



**AGENDA
CITY OF CYPRESS
CITY COUNCIL**

**REGULAR MEETING
MONDAY, FEBRUARY 24, 2014
6:30 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.

City Hall Directory:

*Administration – (714) 229-6680
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.

CALL TO ORDER

**6:30 P.M.
Council Chambers**

ROLL CALL

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

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, 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.

Recess the meeting to Closed Session.

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(a))

Davis v. City of Cypress

WCAB No. ADJ8563457

Claim No. 12-114533

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

(Pursuant to Government Code Section 54956.9(a))

DeYoung v. City of Cypress

WCAB No. ADJ8874505

Claim No. 13-115580

RECONVENE

**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

**REPORT OF WORKSHOP AGENDA/
CLOSED SESSION**

**CITY MANAGER
CITY ATTORNEY**

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.*

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)

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

1. **PUBLIC HEARING REGARDING CONDITIONAL USE PERMIT NO. 2014-02, A REQUEST TO OPERATE A PRIVATE GYM/WORKOUT FACILITY WITHIN AN EXISTING RETAIL LEASE SPACE LOCATED AT 4670 LINCOLN AVENUE IN THE PC PLANNED COMMUNITY ZONE AND THE RM RESIDENTIAL MIXED USE DISTRICT OF THE LINCOLN AVENUE SPECIFIC PLAN.**

Prepared by: Judy Aquino, Assistant Planner

Recommended Action: That the City Council adopt the Resolution by title only, title as follows, approving Conditional Use Permit No. 2014-02, subject to the conditions in Exhibit "A" of the Resolution and in accordance with the CEQA guidelines, a Categorical Exemption, Class 1 will be filed for this project.

A Resolution of the City Council of the City of Cypress,
Approving Conditional Use Permit No. 2014-02
– 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 (2 – 6)

2. **APPROVAL OF MINUTES.**
Meeting of February 10, 2014.
Prepared by: Denise Basham, City Clerk

Recommended Action: Approve as submitted.

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

4. **APPROVAL OF TASK ORDERS WITHIN THE EXISTING ON-CALL CONTRACT FOR DESIGN SERVICES FOR SEWER REHABILITATION AT VARIOUS LOCATIONS, PUBLIC WORKS PROJECT NOS. 116 AND 117.**

Prepared by: Dario Simoes, Associate Engineer

Recommended Action: That the City Council: 1) Approve a Task Order in the amount of \$99,691, within the existing agreement for On-Call Engineering Sewer Design Services, for the Sewer Rehabilitation at Various Locations – North of Cerritos Avenue, Public Works Project No. 116, to Lee & Ro, Inc. (Lee & Ro), City of Industry, California; authorize a contingency of \$14,950 (15% of contract amount) to be used for unforeseen work; and direct the Director of Public Works/City Engineer to act as Contract Officer; and 2) Approve a Task Order in the amount of \$76,520, within the existing agreement for On-Call Engineering Sewer Design Services, for the Sewer Rehabilitation at Various Locations – South of Cerritos Avenue, Public Works Project No. 117, to Harris and Associates (Harris), Irvine, California; authorize a contingency of \$11,480 (15% of contract amount) to be used for unforeseen work; and direct the Director of Public Works/City Engineer to act as Contract Officer.

5. **REVIEW OF INVESTMENT REPORT FOR THE MONTH OF JANUARY, 2014.**

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 January, 2014.

6. **APPROVAL OF COMMERCIAL WARRANT LIST AND WIRE TRANSFERS FOR FISCAL YEAR 2013-14 FOR WARRANTS NO. 28998 THROUGH 29170.**

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.

END OF CONSENT CALENDAR

NEW BUSINESS (7)

7. **CONSIDERATION OF SELECTION OF A SOLID WASTE SERVICES PROCUREMENT CONSULTANT.**

Prepared by: Andy Tse, Administrative Services Manager

Recommended Action: That the City Council consider and select a Solid Waste Services Procurement Consultant and direct staff to negotiate final price, service, and contract terms for City Council consideration at the March 10, 2014 City Council meeting.

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, March 10, 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 19th day of February, 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, FEBRUARY 21, 2014 WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ASSURE ACCESSIBILITY TO THIS MEETING.