A regular meeting of the Cypress City Council was called to order at 5:31 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
Director of Community Development Doug Dancs
City Clerk Alisha Farnell
City Engineer Kamran Dadbeh
Assistant City Engineer Nick Mangkalakiri
Traffic Engineer Dave Roseman

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

None.

WORKSHOP SESSION

The Director of Community Development stated that the City Council would be presented with a workshop on Lincoln Avenue Median and Streetscapes.

The Assistant City Engineer explained that the current Capital Improvement Program (CIP) includes a project to restore the Lincoln Avenue median, similar to the restoration project that occurred on Valley View Street.

The Assistant City Engineer explained that the poor conditions of the medians is due to drought restrictions from the State, which prohibits watering ornamental street turf in landscaped medians.

The proposed project will span Lincoln Avenue, from Bloomfield to Valley View, approximately two miles.
The Director of Community Development provided background information regarding architectural updates made to Lincoln Avenue beginning in 1998.

The Assistant City Engineer explained that the project included in the CIP consists of replacement of turf in the medians only. He stated the estimated project cost included in the CIP is $480,000.

The Assistant City Engineer stated that staff further reviewed the possibility of expanding the scope of the project to include grass and plantings in the parkways. The Assistant City Engineer stated that this expanded project would cost approximately $960,000.

The Director of Community Development explained that this expanded project is not included in the CIP, however it is an option that City Council could pursue to bring Lincoln Avenue up to standards set by the Valley View rehabilitation.

Mayor Berry asked if there are transportation funds available for this expanded project.

The Director of Community Development responded in the affirmative.

Mayor Pro Tem Johnson asked if the expanded scope would include the bowl planters located throughout Lincoln Avenue.

The Director of Community Development responded in the affirmative. He further stated that irrigation was never installed in the bowl planters and that part of the expanded project would include installation of drip irrigation for the planters.

The Assistant City Engineer indicated that staff also reviewed the potential project cost of expanding the scope even further to include rehabilitation of the medians and parkways, as well as removal of the architectural bow-outs and other features along Lincoln Avenue to restore the roadway to its full original width. He indicated that the cost of this option would be approximately $5.4 million.

The City Manager stated that moving forward with only the rehabilitation of the medians, as included in the CIP, may negatively highlight the appearance of the parkways once the median project is complete. He further stated that the parkways however could be irrigated and maintained in their current conditions while the medians cannot.

Mayor Berry asked for confirmation that dedicated transportation funds could be used to expand the project scope to include both the medians and parkways.

The Director of Community Development explained that if City Council provided direction to pursue the expanded option, staff would come back to City Council with a task order to design the project to that standard and a budget amendment or include the revised project in next year’s budget.

The City Manager stated that the funding source would not be general fund dollars.

The Director of Community Development stated it would be transportation funds, such as gas tax, SB 1 funds, etc.
Council Member Morales asked what would be gained by the fully expanded option including removal of the architectural bow-outs.

The City Manager explained that the improvements on Lincoln Avenue were designed to slow traffic and make the corridor more pedestrian friendly as an effort to encourage business growth and development. He stated that vision behind the design is impossible to achieve following the State’s dissolution of Redevelopment Agencies. He further stated that the removal of those features would transition Lincoln Avenue back to a transportation corridor vs. a pedestrian corridor. He added that there would be no return on investment to remove the architectural features and staff does not have a technical or professional recommendation to move forward with that option.

Council Member Yarc asked for clarification regarding the parkway grass and median landscaping.

The Director of Community Development explained that grass would be replaced with native plantings and drip irrigation to comply with State drought regulations.

The City Council provided consensus to staff to pursue the expanded project that includes the rehabilitation of the medians and parkways and bring the item back to City Council for consideration.

The Mayor announced the Workshop Session on Traffic Impact Fee Update.

The Director of Community Development introduced the Traffic Engineer.

The Traffic Engineer explained the two types of traffic impact fees in Cypress and the methodology for determining those fees.

The City Manager asked staff to explain the uses for the fee revenues.

The Director of Community Development explained that traffic improvement projects are identified in the study used to determine the fee amounts and can include things such as new traffic signals, right-turn pockets, and other capacity-inducing projects. He further stated that these funds could only be used on projects that increase traffic capacity and cannot be utilized for street pavement, sidewalk improvements, etc.

Council Member Peat asked if these funds could be used for the intersection widening on Lexington Drive adjacent to the sports park development.

The Director of Community Development responded in the affirmative.

Mayor Pro Tem Johnson asked if these funds could be used for future projects on Katella Avenue despite a majority of the street being located in another city.

The Director of Community Development indicated the regional portion of these funds could be used for joint projects in other cities that improve the regional corridor.
The Traffic Engineer stated the fee program began in 1994 and was last updated in 2010. In 2010, the fee was not changed; however, the projects included in the study were updated and programmed through 2020.

The Traffic Engineer stated the current fee study underway now utilizes 2018 traffic data, includes 26 intersections and projects through 2040.

The Traffic Engineer provided further information highlighting the changes in traffic volumes and traffic system capacity, as well as projections for the next 20 years.

The Traffic Engineer provided information about the projects included in the study and the funding sources available, including grant funds and traffic impact fee revenue.

Council Member Yarc asked if staff has considered the current fee rates charged by neighboring cities.

The Traffic Engineer stated that they were reviewed, however not all were comparable as some have smaller traffic systems.

Council Member Yarc asked what the fee would be for a developer building a new apartment building.

The Traffic Engineer explained that the rate for residential development is based on the type of residential units and the number of units being built. He stated that the rate for commercial development is based on square footage.

Council Member Yarc asked if this fee would affect the development on the City’s 13-acre property.

The City Manager responded that it would, dependent on when the fee takes effect. The City Manager stated that any new use or intensification of use would pay this fee. He further stated that the Traffic Engineer has an index that determines the number of trips generated by the type of use, which enables an accurate calculation of the fee.

Council Member Yarc asked when the fee is paid.

The City Manager responded the fee is paid when building permits are pulled.

Mayor Berry asked if that is a common formula used by many cities.

The City Attorney responded it is part of state law.

The City Manager explained that determining the number of trips is a science of traffic engineering and the variable is what each city determines is the appropriate fee to complete the improvement projects.

Mayor Berry asked if increasing the fee would deter potential future development projects.
The City Attorney stated that some cities have multiple categories of impact fees, while Cypress only has two.

The City Manager stated that any amount of fee that is charged below the fee calculated as necessary to complete the identified traffic projects, if the same projects were undertaken, would shift the cost of those projects onto the general fund or other transportation funds that would otherwise be used for different types of projects.

The Director of Community Development explained that the process is study is still ongoing and the estimated timeframe to bring the fee back to City Council for consideration is approximately six months.

The City Manager stated that staff would do the similar outreach efforts as was done for the master fee schedule should the City Council approve this fee when it is brought forward for consideration.

The City Manager stated this workshop session is just an update on the progress made to date on the study and an opportunity to obtain City Council feedback. He further stated that there would be public deliberation on the particulars prior to the adoption of any fee.

Council Member Peat asked if during the process the City Council directed staff to remove a specific project from the plan, would the fee amount decrease.

The Traffic Engineer responded that the fee would need to be recalculated in that case.

**CLOSED SESSION**

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), Ramsey v. City of Cypress, WCAB No. ADJ11094024, Claim No. 17-133615.

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: one potential case.

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 properties located at 5400 Myra Avenue, 5681 Newman Street, and 5900 Cathy Avenue, parties negotiating with: Cypress School District, negotiating party: City Manager, under negotiation: price and terms of payment.

At 6:13 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

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 Clerk Alisha Farnell
City Engineer Kamran Dadbeh
City Planner John Ramirez
Public Works Superintendent Kirk Streets
Building Official Bob Decker
Police Commander Chris Revere
Police Commander Matt Timney
Assistant Director of Finance and Administrative Services Donna Mullally
Human Resources Administrator Regina Nguyen
Senior Management Analyst Jason Machado

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

INVOCATION  The invocation was given by Pastor Trevor Cooper, First Baptist Church of Cypress.

REPORT OF WORKSHOP AGENDA/CLOSED SESSION

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

The City Attorney reported that the City Council met in a workshop session regarding Lincoln Avenue Median and Streetscapes and Traffic Impact Fees. The City Council was presented with information on these items and no reportable action was taken.

PRESENTATIONS
Mayor Berry presented a Certificate of Special Recognition to Boys and Girls Club President Anne Hertz.

Mayor Berry introduced OCFA Division Chief Jeff Hoey.

Mayor Berry recognized the retirement of Police Service Dog Pasko.

**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.

Michael Mahoney spoke regarding social media community groups.

Girl Scout Troop 4134 spoke regarding school safety and 3D crosswalks. Frank Sherren spoke regarding Agenda Item No. 11.

Steve Mauss spoke regarding Agenda Item No. 11.

George Pardon spoke regarding Agenda Item No. 11.

Jack Rubens spoke regarding Agenda Item No. 19.

**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.

Mayor Berry indicated that Agenda Item No. 12 has been pulled from the Consent Calendar at the request of the applicant and will return for consideration at the next regular meeting.

Council Member Yarc requested Agenda Item No. 11 be pulled from the Consent Calendar.

It was moved by Mayor Pro Tem Johnson and seconded by Council Member Peat, to approve Consent Calendar Items No. 4 through 10 and 13 through 18.

Mayor Berry stated that prior to the vote on the Consent Calendar, she would like the minutes to reflect that she is voting No on Agenda Item No. 16, Award a Contract for Final Design of the Sports Park, Project 225, as she voted No for the preliminary design at the last meeting. She indicated that in voting for the motion to approve the Consent Calendar, she would be voting No on Agenda Item No. 16 for the reason disclosed.

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. 4: Approve Minutes – Meeting of October 28, 2019

Recommendation: Approve as submitted.

Item No. 5: Introduce and/or Adopt All Ordinances and Resolutions Presented for Consideration by Title Only and to Waive Further Reading

Item No. 6: Proclaim the Week of November 10-16, 2019 as “National Nurse Practitioner Week”

Recommendation: Proclaim the week of November 10-16, 2019 as “National Nurse Practitioner Week.”

Item No. 7: Proclaim November 30, 2019 as “Small Business Saturday”

Recommendation: Proclaim November 30, 2019 as “Small Business Saturday.”

Item No. 8: Adopt a Resolution Delegating Authority to the City Manager to Oversee the Appeal Process and Adjust Certain Past Due Business License Amounts

Recommendation: Adopt a Resolution delegating authority to the City Manager to oversee the appeal process and adjust certain past due business license amounts resulting from the recent review and audit of the City’s business licensing requirements.

Item No. 9: Approve a Contract for a Park and Recreational Facilities Development Impact Fee Study

Recommendation:

1. Approve a contract to DTA for $31,000 for a Parks and Recreational Facilities Development Impact Fee Study; and

2. Approve a $31,000 appropriation increase in the Cypress Recreation and Park District General Fund.

Item No. 10: Approve a Contract for Property Tax Consulting and Audit Services

Recommendation: Approve a five-year contract with HdL Coren & Cone for $71,125 for property tax consulting and audit services.

Item No. 13: Approve First Reading of an Ordinance Updating the Municipal Code to Incorporate the 2019 Revisions to the Master Fee Schedule

Recommendation: Approve first reading of an Ordinance, by title only, updating the Municipal Code to incorporate the 2019 revisions to the Master Fee Schedule.
Item No. 14: Approve Class Specifications for Communications and Marketing Analyst and Communications and Marketing Assistant

Recommendation: Adopt a Resolution:

1. Approving the Class Specification for Communications and Marketing Analyst; and
2. Approving the Class Specification for Communications and Marketing Assistant; and
3. Amending Resolution No. 6734 to establish salary ranges within the Confidential Employees group for the two classifications.

Item No. 15: Approve Retirement and Sale of Police Service Dog Pasko

Recommendation:

1. Approve the retirement of Police Service Dog Pasko; and
2. Approve sale of Police Service Dog Pasko to Police Officer Michael McBain for $1.

Item No. 16: Award a Contract for Final Design of the Sports Park, Project 225

Recommendation:

1. Award a contract to Community Works Design Group (CWDG) for the final design of LARC Park for $1,015,000 and authorize a contingency of $100,000; and
2. Approve a $170,000 appropriation increase in the Traffic Mitigation Assessment Fund for the design of street and traffic signal improvements associated with the project.

Item No. 17: Receive and File an Update on the Senior Center and Community Center Audio/Visual System Enhancements

Recommendation: Receive and file an update on the Senior Center and Community Center audio/visual system enhancements.

Item No. 18: Approve Register of Warrants, Transfers, and Wires Issued for the Period of October 12, 2019 through October 25, 2019

Recommendation: Approve the attached payment register summarized below for the period of October 12, 2019 through October 25, 2019:

- Electronic Funds Transfers 6895 through 6903
- Warrants 51698 through 51818
- Payroll Transfer W1402
Regarding Item No. 11: Approve an Extension to the Exclusive Negotiating Agreement with SP Acquisitions for the City-Owned 13-Acre Parcel at Katella Avenue and Winners Circle, Council Member Yarc asked the City Manager to provide further information on this item.

The City Manager stated that the Exclusive Negotiating Agreement is the result of an extensive Request for Proposal (RFP) process. He further stated that information was provided to hundreds of qualified developers inviting proposals for the development of the 13-acre site, initially as a commercial-only development and later as a commercial-only, mixed-use, or as-is where-is offer.

The City Manager stated that the first RFP process, which began in 2015 or 2016, resulted in the City Council’s selection of Shea Properties for a commercial-only development, however the project could not proceed because of challenging geotechnical and soil conditions identified at the site.

The City Manager explained that City Council then authorized a second RFP asking for commercial-only, mixed-use or as-is where-is proposals. The City Manager further explained that the second process resulted in the City Council entering into an Exclusive Negotiating Agreement with the Province Group and Lewis Companies. The City Manager stated that the Province Group and Lewis Companies ultimately abandoned the project, siting discomfort with risk issues regarding the type of development the City was interested in for the site. The City Manager stated that the Province Group and Lewis Companies did not make a second offer on the site, but rather walked away from the project. The City Manager further stated that the Los Alamitos Race Course had submitted a proposal during this second process to purchase the 13-acre site, which the City Council decided not to pursue.

The City Manager explained that following the Province Group and Lewis Companies abandonment of the project, the City Council turned its attention to a mixed-use proposal from Shea Properties, which resulted in the Exclusive Negotiating Agreement before City Council this evening.

The City Manager stated that the Los Alamitos Race Course and Province Group have recently made an unsolicited offer to purchase the City’s 13-acre site. He explained that the value of this new offer to the City and Recreation District is less than the value provided by the Shea Properties proposal in the price to be paid, development impact fees, and the ongoing revenue generation expected from Shea’s proposal. He stated that the development partner identified in the Los Alamitos Race Course offer is the same developer who was previously in an Exclusive Negotiating Agreement with the City for this site. He further stated this developer was also unsuccessful at developing a five-acre commercial site just south of the Ovation residential project on Katella Avenue, about a third of a mile west from the City’s 13-acre site.

The City Manager stated that RFP and selection process have been public, as have the approvals of the Exclusive Negotiating Agreements, appearing on numerous City Council meeting agendas. He stated that Shea has a community outreach plan for sharing the project concept with the community upon approval of the Disposition and Development
Agreement (DDA), which is scheduled for consideration at the November 25 City Council meeting.

Council Member Yarc asked if this item would complete the sale of the 13-acre property.

The City Manager stated approval of this item simply extends the exclusive negotiating period between the City and Shea Properties.

Council Member Peat asked if the Los Alamitos Race Course was invited to participate in the RFP process.

The City Manager responded in the affirmative.

Council Member Peat asked if the Los Alamitos Race Course submitted a proposal at that time.

The City Manager responded yes, however it was submitted late.

It was moved by Mayor Pro Tem Johnson and seconded by Council Member Morales, to Approve an Extension to the Exclusive Negotiating Agreement with SP Acquisitions, LLC for the City-Owned 13-Acre Parcel at Katella Avenue and Winners Circle.

The motion was carried by the following roll call vote:

AYES: 4  COUNCIL MEMBERS: Morales, Peat, Johnson and Berry
NOES: 1  COUNCIL MEMBERS: Yarc
ABSENT: 0  COUNCIL MEMBERS: None

Regarding Item No. 12: Approve Final Parcel Map 2017-180 (Northeast Corner of Katella Avenue and Enterprise Drive), this item was pulled from the Agenda at the request of the applicant and will return for City Council consideration at the next regular meeting.

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

At 7:44 p.m. Council Member Morales left the meeting to attend to a family matter.

Item No. 1: Approve a Massage Establishment at 4117 Ball Road – Conditional Use Permit No. 3151

The City Planner provided background information on this item.

Council Member Yarc asked how many massage establishments are currently in Cypress.

The City Planner indicated that there are 11-12 in Cypress.
Council Member Yarc asked if that number is more or less than neighboring cities or other cities of similar size.

The City Planner indicated that he did not have comprehensive information to provide that answer, however anecdotally the neighboring cities of Stanton and Garden Grove have significantly more than Cypress.

Council Member Yarc asked what is involved to clear a massage business to open.

The Chief of Police stated that a thorough background investigation is conducted on all involved parties including the owner, operator, and massage therapists. He further stated the background check includes contacting other jurisdictions that the owner operates in, running criminal history checks on all the involved parties, and verification that all state requirements have been fulfilled.

Council Member Yarc asked if this prospective owner passed the background investigations.

The Chief of Police responded in the affirmative.

Mayor Pro Tem Johnson asked if the proposed hours of operation were consistent with the other shopping center uses.

The City Planner responded in the affirmative.

Mayor Pro Tem Johnson asked if the proposed hours of operation were consistent with other operating massage establishments in the city.

The City Planner indicated that the municipal code allows operation between the hours of 7 a.m. and 9 p.m. The proposed hours of operation of 9 a.m. to 9 p.m. fall within the code requirements.

Mayor Pro Tem Johnson asked if there have been any issues at the owner’s Huntington Beach location.

The City Planner responded that in working with the City of Huntington Beach, there was no record of any violations at that location. He further stated that the Police Department conducted interviews of other business owners within the same shopping center of the owner’s Huntington Beach location and none reported negative occurrences or perceptions associated with the massage establishment.

Mayor Berry asked if there are any other massage businesses within the proposed shopping center.

The City Planner responded no.

Mayor Berry asked if clients would only enter from the front door.

The City Planner stated that the City Council could add a condition of approval to restrict rear door usage for only employees and maintenance personnel.
Mayor Berry asked if the new massage regulations approved by the City Council would apply to this business.

The City Planner responded in the affirmative.

Mayor Berry asked if the Police Department has any concerns with the approval of this business.

The Chief of Police responded no.

The public hearing was opened.

Mayor Berry invited the applicant to come forward and provide comments. Mayor Berry asked if the applicant would accept a condition of approval limiting the use of the rear door to employees and maintenance personnel.

The applicant agreed.

Mayor Berry invited members of the public to come forward and speak in favor or against this item.

None appeared.

The public hearing was closed.

It was moved by Council Member Peat and seconded by Mayor Pro Tem Johnson, to approve a massage establishment at 4117 Ball Road – Conditional Use Permit No. 3151 with the addition of a condition of approval limiting the rear door use to employees and maintenance personnel only.

The motion was carried by the following roll call vote:

AYES: 4 COUNCIL MEMBERS: Peat, Yarc, Johnson and Berry
NOES: 0 COUNCIL MEMBERS: None
ABSENT: 1 COUNCIL MEMBERS: Morales

Item No. 2: Approve a Cellular Antenna Facility at 4110 Lincoln Avenue – Conditional Use Permit No. 3152

The City Planner provided a report on this item.

Mayor Pro Tem Johnson asked if the antenna would interfere with any of the residents in the adjacent mobile home park.

The City Planner responded no.

Mayor Pro Tem Johnson asked if the antenna had protection to prevent it from being hit by a vehicle or other object.
The City Planner indicated that the proposed antenna facility is set back about 15-20 feet from the sidewalk on Lincoln Avenue and includes a substantial enclosure.

The public hearing was opened.

The public hearing was closed.

It was moved by Council Member Yarc and seconded by Council Member Peat, to approve a cellular antenna facility at 4110 Lincoln Avenue – Conditional Use Permit No. 3152, subject to the attached conditions.

The motion was carried by the following roll call vote:

AYES:  4  COUNCIL MEMBERS:  Peat, Yarc, Johnson and Berry
NOES:  0  COUNCIL MEMBERS:  None
ABSENT:  1  COUNCIL MEMBERS:  Morales

**Item No. 3: Adopt the 2019 California Model Building, Electrical, Plumbing, and Fire Codes with Amendments**

The Director of Community Development provided a brief introduction.

The Building Official provided a report on this item.

The public hearing was opened.

The public hearing was closed.

It was moved by Council Member Peat and seconded by Mayor Pro Tem Johnson, to waive further reading and adopt the attached four ordinances by title only.

The motion was carried by the following roll call vote:

AYES:  4  COUNCIL MEMBERS:  Peat, Yarc, Johnson and Berry
NOES:  0  COUNCIL MEMBERS:  None
ABSENT:  1  COUNCIL MEMBERS:  Morales

**NEW BUSINESS**

**Item No. 19: Approve a Task Order for a Traffic Circulation Needs Assessment**

The Director of Community Development provided a report of this item.

Council Member Yarc asked why the traffic circulation needs assessment is needed at this time and if it will affect a proposed 7-acre housing project from the Los Alamitos Race Course and Melia Homes.
The Director of Community Development indicated that the study is needed to determine the traffic volume and appropriate roadway size needed for Vessels Circle. He stated that the study would affect the housing project because the project is proposed for an interior location and there is a need to determine the roadway size needed to accommodate the project as well as future projects.

Council Member Yarc asked if the assessment could be limited to only the 7-acre project rather than the entire voter-approved specific plan area.

The Director of Community Development indicated that in order to determine the future traffic volume and ensure the appropriate roadway size, the entire specific plan area should be studied.

Council Member Yarc expressed concern regarding the need for the assessment at this time.

The City Manager explained that size of road needed on Vessels Circle to accommodate both the proposed housing project and any future development project is unknown at this time. He stated it would be difficult for staff to make a recommendation on the proposed housing project without knowing the appropriate roadway size needed to accommodate the project.

Council Member Yarc asked how the consultant conducting the assessment would be able to provide traffic volume information for future development when the property is still operating as a race course.

The City Manager stated that the traffic circulation needs assessment would study the proposed project, as well as the voter-approved specific plan, to determine future traffic volume and the size of roadway needed.

Council Member Yarc asked if there was a way to work with the Los Alamitos Race Course through this process so as not to negatively affect their project with Melia Homes.

The City Manager indicated that it is staff’s desire to partner with the Los Alamitos Race Course on this item.

Mayor Pro Tem Johnson asked when the last time a traffic circulation needs assessment was conducted.

The Director of Community Development indicated that the assessment is related directly to the Town Center and Commons 2.0 specific plan.

Mayor Pro Tem Johnson asked if this study would help address traffic needs throughout the City.

The Director of Community Development indicated that the assessment would provide a traffic model that could be used to assist traffic engineering at other intersections.
Mayor Berry asked if the proposed housing project could continue without delay if the City proceeds with this study at this time.

The Director of Community Development stated that it is not the intent of the study to delay any projects and that when the proposed housing project plans are submitted they would proceed on their own timetable.

Mayor Berry asked why the City's 13-acre property would not be included in this traffic study.

The Director of Community Development stated that there would be a separate traffic study conducted for the 13-acre site as part of their environmental documents. He further stated that this assessment would take into account the 13-acre development, as well as other surround properties to determine the traffic model for the specific plan area.

Mayor Berry asked if it would be possible to prioritize the study to first focus on the area adjacent to the proposed housing project.

The City Manager responded in the affirmative.

Council Member Yarc asked if it was possible to postpone this item to allow staff to meet with the Race Course to further discuss this item and come to a mutually agreeable solution.

The City Manager responded in the affirmative.

It was moved by Council Member Yarc and seconded by Mayor Berry, to continue this item to the next regular meeting to allow staff time to engage with the Los Alamitos Race Course and report to City Council if a mutually agreeable recommendation can be brought forward for consideration.

The motion was carried by the following roll call vote:

AYES: 4  COUNCIL MEMBERS: Peat, Yarc, Johnson and Berry
NOES: 0  COUNCIL MEMBERS: None
ABSENT: 1  COUNCIL MEMBERS: Morales

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:
Attended a meeting with Habitat for Humanity to explore opportunities for partnerships and learn about their changing business model. Attended lunch with Cypress College President Joanna Schilling at the North Orange County Community College Hospitality facility. Participated in the Community Clean-Up Day at the Civic Center. Attended the select committee hearing on homelessness hosted by Assemblywoman Sharon Quirk-Silva.

**Council Member Yarc:**

No report.

**Mayor Pro Tem Johnson:**

Attended the Community Clean-Up Day at the Civic Center. Attended the Veterans Appreciation Luncheon at the Senior Center. Report from Orange County Fire Authority – Station 17 had over 296 calls for service in October; 253 were for rescue and emergency services and six fires.

**Mayor Berry:**

Attended a meeting with Girl Scouts Troop 4134. Attended the Yamaha Motor Corporation employee Halloween costume contest. Attended the Halloween party at the Senior Center. Attended an Orange County Division Board Meeting for the League of California Cities. Attended the fourth anniversary celebration and Chamber of Commerce Ribbon-Cutting for The Camp Transformation Center. Attended the unveiling of the James Webb space telescope at Northrop with the League of California Cities. Attended the select committee hearing on homelessness hosted by Assemblywoman Sharon Quirk-Silva. Met with Lexington Junior High Students. Attended the Anaheim Union High School District Board meeting to present certificates of recognition to Oxford Academy Key Club. Attended the Veterans Appreciation Luncheon hosted by the American Veterans Assistance group. Attended an Executive Committee meeting, a Joint Policy Committee meeting, and a Regional Council meeting for the Southern California Association of Governments.

**CITY MANAGER REMARKS**

The City Manager had no report.

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), Ramsey v. City of Cypress, WCAB No. ADJ11094024, Claim No. 17-133615. No reportable action was taken.

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: one potential case. A motion was made by Council Member Peat and seconded by Mayor Pro Tem Johnson,
to enter a tolling agreement in connection with the BKK Landfill litigation. The motion was unanimously approved by the City Council.

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 properties located at 5400 Myra Avenue, 5681 Newman Street, and 5900 Cathy Avenue, parties negotiating with: Cypress School District, negotiating party: City Manager, under negotiation: price and terms of payment. No reportable action was taken.

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

**ADJOURNMENT**

Mayor Berry adjourned the meeting at 8:32 p.m. to an adjourned Regular Meeting, to be held on Monday, November 25, 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