



**AGENDA
CITY OF CYPRESS
CITY COUNCIL**

**REGULAR MEETING
MONDAY, AUGUST 25, 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:

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

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 GOLDEN STATE WATER PRESENTATION
REGARDING WATER CONSERVATION**

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.*

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 (1 - 2)

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

1. **PUBLIC HEARING REGARDING CONDITIONAL USE PERMIT NO. 2997, A REQUEST TO ALLOW A PRIVATE GYM/WORKOUT FACILITY WITHIN A PORTION OF AN EXISTING WAREHOUSE BUILDING LOCATED AT 8851 WATSON STREET IN THE PC PLANNED COMMUNITY ZONE AND THE IL INDUSTRIAL LIGHT 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. 2997, subject to the conditions in Exhibit "A" of the Resolution. In accordance with California Environmental Quality Act (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. 2997 – With
Conditions.

2. **PUBLIC HEARING REGARDING AMENDMENT NO. 2 TO CONDITIONAL USE PERMIT NO. 2013-08 AND AMENDMENT TO DESIGN REVIEW COMMITTEE PERMIT NO. 2013-03, A REQUEST TO ALLOW ADDITIONAL THOROUGHBRED RACING DATES 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 adopt the Resolutions by title only, titles as follows, approving Amendment No. 2 to Conditional Use Permit No. 2013-08 and Amendment to Design Review Committee Permit No. 2013-03, subject to the conditions in Exhibit "A" of the Resolutions. In accordance with California Environmental Quality Act (CEQA) guidelines, a Categorical Exemption, Class 23 will be filed for this project.

A Resolution of the City Council of the City of Cypress
Approving Amendment No. 2 to Conditional Use Permit
No. 2013-08 – With Conditions.

A Resolution of the City Council of the City of Cypress
Approving an Amendment to Design Review Committee
Permit No. 2013-03 – 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 – 13)

3. APPROVAL OF MINUTES.

Meeting of August 11, 2014.

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. PROCLAIMING THE MONTH OF SEPTEMBER 2014 AS “CHILDHOOD CANCER AWARENESS MONTH” IN THE CITY OF CYPRESS.

Prepared by: Denise Basham, City Clerk

Recommended Action: That the City Council officially proclaim the month of September 2014 as “Childhood Cancer Awareness Month” in the City of Cypress.

6. REJECTION OF ALL BIDS AND AUTHORIZATION TO SOLICIT NEW COMPETITIVE BIDS FOR STREET REHABILITATION PROJECT – OVERLAY, PUBLIC WORKS PROJECT NO. 123.

Prepared by: Dario Simoes, Associate Engineer

Recommended Action: That the City Council reject all bids and authorize the Director of Public Works to solicit new competitive bids for the Street Rehabilitation Project – Overlay, Public Works Project No. 123.

7. **AWARD OF CONSTRUCTION CONTRACT AND AWARD OF TASK ORDER FOR CONSTRUCTION INSPECTION SERVICES FOR THE STREET REHABILITATION PROJECT – SLURRY SEAL, PUBLIC WORKS PROJECT NO 119.**

Prepared by: Dario Simoes, Associate Engineer

Recommended Action: That the City Council: 1) Award a contract for the Street Rehabilitation Project – Slurry Seal, Public Works Project No. 119, in the amount of \$598,000, to the lowest responsible bidder, All American Asphalt, Corona, California; authorize a contingency of \$89,700 (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 \$59,210, within the existing agreement for On-Call Construction/Management/Inspection/Engineering Services, for the Street Rehabilitation Project – Slurry Seal, Public Works Project No. 119, to Vali Cooper and Associates, Inc. (VCA); authorize a contingency of \$8,882 (15% of contract amount) to be used for unforeseen work; and direct the Director of Public Works/City Engineer to act as Contract Officer.

8. **APPROVAL OF PLANS AND SPECIFICATIONS FOR SEWER REHABILITATION AT VARIOUS LOCATIONS, PUBLIC WORKS PROJECT NO. 117.**

Prepared by: Dario Simoes, Associate Engineer

Recommended Action: That the City Council approve the plans and specifications for Sewer Rehabilitation at Various Locations, Public Works Project No. 117.

9. **ACCEPTANCE OF RESIDENTIAL STREET REHABILITATION PROJECT, PUBLIC WORKS PROJECT NO. 95.**

Prepared by: Dario Simoes, Associate Engineer

Recommended Action: That the City Council: 1) Accept the Residential Street Rehabilitation Project, Public Works Project No. 95, as being satisfactorily completed in conformance with the project specifications, in the final amount of \$1,137,715.66; and 2) Approve the final retention payment of \$56,885.79 to All American Asphalt Company, Corona, California; 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.

10. [AWARD OF TASK ORDER FOR THE DESIGN OF CERRITOS AVENUE BIKE CORRIDOR IMPROVEMENT PROGRAM, PUBLIC WORKS PROJECT NO. 120.](#)

Prepared by: Nick Mangkalakiri, Associate Engineer

Recommended Action: That the City Council approve a Task Order for Engineering Design Services in the amount of \$78,577 for the Cerritos Avenue Bike Corridor Improvement Program, Public Works Project No. 120, to Rick Engineering Company; authorize a contingency of \$11,800 (15% of contract amount) to be used for unforeseen work; and direct the Director of Public Works/City Engineer to act as Contract Officer.

11. [ADOPTION OF SERVICE CONTRACT FOR COMMUNICATION SERVICES.](#)

Prepared by: Jackie Gomez-Whiteley, Chief of Police

Recommended Action: That the City Council: 1) Approve the appropriation of \$24,000 from the unassigned fund balance of the General Fund to account number 111-50161.4819_100 (Professional Services – Other) for contracted communication services; and 2) Grant signature authority to the positions of City Manager, Finance Director or Chief of Police to execute the agreement and any future agreements.

12. [REVIEW OF INVESTMENT REPORT FOR THE MONTH OF JULY, 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 July, 2014.

13. [APPROVAL OF COMMERCIAL WARRANT LIST AND WIRE TRANSFERS FOR FISCAL YEARS 2013-14 AND 2014-15 FOR WARRANTS NO. 31080 THROUGH 31253 AND 92413 THROUGH 92418.](#)

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 Years 2013-14 and 2014-15.

END OF CONSENT CALENDAR

NEW BUSINESS (14 – 15)

14. CONSIDERATION OF FILLING THE VACANCIES ON THE SENIOR CITIZENS AND TRAFFIC COMMISSION.

Prepared by: Denise Basham, City Clerk

Recommended Action: That the City Council provide direction to staff regarding the appointment process to fill the vacancies on the Senior Citizens Commission and the Traffic Commission.

15. CONSIDERATION OF CONSULTANT'S EVALUATION OF PROPOSERS FOR THE PROVISION OF THE CITY'S SOLID WASTE AND RECYCLING SERVICES AND CONSIDERATION OF SELECTING A COLLECTOR FOR NEGOTIATIONS OF A NEW EXCLUSIVE RESIDENTIAL AND COMMERCIAL FRANCHISE AGREEMENT.

Prepared by: June Liu, Recreation and Community Services Director and Alisha Farnell, Management Analyst

Recommended Action: That the City Council consider taking the following actions (and do so in the order presented): 1) Review the evaluation, scoring report, and recommendation from Sloan Vazquez and ask the consultant questions; and 2) Select the enhancement(s) and/or other options to be incorporated into the new franchise; and 3) Select one of the proposing collectors; and 4) Direct staff, the City Attorney's office, and Sloan Vazquez to negotiate a new exclusive residential and commercial franchise agreement covering the period from July 1, 2015 through June 30, 2025; and 5) Direct staff to return to the City Council on September 8, 2014, with a proposed franchise agreement for consideration, possible approval, and execution by the Mayor.

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 (16):

16. **[ADOPTION OF THE ADMINISTRATIVE BUDGET FOR THE CYPRESS SUCCESSOR AGENCY FOR THE SIX-MONTH PERIOD OF JANUARY 1, 2015 THROUGH JUNE 30, 2015.](#)**

Prepared by: Richard Storey, 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 January 1, 2015 through June 30, 2015.

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, September 8, 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 20th day of August, 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, AUGUST 22, 2014 WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ASSURE ACCESSIBILITY TO THIS MEETING.