



**AGENDA
CITY OF CYPRESS
CITY COUNCIL**

**REGULAR MEETING
MONDAY, NOVEMBER 10, 2014
6:00 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

**6:00 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. Although individual Council Members may provide brief responses to the oral communications, the City Council may not discuss or take action 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 TO REVIEW CITY COUNCIL GOALS**

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 - ANTICIPATED LITIGATION
(Pursuant to Government Code Section 54956(d)(4)
Number of Cases: One**

**CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(Pursuant to Government Code Section 54956(d)(2) or (d)(3) & (e)(1)
Number of Cases: One**

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**

PRESENTATIONS

RECOGNITION OF CYPRESS VETERAN ALEX OLEA

RECOGNITION OF CITY ATTORNEY WILLIAM WYNDER

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 (1 – 2)

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

1. **PUBLIC HEARING REGARDING AMENDMENT NO. 4 TO CONDITIONAL USE PERMIT NO. 84-5, A REQUEST TO UPGRADE AN EXISTING ABC LICENSE FROM OFF-SALE BEER AND WINE TO OFF-SALE GENERAL ALCOHOL AT THE TARGET STORE LOCATED AT 6835 KATELLA AVENUE IN THE PC-1 PLANNED COMMUNITY BUSINESS PARK ZONE.**

Prepared by: Kori Sanders, Associate Planner

Recommended Action: That the City Council adopt the Resolution by title only, title as follows, approving Amendment No. 4 to Conditional Use Permit No. 84-5, 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 Amendment No. 4 to Conditional Use Permit No. 84-5 – With Conditions.

2. **PUBLIC HEARING REGARDING AN AMENDMENT TO CONDITIONAL USE PERMIT NO. 2009-01, A REQUEST TO MODIFY AN EXISTING MONOPALM-TYPE ANTENNA FACILITY LOCATED AT 6046½ 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 Amendment to Conditional Use Permit No. 2009-01, 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 Amendment to Conditional Use Permit No. 2009-01 – 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 – 12)**3. APPROVAL OF MINUTES.**

Meeting of October 27, 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. ACCEPTANCE OF MYRA AVENUE STORM DRAIN (SD2) PROJECT, PUBLIC WORKS PROJECT NO. 84.**

Prepared by: Dario Simoes, Associate Civil Engineer

Recommended Action: That the City Council: 1) Accept the Myra Avenue Storm Drain (SD2) Project, Public Works Project No. 84, as being satisfactorily completed in conformance with the project specifications, in the final amount of \$3,615,920.39; and 2) Approve the final retention payment of \$178,516.02 to Excel Paving, Long Beach, 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 Community Development.

6. APPROVAL OF FINAL TRACT MAP NO. 17745. PROPERTY LOCATED AT 4861 AND 4891 CAMP STREET.

Prepared by: Nick Mangkalakiri, Associate Civil Engineer

Recommended Action: That the City Council approve Final Tract Map No. 17745 and authorize the City Clerk to sign the record map.

7. **ADOPTION OF RESOLUTION AUTHORIZING SUBMITTAL OF APPLICATION TO THE DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY FOR THE RUBBERIZED PAVEMENT GRANT PROGRAM.**

Prepared by: Nick Mangkalakiri, Associate Civil Engineer

Recommended Action: That the City Council adopt the Resolution by title only, title as follows, authorizing submittal of an application to the Department of Resources Recycling and Recovery (CalRecycle) for the Rubberized Pavement Grant Program.

A Resolution of the City Council of the City of Cypress, Authorizing Submittal of Application to the Department of Resources Recycling and Recovery for the Rubberized Pavement Grant Program.

8. **RECEIVE AND FILE FOR A CHANGE OF ADDRESS FOR 6125 CHIP AVENUE.**

Prepared by: Doug Hawkins, City Planner

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

9. **AMENDMENT NO. 2 TO DESIGN REVIEW COMMITTEE PERMIT NO. 87-34, A REQUEST TO EXPAND THE LOADING DOCK AREA AND EXTEND THE SATURDAY LOADING HOURS AT AN OFFICE/WAREHOUSE BUILDING LOCATED AT 11150 HOPE STREET IN THE PC-2 PLANNED COMMUNITY BUSINESS PARK ZONE.**

Prepared by: Kori Sanders, Associate Planner

Recommended Action: That the City Council adopt the Resolution by title only, title as follows, approving Amendment No. 2 to Design Review Committee Permit No. 87-34, 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 Amendment No. 2 to Design Review Committee Permit No. 87-34 – With Conditions.

10. **APPOINTMENT OF CITY TREASURER.**

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

Recommended Action: That the City Council, and acting as the ex-officio Board of Directors of the Cypress Recreation and Park District, appoint Matt Burton, Director of Finance and Administrative Services, as Treasurer of the City of Cypress.

11. **ADOPTION OF A RESOLUTION ESTABLISHING A 401(A) GOVERNMENTAL MONEY PURCHASE PLAN AND AUTHORIZING THE EXECUTION OF PLAN DOCUMENTS.**

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, adopt the Resolution by title only, title as follows, establishing a 401(a) Governmental Money Purchase Plan and authorizing the execution of a Governmental Money Purchase Plan and Trust Agreement with ICMA Retirement Corporation (ICMA-RC).

A Resolution of the City Council of the City of Cypress, and Acting as Ex-Officio Governing Board of Directors of the Cypress Recreation and Park District, Adopting a 401(a) Governmental Money Purchase Plan.

12. **APPROVAL OF COMMERCIAL WARRANT LIST AND WIRE TRANSFERS FOR FISCAL YEAR 2014-15 FOR WARRANTS NO. 32102 THROUGH 32288.**

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

Recommended Action: That the City Council approve the attached warrant registers and wire transfers for Fiscal Year 2014-15.

END OF CONSENT CALENDAR

NEW BUSINESS

No items.

RECREATION & PARK DISTRICT MATTERS (13)

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

13. **CONSIDERATION OF ADOPTION OF A GENDER EQUITY POLICY AND GRIEVANCE PROCEDURES TO MEET AB 2404 RELATED TO DISCRIMINATION IN ATHLETIC PROGRAMS.**

Prepared by: June Liu, Director of Recreation and Community Services

Recommended Action: That the City Council, acting as the ex-officio Board of Directors for the Cypress Recreation and Park District, adopt the proposed Gender Equity Policy and the Gender Grievance Procedures as related to AB 2404 (Steinberg) – Discrimination: Athletic Programs.

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 Monday, November 24, 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 5th day of November, 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, NOVEMBER 7, 2014 WILL ENABLE THE CITY TO MAKE REASONABLE ARRANGEMENTS TO ASSURE ACCESSIBILITY TO THIS MEETING.