

REGULAR MEETING  
CYPRESS CITY COUNCIL  
FEBRUARY 12, 2024  
3:30 P.M. –Closed Session  
5:00 P.M. – General Session  
6:00 P.M. – Public Hearing

A regular meeting of the Cypress City Council was called to order at 3:31 p.m. by Mayor Minikus 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 Scott Minikus  
Mayor Pro Tem Bonnie Peat  
Council Member David Burke  
Council Member Anne Mallari – arrived at 3:35 p.m.  
Council Member Frances Marquez

**STAFF PRESENT**

City Manager Peter Grant  
City Attorney Fred Galante  
City Clerk Alisha Farnell

**ORAL COMMUNICATIONS ON CLOSED SESSION / WORKSHOP ITEMS**

None.

**CLOSED SESSION**

The City Attorney stated that the City Council would convene in Closed Session to discuss the following items:

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Pursuant to Government Code Section 54956.9(d)(1)  
Fortis LLP v. Frances Marquez, City of Cypress  
Case No. 30-2022-01277792-CU-WM-CJC  
Orange County Superior Court

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
Pursuant to Government Code Section 54956.9(d)(1)  
Youngsma, et al. v. Cypress School District, et al.  
Case No. 30-2021-01220176-CU-EI-CXC  
Orange County Superior Court

Mayor Minikus recessed the meeting at 3:32 p.m.

### **RECONVENE**

Mayor Minikus reconvened the City Council meeting at 5:03 p.m.

### **ROLL CALL**

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

Mayor Scott Minikus  
Mayor Pro Tem Bonnie Peat  
Council Member David Burke  
Council Member Anne Mallari  
Council Member Frances Marquez

### **STAFF PRESENT**

City Manager Peter Grant  
City Attorney Fred Galante  
Director of Finance and Administrative Services Matt Burton  
Director of Public Works Doug Dancs  
Director of Recreation and Community Services Jeff Draper  
Chief of Police Mark Lauderback  
City Clerk Alisha Farnell  
City Engineer Nick Mangkalakiri

**INVOCATION** Pastor Trevor Cooper, First Baptist Church of Cypress, led the Invocation.

**PLEDGE OF ALLEGIANCE** Council Member Marquez led the Pledge of Allegiance.

### **REPORT OF CLOSED SESSION / WORKSHOP**

The City Attorney reported that the City Council met in Closed Session and held a discussion regarding the first item listed on the agenda, namely Conference with Legal Counsel – existing litigation, the matter of Fortis LLP v. Frances Marquez. The City Attorney stated Council Member Marquez recused herself from the item and exited the room. The remaining City Council received an update and no further reportable action was taken.

Regarding the second Closed Session item listed on the agenda, namely Conference with Legal Counsel – existing litigation, the matter of Youngsma, et al. v. Cypress School District, et al. The City Attorney stated Mayor Pro Tem Peat recused herself from the item

and exited the room. The remaining City Council received an update and no further reportable action was taken.

## **PRESENTATIONS**

The City Council presented a Key to the City to former Mayor Anna Piercy in recognition of her dedication and service to the Cypress community.

Howard Kummerman from Cypress College Foundation provided an update on the 49<sup>th</sup> Annual Americana Awards and introduced Cypress Citizen of the Year Jon Peat.

## **ORAL COMMUNICATIONS ON AGENDA ITEMS**

Bob Youngsma, Cypress, spoke regarding Agenda Item No. 9.

Ed Kraemer, Cypress, spoke regarding Agenda Item No. 6.

## **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 Marquez requested to pull Agenda Item No. 4.

A motion was made by Mayor Pro Tem Peat, and seconded by Council Member Mallari, to approve Consent Calendar items No. 1 through 3 and 5 through 8.

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

AYES: 5 COUNCIL MEMBERS: Burke, Mallari, Marquez, Peat and Minikus  
NOES: 0 COUNCIL MEMBERS: None  
ABSENT: 0 COUNCIL MEMBERS: None

**Item No. 1: Approve Minutes - Meetings of December 11, 2023, January 8, 2024, January 10, 2024 and January 22, 2024**

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: Approve Revisions to the Boards, Commissions and Committees Policy Manual**

Recommendation: Adopt a Resolution approving the tenth revision to the Boards, Commissions and Committees Policy Manual.

RESOLUTION NO. 6954

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CYPRESS,  
AND ACTING AS EX-OFFICIO GOVERNING BOARD OF DIRECTORS  
OF THE CYPRESS RECREATION AND PARK DISTRICT, ADOPTING  
THE TENTH REVISION TO THE BOARDS, COMMISSIONS AND  
COMMITTEES POLICY MANUAL

**Item No. 5: Receive and File the Capital Improvement Program Update**

Recommendation: Receive and file the Capital Improvement Program update.

**Item No. 6: Approve Plans and Specifications and Award Contracts for Residential Street Resurfacing, Project 349**

Recommendation:

1. Approve Plans and Specifications for Residential Street Resurfacing, Project 349; and
2. Award a contract to R.J. Noble Company, for \$952,610.03, and authorize a contingency of \$143,000; and
3. Approve a Task Order for Construction Inspection Services to Ardurra Group Inc., for \$126,840, and authorize a contingency of \$19,000.

**Item No. 7: Receive and File the Fiscal Year 2023-24 Mid-Year Budget Report and Approve Budget Adjustments**

Recommendation:

1. Receive and file the FY 2023-24 Mid-Year Budget Report; and
2. Approve mid-year Budget adjustments:  
City
  - a. Increase appropriations in the General Fund by \$30,700
  - b. Increase appropriations in the City Capital Project Fund by \$38,600
  - c. Increase appropriations in the Narcotics Asset Seizure Fund by \$15,000
  - d. Increase appropriations in the Central Services Fund by \$39,168
  - e. Transfer \$1,400,000 from the RMRA Gas Tax Fund to the City Capital Project Fund for the annual residential rehabilitation program
  - f. Transfer \$2,350,000 from the General Fund to the Infrastructure Fund
  - g. Transfer \$2,350,000 from the General Fund to the Employee Benefits Fund for Pension Trust Investment
  - h. Approve the receipt of \$27,599 from the Park District as partial payment on the outstanding Repayment Agreement and Promissory Note with the City for the construction of Lexington Park

Recreation and Park District

- i. Increase appropriations in the General Fund by \$42,300
- j. Transfer \$27,599 from the Park Development Fund to the General Fund
- k. Approve a \$27,599 payment to the City's Infrastructure fund to apply against the outstanding Repayment Agreement and Promissory Note between the City and Park District for the construction of Lexington Park.

**Item No. 8: Adopt the FY 2024-25 Budget Calendar**

Recommendation: Adopt the Fiscal Year 2024-25 budget calendar.

**NEW BUSINESS**

**Item No. 9: Receive an Update on Trial Court's Decision in the Youngsma et al. v Cypress School District and City of Cypress lawsuit**

The City Attorney provided a report on this item.

No action was taken.

**ITEMS REMOVED FROM CONSENT CALENDAR**

**Item No. 4: Adopt the 2024 Federal and State Legislative Platform**

Council Member Marquez commented on this item.

City Council discussion ensued.

A motion was made by Mayor Pro Tem Peat, and seconded by Council Member Mallari, to adopt the 2024 Federal and State Legislative Platform.

The motion was carried by the following roll call vote:

AYES: 4 COUNCIL MEMBERS: Burke, Mallari, Peat and Minikus  
NOES: 0 COUNCIL MEMBERS: None  
ABSTAIN: 1 COUNCIL MEMBERS: Marquez

Mayor Minikus recessed the meeting at 5:50 p.m.

Mayor Minikus reconvened the meeting at 6:02 p.m.

**PUBLIC HEARING – 6:00 P.M.**

**Item No. 10: Conduct a Public Hearing to Take Testimony Regarding the Composition of Potential City Council Election Districts**

Mayor Minikus opened the Public Hearing.

The City's consultant, National Demographic Corporation, provided a presentation on this item.

The City Attorney highlighted legal issues regarding this item.

City Council asked questions of the City Attorney and consultant.

Mayor Minikus invited members of the public to speak on this item.

Kevin Shenkman, Malibu, spoke regarding racial considerations in the composition of districts.

Beth Culver, Cypress, spoke regarding California Voting Rights Act.

Bob Youngsma, Cypress, spoke regarding the number of maps submitted and the need for a map workshop.

Glenn Button, Cypress, spoke regarding draft maps and future population growth.

Marilyn Reames, Cypress, spoke regarding different zip codes and their impact on district maps and future population growth.

Paul Kokkinos, Cypress, spoke regarding the need to make this process easier with a map-drawing workshop.

Brooke Nafarrate, Cypress, spoke regarding data questions with online mapping tool.

Cheryl Bhence, Cypress, spoke regarding redistricting when new census data is available and recommended maps 123,128,129,130 and 131.

Edwin Kraemer, Cypress, spoke regarding communities of interest such as Lexington Park neighborhood and supported maps 101,121 and 130.

Helen Le, Cypress, spoke regarding public hearing process and the need to review key terms at each meeting.

Brittany Cook, Cypress, spoke regarding the need for a map-drawing workshop and expressed support for maps 101,104,105, 116, 118, 119, 121, 124, 130, 131 and opposition for maps 102,112, 120, 122, 123 and 128.

No further comments were made.

Mayor Minikus closed the Public Hearing.

The City's consultant responded to public comments.

The City Council asked questions of the consultant.

City Council discussion ensued.

No action was taken on this item.

### **ORAL COMMUNICATIONS**

Bob Youngsma, Cypress, spoke regarding the January 22 City Council meeting.

### **COUNCIL MEMBER REPORTS FROM CITY-AFFILIATED BOARDS AND COMMITTEES AND REMARKS**

#### **Council Member Burke:**

No report.

#### **Council Member Marquez:**

Thanked the Public Works department for streetlight repair. Spoke regarding a traffic incident that occurred on Via Entrada and Orange Avenue. Congratulated Cypress Girls Soccer, Oxford Academy girls' soccer and Cypress boys' basketball on their recent wins.

#### **Council Member Mallari:**

Thanked the Recreation Department for creating the home plate sign presented to Anna Piercy. Thanked the City for securing a field at Lexington Park for Oxford Academy girls' soccer team. Will be participating in a live fire demonstration at OCFA Headquarters.

#### **Mayor Pro Tem Peat:**

Thanked the City and Public Works team for their efforts during the recent storm.

#### **Mayor Minikus:**

Thanked City and Public Works and acknowledged Pete Grant, City Manager, and his leadership team for being well prepared during the recent rain. Provided a tour of city hall to second graders from St. Irenaeus. Will be speaking at St. Irenaeus human trafficking walk.

### **COUNCIL MEMBER ITEMS FOR FUTURE CONSIDERATION**

None.

**CITY MANAGER REMARKS**

Thanked the Recreation and Engineering staff for assisting to create the home plate recognition sign presented to Anna Piercy. Recognized Public Works and Police Departments for doing a great job in preparing for current and future storms. Spoke regarding the City’s ability to provide field space at Lexington Park for Oxford Academy girls’ soccer game. Reminded the public that City administrative offices will be closed on President’s Day.

The City Attorney spoke regarding Oral Communications.

Council Member Mallari asked questions of the City Attorney regarding communication with the community regarding the map-drawing process.

**ADJOURNMENT – IN MEMORY OF ROBERT CAMPBELL**

By motion of Council Member Mallari, and seconded by Council Member Burke, the Mayor adjourned the meeting at 8:07 p.m. The next regular meeting will be held on Monday, February 26, 2024, beginning at 5:30 p.m. inside 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