



**AGENDA
CITY OF CYPRESS
CITY COUNCIL**

**REGULAR MEETING
MONDAY, MAY 12, 2014
5:00 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

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City Council Agendas/Minutes are available at www.ci.cypress.ca.us.

CALL TO ORDER

**5:00 P.M.
Executive Board Room**

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.

**WORKSHOP
SESSION****WORKSHOP ON FISCAL YEAR 2014-15 ANNUAL
BUDGET**

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:**PUBLIC EMPLOYEE APPOINTMENT**

(Pursuant to Government Code Section 54957)

To Consider Filling the Position of City Manager

CONFERENCE WITH LABOR NEGOTIATOR

(Pursuant to Government Code Section 54957.6)

Agency Negotiator: William Wynder

Employee Title:

City Manager

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

PUBLIC HEARINGS (1)

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

1. **PUBLIC HEARING REGARDING AMENDMENT TO CONDITIONAL USE PERMIT NO. 2013-08 AND DESIGN REVIEW COMMITTEE PERMIT NO. 2014-02, A REQUEST TO ADD 234 NEW HORSE STALLS AT THE LOS ALAMITOS RACE COURSE LOCATED AT 4961 KATELLA AVENUE IN THE PS-1A PUBLIC AND SEMI-PUBLIC ZONE.**
Prepared by: Doug Hawkins, Planning Manager

Recommended Action: That the City Council: 1) Adopt the Negative Declaration in accordance with the requirements of the California Environmental Quality Act (CEQA); and 2) Adopt the Resolutions by title only, titles as follows, approving Amendment to Conditional Use Permit No. 2013-08 and Design Review Committee Permit No. 2014-02, subject to the conditions in Exhibit "A" of the Resolutions.

A Resolution of the City Council of the City of Cypress Approving Amendment to Conditional Use Permit No. 2013-08 – With Conditions.

A Resolution of the City Council of the City of Cypress Approving Design Review Committee 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 – 14)

2. **APPROVAL OF MINUTES.**
Meeting of April 28, 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. **PROCLAIMING THE CITY OF CYPRESS' PARTICIPATION IN THE "DROWNING PREVENTION AWARENESS" CAMPAIGN.**

Prepared by: Denise Basham, City Clerk

Recommended Action: That the City Council officially proclaim its participation in the "Drowning Prevention Awareness" Campaign from May 26 – September 1, 2014.

5. **DESIGN REVIEW COMMITTEE PERMIT NO. 2014-01, A REQUEST BY AT&T MOBILITY TO CONSTRUCT A STEALTH, IMITATION TREE DESIGN ANTENNA FACILITY LOCATED AT 4496 LINCOLN AVENUE IN THE PC PLANNED COMMUNITY ZONE.**

Prepared by: Kori Sanders, Associate Planner

Recommended Action: That the City Council adopt the Resolution by title only, title as follows, approving Design Review Committee Permit No. 2014-01, subject to the conditions in Exhibit "A" of the Resolution. In accordance with California Environmental Quality Act (CEQA) guidelines, a Categorical Exemption, Class 3, will be filed for this project.

A Resolution of the City Council of the City of Cypress
Approving Design Review Committee Permit No. 2014-01
- With Conditions.

6. **AUTHORIZE EXECUTION OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CONTRACTS FOR FISCAL YEAR 2014-2015.**

Prepared by: Steve Clarke, Redevelopment Project Manager

Recommended Action: That the City Council adopt the Resolution by title only, title as follows, approving the City's participation in the Urban Counties Program for the expenditure of Community Development Block Grant (CDBG) funds, and authorize the Mayor, Interim City Manager, Acting Director of Community Development, and/or their designees to execute the associated contracts, and all other documents and instruments required by the County of Orange and/or the Federal Department of Housing and Urban Development (HUD) for participation in the Urban Counties Program, on behalf of the City Council.

A Resolution of the City Council of the City of Cypress
Authorizing the Execution of Two Contracts for the
Award of Community Development Block Grant (CDBG)
Funds Through the County of Orange for the Program
Year Spanning July 1, 2014 Through June 30, 2015.

7. **AWARD OF CONTRACT FOR BUILDING INSPECTION SERVICES.**
Prepared by: Bob Decker, Building Official

Recommended Action: That the City Council approve the consultant services agreement with Charles Abbott Associates (CAA) for contract building inspection, permit technician, and plan check services as described in the contract's scope of work.

8. **AWARD OF CONSTRUCTION CONTRACT AND AWARD OF TASK ORDER FOR CONSTRUCTION INSPECTION SERVICES FOR THE FISCAL YEAR 2013-14 CONCRETE REHABILITATION PROJECT, PUBLIC WORKS PROJECT NO. 114.**

Prepared by: Dario Simoes, Associate Engineer

Recommended Action: That the City Council: 1) Award a contract for the Fiscal Year 2013-14 Concrete Rehabilitation Project, Public Works Project No. 114, in the amount of \$445,850, to the lowest responsible bidder, FS Construction, Sylmar, California; authorize a contingency of \$66,800 (15% of Bid Amount); and direct the Director of Public Works/City Engineer to issue any necessary change orders to complete additional work within budgetary authority; and 2) Approve a Task Order for Construction Management and Inspection Services, in the amount of \$57,546, within the existing agreement for On-Call Construction/Management/Inspection/Engineering Services, for the Fiscal Year 2013-14 Concrete Rehabilitation Project, Public Works Project No. 114, to Vali Cooper and Associates, Inc. (VCA); authorize a contingency of \$8,600 (15% of contract amount) to be used for unforeseen work; and direct the Director of Public Works/City Engineer to act as Contract Officer.

9. **APPROPRIATION OF FUNDS FROM THE UNASSIGNED FUND BALANCE OF THE GENERAL FUND IN THE AMOUNT OF \$7,500 FOR PREPARATION OF A RESIDENTIAL REFUSE VEHICLE STREET MAINTENANCE COST IMPACT STUDY.**

Prepared by: Doug Dancs, Director of Public Works/City Engineer

Recommended Action: That the City Council approve an appropriation of \$7,500 from the Unassigned Fund Balance of the General Fund to Account No. 111-20120.4189_100 (Other Professional Services) for preparation of a street maintenance cost impact study.

10. **APPROVAL OF FINAL TRACT MAP NO. 17650. PROPERTY LOCATED AT 8612 LA SALLE STREET.**

Prepared by: Nick Mangkalakiri, Associate Engineer

Recommended Action: That the City Council approval Final Tract Map No. 17650 and authorize the City Clerk to sign the record map.

11. **APPROVAL OF FINAL TRACT MAP NO. 17629. PROPERTY LOCATED AT 6178 AND 6182 LINCOLN AVENUE.**

Prepared by: Dario Simoes, Associate Engineer

Recommended Action: That the City Council approve Final Tract Map No. 17629 and authorize the City Clerk to sign the record map.

12. **APPROPRIATION OF FUNDS FROM THE EQUIPMENT REPLACEMENT FUND AND NARCOTICS ASSET SEIZURE FUND FOR THE PURCHASE AND ANNUAL MAINTENANCE OF TWELVE (12) MOTOROLA MC75A HAND-HELD ELECTRONIC CITATION DEVICES AND RELATED ACCESSORIES.**

Prepared by: Jackie Gomez-Whiteley, Chief of Police

Recommended Action: That the City Council: 1) Approve the appropriation of \$71,284 to account number 721-95300.4305_200 (Equipment – Police) from the Equipment Replacement Fund available fund balance for the purchase of twelve (12) Motorola MC75A hand-held electronic citation devices and accessories; and 2) Approve a transfer in the amount of \$71,284 from the unreserved fund balance of the Narcotic Asset Seizure Fund (281-99999.4501_721) to the Equipment Replacement Fund (721-99999.3901_281) to fund the purchase of the electronic citation devices and accessories; and 3) Approve the annual appropriation of \$7,044 to account number 281-50179.4116 (Computer Hardware/Software) from the Narcotic Asset Seizure Fund restricted fund balance for the annual Integrated Law and Justice Agency of Orange County (ILJAO) Software and Hardware Maintenance Services; and 4) Grant signature authority to the positions of City Manager, Finance Director or Police Chief to execute the Automated Citations Project – Letter of Commitment.

13. **ADOPTION OF A RESOLUTION MODIFYING THE TEMPORARY PART-TIME AND SEASONAL EMPLOYEES HOURLY PAY RANGE SCHEDULE TO COMPLY WITH STATE LAW.**

Prepared by: Cathy Thompson, Human Resources Manager

Recommended Action: That the City Council, and acting as the ex-officio governing Board of Directors of the Cypress Recreation and Park District, adopt the Resolution by title only, title as follows, amending Resolution No. 6045 modifying the Temporary Part-Time and Seasonal Employees hourly pay range schedule.

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 No. 6045 Establishing Hourly Pay Ranges for Temporary Part-Time and Seasonal Positions.

14. **APPROVAL OF COMMERCIAL WARRANT LIST AND WIRE TRANSFERS FOR FISCAL YEAR 2013-14 FOR WARRANTS NO. 29892 THROUGH 30059.**

Prepared by: Matt Burton, Assistant 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

No items.

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.

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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 Tuesday, May 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 7th day of May, 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, MAY 9, 2014 WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ASSURE ACCESSIBILITY TO THIS MEETING.