY 2018-19 to FY 2019-20, as detailed in Attachment C to support carryover appropriations.

Item No. 7: Approve Supplemental Appropriations and Increases to Estimated Revenues for FY 2018-19

Recommendation: Approve supplemental appropriations of $233,600 and increase estimated revenues by $299,000 for FY 2018-19.

Item No. 8: Approve Cypress Recreation and Park District Continuing Appropriations and Transfers from FY 2018-19 to FY 2019-20

Recommendation:

1. Appropriate $938,420 in FY 2019-20 for items encumbered at June 30, 2019; and

2. Appropriate $1,338,483 in FY 2019-20 for the carryover of continuing appropriations; and

3. Authorize operating transfers of $51,250 from FY 2018-19 to FY 2019-20 to support carryover appropriations.

Item No. 9: Approve Plans and Specifications for Rubberized Playground Surfacing at Various Parks, Project 245

Recommendation: Approve plans and specifications for rubberized playground surfacing at various parks, Project 245.

Item No. 10: Approve Plans and Specifications and Award Contracts for the Annual Slurry Seal, Project 231

Recommendation:

1. Approve plans and specifications for the Annual Slurry Seal, Project 231; and

2. Award a contract to Roy Allan Slurry Seal, Santa Fe Springs, CA for $468,568.52, and authorize a contingency of $70,200; and

3. Approve a task order for construction inspection services to TRC (Vali Cooper and Associates, Inc.), for $50,864, and authorize a contingency of $7,600.
Item No. 11: Approve the Civic Center Green Tree Replacement Plan

Recommendation: Approve the Civic Center Green Tree Replacement Plan.

Item No. 12: Approve a Contract for Printing the Quarterly Activity Guide and City News

Recommendation:

1. Approve a contract with Advantage Print and Mail for $60,628 for the printing of seven Quarterly Activity Guides and City News, with the option to extend the contract for two additional one-year periods; and

2. Appropriate $3,500 in the Cypress Recreation and Park District’s General Fund for printing costs in excess of the FY 2019-20 budget.

Item No. 13: Approve Amendments to the Recreation Management Software Agreement with CivicPlus, LLC

Recommendation:

1. Approve Amendments to the Recreation Management Software Agreement with CivicPlus, LLC; and


Item No. 14: Award a Contract for the Replacement of the Community Center Lobby Furniture

Recommendation: Award a contract to Westfall Commercial Furniture-LA in the amount of $43,436.81 for the replacement of lobby furniture at the Community Center.

Item No. 15: Excuse Absence of Commissioner Roger Hollenbeck

Recommendation: Excuse the absences of Commissioner Roger Hollenbeck.

Item No. 16: Receive and File a Request for Qualifications for Energy Efficiency Modernization and a Power Purchase Agreement

Recommendation: Receive and file a Request for Qualifications for Energy Efficiency Modernization and a Power Purchase Agreement.
Item No. 17: Receive and File Investment Report for the Month Ended August 31, 2019

Recommendation: Receive and file the attached investment report.

Item No. 18: Approve Register of Warrants, Transfers, and Wires Issued for the Period of August 31, 2019 through September 27, 2019

Recommendation: Approve the attached payment register summarized below for the period of August 31, 2019 through September 27, 2019:

- Electronic Funds Transfers 6635 through 6775
- Warrants 51342 through 51584
- Payroll Transfers W1399 through W1400

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 Peat:

Participated in a Cypress business visit with UCA Pioneer Insurance Company. Attended the Special Joint Meeting with the Recreation and Community Services and Senior Citizens Commissions. Attended an ad hoc subcommittee meeting with the Cypress School District. Attended a Bridges at Kraemer Place Community Advisory Board meeting. Attended the City employee appreciation luncheon. Attended the OCFA open house at Stations 17 and 13.

Council Member Morales:

Attended a site visit of community athletic fields at various locations in Los Angeles and Orange counties. Attended the City employee appreciation luncheon. Attended the Cypress Chamber of Commerce Board Installation and Business Awards. Participated in the Long Beach Half-Marathon.

Council Member Yarc:

Hosted the Cypress Women’s Conference.
Mayor Pro Tem Johnson:

Attended the Cypress High School Homecoming football game. Attended St. Irenaeus Catholic Church Oktoberfest. Attended the Cypress Chamber of Commerce Board Installation and Business Awards. Attended the OCFA open house at Station 17. Participated in the drop-in pickle ball program.

Mayor Berry:


CITY MANAGER REMARKS

The City Manager spoke regarding the upcoming Keeping Kids on Track fundraiser for the Boys and Girls Club and the Mayor’s Prayer Breakfast.

The City Attorney stated that his office has been monitoring pending state legislation and would provide a comprehensive update to the City Council.

ADJOURNMENT

Mayor Berry adjourned the meeting at 7:47 p.m. to an adjourned Regular Meeting, to be held on Monday, October 28, 2019, beginning at 5:30 p.m. in the Executive Board Room.

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MAYOR OF THE CITY OF CYPRESS

ATTEST:

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CITY CLERK OF THE CITY OF CYPRESS