



**AGENDA
CITY OF CYPRESS
CITY COUNCIL**

**REGULAR MEETING
MONDAY, JANUARY 13, 2014
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.

City Hall Directory:

Administration – (714) 229-6680

admin@ci.cypress.ca.us

Finance – (714) 229-6700

fin@ci.cypress.ca.us

Community Development – (714) 229-6720

cdd@ci.cypress.ca.us

Public Works – (714) 229-6740

pw@ci.cypress.ca.us

Police – (714) 229-6600

cypd@ci.cypress.ca.us

Recreation – (714) 229-6780

crpd@ci.cypress.ca.us

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CALL TO ORDER

**7:00 P.M.
Council Chambers**

ROLL CALL

**MAYOR LEROY MILLS
MAYOR PRO TEM ROB JOHNSON
COUNCILMEMBER DOUG BAILEY
COUNCILMEMBER PRAKASH NARAIN
COUNCILMEMBER MARIELLEN YARC**

PLEDGE OF ALLEGIANCE

INVOCATION

PRESENTATIONS

RECOGNITION OF OXFORD ACADEMY

**REPORT OF WORKSHOP AGENDA/
CLOSED SESSION**

**CITY MANAGER
CITY ATTORNEY**

ORAL COMMUNICATIONS (LIMITED TO ONE-HALF HOUR)

The public may at this time address the members of the City Council on any matters within the jurisdiction of the City Council, prior to any action taken on the Agenda. No action may be taken on off-Agenda items except as authorized by law. Speakers are requested to limit their comments to no more than three minutes each.

*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.*

Speakers and members of the audience are asked to please observe meeting decorum by using courteous and professional language at all times, refraining from clapping, whistling, etc. in response to a speaker's comments, and allowing speakers to provide comments without interruption.

PUBLIC HEARINGS (1 – 2)

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

1. **PUBLIC HEARING REGARDING CONDITIONAL USE PERMIT NO. 2013-10, A REQUEST TO REMODEL THE EXISTING CYPRESS VILLAGE SHOPPING CENTER LOCATED AT 9515-9575 VALLEY VIEW STREET IN THE CG COMMERCIAL GENERAL/CC CIVIC CENTER COMBINING ZONE.**

Prepared by: Judy Aquino, Assistant Planner

Recommended Action: That the City Council: 1) Adopt the Mitigated Negative Declaration and Mitigation Monitoring Program in accordance with the requirements of the California Environmental Quality Act (CEQA); and 2) Adopt the Resolution by title only, title as follows, approving Conditional Use Permit No. 2013-10, subject to the conditions in Exhibit “A” of the Resolution.

A Resolution of the City Council of the City of Cypress,
Approving Conditional Use Permit No. 2013-10
– With Conditions.

2. **PUBLIC HEARING REGARDING REVIEW OF THE FISCAL YEAR 2014-2015 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION.**

Prepared by: Steve Clarke, Redevelopment Project Manager

Recommended Action: That the City Council: 1) Hold a public hearing to review the project list proposed for Community Development Block Grant (CDBG) funding for Fiscal Year 2014-2015 and allow for citizen input regarding project proposals; and 2) Adopt the Resolution by title only, title as follows, approving the City’s participation in the Fiscal Year 2014-2015 Community Development Block Grant (CDBG) Program with the County of Orange, and authorize the Mayor to sign the grant request on behalf of the Cypress City Council.

A Resolution of the City Council of the City of Cypress
Approving the City’s Participation in the Fiscal Year
2014-2015 Housing and Community Development
Block Grant (CDBG) Program With the County of
Orange.

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. APPROVAL OF MINUTES.**

Meetings of December 9 and December 19, 2013.

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. SECOND READING OF AN ORDINANCE AMENDING PORTIONS OF CHAPTER 17-74 OF THE CYPRESS MUNICIPAL CODE REGARDING REGISTERED SEX OFFENDER RESTRICTIONS.**

Prepared by: William Wynder, City Attorney

Recommended Action: That the City Council adopt the Ordinance by title only, title as follows, amending portions of Chapter 17-74 of the Cypress Municipal Code.

An Ordinance of the City Council of the City of Cypress, California, Amending Portions of Chapter 17-74 of the Cypress Municipal Code.

6. ACCEPTANCE OF THE VALLEY VIEW STREET AND LINCOLN AVENUE OVERLAY PROJECT, STATE-LOCAL PARTNERSHIP PROGRAM (SLPP), PUBLIC WORKS PROJECT NO. 89.

Prepared by: Nick Mangkalakiri, Associate Civil Engineer

Recommended Action: That the City Council: 1) Accept the Valley View Street and Lincoln Avenue Overlay Project, State-Local Partnership Program (SLPP), Public Works Project No. 89, as being satisfactorily completed in conformance with the project specifications, in the final amount of \$366,740.48; and 2) Approve the final retention payment of \$18,337.02 to R.J. Noble Company, Orange, California, thirty-five (35) days after the Notice of Completion is filed, if no claims or objections have been filed; and 3) Authorize the City Clerk to release the Labor and Materials Bond and the Faithful Performance Bond upon expiration of the required lien period, if no claims or objections have been filed, upon concurrence of the Director of Public Works.

7. **ACCEPTANCE OF THE 2012/13 ARTERIAL OVERLAY PROJECT, PUBLIC WORKS PROJECT NO. 94.**

Prepared by: Nick Mangkalakiri, Associate Civil Engineer

Recommended Action: That the City Council: 1) Accept the 2012/13 Arterial Overlay Project, Public Works Project No. 94, as being satisfactorily completed in conformance with the project specifications, in the final amount of \$814,616.57; and 2) Approve the final retention payment of \$40,730.84 to R.J. Noble Company, Orange, California, thirty-five (35) days after the Notice of Completion is filed, if no claims or objections have been filed; and 3) Authorize the City Clerk to release the Labor and Materials Bond and the Faithful Performance Bond upon expiration of the required lien period, if no claims or objections have been filed, upon concurrence of the Director of Public Works.

8. **APPROVE PLANS AND SPECIFICATIONS AND AWARD A SOLE-SOURCE PROCUREMENT CONTRACT PURSUANT TO CYPRESS MUNICIPAL CODE (CMC) SECTION 21A-18 FOR MYRA AVENUE PUMP STATION NO. 3, PUBLIC WORKS PROJECT NO. 22.**

Prepared by: Alvin Papa, Senior Civil Engineer

Recommended Action: That the City Council: 1) Approve the plans and specifications for the Myra Avenue Pump Station No. 3 Project, Public Works Project No. 22; and 2) Dispense with the formal bidding procedure pursuant to CMC Section 21A-18 and award a sole-source contract for procurement of pumps, motors, and drives for the Myra Avenue Pump Station No. 3 Project, Public Works Project No. 22, in the amount of \$397,666 to Flo-Systems, Inc. (Flo-Systems), Burbank, California; authorize a contingency of \$39,800 (10% of contract amount); and direct the Director of Public Works/City Engineer to act as Contract Officer.

9. **ACCEPTANCE OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2013.**

Prepared by: Richard Storey, Director of Finance and Administrative Services

Recommended Action: That the City Council receive and file the report.

10. [ACCEPTANCE OF THE INDEPENDENT ACCOUNTANTS' REPORT ON AGREED-UPON PROCEDURES APPLIED TO THE CITY OF CYPRESS' APPROPRIATIONS LIMIT WORKSHEET FOR THE YEAR ENDED JUNE 30, 2013.](#)

Prepared by: Richard Storey, Director of Finance and Administrative Services

Recommended Action: That the City Council receive and file the Independent Accountants' Report on Agreed-Upon Procedures Applied to the City of Cypress' Appropriations Limit Worksheet for the Year Ended June 30, 2013.

11. [ACCEPTANCE OF THE AUDIT LETTER AND AUDIT REPORT TO THE CITY COUNCIL FOR THE FISCAL YEAR ENDED JUNE 30, 2013.](#)

Prepared by: Richard Storey, Director of Finance and Administrative Services

Recommended Action: That the City Council receive and file the Auditor's Letter to the City Council.

12. [REVIEW OF INVESTMENT REPORT FOR THE MONTH OF NOVEMBER, 2013.](#)

Prepared by: Richard Storey, Director of Finance and Administrative Services

Recommended Action: That the City Council receive and file the Investment Report for the month of November, 2013.

13. [APPROVAL OF COMMERCIAL WARRANT LIST AND WIRE TRANSFERS FOR FISCAL YEAR 2013-14 FOR WARRANTS NO. 28453 THROUGH 28772.](#)

Prepared by: Richard Storey, Director of Finance and Administrative Services

Recommended Action: That the City Council approve the attached warrant registers and wire transfers for Fiscal Year 2013-14.

Recreation and Park District Matters:**14. ACCEPTANCE OF THE COMPONENT UNIT FINANCIAL REPORT OF THE CYPRESS RECREATION AND PARK DISTRICT FOR THE FISCAL YEAR ENDED JUNE 30, 2013.****Prepared by: Richard Storey, Director of Finance and Administrative Services**

Recommended Action: That the City Council, acting as the ex-officio Board of Directors for the Cypress Recreation and Park District, receive and file the report.

15. ACCEPTANCE OF THE INDEPENDENT ACCOUNTANTS' REPORT ON AGREED-UPON PROCEDURES APPLIED TO THE CYPRESS RECREATION AND PARK DISTRICT'S APPROPRIATIONS LIMIT WORKSHEET FOR THE YEAR ENDED JUNE 30, 2013.**Prepared by: Richard Storey, Director of Finance and Administrative Services**

Recommended Action: That the City Council, acting as the ex-officio Board of Directors of the Cypress Recreation and Park District, receive and file the Independent Accountants' Report on Agreed-Upon Procedures Applied to the Cypress Recreation and Park District's Appropriations Limit Worksheet for the Year Ended June 30, 2013.

16. ACCEPTANCE OF BANDAI FOUNDATION DONATION AND APPROPRIATION OF FUNDS FOR PURCHASES TO SUPPORT A YOUTH RECREATION PROGRAM.**Prepared by: June Liu, Director of Recreation and Community Services**

Recommended Action: That the City Council, acting as ex-officio governing Board of Directors for the Cypress Recreation and Park District: 1) Formally accept the donation in the amount of \$3,000 from the Bandai Foundation via the Cypress Children's Advocacy Council; and 2) Increase estimated revenue in 212-99999.3713 (Donations) by \$3,000 and increase appropriations by \$2,300 to 212-90310.4103_004 (Activity Supplies) and \$700 to 212-90310.4104_015 (Activity Clothing) for the purchase of supplies, uniforms and staff/coaches' shirts.

END OF CONSENT CALENDAR

NEW BUSINESS (17)

17. CONSIDERATION OF SUBMITTING A LETTER TO THE ASSOCIATION OF CALIFORNIA CITIES – ORANGE COUNTY. (MAYOR MILLS)

Prepared by: William Wynder, City Attorney

Recommended Action: That the City Council consider and provide direction to the Office of the City Attorney and staff regarding the following two matters: 1) Consider whether to direct the City Attorney to draft and submit a request, under the California Public Records Act, to the Association of California Cities – Orange County (“ACC-OC”) regarding the organization’s practice of withholding personnel and other non-confidential information and City’s intent to withhold payment in light of the same; and 2) Consider whether to direct staff to withhold payment of annual dues until there is resolution of the City’s Public Records Act request.

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.

No items.

ORAL COMMUNICATIONS

The public may at this time address the members of the City Council on any matters within the jurisdiction of the City Council provided that no action may be taken on off-Agenda items unless authorized by law. Speakers are requested to limit their comments to no more than five minutes each.

ITEMS FROM CITY COUNCIL MEMBERS

- **Reports on Committee Assignments**
- **Other Items**

ITEMS FROM CITY MANAGER

ADJOURNMENT

The next meeting will be an adjourned Regular Meeting, to be held on Monday, January 27, 2014 beginning at 5:30 p.m. in the Executive Board Room.

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 8th day of January, 2014.

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 10, 2014 WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ASSURE ACCESSIBILITY TO THIS MEETING.