



**AGENDA  
CITY OF CYPRESS  
CITY COUNCIL**

**REGULAR MEETING  
MONDAY, JANUARY 11, 2016  
5:30 P.M.; 7:00 P.M.**  
Public Hearings at 7:00 P.M.

COUNCIL CHAMBERS  
5275 Orange Avenue  
CYPRESS, CALIFORNIA

*This Agenda contains a brief general description of each item to be considered. Except as otherwise provided by law, no action or discussion shall be taken on any item not appearing in the following Agenda. Supporting documents, including staff reports, are available for review in the City Clerk's office and the City's website at [www.ci.cypress.ca.us](http://www.ci.cypress.ca.us).*

*City Hall Directory:*

*Administration – (714) 229-6680*

*[admin@ci.cypress.ca.us](mailto:admin@ci.cypress.ca.us)*

*Finance – (714) 229-6700*

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*City Council Agendas/Minutes are available at [www.ci.cypress.ca.us](http://www.ci.cypress.ca.us).*

**CALL TO ORDER**

**5:30 P.M.  
Executive Board Room**

**ROLL CALL**

**MAYOR MARIELLEN YARC  
MAYOR PRO TEM PAULO MORALES  
COUNCILMEMBER STACY BERRY  
COUNCILMEMBER ROB JOHNSON  
COUNCILMEMBER JON PEAT**

**ORAL COMMUNICATIONS**

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*Recess the meeting.*

**CLOSED SESSION**

*Pursuant to California law, "a person may not disclose confidential information that has been acquired by being present in a closed session... to a person not entitled to receive it, unless the legislative body authorizes disclosure of that confidential information." (Gov. Code § 54963(a).) Any "[v]iolation of [Government Code § 54963] may be addressed by the use of such remedies as are currently available by law, including, but not limited to: (1) injunctive relief to prevent the disclosure of confidential information...; (2) disciplinary action against [a person] who has willfully disclosed confidential information....; [and/or] (3) referral of a member of a legislative body who has willfully disclosed confidential information... to a grand jury." (Gov. Code § 54963(c).)*

**CITY OF CYPRESS ITEMS:****CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

**Pursuant to Government Code Section 54956.9(d)(1)**

**Victor Ramos v. City of Cypress, et al.**

**Case No. SACV15-470 CJC (JCGx)**

**U.S. District Court Central District**

**CONFERENCE WITH LABOR NEGOTIATOR**

**Pursuant to Government Code Section 54957.6**

**Agency Negotiators: Peter Grant and Matt Burton**

**Employee Groups:**

**Police Management Association**

**Cypress Police Officers' Association**

**RECONVENE**

**7:00 P.M.**

**Council Chambers**

**ROLL CALL**

**MAYOR MARIELLEN YARC**

**MAYOR PRO TEM PAULO MORALES**

**COUNCILMEMBER STACY BERRY**

**COUNCILMEMBER ROB JOHNSON**

**COUNCILMEMBER JON PEAT**

**PLEDGE OF ALLEGIANCE****INVOCATION****CYPRESS CHURCH**

*The City Council does not endorse the content of the invocation and does not endorse the invocational speaker's particular faith, belief and/or religious denomination. The City Council does not engage in any prior inquiry, review of, or involvement in, the content of the invocation, except to request the speaker to refrain from using the invocation as an opportunity to attempt to convert others to a particular faith or to disparage any faith or belief. The City Council has an established neutral policy for selecting and scheduling invocational speakers. The City Clerk will make the City Council's policy on invocations available upon request for public inspection and copying.*

**REPORT OF WORKSHOP AGENDA/  
CLOSED SESSION****CITY MANAGER  
CITY ATTORNEY****PRESENTATIONS****INTRODUCTION OF PUBLIC WORKS SUPERINTENDENT  
KIRK STREETS AND LANDSCAPE MAINTENANCE  
SUPERVISOR GREG WOODS****PRESENTATION ON EL NINO PREPARATION****ORAL COMMUNICATIONS (LIMITED TO ONE-HALF HOUR)**

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*If you would like to address the City Council, please complete the white **SPEAKER'S CARD**. The card is available at the speaker's podium or from the City Clerk. Please identify on the card your name, address, and the item on which you would like to speak, and return to the City Clerk. The **SPEAKER'S CARD** assists the Mayor in ensuring that all persons wishing to address the Council are recognized. Your name will be called at the time the matter is heard by the Council.*

**Council Chamber Decorum:**

- **Use courteous and professional language at all times**
- **Refrain from clapping, whistling, etc. in response to a speaker's comments**
- **Allow speakers to provide comments without interruption**
- **Remove hats upon entering Council Chambers**
- **No food or beverages please**

**PUBLIC HEARINGS**

*Public Comments Restricted to Ten Minutes Per Speaker, Unless Extended by the City Council.*

*Members of the City Council should disclose at this time all communications with anyone relevant to a Public Hearing item.*

1. **APPROVE THE CITY'S PARTICIPATION IN THE FISCAL YEAR 2016-2017 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM.**

**Prepared by: Doug Dancs, Director of Community Development**

Recommended Action: That the City Council adopt the Resolution by title only, title as follows, approving the City's participation in the Fiscal Year 2016-2017 Community Development Block Grant Program with the County of Orange and authorize the Mayor to sign the grant request on behalf of the City Council.

A Resolution of the City Council of the City of Cypress Approving the City's Participation in the Fiscal Year 2016-2017 Housing and Community Development Block Grant (CDBG) Program With the County of Orange

2. **CONSIDERATION OF A REVISED 66 UNIT CONDOMINIUM DEVELOPMENT AND A ONE-LOT SUBDIVISION AT 5300 AND 5400 ORANGE AVENUE – CONDITIONAL USE PERMIT NO. 3034 AND TENTATIVE TRACT MAP NO. 17917.**

**Prepared by: Doug Dancs, Director of Community Development**

Recommended Action: That the City Council adopt the Resolutions by title only, titles as follows, approving Conditional Use Permit No. 3034 and Tentative Tract Map No. 17917, subject to the conditions in Attachment C. In accordance with the California Environmental Quality Act (CEQA), a Categorical Exemption Class 32 will be filed for this project.

A Resolution of the City Council of the City of Cypress Approving Conditional Use Permit No. 3034 – With Conditions

A Resolution of the City Council of the City of Cypress Approving  
Tentative Tract Map No. 17917 – With Conditions

**CONSENT CALENDAR NOTICE**

*All matters listed on the Consent Calendar are to be approved with one motion unless a member of the Council requests separate action on a specific item. Ordinances on the Consent Calendar should be read by title only prior to taking any action.*

**CONSENT CALENDAR (3 – 16)**

**3. APPROVE MINUTES.**

Meetings of November 23 and December 14, 2015

**Prepared by: Denise Basham, City Clerk**

Recommended Action: Approve as submitted.

**4. MOTION TO INTRODUCE AND/OR ADOPT ALL ORDINANCES AND RESOLUTIONS PRESENTED FOR CONSIDERATION BY TITLE ONLY AND TO WAIVE FURTHER READING.**

**5. AWARD CONTRACT FOR THE PREPARATION OF A ZONING CODE AMENDMENT TO ADDRESS RESIDENTIAL USES IN COMMERCIAL ZONES AND AUTHORIZE AN APPROPRIATION OF FUNDS FROM THE CITY'S GENERAL FUND.**

**Prepared by: Doug Dancs, Director of Community Development**

Recommended Action: That the City Council: 1) Award a contract in the amount of \$26,400 for the preparation of a Zoning Code Amendment to address residential uses in commercial zones; and 2) Appropriate \$26,400 from the unassigned fund balance of the City's General Fund.

**6. APPROVE PLANS AND SPECIFICATIONS FOR THE STREET REHABILITATION PROGRAM, PROJECT 145.**

**Prepared by: Doug Dancs, Director of Community Development**

Recommended Action: That the City Council approve the plans and specifications for the Street Rehabilitation Program, Project 145.

**7. APPROVE PLANS AND SPECIFICATIONS FOR THE ANNUAL OVERLAY, PROJECT 131.**

**Prepared by: Doug Dancs, Director of Community Development**

Recommended Action: That the City Council approve the plans and specifications for the Annual Overlay, Project 131.

8. **[ACCEPT SEWER REHABILITATION AT VARIOUS LOCATIONS, PROJECT 116.](#)**  
**Prepared by: Doug Dancs, Director of Community Development**

Recommended Action: That the City Council accept the Sewer Rehabilitation at Various Locations in the final amount of \$1,139,226.60 and approve the final retention payment of \$56,961.33 to Paulus Engineering, Inc.

9. **[AWARD CONTRACT FOR STORMWATER INSPECTIONS OF INDUSTRIAL AND COMMERCIAL FACILITIES.](#)**  
**Prepared by: Doug Dancs, Director of Community Development**

Recommended Action: That the City Council award a contract to Charles Abbott Associates, Inc. for performance of Stormwater Inspections for Industrial and Commercial Facilities in an amount not to exceed \$70,000 annually, for a period of three years with the option of two one-year extensions.

10. **[ACCEPTANCE OF THE URBAN AREA SECURITY INITIATIVE \(UASI\) SUB-RECIPIENT AGREEMENT.](#)**  
**Prepared by: Rod Cox, Chief of Police**

Recommended Action: That the City Council: 1) Approve the FY 2015 Urban Area Security Initiative (UASI) Sub-Recipient Agreement; and 2) Authorize the City Manager to execute such application(s) as may be necessary to obtain the FY 2015 Urban Area Security Initiative grant funds.

11. **[AWARD CONTRACT FOR LEGAL SERVICES FOR LABOR NEGOTIATIONS.](#)**  
**Prepared by: Matt Burton, Director of Finance and Administrative Services**

Recommended Action: That the City Council award a contract to Liebert Cassidy Whitmore (LCW) to provide legal services pertaining to the forthcoming negotiations with public safety employee associations.

12. **APPROVE RESOLUTIONS REVISING THE CLASS SPECIFICATION OF POLICE SUPPORT SERVICES SUPERVISOR AND ADDING THE CLASSIFICATION TO THE MID-MANAGEMENT UNREPRESENTED EMPLOYEE GROUP.**

**Prepared by: Matt Burton, Director of Finance and Administrative Services**

Recommended Action: That the City Council, and acting as the ex-officio governing Board of Directors of the Cypress Recreation and Park District: 1) Adopt the Resolution by title only, title as follows, revising the class specification of Police Support Services Supervisor; and 2) Adopt the Resolution by title only, title as follows, adding the classification of Police Support Services Supervisor to the unrepresented Mid-Management employee group.

A Resolution of the City Council of the City of Cypress and Acting as Ex-Officio Board of Directors of the Cypress Recreation and Park District, Revising the Class Specification of Police Support Services Supervisor

A Resolution of the City Council of the City of Cypress and Acting as Ex-Officio Board of Directors of the Cypress Recreation and Park District, Amending Resolution 6515 to Add the Classification of Police Support Services Supervisor to the Mid-Management Pay and Benefits Plan

13. **RECEIVE AND FILE INVESTMENT REPORT FOR THE MONTH OF NOVEMBER 2015.**

**Prepared by: Matt Burton, Director of Finance and Administrative Services**

Recommended Action: That the City Council receive and file the Investment Report for the month of November 2015.

14. **APPROVE COMMERCIAL WARRANT LIST AND WIRE TRANSFERS FOR FISCAL YEAR 2015-16 FOR WARRANTS NO. 36529 THROUGH 37012.**

**Prepared by: Matt Burton, Director of Finance and Administrative Services**

Recommended Action: That the City Council approve the warrant register and wire transfers for Fiscal Year 2015-16.

**END OF CONSENT CALENDAR**

**NEW BUSINESS (15 – 18)****15. CONSIDERATION OF AMENDMENTS TO THE CYPRESS ZONING ORDINANCE TO PROHIBIT MARIJUANA CULTIVATION AND PROCESSING IN THE CITY OF CYPRESS.****Prepared by: Anthony Taylor, City Attorney**

Recommended Action: That the City Council introduce for first reading an Ordinance by title only, title as follows, amending the Zoning Code (Appendix I to the Cypress Municipal Code) to prohibit the cultivation and processing of medical marijuana.

An Ordinance of the City Council of the City of Cypress, California, Amending Portions of the Zoning Code, Appendix I, Section 2, of the Cypress Municipal Code to Prohibit Marijuana Cultivation and Marijuana Processing in Specified Zoning Districts

**16. AWARD CONTRACTS FOR THE MYRA AVENUE STORM DRAIN NO. 3, PROJECT 143.****Prepared by: Doug Dancs, Director of Community Development**

Recommended Action: That the City Council: 1) Award a construction contract for the Myra Avenue Storm Drain No. 3, Project 143, to Sully-Miller Contracting Company in the amount of \$9,477,798 and authorize a contingency of \$853,000; and 2) Award a Task Order for Construction Inspection Services to AKM Consulting Engineers in the amount of \$572,185 and authorize a contingency of \$39,815.

**17. APPROVE 2016 CITY COUNCIL MEETING SCHEDULE.****Prepared by: Denise Basham, City Clerk**

Recommended Action: That the City Council approve the proposed 2016 City Council meeting schedule.

**18. JANUARY 14 TOWN HALL MEETING ON LAND USE, GROWTH AND DEVELOPMENT PROGRAM AND GROUND RULES.****Prepared by: Peter Grant, City Manager**

Recommended Action: That the City Council approve the meeting program and ground rules for the January 14 Town Hall Meeting on Land Use, Growth and Development.



## RECREATION & PARK DISTRICT MATTERS

*The Cypress City Council, Acting as the Ex-Officio Governing Board of Directors.*

No items.

## SUCCESSOR AGENCY TO THE CYPRESS REDEVELOPMENT AGENCY MATTERS

*The Cypress City Council, Acting as the Successor Agency to the Cypress Redevelopment Agency.*

### **CONSENT CALENDAR (19):**

19. **[ADOPT ADMINISTRATIVE BUDGET FOR THE CYPRESS SUCCESSOR AGENCY FOR THE SIX-MONTH PERIOD OF JULY 1, 2016 THROUGH DECEMBER 31, 2016.](#)**

**Prepared by: Matt Burton, Director of Finance and Administrative Services**

Recommended Action: That the Successor Agency adopt the administrative budget for the Successor Agency for the six-month period of July 1, 2016 through December 31, 2016.

## ORAL COMMUNICATIONS

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## ITEMS FROM CITY COUNCIL MEMBERS

- Reports on Committee Assignments
- Other Items

## ITEMS FROM CITY MANAGER

**ADJOURNMENT – IN MEMORY OF GERRY SEYMORE**

The next meeting will be an adjourned Special Meeting, to be held on Thursday, January 14, 2016, beginning at 6:00 p.m. at the Cypress Community Center, 5700 Orange Avenue.

I hereby certify under penalty of perjury under the laws of the State of California, that the foregoing Agenda was posted on the City Hall bulletin board not less than 72 hours prior to the meeting. Dated this 7<sup>th</sup> day of January, 2016.

\_\_\_\_\_  
Denise Basham, City Clerk

**IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, YOU SHOULD CONTACT THE OFFICE OF THE CITY CLERK AT (714) 229-6683. NOTIFICATION BY NOON ON FRIDAY, JANUARY 8, 2016 WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ASSURE ACCESSIBILITY TO THIS MEETING.**