AGENDA

REGULAR MEETING
CYPRESS CITY COUNCIL
March 13, 2023
5:00 P.M.

www.cypressca.org

5275 Orange Avenue
Cypress, California

PUBLIC PARTICIPATION

Members of the public can participate in this meeting as follows:

1. Attend In-Person. First-come, first-served seating is available in the Council Chambers. Face coverings are recommended and all in-person attendees must be free of any symptoms associated with COVID-19.

2. Attend Virtually via Webinar. This option provides the ability to provide live public comments during Oral Communications or Public Hearings and view slideshow presentations. Please register at **https://attendee.gotowebinar.com/register/7190586572935358807** to receive an email containing a link to join the webinar. Advance registration is recommended.

3. Watch the Meeting. The City Council meeting can be viewed live on Spectrum Cable Channel 36 or on the City's website at **www.cypressca.org/watchlive**.

4. Listen to the Meeting. The public may participate via the listen-only teleconference mode by calling (562) 247-8422 and entering Access Code 138-026-038 when prompted. No registration or audio pin is necessary.

5. Submit Public Comments Prior to the Meeting. The public may submit comments via email to cityclerk@cypressca.org. Comments submitted by 3:00 p.m. on March 13, 2023 will be added to the City Council agenda as a Consent Calendar item.

CALL TO ORDER

5:00 P.M.
Executive Board Room

ROLL CALL
Cypress City Council, also acting as the Ex-Officio Governing Board of Directors of the Cypress Recreation and Park District

Mayor Anne Hertz-Mallari
Mayor Pro Tem Scott Minikus
Council Member David Burke
Council Member Frances Marquez
Council Member Bonnie Peat

ORAL COMMUNICATIONS (Three minutes per speaker, unless extended by the City Council)

The public may address the City Council on matters appearing on the Closed Session or Workshop agenda. Although Council Members may provide brief responses, the City Council may not discuss or take action on items that are not on its agenda.

If you would like to address the City Council in person, please complete a Speaker's Card. If you would like to address the City Council via the meeting webinar, please click the 'hand raise' button, unmute your microphone and wait for the Mayor or City Clerk to call on you.
 = Hand Raise  = Unmute

Speakers providing comments in person will be called first. Speakers shall limit their comments to no more than three minutes.

Alternatively, comments may be submitted to cityclerk@cypressca.org prior to 3:00 p.m. on March 13, 2023. All comments submitted via email prior to the deadline will be added to the agenda as a Consent Calendar item.

WORKSHOP SESSION

Housing Element Implementation Update

CLOSED SESSION

LIABILITY CLAIMS
Pursuant to Section 54956.95
Claimant: Council Member Frances Marquez
Agency claimed against: City of Cypress

RECONVENE
6:00 P.M.
Council Chambers

ROLL CALL
Cypress City Council, also acting as the Ex-Officio Governing Board of Directors of the Cypress Recreation and Park District

Mayor Anne Hertz-Mallari
Mayor Pro Tem Scott Minikus
Council Member David Burke
Council Member Frances Marquez
Council Member Bonnie Peat

PLEDGE OF ALLEGIANCE

INVOCATION First Baptist Church of Cypress

The City Council does not endorse the content of the invocation and does not endorse the invocational speaker's particular faith, belief and/or religious denomination. The City Council has an established neutral policy for selecting and scheduling invocational speakers. The City Council's policy on invocations is available from the City Clerk.

REPORT OF WORKSHOP AGENDA / CLOSED SESSION
City Manager/City Attorney

PRESENTATIONS

Introduction of New City Employees

ORAL COMMUNICATIONS (Limited to 30 minutes – three minutes per speaker, unless extended by the City Council)

The public may address the City Council on any matters prior to any action taken on the agenda. Although Council Members may provide brief responses, the City Council may not discuss or take action on items that are not on its agenda.

If you would like to address the City Council in person, please complete a Speaker's Card. If you would like to address the City Council via the meeting webinar, please click the 'hand raise' button, unmute your microphone and wait for the Mayor or City Clerk to call on you.

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Speakers providing comments in person will be called first. Speakers shall limit their comments to no more than three minutes.

Alternatively, comments may be submitted to cityclerk@cypressca.org prior to 3:00 p.m. on March 13, 2023. All comments submitted via email prior to the deadline will be added to the agenda as a Consent Calendar item.

PUBLIC HEARINGS

Public comments – five minutes per speaker, unless extended by the City Council.

If you would like to provide comments on a Public Hearing item in person, please complete a Speaker's Card available at the podium. If you would like to provide comments on a Public Hearing item via the meeting webinar, please click the 'hand raise' button, unmute your microphone and wait for the Mayor or City Clerk to call on you.

 = Hand Raise  = Unmute

Speakers providing comments in person will be called first. Members of the public providing comments via webinar are encouraged to also submit a written copy of their comments to cityclerk@cypressca.org prior to 3:00 p.m. on March 13, 2023. This will ensure your comments are included in the record should you experience any technical difficulties during the public hearing.

Council Members should disclose communications with anyone relevant to a Public Hearing item.

1. **Approve a Site Plan Review, Tentative Parcel Map, and Mitigated Negative Declaration for the Goodman Commerce Center at 5757 Plaza Drive**

   Prepared by: Alicia Velasco, Planning Director

   Recommendation: Open the public hearing, take public testimony and close the public hearing without taking any action.

CONSENT CALENDAR

All matters listed on the Consent Calendar are to be approved with one motion unless a Council Member requests separate action on a specific item.

2. **Receive and File Public Comments Submitted for the March 13, 2023 City Council Meeting**

   Prepared by: Alisha Farnell, City Clerk

   Recommendation: Receive and file submitted public comments.

3. **Introduce and/or Adopt All Ordinances and Resolutions Presented for Consideration by Title Only and to Waive Further Reading**

4. **Approve a Task Order for Design Services for Electric Vehicle Charging Stations at City Facilities, Project 321**

   Prepared by: Doug Dancs, Director of Public Works

   Recommendation: Approve a Task Order to BOA Architecture for $61,500 for design services and authorize a contingency of $6,200.

5. Accept the Oak Knoll Park Parking Lot Resurfacing, Project 332

Prepared by: Doug Dancs, Director of Public Works

Recommendation:

1. Accept the Oak Knoll Park Parking Lot Resurfacing, Project 332, in the amount of $58,799.50 and approve the final payment of $2,550.00 to JB Bostick Company; and

2. Authorize the City Engineer to file a Notice of Completion with County Recorder.

6. Approve Register of Warrants, Transfers, and Wires Issued for the Period of February 11, 2023 through February 24, 2023

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

Recommendation: Approve the attached payment register summarized below for the period of February 11, 2023 through February 24, 2023:

- Electronic Funds Transfers 12659 through 12768
- Warrants 61724 through 61849
- Payroll Transfers W1496

NEW BUSINESS

7. Approve Revisions to the Boards, Commissions and Committees Policy Manual

Prepared by: Alisha Farnell, City Clerk

Recommendation: Adopt a Resolution approving the ninth revision to the Boards, Commissions and Committees Policy Manual.

8. Approve Updates to City Council Meeting Agenda Structure and Discuss Meeting Location and Cablecast/Streaming

Prepared by: Peter Grant, City Manager

Recommendation: Approve updates to City Council meeting agenda structure.

9. Receive an Update from the City Manager and Provide Direction Regarding the Civility, Conduct, Ethics and Governance Policy

Prepared by: Peter Grant, City Manager

Recommendation: Receive an update on the Civility, Conduct, Ethics and Governance Policy and provide direction.

ORAL COMMUNICATIONS (Five minutes per speaker, unless extended by the City Council)

The public may address the City Council on any item within the subject matter jurisdiction of the City Council. Although Council Members may provide brief responses, the City Council may not discuss or take action on items that are not on its agenda.

If you would like to address the City Council in person, please complete a Speaker's Card. If you would like to address the City Council via the meeting webinar, please click the 'hand raise' button, unmute your microphone and wait for the Mayor or City Clerk to call on you.

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Speakers providing comments in person will be called first. Speakers shall limit their comments to no more than five minutes.

Alternatively, comments may be submitted to cityclerk@cypressca.org prior to 3:00 p.m. on March 13, 2023. All comments submitted via email prior to the deadline will be added to the agenda as a Consent Calendar item.

COUNCIL MEMBER REPORTS AND REMARKS

CITY MANAGER REMARKS

ADJOURNMENT - IN MEMORY OF CYPRESS RESIDENT AND POLICE DEPARTMENT VOLUNTEER DICK SHERMET

The next meeting will be an adjourned Regular Meeting, to be held on Monday, March 27, 2023, 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 March, 2023.

_____

Alisha Farnell, City Clerk

In compliance with the Americans With Disabilities Act, if you need special assistance to participate in this meeting, you should contact the City Clerk at (714) 229-6685 at least 72 hours prior to the meeting to enable the City to make reasonable arrangements to assure accessibility to this meeting.

CITY OF CYPRESS

CITY COUNCIL REPORT

City Council Regular **1.**

FROM: Alicia Velasco, Planning Director

DATE: 03/13/2023

SUBJECT: **Approve a Site Plan Review, Tentative Parcel Map, and Mitigated Negative Declaration for the Goodman Commerce Center at 5757 Plaza Drive**

RECOMMENDATION

Open the public hearing, take public testimony and close the public hearing without taking any action.

SUMMARY

Special Notice: The public hearing was originally scheduled to occur at the February 27, 2023 regular City Council meeting. At the applicant's request the City Council continued the public hearing to March 13, 2023. The applicant subsequently requested the City Council reschedule the hearing to a future meeting, date uncertain. The new public hearing date will be re-noticed.

GLC Cypress, LLC (Goodman) submitted an application for a Site Plan Review and Tentative Parcel Map for the redevelopment of 5757 Plaza Drive. The project consists of two new warehouse buildings totaling 390,000 square feet and 460 parking spaces. The existing structure, which was originally developed as a warehouse for Mitsubishi, will be demolished. An Initial Study and Mitigated Negative Declaration (IS/MND) were prepared and found that, with mitigation and the recommended conditions of approval, no significant impacts will result from the project. The project is recommended for approval because it complies with the intent, requirements, and development standards of the Cypress General Plan, the McDonnell Center Specific Plan, and the Subdivision Map Act.

DISCUSSION

Special Notice: The public hearing was originally scheduled to occur at the February 27, 2023 regular City Council meeting. At the applicant's request the City Council continued this item to the March 13, 2023 regular meeting. Prior to March 13, 2023, the applicant requested the City Council reschedule the hearing to a future meeting, date uncertain. The new public hearing date will be re-noticed.

Background

The McDonnell Center Specific Plan was adopted in 1982 (and amended in 1994) and designates 71.23 acres for business park uses. The existing warehouse was approved in 1984, with subsequent approvals for expansion and loading docks in 1987 and 2001. A Site Plan Review (SPR) to modify the building was approved by the City Council in 2021; however, construction was never initiated.

In 2000, the former property owner purchased a strip of former Union Pacific Railway right-of-way to the north of the site and built additional parking for the warehouse. Because the property was owned by Union Pacific, it is not included in the McDonnell Center Specific Plan, and instead is zoned Semi-Public (PS). The PS zone was established to set aside properties for public uses; therefore, the parking stalls located within this area are required to be available for public use from 7 p.m. to 6 a.m., Monday through Friday, and all day on Saturday and Sunday (CUP No. 2000-04). This condition remains, is recorded against the property, and is also incorporated into the included conditions of approval.

Project Description

The project is an 18.6-acre site on Plaza Drive west of Valley View Street. The project includes two warehouse buildings in the center of the site and separated by a loading area and surface parking. The proposed tentative parcel map divides the site into two parcels, each with one warehouse.

Building 1, on the eastern parcel, is 204,909 square feet (sf) and includes a 194,909 sf warehouse and 10,000 sf office. Building 2, on the western parcel, is 185,359 sf and includes a 175,359 sf warehouse and 10,000 sf office. Each building has 25 dock high loading doors facing the interior and separated by a 135-foot truck court. Surface parking (460 spaces) is located around the perimeter of the project, along with ornamental landscaping.

Subject Property and Surrounding Land Uses

The site is developed with a 338,653 sf two-story warehouse, surface parking and landscaping. Existing water, sewer, and dry utilities along Plaza Drive serve the site. The warehouse will be demolished as part of the project.

The project site is bounded by the following uses:

Direction	**Land Use**	**Zoning**
North	Office/Light Industrial	PC 5 – Cypress View Limited Specific Plan
South	Office/Parking Garage	PC 3 – McDonnell Center Specific Plan
East	Office/Surface Parking	PC 3 - McDonnell Center Specific Plan
West	Office/Surface Parking	PC 3 - McDonnell Center Specific Plan

Regulatory Control

General Plan/Zoning/Specific Plan and Required Discretionary Actions

The General Plan designates the majority of the site as “Specific Plan Area” and is zoned PC-3, subject to the McDonnell Center Specific Plan (Specific Plan). The site is in Planning Area 2 of the Specific Plan, which is intended for warehousing and light industrial uses. The proposed warehouses are a permitted use in Planning Area 2.

The Specific Plan requires Site Plan Review for all proposed development that requires a building permit and increases square footage. Section VI.C.6 of the Specific Plan establishes the required findings for approval of a Site Plan Review, which are included with the Site Plan

Review resolution. Uses permitted by right in the Specific Plan, such as light manufacturing, storage, and warehousing will be able to occupy a building(s) through the City's administrative review process. Other uses, such as recycling centers, vocational schools, or distribution facilities, require City Council review and approval of a conditional use permit. No tenants are currently proposed for either building.

A tentative parcel map (TPM) requires City Council approval subject to required findings outlined in both the City's Subdivision Ordinance and State law. The required findings for approval of the TPM are included in the attached TPM resolution.

Development Standards
The project meets all development standards established by the Specific Plan:

Standards	Required	Proposed
Minimum Building Setback (from Plaza Dr.)	30 feet	83'-11"
Minimum Building Setback (from interior PL)	5 feet	West: 66'-6" North: 59'-9" East: 42'-0"
Minimum Surface Parking Setbacks	10 feet	16'-10"
Maximum Height	99 feet	47'-6"
Maximum Lot Coverage	60%	46.8%
Maximum Floor Area Ratio	1.0	0.48

Site Plan Review

Access, Parking, and Loading
The site is accessible by four existing driveways along Plaza Drive, which provide access to internal drive aisles and the loading area. To provide pedestrian access, a condition of approval requires a five-foot wide curb on the adjacent sidewalk along Plaza Drive, connecting to the existing sidewalk west of the site (Condition No. 15.1).

The Specific Plan establishes minimum parking requirements by use. The project exceeds the requirement.

Land Use	Parking Standards	Parking Required
Office	1 space / 250 sf	80 Spaces
Warehousing and Distribution	1st 20,000 sf: 2 spaces / 1,000 sf 2nd 20,000 sf:1 space / 2,000 sf Above 40,000 sf: 1 space / 4,000 sf	40 Spaces 10 Spaces 83 Spaces
Spaces Required		**213 spaces**
Spaces Provided		**460 spaces**

The northernmost 60 feet of the site is in the PS zone. CUP No. 2000-04 required an easement restricting the parking in this area to public parking to maintain consistency with the intent of the PS zone. The site plan includes 118 parking spaces in the PS-zone and the project exceeds the parking requirement even if these spaces are excluded. Conditions are recommended to ensure the easement is recorded against the two new parcels resulting from TPM No. 2023-101 and requiring signage indicating when the parking is open to the public (7 p.m. - 6 p.m., Monday - Friday; all day, Saturday - Sunday) (Condition Nos. 2.7 and 2.8).

The Specific Plan requires loading facilities be screened from off-site view. The Project includes 25 loading docks for each building facing the interior of the site. The buildings are designed to screen the docks from off-site view.

Building Design and Landscaping

The proposed buildings are consistent with the Specific Plan design guidelines and complement the character of surrounding buildings. The buildings are a contemporary architectural style, with a neutral color palate and a variety of materials. Each building features a prominent primary entrance, which is enhanced by increased building height, a canopy, and blue reflective glazing. The buildings are sustainably designed, including:

- Leadership in Energy and Environmental Design LEED) Certified
- Carbon neutral construction (Goodman will offset 100% of construction emissions)
- Photovoltaic solar arrays
- Electric vehicle chargers for customers and employees

In addition to a landscape buffer along Plaza Drive, the Specific Plan requires parking lot landscaping at a rate of 20 sf per space and contains standards relating to the number and size of trees, shrubs, and groundcover. The landscaping must also comply with the Water Efficient Landscape Ordinance within the Municipal Code. Conditions of approval are included to ensure these requirements are met at the time of landscape plan submittal (Condition Nos. 6.1-6.5).

Traffic Impacts

A Traffic Impact Analysis was prepared to determine the number of trips the project would generate and the impact on nearby intersections. The analysis found that the project is not anticipated to result in any operational or level of service (LOS) deficiencies with the implementation of the required mitigation measures included in the Mitigation Monitoring and Reporting Program. The project is anticipated to generate a total of 956 daily trips, with 53 trips during the AM peak hour and 54 trips in the PM peak hour. Compared to the existing use (when fully occupied), this is a net decrease of 930 daily trips, with associated net decreases during the AM and PM peak hours. Although the project is not anticipated to create a traffic impact, Goodman has agreed to contribute $150,000 towards traffic signal improvements at Valley View Street and Plaza Drive.

A vehicle miles traveled (VMT) analysis was also prepared and concluded the project will have a less than significant VMT impact.

Tentative Parcel Map

The proposed tentative parcel map would divide the existing lot into two parcels. The east parcel (Building 1) is 10.27 acres and the west parcel (Building 2) is 8.37 acres. With the recommended conditions of approval, the map complies with all requirements of the Municipal Code and Subdivision Map Act.

CONSISTENCY WITH GENERAL PLAN OBJECTIVES

The project is consistent with the following General Plan goals/policies:

LU-1: Create a well-balanced land use pattern that accommodates existing and future needs for housing, commercial, industrial and open space/recreation uses, while providing adequate community services to residents.

LU-2: Ensure that new development is compatible with surrounding land uses, the circulation network, availability of public facilities, and existing development constraints.

LU-10: Carefully regulate future development in the Business Park to ensure the current high quality environment is maintained.

The project will contribute to the continued economic vitality of the Cypress Business Park by replacing an older warehouse with updated buildings. The project is compatible with surrounding warehousing and office uses and the design of the building integrates well with the design of other buildings in the Specific Plan. The site will receive updated parking and landscaping areas, further enhancing the site and surrounding area.

ENVIRONMENTAL REVIEW

Initial Study/Mitigated Negative Declaration

An Initial Study and Mitigated Negative Declaration (IS/MND) were prepared in accordance with CEQA guidelines and made available for a 20-day public review period from February 6 through February 27, 2023. No comments were received prior to drafting the agenda report. The IS/MND provides an analysis of all State-mandated environmental issue areas and found the project will have no potential impact or a less than significant impact with the implementation of the required mitigation measures included in the Mitigation Monitoring and Reporting Program (MMRP). The MMRP also includes measures to ensure regulatory compliance with other city and state regulations.

PUBLIC HEARING / PUBLIC OUTREACH PROCESS

Public hearing notices were posted and mailed to all property owners within 500 feet of the project and to those who responded to the Draft IS/MND. All public noticing requirements have been met. All written communication related to the public hearing received prior to publishing the City Council agenda is attached. Written communication submitted by 3 p.m. on February 27 will be part of the public hearing administrative record.

ALTERNATIVE ACTIONS

If the City Council identifies issues which should be addressed prior to taking action on this application, the City Council may consider:

1. Adding conditions of approval to address concerns;
2. Continuing the public hearing and directing staff to work with the applicant to resolve the issues; or
3. Continuing the public hearing, making findings for denial and directing staff to return to City Council with a resolution for denial.

BUDGET IMPACT

The project will pay one-time permit and development fees.

LEGAL REVIEW

None Required.

APPROVED BY: Peter Grant, City Manager

Attachments

Site Plan Review Resolution
Initial Study Mitigated Negative Declaration and Mitigation Monitoring Program
Project Conditions
Tentative Parcel Map Resolution
Tentative Parcel Map
Vicinity Map
Project Plans

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CYPRESS, CALIFORNIA, APPROVING SITE PLAN REVIEW NO. 2022-05, FOR THE DEVELOPMENT OF TWO WAREHOUSE BUILDINGS AND ASSOCIATED PARKING AND LANDSCAPING ON AN 18.6-ACRE SITE LOCATED AT 5757 PLAZA DRIVE IN THE MCDONNELL CENTER SPECIFIC PLAN, IN THE CITY OF CYPRESS, CALIFORNIA.

WHEREAS, the City Council of the City of Cypress has considered an application submitted by GLC Cypress, LLC ("Developer") for the development of two warehouse buildings and associated parking and landscaping on an 18.6-acre site located at 5757 Plaza Drive in the McDonnell Center Specific Plan (the "Project"); and

WHEREAS, the Project requires the following to be approved by the City Council: an Initial Study/Mitigated Negative Declaration ("IS/MND"), a Vesting Tentative Parcel Map (VTPM No. 2023-101), and a Site Plan Review (SPR No. 2022-05); and

WHEREAS, an application was filed for approval of a Site Plan Review for the Project in accordance with the provisions of Section VI.C of the McDonnell Center Specific Plan ("Specific Plan"); and

WHEREAS, the City Council has reviewed the goals and objectives of the General Plan as laid out in the City Council staff report dated February 27, 2023, and finds that the Project is consistent with the intent of the General Plan; and

WHEREAS, on February 27, 2023, the City Council held a duly noticed public hearing and considered testimony on the application; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), an Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for the proposed project and released to the public on February 6, 2023, for a 20-day review period. All required notifications were provided pursuant to CEQA (Public Resources Code Section 21092.5) and all comment letters were incorporated into the Final IS/MND; and

WHEREAS, the City Council finds that the applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this Resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of the citizenry in general and the persons who work, visit or live in this development in particular.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CYPRESS, CALIFORNIA, DOES HEREBY RESOLVE, based upon substantial evidence taken from the administrative record and at the public hearing, AS FOLLOWS:

SECTION 1. Findings. Pursuant to the Section VI.C.6 of the Specific Plan, the City Council finds, after due study and deliberation that the following circumstances exist:

1. The proposed project is compatible with the intent and purpose of the Specific Plan.

   The Project is compatible with the intent and purpose of the McDonnell Center Specific Plan. The project is located in Planning Area 2, which is intended for warehousing and light industrial uses. The proposed warehouse buildings are a permitted use in Planning Area 2. With approval of the conditions included in Exhibit "A", the project maintains the cohesive nature of the Specific Plan area in regards to landscaping, access, and other factors.

2. Development of the Site Plan will not have an adverse impact on the public health, safety, interest, convenience, or the general welfare.

   With approval of the conditions included in Exhibit "A", the Project will not be materially detrimental to the public health, safety or general welfare. Further, the IS/MND found the Project had a less than significant impact with the implementation of the required mitigation measures included in the Mitigation Monitoring and Reporting Program (MMRP).

3. The Site Plan is compatible with the intent and purpose of the regulations and design guidelines of the McDonnell Center Specific Plan.

   With approval of the conditions included in Exhibit "A", the Project meets all the development standards required by the McDonnell Center Specific Plan. The architectural design of the warehouses is consistent with the Specific Plan design guidelines in that it incorporates a variety of materials, an enhanced building entrance, and a contemporary style. The Project landscaping will enhance the site and maintain the visual appeal intended for the Specific Plan area.

SECTION 2. CEQA The City Council confirms that it has reviewed and considered the Final IS/MND and MMRP for the Project. The IS/MND and MMRP have been prepared, noticed, and are hereby adopted according to the requirements of the California Environmental Quality Act.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Cypress hereby approves Site Plan Review No. 2022-05, subject to the applicable conditions included in Exhibit "A". The decision of the City Council is final and conclusive as to all things involved.

PASSED, APPROVED and ADOPTED by the City Council of the City of Cypress at a regular meeting held on the 27th day of February, 2023.

_____
MAYOR OF THE CITY OF CYPRESS

ATTEST:

_____
CITY CLERK OF THE CITY OF CYPRESS

STATE OF CALIFORNIA)
COUNTY OF ORANGE)SS

I, ALISHA FARNELL, City Clerk of the City of Cypress, DO HEREBY CERTIFY that the foregoing Resolution was duly adopted at a regular meeting of the said City Council held on the 27th day of February, 2023, by the following roll call vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

_____
CITY CLERK OF THE CITY OF CYPRESS

INITIAL STUDY/
MITIGATED NEGATIVE DECLARATION

GOODMAN COMMERCE CENTER

CYPRESS, CALIFORNIA

FEBRUARY 2023

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TABLE OF CONTENTS

1.0 INTRODUCTION 1-1
1.1 Contact Person 1-1
2.0 PROJECT DESCRIPTION 2-1
2.1 Project Overview 2-1
2.2 Project Location and Site Description 2-1
2.3 Project Characteristics 2-7
2.4 Discretionary Actions and Non-Discretionary Permits/Approvals 2-12
3.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED 3-1
3.1 Determination 3-1
4.0 EVALUATION OF ENVIRONMENTAL IMPACTS 4-1
4.1 Aesthetics 4.1-1
4.2 Agriculture and Forestry Resources 4.2-1
4.3 Air Quality 4.3-1
4.4 Biological Resources 4.4-1
4.5 Cultural Resources 4.5-1
4.6 Energy 4.6-1
4.7 Geology and Soils 4.7-1
4.8 Greenhouse Gas Emissions 4.8-1
4.9 Hazards and Hazardous Materials 4.9-1
4.10 Hydrology and Water Quality 4.10-1
4.11 Land Use and Planning 4.11-1
4.12 Mineral Resources 4.12-1
4.13 Noise 4.13-1
4.14 Population and Housing 4.14-1
4.15 Public Services 4.15-1
4.16 Recreation 4.16-1
4.17 Transportation 4.17-1
4.18 Tribal Cultural Resources 4.18-1
4.19 Utilities and Service Systems 4.19-1
4.20 Wildfire 4.20-1
4.21 Mandatory Findings of Significance 4.21-1
5.0 RECOMMENDATION 5-1
6.0 MITIGATION MONITORING AND REPORTING PROGRAM 6-1
6.1 Mitigation Monitoring Requirements 6-1
6.2 Mitigation Monitoring Procedures 6-2
7.0 LIST OF PREPARERS AND PERSONS CONSULTED 7-1
7.1 City of Cypress 7-1
7.2 IS/MND Preparers 7-1
7.3 Technical Report Preparers 7-1

7.4 Project Applicant 7-2
8.0 REFERENCES 8-1

APPENDICES

A: CalEEMod Output Data
B: Phase I Environmental Site Assessment
C: Geotechnical Evaluation
D: Preliminary Water Quality Management Plan
E: Noise Measurements and Modeling Results
F: Traffic Analysis
G: Vehicle Miles Traveled Analysis
H: Tribal Consultation Correspondence

FIGURES AND TABLES

FIGURES

Figure 2-1: Regional Location 2-3
Figure 2-2: Aerial Photograph and Surrounding Land Uses 2-5
Figure 2-3: Conceptual Site Plan 2-9
Figure 4.13-1: Noise Monitoring Locations 4.13-9

TABLES

Table 2.A: Non-Discretionary Permits/Approvals 2-12
Table 4.3.A: SCAQMD Construction and Operation Thresholds of Significance (lbs/day) 4.3-2
Table 4.3.B: SCAQMD LST Thresholds (lbs/day) 4.3-3
Table 4.3.C: Short-Term Regional Construction Emissions 4.3-6
Table 4.3.D: Project Operational Emissions 4.3-7
Table 4.3.E: Construction Localized Emissions 4.3-9
Table 4.3.F: Operational Localized Emissions 4.3-10
Table 4.6.A: Estimated Annual Energy Use 4.6-4
Table 4.8.A: GHG Emissions (MT/yr) 4.8-4
Table 4.11.A: RTP/SCS Consistency Analysis 4.11-3
Table 4.11.B: General Plan Consistency Analysis 4.11-4
Table 4.13.A: Human Response to Different Levels of Ground-Borne Noise and Vibration 4.13-3
Table 4.13.B: Exterior Noise Level Standards 4.13-4
Table 4.13.C: Interior Noise Level Standards 4.13-6
Table 4.13.D: Construction Vibration Damage Criteria 4.13-7
Table 4.13.E: Existing Noise Level Measurements 4.13-11
Table 4.13.F: Typical Maximum Construction Equipment Noise Levels (L_{max}) 4.13-13
Table 4.13.G: Traffic Noise Levels Without and With Proposed Project 4.13-15
Table 4.13.H: Vibration Source Amplitudes for Construction Equipment 4.13-19
Table 4.17.A: Proposed Project Trip Generation Comparison 4.17-2
Table 4.17.B: Baseline Project and Regional VMT Per Employee Comparison 4.17-4
Table 4.19.A: Orange County Class III Landfills 4.19-10
Table 4.19.B: Solid Waste Disposal in the City of Cypress 4.19-12
Table 6.A: Mitigation Monitoring and Reporting Program 6-3

LIST OF ABBREVIATIONS AND ACRONYMS

AAQS	ambient air quality standards
AB	Assembly Bill
ACM	asbestos-containing materials
ADT	average daily traffic
AELUP	Airport Environs Land Use Plan
afy	acre-feet per year
amsl	above mean sea level
AQMP	Air Quality Management Plan
AUHSD	Anaheim Union High School District
BACM	best available control measures
Basin	South Coast Air Basin
bgs	below ground surface
BMPs	Best Management Practices
BTU	British thermal units
CA MUTCD	California Manual on Uniform Traffic Control Devices
CAAQS	California ambient air quality standards
CAL FIRE	California Department of Forestry and Fire Protection
CalEEMod	California Emissions Estimator Model
CalEPA	California Environmental Protection Agency
CALGreen Code	California Green Building Standards Code
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation

CARB	California Air Resources Board
CBC	California Building Code
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CDMG	California Division of Mines and Geology
CEC	California Energy Commission
CEQA	California Environmental Quality Act
cf	cubic feet
CGS	California Geological Survey
CH_4	methane
City	City of Cypress
CNDDB	California Natural Diversity Database
CNEL	community noise equivalent level
CO	carbon monoxide
CO_2	carbon dioxide
CO_2e	carbon dioxide equivalents
Cortese List	Hazardous Waste and Substances Sites List
County	County of Orange
CPD	Cypress Police Department
CSD	Cypress School District
dB	decibel
dBA	A-weighted decibel
DOC	Department of Conservation
DTSC	California Department of Toxic Substances Control

EIR	Environmental Impact Report
EO	Executive Order
ESA	Environmental Site Assessment
EV	electric vehicle
FAA	Federal Aviation Administration
FEMA	Federal Emergency Management Agency
FHSZ	fire hazard severity zones
FHWA	Federal Highway Administration
FIRM	Federal Insurance Rate Maps
FRAP	Fire and Resources Assessment Program
FTA	Federal Transit Administration
GHG	greenhouse gas
gpm	gallons per minute
GSWC	Golden State Water Company
GWh	gigawatt hours
HCOC	hydrologic condition of concern
HFCs	hydrofluorocarbons
HVAC	heating, ventilation, and air conditioning
I-5	Interstate 5
I-605	Interstate 605
in/sec	inches/second
IS/MND	Initial Study/Mitigated Negative Declaration
ITE	Institute of Transportation Engineers
JFTB	Joint Forces Training Base

kWh	kilowatt hours
LBP	lead-based paint
L_{dn}	day-night average noise level
L_{eq}	equivalent continuous sound level
LID	Low Impact Development
L_{max}	maximum instantaneous noise level
LOS	levels of service
LRAs	Local Responsibility Areas
LST	localized significance threshold
MBTA	Migratory Bird Treaty Act
McDonnell Specific Plan	McDonnell Center Amended Specific Plan
MLD	Most Likely Descendant
MRZs	Mineral Resource Zones
MS_4	North Orange County Municipal Separate Storm Sewer System
MT CO2e	metric tons of carbon dioxide equivalent
MWD	Metropolitan Water District of Southern California
MWDOC	Municipal Water District of Orange County
N_2O	nitrous oxide
NAAQS	national ambient air quality standards
NAHC	Native American Heritage Commission
NAVD88	North American Vertical Datum of 1988
NCCP/HCP	Natural Community Conservation Plan/Habitat Conservation Plan
NOI	Notice of Intent
NO_X	nitrogen oxides

NPDES	National Pollutant Discharge Elimination System
O_3	ozone
OCFA	Orange County Fire Authority
OCTA	Orange County Transportation Authority
OCWR	Orange County Waste & Recycling
OITC	Outdoor-Indoor Sound Transmission Class
OPR	Governor's Office of Planning and Research
P.A.C.E.	Personnel & Training, Positive Actions thru Character Education
Pb	lead
PCE	passenger car equivalents
PCH	Pacific Coast Highway
PFCs	Perfluorocarbons
PM_{10}	particulate matter less than 10 microns in size
$PM_{2.5}$	particulate matter less than 2.5 microns in size
PPV	peak particle velocity
PRC	Public Resources Code
PRD	Permit Registration Documents
proposed project	Goodman Commerce Center Project
PV	photovoltaic
RMS	root-mean-square
RTP/SCS	Regional Transportation Plan/Sustainable Communities Strategy
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCAG	Southern California Association of Governments

SCAQMD	South Coast Air Quality Management District
SCCIC	South Central Coastal Information Center
SCE	Southern California Edison
SF_6	sulfur hexafluoride
SGMA	Sustainable Groundwater Management Act
SMARA	Surface Mining and Reclamation Act
SMARTS	Stormwater Multiple Application and Report Tracking System
SO_2	sulfur dioxide
SoCalGas	Southern California Gas Company
SPL	sound power levels
SR-1	State Route 1
SR-22	State Route 22
SR-55	State Route 55
SR-91	State Route 91
SRAs	State Responsibility Areas
STC	Sound Transmission Class
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TAC	toxic air contaminants
TAZ	transportation analysis zone
TCRs	Tribal Cultural Resources
TIA	Traffic Impact Analysis
TISG	Transportation Impact Study Guide
tpd	tons per day

TSCA	Toxic Substances Control Act
USDOT	U.S. Department of Transportation
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
UWMP	Urban Water Management Plan
VdB	vibration velocity decibel
VHFHSZ	very high fire hazard severity zones
VMT	vehicle miles traveled
VOCs	volatile organic compounds
WDID	Waste Discharge Identification Number
WQMP	Water Quality Management Plan

1.0 INTRODUCTION

In accordance with the California Environmental Quality Act (CEQA) and the *State CEQA Guidelines*, this Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared for the proposed Goodman Commerce Center Project (proposed project) at 5757 Plaza Drive in the City of Cypress (City), California. Consistent with *State CEQA Guidelines* Section 15071, this IS/MND includes a description of the proposed project, an evaluation of the potential environmental impacts, and findings from the environmental analysis.

This IS/MND evaluates the potential environmental impacts that may result from development of the proposed project. The City is the Lead Agency under CEQA and is responsible for adoption of the IS/MND and approval of the project.

1.1 CONTACT PERSON

Any questions or comments regarding the preparation of this IS/MND, its assumptions, or its conclusions should be referred to:

Alicia Velasco, Planning Director
City of Cypress Community Development Department
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Phone: (714) 229-6720
Email: avelasco@cypressca.org

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2.0 PROJECT DESCRIPTION

This section describes the proposed Goodman Commerce Center Project (proposed project) that is evaluated in this Initial Study/Mitigated Negative Declaration (IS/MND). A description of the proposed project's location, characteristics, and required approvals is provided below.

2.1 PROJECT OVERVIEW

The proposed project would include the construction of two new warehouse buildings on an approximately 18.6-acre site at 5757 Plaza Drive (project site) in the City of Cypress (City).

2.2 PROJECT LOCATION AND SITE DESCRIPTION

The project site is located in the southern part of the City, which is located in northwestern Orange County, California. The project site is located north of the intersection of Plaza Drive and McDonnell Drive (Assessor's Parcel Number 241-101-26). Local access to the project site is provided by Plaza Drive. The project site is approximately 3.5 miles south of State Route 91 (SR-91), approximately 4.8 miles southwest of Interstate 5 (I-5), approximately 2.8 miles east of Interstate 605 (I-605), and approximately 2.2 miles north of State Route 22 (SR-22). Figure 2-1, Regional Location, shows the location of the project site within the City and the larger northwestern Orange County region.

Land uses surrounding the project site include a variety of office and light industrial uses to the north, office uses and a surface parking lot to the east, office uses and a parking garage to the south, and a surface parking lot and office uses to the west.

The project site is generally flat and developed with an approximately 336,643-square-foot two-story warehouse and office building, a surface parking lot, and ornamental landscaping. The existing building is partially occupied by a food distribution facility and a private university. A total of 151,486 square feet of space is currently under lease. An existing office space within the building is also vacant. Historically, the project site was in agricultural production until the existing building was constructed in the late 1980s. Figure 2-2, Aerial Photograph and Surrounding Land Uses, provides an aerial view of the project site and surrounding land uses. As shown in Figure 2-2, the project site is generally rectangular, except for the surface parking on the eastern portion of the site that is bordered by Plaza Drive that connects to Valley View Street.

2.2.1 Land Use and Zoning

The project site is within the boundaries of the McDonnell Center Amended Specific Plan (McDonnell Specific Plan, approved October 11, 1994), and is, therefore, designated as the McDonnell Specific Plan in the City's General Plan Land Use Element. The McDonnell Specific Plan Area is divided into six planning areas that are designated either industrial/warehouse, office, or commercial. The McDonnell Specific Plan also constitutes the zoning for the project site.

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Figure 2-1: Regional Location

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Figure 2-2: Aerial Photograph and Surrounding Land Uses

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The project site is within Planning Area 2 and is currently zoned for industrial/warehouse, which allows for light manufacturing, storage and warehousing, and offices, among various other uses.[1]

The proposed project would not include or require any amendments to the City's General Plan, the McDonnell Specific Plan, or the City's Zoning Ordinance.

2.3 PROJECT CHARACTERISTICS

The proposed project would include the demolition of the existing building on the project site and the construction of two new warehouse buildings that would total approximately 390,268 square feet in size, as well as associated site improvements including landscaping, surface parking, and utility improvements.

2.3.1 Site Design/Layout

The proposed project would include two new warehouse buildings that would be located in the center of the project site and separated by a loading area and surface parking. Figure 2-3, Conceptual Site Plan, shows the conceptual site plan for the proposed project. Building 1, which would be located on the eastern half of the project site, would be approximately 204,909 square feet in size, including 194,909 square feet of warehouse space and 10,000 square feet of office space that would be evenly split between the first and second floors and located either on the northeast or southeast corner of the building. Building 2, which would be located on the western half of the project site, would be approximately 185,359 square feet in size, consisting of 175,359 square feet of warehouse space and 10,000 square feet of office space that would be evenly split between the first and second floors and be located either at the northwest or southwest corner of the building. The two buildings combined would include a total of 370,268 square feet of warehouse space and 20,000 square feet of office space. Both buildings would be two stories and a maximum of approximately 47 feet, 6 inches, in height to the top of the parapet. Based on the Applicant's experience with similar warehouse projects, the proposed project is estimated to generate approximately 190 employees.

As described above, the proposed buildings would be separated in the middle by a loading area. Each building would include 25 loading docks that would face the interior of the project site. Surface parking and landscaped areas would generally surround the remainder of the proposed buildings.

2.3.2 Operational Characteristics

The ultimate end user has not been identified at this time; therefore, specific details about the future operation are not currently available. It is assumed that the proposed buildings would operate 24 hours per day, 7 days per week, depending on business and operational needs. Additionally, it is assumed that up to 50 percent of the warehouse space may be refrigerated, and that up to 50 percent of all trucks accessing the project site would have transport refrigeration units.

[1] City of Cypress. McDonnell Center Amended Specific Plan. Adopted October 1994. Page 47. Website: https://www.cypressca.org/home/showpublisheddocument/9697/637363718993530000 (accessed October 7, 2022)

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Figure 2-3: Conceptual Site Plan

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2.3.3 Access and Parking

The project site is currently accessible by four driveways located along Plaza Drive. The proposed project would maintain the general locations of the existing driveways, which would provide access to internal drive aisles and the loading area at the center of the project site. Separate 40-foot-wide aisles would be provided within the loading area for each building. The proposed project would also be required to install a sidewalk along the Plaza Drive frontage as a condition of approval. The sidewalk would be approximately 5 feet.

A total of 450 surface parking stalls would be provided across the project site, consisting of 329 standard stalls, 58 clean air van pool/electric vehicle (EV) charging spaces, 44 future EV charging spaces, and 19 accessible parking spaces that would include 5 EV charging spaces. Surface parking would generally be located around the perimeter of the project site.

2.3.4 Landscaping

The majority of on-site landscaping would be situated along the perimeter of the project site and within the surface parking lot. Trees and ornamental vegetation would border the project site on all sides. Additional landscaping would be provided near the pedestrian entrance to Building 1, which would include enhanced landscaped areas, decorative paving, and outdoor meeting space. Of the existing 156 trees on the project site, 84 would be removed (including 35 for construction of the new sidewalk) and 283 new trees would be planted. To the extent feasible, the proposed project would use drought-tolerant vegetation and non-invasive plantings, consistent with Chapter 29, Article I, Water Efficient Landscape Requirements, of the City's Municipal Code. Parking areas would feature landscaping consistent with Cypress Municipal Code Section 3.13.060, which requires that parking areas shall include landscaped buffer zones between parking areas and rights-of-way, and between parking areas and drive aisles.

2.3.5 Utilities and Drainage

New water and sewer lines would be constructed on site and would connect to the existing water lines and sewer mains within Plaza Drive. An existing storm drain pipe runs within the project site parallel to Plaza Drive. The proposed project would include the removal and replacement of the pipe with a 24-inch pipe that would redirect the flow from the adjacent property to the east, which currently flows through a tributary to the existing pipe. The electrical utilities for the project site will be provided by Southern California Edison (SCE) and connect to existing lines on the project site. Solid waste services will be provided by Valley Vista Services of Orange County.

The proposed project would be required to comply with all federal, State, and local regulations related to drainage and water quality. After project grading and construction, the proposed project would decrease the impervious surface area on the project site. A Preliminary Water Quality Management Plan has been prepared for the proposed project.

2.3.6 Conservation and Sustainability Features

The proposed project would be designed to comply with the water efficiency and energy conservation requirements included in the California Building Standards Code (California Code of Regulations [CCR], Title 24).

2.3.7 Construction Schedule

Development of the proposed project would require the demolition of existing structures on the site, including on-site crushing; excavation and grading of the site; delivery of materials and personnel; construction of the buildings and parking areas; and landscaping of the project site. Construction of the proposed project would occur in a single phase. Development is anticipated to take approximately 12 months, beginning in March 2023 and ending February 2024. Construction is expected to occur on weekdays between the hours of 7:00 a.m. and 5:00 p.m. Per Section 13-70 of the City's Municipal Code, Special Provisions, construction is permitted within the City between 7:00 a.m. and 8:00 p.m. on weekdays, and 9:00 a.m. and 8:00 p.m. on Saturdays. No noise-generating construction activities are permitted on Sundays or on federal holidays.

Based on the preliminary grading plans, approximately 35,962 cubic yards of material would need to be exported from the project site. Demolition, grading, and building activities would involve the use of standard earthmoving equipment such as loaders, excavators, bulldozers, cranes, and other related equipment.

All construction equipment and materials, including construction employees' personal motor vehicles, would be staged on site or on an alternative off-site location selected and approved by the City.

2.4 DISCRETIONARY ACTIONS AND NON-DISCRETIONARY PERMITS/APPROVALS

The City is the Lead Agency and has principal authority and jurisdiction over all land use entitlements within its incorporated boundaries. The proposed project would require the following discretionary approvals by the City:

- Approval and adoption of the IS/MND;
- Approval of a subdivision/parcel map; and
- Approval of a Site Plan Review.

Other non-discretionary actions anticipated to be taken by the City and additional agencies at the staff level as part of the proposed project include, but are not limited to, the actions detailed in Table 2.A, below.

Table 2.A: Non-Discretionary Permits/Approvals

Agency	Permit/Approval
City of Cypress Public Works Department, Building and Safety Division	Demolition, building, and grading permits
State Water Resources Control Board (SWRCB)	Waste Discharge Identification Number (WDID) for the General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, NPDES No. CAS000002 as amended by 2010-0013-DWQ and 2012-0006-DWQ)
Santa Ana Regional Water Quality Control Board (RWQCB) (Region 8)	Waste Discharge Identification Number (WDID) for the General Waste Discharge Requirements for Discharge to Surface Waters that Pose an Insignificant (*De Minimis*) Threat to Water Quality (Order No. R8-2015-0004 NPDES No. CAG998001)
Orange County Fire Authority (OCFA)	Plan Approval, including emergency access and fire water supply

3.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist in Chapter 4.0.

☐ Aesthetics	☐ Agriculture and Forestry Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Energy
☐ Geology/Soils	☐ Greenhouse Gas Emissions	☐ Hazards & Hazardous Materials
☐ Hydrology/Water Quality	☐ Land Use/Planning	☐ Mineral Resources
☐ Noise	☐ Population/Housing	☐ Public Services
☐ Recreation	☐ Transportation	☐ Tribal Cultural Resources
☐ Utilities/Service Systems	☐ Wildfire	☐ Mandatory Findings of Significance

3.1 DETERMINATION On the basis of this initial evaluation:

☐ I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

☐ I find that the proposed project MAY have a "Potentially Significant Impact" or "Potentially Significant Unless Mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature _____ Date _____

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4.0 EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

   a) Earlier Analysis Used. Identify and state where they are available for review.

   b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared

or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

   a) The significance criteria or threshold, if any, used to evaluate each question; and

   b) The mitigation measure identified, if any, to reduce the impact to less than significant.

4.1 AESTHETICS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Discussion

The following section is based on the architectural plans, building elevations, and landscape plan included in the development plans for the proposed project and the City of Cypress (City) Municipal Code. This section is also based on Section IV: Design Guidelines of the City's McDonnell Center Amended Specific Plan (McDonnell Specific Plan) (1994).

Impact Analysis

a) Would the project have a substantial adverse effect on a scenic vista?

No Impact. A scenic vista is defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. Aesthetic components of a scenic vista generally include (1) scenic quality, (2) sensitivity level, and (3) view access. Although the City of Cypress does not provide a definition of scenic vistas, potential scenic vistas include areas with views of the coastline, mountains, or other prominent scenic features that are considered significant visual resources for residents and businesses.

The project site is visible from several public roadways surrounding the project site (Plaza Drive, Valley View Street, and Corporate Avenue). The City is almost entirely developed and neither the project site nor other properties in the project vicinity provide substantial views of any water bodies, mountains, hilltops, or any other significant visual resources. As such, the City has not designated any scenic corridors or scenic vistas within the City. The project site is located in a flat area and is surrounded by urban development, including a variety of office and light industrial uses to the north, office uses and a surface parking lot to the east, office uses and a parking garage to the south, and a surface parking lot and office uses to the west.

Buildings in the vicinity of the project site include a variety of office and light industrial uses to the north, office uses and a surface parking lot to the east, office uses and a parking garage to the south, and a surface parking lot and office uses to the west. Buildings in the vicinity of the project site include office and commercial buildings that range from one to five stories, and a five-story parking structure south of Plaza Drive. Both of the proposed project's buildings would be two stories, with a maximum of approximately 47 feet, 6 inches, in height to the top of the parapet wall. The McDonnell Specific Plan allows a maximum building height of 99 feet[2], which the proposed project does not exceed. As described above, the proposed buildings would be separated in the middle by a loading area. Each building would include 25 loading docks that would face the interior of the project site. Surface parking and landscaped areas would generally line the perimeter of the proposed buildings.

As there are no scenic resources that could be blocked by the proposed project and the surrounding area is characterized by office and light industrial development and an adjacent five-story parking structure, the proposed project would neither alter an existing scenic vista nor block views of any scenic vistas. For these reasons, the development of the proposed project would not have a substantial adverse effect on a scenic vista. Therefore, no impact would occur. No mitigation is required.

b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. The California Department of Transportation (Caltrans) Scenic Highway Program protects the natural scenic beauty of the State's highways and corridors through its designated scenic highways throughout the State. Caltrans defines a scenic highway as any freeway, highway, road, or other public right-of-way that traverses an area of exceptional scenic quality. Other considerations given to a scenic highway designation include how much of the natural landscape a traveler may see and the extent to which visual intrusions degrade the scenic corridor.

The project site is not located in the vicinity of a State Scenic Highway. According to the List of Eligible and Officially Designated State Scenic Highways published by Caltrans, the only State-designated Scenic Highway in the County is a 4-mile portion of State Route 91 (SR-91) from State Route 55 (SR--55) to east of the Anaheim city limits.[3] This portion of SR-91 is approximately 12 miles northeast of the project site. The nearest State highway that is eligible for official designation as a State Scenic Highway is a portion of Pacific Coast Highway (PCH or State Route 1 [SR-1]), which is located approximately 5.75 miles southwest of the project site in the City of Seal Beach. Due to distance and intervening land uses, no portion of the project site or surrounding area is viewable from the officially designated portion of SR-91 or the eligible portion of PCH. As such, the project would not result in impacts related

[2] City of Cypress. McDonnell Center Amended Specific Plan. Adopted October 1994. Page 50. Website: https://www.cypressca.org/home/showpublisheddocument/9697/637363718993530000 (accessed October 7, 2022).

[3] California Department of Transportation (Caltrans). 2018. California State Scenic Highway System Map Website: https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca (accessed September 1, 2022).

to the substantial damage of scenic resources within a State Scenic Highway. Therefore, there would be no impact, and no mitigation is required.

c) In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Less Than Significant Impact. According to the United States Census Bureau, the City of Cypress is located within the Los Angeles—Long Beach—Anaheim, CA Urbanized Area.[4] As described in the *State CEQA Guidelines* Section 15387 and defined by the United States Census Bureau, an "urbanized area" is a central city or a group of contiguous cities with a population of 50,000 or more people, together with adjacent densely populated areas having a population density of at least 1,000 people per square mile.[5] Because the City is located in an urbanized area, the project site is also located within an urbanized area. Further, surrounding land uses in the vicinity of the project site are representative of urban densities.

In its existing condition, the project site consists of approximately 18.69 acres of land currently developed with a two-story office/warehouse building (248,623 square feet) and its associated surface parking lot. There are 20 loading docks on the northern side of the office/warehouse building. The project site is bounded on the east by Valley View Street, on the south by Plaza Drive, and on the north and west by office/light industrial uses.

As stated previously, the project site is visible from several public roadways surrounding the project site (Plaza Drive, Valley View Street, and Corporate Avenue), and land uses surrounding the project site are urbanized with office and light industrial uses.

The project site is within the City's Planning Area 2 of the McDonnell Center Specific Plan Area (PC-3) and is currently zoned for industrial/warehouse, which allows for light manufacturing, storage and warehousing, and offices, among various other uses.

As part of the project approval process, an amendment to the General Plan is not necessary as the proposed project would not include or require any amendments to the City's General Plan, the McDonnell Specific Plan, or the City's Zoning Ordinance as the project includes a warehouse use. Therefore, the proposed project would not conflict with applicable zoning and other regulations governing scenic quality. As such, impacts would be less than significant, and no mitigation is required.

d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

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4 United States Census Bureau. 2010a. Los Angeles—Long Beach—Anaheim, CA Urbanized Area No. 51445. Website: https://www2.census.gov/geo/maps/dc10map/UAUC_RefMap/ua/ua51445_los_angeles--long_beach--anaheim_ca/DC10UA51445_000.pdf (accessed September 1, 2022).

5 United States Census Bureau. 2010b. Census Urban Area FAQs. Website: https://www.census.gov/programs-surveys/geography/about/faq/2010-urban-area-faq.html (accessed September 1, 2022).

Less Than Significant Impact. The impact of nighttime lighting depends upon the type of use affected, the proximity to the affected use, the intensity of specific lighting, and the background or ambient level of the combined nighttime lighting. Nighttime ambient light levels may vary considerably depending on the age, condition, and abundance of point-of-light sources present in a particular view. The use of exterior lighting for security and aesthetic illumination of architectural features may contribute to ambient nighttime lighting conditions. Spillover light can be problematic in areas where the ambient conditions are very dark, and there are specialized uses that depend on that darkness.

The spillover of light onto adjacent properties has the potential to interfere with certain activities, including vision, sleep, privacy, and the general enjoyment of the natural nighttime condition. Light-sensitive uses include residential, some commercial and institutional uses, and, in some situations, natural areas. Changes in nighttime lighting may become significant if a proposed project substantially increases ambient lighting conditions beyond its property line and project lighting routinely spills over into adjacent light-sensitive land use areas.

Reflective light (glare) is caused by sunlight or artificial light reflecting from finished surfaces (e.g., window glass) or other reflective materials. Glass and other materials can have many different reflectance characteristics. Buildings constructed of highly reflective materials from which the sun reflects at a low angle commonly cause adverse glare. Reflective light is common in urban areas. Glare generally does not result in the illumination of off-site locations but results in a visible source of light viewable from a distance.

Nighttime illumination impacts are evaluated in terms of the project's net change in ambient lighting conditions and proximity to light-sensitive land uses. The project site is currently developed with a two-story office/warehouse building and associated asphalt parking lot. Two warehouse spaces are occupied by Bar Bakers (a food distribution facility) and a private university. The remaining warehouse and office space is vacant.

As discussed above, the project site is surrounded by a variety of office/light industrial uses. The nearest light-sensitive land uses are residential uses, located approximately 2,000 feet northeast of the project site on Ferne Avenue and 2,300 feet southeast of the project site on Barbados Avenue. Other sources of light on and adjacent to the project site include exterior lighting from adjacent properties, streetlights, and vehicle headlights.

***Construction*.** Construction activities would occur primarily during daylight hours. The project would be required to comply with Section 13-70, Special Provisions, of the City's Municipal Code, which requires that construction activities occur only between the hours of 7:00 a.m. and 8:00 p.m. on weekdays and between 9:00 a.m. and 8:00 p.m. on Saturdays. Any construction-related illumination during evening and nighttime hours would be shielded to the extent feasible and would consist of the minimum lighting required for safety and security purposes only and would occur only for the duration required for the temporary construction process. Due to its limited scope and short duration, light resulting from construction activities would not substantially impact sensitive uses, substantially alter the character of off-site areas surrounding the construction area or interfere with the performance of an off-site activity. Minor glare from sunlight on construction equipment and vehicle windshields is not anticipated to impact visibility in the area because (1) relatively few construction vehicles and pieces of construction equipment would be used on the project site, and (2) the construction site

would be fenced and shielded from pedestrian and vehicular views. In addition, construction vehicles would not be operating at night and thus would not create nighttime sources of glare. Therefore, construction of the proposed project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area, and light impacts associated with construction would be less than significant. No mitigation would be required.

***Operation*.** In the existing condition, the project site produces exterior light and glare from a lighted surface parking area and wall-mounted building lighting. Several light poles exist throughout the existing surface parking lot and are an existing source of light on the project site. Existing sources of light in the project vicinity are typical of commercial areas and include headlights on nearby roadways, building facade and interior lighting, and pole-mounted lighting in the parking areas of adjacent developments. Lighting from existing distant development within the City also contributes to the background lighting in the project vicinity.

The proposed project's ultimate end user has not been identified at this time; therefore, specific details about the future operation are not currently available. It is assumed that the proposed buildings would operate 24 hours per day, 7 days per week, depending on business and operational needs.

The proposed project would include lighting that would be distributed throughout the project site. A mix of lighting would be used to balance both safety lighting and ambient/enhanced lighting throughout the site. Light fixtures would be specified and located to incorporate shielding to minimize and eliminate lighting spill over from the project site into neighboring properties. All exterior lighting associated with the proposed project would be implemented in conformance with the exterior lighting requirements in Section M of the McDonnell Specific Plan, which include the following:

1. All exterior lighting shall be shielded and confined within site boundaries.

2. Light standards and fixtures in parking areas shall not exceed twenty-five (25) feet in height. Security lighting fixtures shall not project above the fascia or roofline of the building.

Additionally, the proposed project's exterior lighting would be required to comply with the City's Lighting Standards 3.11.060, Exterior Lighting, and Section 3.10.060, Light and Glare, of the City's Zoning Ordinance. Section 3.10.060, Light and Glare, requires that light and glare associated with residential uses is shielded or directed to avoid illuminating adjacent properties or causing glare that affects motorists. The proposed project would also be required to comply with Cypress Municipal Code Section 3.11.060, Exterior Lighting, which requires that (1) lighting fixtures are appropriate in height, intensity, and scale to the use they are serving; (2) the level of parking lot lights is between 2 and 4 footcandles at the base of the light fixture; and (3) light sources visible from outside a project's boundary are shielded to reduce glare so that neither the light source nor its image from a reflective surface shall be directly visible from any point beyond the property line. Compliance with Cypress Municipal Code Sections 3.10.060 and 3.11.060 would minimize light and glare spillover impacts related to the proposed project. Impacts related to glare from on-site lighting would not occur because the exterior building materials would not include highly reflective materials.

Therefore, lighting provided as part of the proposed project would be largely consistent with the type and intensity of existing lighting in the vicinity of the project site. The final lighting plans for the project would be subject to review and approval as part of the site plan review process. In addition, compliance with the City's Municipal Code would ensure sufficient lighting for safety purposes while also ensuring that all exterior lighting would be directed, positioned, or shielded from adjacent land uses. As such, the proposed project would not create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area, and impacts would be less than significant. No mitigation is required.

4.2 AGRICULTURE AND FORESTRY RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒

Impact Analysis

a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

No Impact. As shown in Figure 2-2, Aerial Photograph and Surrounding Land Uses, the project site is currently developed with several buildings and parking lots and is surrounded by industrial, residential, and commercial/office uses. The project site is not used for agricultural production and is not designated Prime Farmland, Unique Farmland, or Farmland of Statewide Important on maps prepared as part of the Farmland Mapping and Monitoring Program by the California Department of Conservation (DOC). As of 2016, the entire project site and surrounding area is designated as "Urban and Built Up Land."[6] The proposed project would not convert farmland to a non-agricultural use. The nearest Prime Farmland is located approximately 4,000 feet southwest of the site. Therefore, no impacts to agricultural resources would occur, and no mitigation is required.

[6] California Department of Conservation. 2016. California Important Farmland Finder. Website: https://maps.conservation.ca.gov/DLRP/CIFF/ (accessed August 30, 2022).

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. The project site is within the boundaries of the McDonnell Center Amended Specific Plan (McDonnell Specific Plan, approved October 11, 1994), and is, therefore, designated as the McDonnell Specific Plan in the City's General Plan Land Use Element. The McDonnell Specific Plan area is divided into six planning areas that are designated as industrial/warehouse, office, or commercial. The McDonnell Specific Plan also constitutes the zoning for the project site.[7] The project site is within Planning Area 2 and is currently zoned for industrial/warehouse, which allows for light manufacturing, storage and warehousing, and offices, among various other uses.

The proposed project includes warehouse uses and does not include a change to the project site's zoning designation. The area surrounding the project site consists of Urban and Built-Up Land, and the project site itself is non-enrolled land (land not enrolled in a Williamson Act contract and not mapped by the Farmland Mapping & Monitoring Program).[8] Therefore, there would be no conflict with existing zoning for agricultural use or a Williamson Act contract. No impact would occur, and no mitigation is required.

c) Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

No Impact. The project site is not currently used for timberland production, is not zoned as forest land or timberland, and does not contain forest land or timberland as defined by Public Resources Code (PRC) Section 1220(g), PRC Section 4526, or Government Code Section 51104(g). Therefore, no impacts to forest land or timberland would occur, and no mitigation is required.

d) Would the project result in the loss of forest land or conversion of forestland to non-forest use?

No Impact. The project site and surrounding area are currently developed and highly disturbed. The existing site operations contain warehouse uses with a surface parking lot and do not contain forest land. The proposed project would not convert forest land to a non-forest use. Likewise, the proposed project would not contribute to environmental changes that would result in the conversion of forest land to a non-forest use. Therefore, no impact would occur, and no mitigation is required.

e) Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

No Impact. The project site is not used for agricultural production and does not contain any forest land. As detailed in Section 4.2(b) above, the project site is within Planning Area 2 of the McDonnell Specific Plan and is currently zoned for industrial/warehouse, which allows for light manufacturing,

[7] City of Cypress. 1994. McDonnell Center Amended Specific Plan. Website: https://www.cypressca.org/home/showpublisheddocument/9697/637363718993530000 (accessed August 30, 2022).

[8] City of Cypress. Cypress General Plan Environmental Impact Report. Page 7-2. Website: https://www.cypressca.org/home/showpublisheddocument/666/636123114138270000 (accessed August 30, 2022).

storage and warehousing, and offices, among various other uses. Thus, the proposed project would not convert farmland to a non-agriculture use. Likewise, because the project site is already developed and is not within the vicinity of any existing agricultural land or land zoned for agricultural uses, the proposed project would not contribute to environmental changes that could result in the conversion of farmland to non-agricultural use. Therefore, no impact would occur, and no mitigation is required.

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4.3 AIR QUALITY

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Discussion

The project site is located within the South Coast Air Basin (Basin). The South Coast Air Quality Management District (SCAQMD) is the regional government agency that monitors and regulates air pollution within the Basin. The federal Clean Air Act and the California Clean Air Act mandate the control and reduction of specific air pollutants. Under these Acts, the United States Environmental Protection Agency (USEPA) and the California Air Resources Board (CARB) have established ambient air quality standards for specific "criteria" pollutants, designed to protect public health and welfare. Primary criteria pollutants include carbon monoxide (CO), volatile organic compounds (VOCs), nitrogen oxides (NO_X), particulate matter (PM_{10}), sulfur dioxide (SO_2), and lead (Pb). Secondary criteria pollutants include ozone (O_3), and fine particulate matter ($PM_{2.5}$). These ambient air quality standards are levels of contaminants, which represent safe levels that avoid specific adverse health effects associated with each criteria pollutant.

The Basin is in nonattainment for the federal and State standards for O_3 and $PM_{2.5}$. In addition, the Basin is in nonattainment for the PM_{10} standard and in attainment/maintenance for the federal PM_{10}, CO, and NO_2 standards. To meet these standards, the SCAQMD has established project-level thresholds for VOCs, NO_X, and $PM_{2.5}$. The SCAQMD has established thresholds of significance for criteria pollutant emissions generated during both construction and operation of projects as shown in Table 4.3.A, below.

The SCAQMD considers any projects in the Basin with construction- or operation-related emissions that exceed any of the emission thresholds above to have potentially significant impacts.

Table 4.3.A: SCAQMD Construction and Operation Thresholds of Significance (lbs/day)

	VOCs	NO_X	CO	SO_2	PM_{10}	$PM_{2.5}$
Construction Thresholds	75	100	550	150	150	55
Operation Thresholds	55	55	550	150	150	55

Source: *CEQA Air Quality Handbook* (SCAQMD 1993).
CO = carbon monoxide
lbs/day = pounds per day
NO_X = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
SCAQMD = South Coast Air Quality Management District
SO_2 = sulfur dioxides
VOCs = volatile organic compounds

In addition, the SCAQMD published its *Final Localized Significance Threshold Methodology* in July 2008, recommending that all air quality analyses include an assessment of air quality impacts to nearby sensitive receptors.[9] This guidance was used to analyze potential localized air quality impacts associated with construction of the proposed project. Localized significance thresholds (LSTs) are developed based on the size or total area of the emission source, the ambient air quality in the source receptor area, and the distance between the project and the nearest sensitive receptor. The SCAQMD defines structures that house persons (e.g., children, the elderly, persons with pre-existing respiratory or cardiovascular illness, and athletes and others who engage in frequent exercise) or places where they gather as sensitive receptors (i.e., residences, schools, playgrounds, child-care centers, convalescent centers, retirement homes, and athletic fields).

LSTs are based on the ambient concentrations of that pollutant within the project Source Receptor Area (SRA) and the distance to the nearest sensitive receptor. For the proposed project, the appropriate SRA for the LST is the Central Orange County area (SRA 17). SCAQMD provides LST screening tables for 25-, 50-, 100-, 200-, and 500-meter source-receptor distances. While the project site is approximately 18.6 acres, for screening purposes, the 5-acre LST thresholds were used for the construction and operational LST analysis. This approach is conservative as it assumes that all on-site emissions associated with the project would occur within a concentrated 5-acre area.

The nearest sensitive receptors for air quality emissions include a medical center located north of the northern boundary of the project site. Since the sensitive receptor is within 960 feet (293 meters) of the project site,[10] the LST analysis followed the guidance of the SCAQMD for evaluating sensitive receptors, discussed in further detail in this analysis. Table 4.3.B lists the LST thresholds that apply during project construction and operation.

[9] South Coast Air Quality Management District (SCAQMD). 2008. *Final Localized Significance Threshold Methodology.* July. Website: http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/final-lst-methodology-document.pdf (accessed December 2022).

[10] SCAQMD. Fact Sheet for Applying CalEEMod to Localized Significance Thresholds. Website: http://www.aqmd.gov/docs/default-source/ceqa/handbook/localized-significance-thresholds/caleemod-guidance.pdf (accessed December 2022).

Table 4.3.B: SCAQMD LST Thresholds (lbs/day)

Emissions Source Category	NO_X	CO	PM_{10}	$PM_{2.5}$
Construction (5-acre, 293-meter distance)	215.0	5,667.0	119.0	56.0
Operations (5-acre, 293-meter distance)	215.0	5,667.0	29.0	14.0

Source: *Final Localized Significance Threshold Methodology* (SCAQMD 2008).
Note: SRA 17— Central Orange County, 5 acres, receptors at 960 feet (293 meters).
CO = carbon monoxide
lbs/day = pounds per day
LST = localized significance threshold
NO_x = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
SCAQMD = South Coast Air Quality Management District
SRA = source receptor area

Impact Analysis

a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

Less Than Significant Impact. An Air Quality Management Plan (AQMP) describes air pollution control strategies to be undertaken by a city or county in a region classified as a nonattainment area to meet the requirements of the federal Clean Air Act. The main purpose of an AQMP is to bring an area into compliance with the requirements of federal and State ambient air quality standards (AAQS). The applicable air quality plan is the SCAQMD's adopted 2016 AQMP. The AQMP is based on regional growth projections developed by the Southern California Association of Governments (SCAG).

Consistency with the 2016 AQMP for the Basin would be achieved if a project is consistent with the goals, objectives, and assumptions in the AQMP that were designed to achieve the federal and State air quality standards. Per the SCAQMD's *CEQA Air Quality Handbook* (April 1993, currently being revised), there are two main indicators of a project's consistency with the applicable AQMP: (1) whether the project would increase the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay timely attainment of air quality standards or the interim emission reductions specified in the 2016 AQMP; and (2) whether the project would exceed the 2016 AQMP's assumptions for the final year for the AQMP.

Consistency Criterion 1. Consistency Criterion No. 1 refers to violations of the California ambient air quality standards (CAAQS) and national ambient air quality standards (NAAQS). CAAQS and NAAQS violations would occur if LSTs or regional significance thresholds are exceeded. As evaluated below in the Response 4.3(b), the proposed project would result in short-term construction and long-term pollutant emissions that are less than the CEQA significance emissions thresholds established by the SCAQMD. Therefore, the proposed project would not result in an increase in the frequency or severity of any air quality standards violation and would not cause a new air quality standards violation. Therefore, the proposed project would not conflict with the AQMP according to this criterion. On the basis of the preceding discussion, the proposed project is determined to be consistent with the first criterion.

Consistency Criterion 2. The SCAQMD's *CEQA Air Quality Handbook* indicates that consistency with AQMP growth assumptions must be analyzed for new or amended General Plan elements, Specific Plans, and significant projects. Significant projects include airports, electrical generating facilities, petroleum and gas refineries, designation of oil drilling districts, water ports, solid waste disposal

sites, and offshore drilling facilities. The proposed project would not include or require any amendments to the City's General Plan, the McDonnell Specific Plan, or the City's Zoning Ordinance. In addition, the project proposes construction of two warehouse buildings totaling 390,268 square feet including 20,000 square feet of office space. Since the proposed project is consistent with the City's General Plan and given its limited size, the proposed project is not defined as significant for the purposes of the AQMP consistency analysis.

Based on the analysis presented above, the proposed project would not conflict with or obstruct implementation of the applicable air quality plan and would result in a less than significant impact. No mitigation is required.

b) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard?

Less Than Significant Impact. As discussed above, the Basin is currently designated as nonattainment for the federal and State standards for O_3 and $PM_{2.5}$. In addition, the Basin is in nonattainment for the PM_{10} standard. The Basin's nonattainment status is attributed to the region's development history. Past, present, and future development projects contribute to the region's adverse air quality impacts on a cumulative basis. By its very nature, air pollution is largely a cumulative impact. No single project is sufficient in size to, by itself, result in nonattainment of AAQS. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project's contribution to the cumulative impact is considerable, then the project's impact on air quality would be considered significant.

In developing thresholds of significance for air pollutants, the SCAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project exceeds the identified SCAQMD significance thresholds identified above in Table 4.3.B, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions. Therefore, additional analysis to assess cumulative impacts is not necessary. The following analysis assesses the potential project-level air quality impacts associated with construction and operation of the proposed project.

Construction Emissions. During construction, short-term degradation of air quality may occur due to the release of particulate matter emissions (i.e., fugitive dust) generated by demolition, grading, building construction, paving, and other activities. Emissions from construction equipment are also anticipated and would include CO, nitrogen oxides (NO_x), VOCs, directly emitted $PM_{2.5}$ or PM_{10}, and toxic air contaminants (TACs) such as diesel exhaust particulate matter.

Construction activities associated with the proposed project would include demolition, grading, site preparation, building construction, architectural coating, and paving activities. Construction-related effects on air quality from the proposed project would be greatest during the site preparation phase due to the disturbance of soils. If not properly controlled, these activities would temporarily generate particulate emissions. Sources of fugitive dust would include disturbed soils at the construction site. Unless properly controlled, vehicles leaving the site would deposit dirt and mud on local streets, which could be an additional source of airborne dust after it dries. PM_{10} emissions would vary from day to

day, depending on the nature and magnitude of construction activity and local weather conditions. PM_{10} emissions would depend on soil moisture, silt content of soil, wind speed, and amount of operating equipment. Larger dust particles would settle near the source, whereas fine particles would be dispersed over greater distances from the construction site.

Water or other soil stabilizers can be used to control dust, resulting in emission reductions of 50 percent or more. SCAQMD has established Rule 403: Fugitive Dust, which would require the Applicant to implement measures that would reduce the amount of particulate matter generated during the construction period. The Rule 403 measures that were incorporated in this analysis include:

- Water active sites at least three times daily (locations where grading is to occur shall be thoroughly watered prior to earthmoving).
- Cover all trucks hauling dirt, sand, soil, or other loose materials, or maintain at least 2 feet (0.6 meter) of freeboard (vertical space between the top of the load and the top of the trailer) in accordance with the requirements of California Vehicle Code Section 23114.
- Reduce traffic speeds on all unpaved roads to 15 miles per hour or less.

In addition to dust-related PM_{10} emissions, heavy trucks and construction equipment powered by gasoline and diesel engines would generate CO, sulfur oxides (SO_x), NO_x, VOCs and some soot particulate ($PM_{2.5}$ and PM_{10}) in exhaust emissions. If construction activities were to increase traffic congestion in the area, CO and other emissions from traffic would increase slightly while those vehicles idle in traffic. These emissions would be temporary in nature and limited to the immediate area surrounding the construction site.

Construction emissions were estimated for the proposed project using the California Emissions Estimator Model version 2020.4.0 (CalEEMod). As stated in Chapter 2.0, Project Description, the project would construct two warehouse buildings totaling 390,268 square feet including 20,000 square feet of office space, which was included in CalEEMod. This analysis assumes that approximately 50 percent of the space would be refrigerated warehouse space and the other 50 percent would be unrefrigerated warehouse space. The analysis also assumes that construction is anticipated to occur over a 12-month duration, with construction beginning in March 2023 and completion expected in February 2024. In addition, the proposed project would require the cut of approximately 35,962 cubic yards of soil, which was included in CalEEMod. Other precise details of construction activities are unknown at this time; therefore, default settings (e.g., construction equipment and worker trips) from CalEEMod were assumed. Use of Tier 2 construction equipment was included in the CalEEMod modeling. Table 4.3.C identifies the maximum daily emissions associated with construction activities during each construction phase. Appendix A of this IS/MND provides CalEEMod output sheets for the construction emissions associated with the proposed project.

Table 4.3.C: Short-Term Regional Construction Emissions

Construction Phase	Maximum Daily Regional Pollutant Emissions (lbs/day)							
	VOCs	NO_X	CO	SO_X	Fugitive PM_{10}	Exhaust PM_{10}	Fugitive $PM_{2.5}$	Exhaust $PM_{2.5}$
Demolition	1.5	45.4	29.3	0.1	12.0	1.0	2.0	1.0
Site Preparation	1.3	33.8	23.5	<0.1	9.0	0.9	4.6	0.9
Grading	2.5	88.5	49.7	0.2	9.7	1.6	3.2	1.6
Building Construction	1.9	27.4	26.6	0.1	3.3	0.9	0.9	0.9
Paving	2.0	20.1	17.7	<0.1	0.2	0.7	0.0	0.7
Architectural Coating	36.9	2.4	3.3	<0.1	0.5	0.1	0.1	0.1
Peak Daily Emissions	**38.9**	**88.5**	**49.7**	**0.2**	**13.0**		**5.5**	
SCAQMD Threshold	**75.0**	**100.0**	**550.0**	**150.0**	**150.0**		**55.0**	
Significant?	**No**	**No**	**No**	**No**	**No**		**No**	

Source: Compiled by LSA (December 2022).
Note: Maximum emissions of VOCs occurred during the overlapping building construction and architectural coating phases
CO = carbon monoxide
lbs/day = pounds per day
NO_X = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
SCAQMD = South Coast Air Quality Management District
SO_X = sulfur oxides
VOCs = volatile organic compounds

As shown in Table 4.3.C, construction emissions associated with the proposed project would not exceed the SCAQMD's thresholds for VOCs, NO_X, CO, SO_X, $PM_{2.5}$, and PM_{10}. Therefore, construction of the proposed project would not result in a cumulatively considerable increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or State AAQS. Impacts would be less than significant, and no mitigation is required.

Operational Air Quality Impacts. Long-term air pollutant emissions associated with operation of the proposed project include emissions from area, energy, and mobile. Area-source emissions include architectural coatings, consumer products, and landscaping. Energy-source emissions result from activities in buildings that use electricity and natural gas. Mobile-source emissions are from vehicle trips associated with operation of the proposed project.

PM_{10} emissions result from running exhaust, tire and brake wear, and the entrainment of dust into the atmosphere from vehicles traveling on paved roadways. Entrainment of PM_{10} occurs when vehicle tires pulverize small rocks and pavement and the vehicle wakes generate airborne dust. The contribution of tire and brake wear is small compared to the other particulate matter emission processes. Gasoline-powered engines have small rates of particulate matter emissions compared with diesel-powered vehicles.

Energy-source emissions result from activities in buildings for which natural gas is used. The quantity of emissions is the product of usage intensity (i.e., the amount of natural gas) and the emission factor of the fuel source. The emission factor is determined by the fuel source, with cleaner energy sources, like renewable energy, producing fewer emissions than conventional sources. The proposed project would comply with the latest California Green Building Standards Code.

Typically, area-source emissions consist of direct sources of air emissions at the project site, including architectural coatings, consumer products, and use of landscape maintenance equipment.

Long-term operation emissions associated with the proposed project were calculated using CalEEMod. Trip generation rates used in CalEEMod for the proposed project were based on the project's trip generation estimates identified in the proposed project's Traffic Analysis (provided in Appendix F of this IS/MND).[11] The proposed project would generate a total of 692 average daily trips (ADT), of which 276 ADT would be for the unrefrigerated warehouse and 416 ADT would be for the refrigerated warehouse. The total 692 ADT would include 498 passenger vehicle trips, 60 two-axle truck trips, 26 three-axle truck trips, and 126 four-axle truck trips, which was included in CalEEMod. In addition, the CalEEMod analysis assumes the proposed project would include drought tolerant landscaping.

Long-term operational emissions associated with the existing uses were also evaluated in CalEEMod. The project site is developed with an existing 336,643-square-foot building; however, a total of 151,486 square feet of space is currently occupied. Therefore, the existing uses analysis evaluates 151,486 square feet of existing warehouse uses. Although the project's Traffic Analysis identifies an existing trip generation of 1,658 ADT associated with the total 336,643-square-foot building, this analysis assumes a scaled existing trip generation of approximately 916 ADT based on the currently occupied space.

The long-term operational emissions associated with the proposed project are shown in Table 4.3.D. Appendix A provides CalEEMod output sheets for the operational emissions of the proposed project.

Table 4.3.D: Project Operational Emissions

Emission Type	Pollutant Emissions (lbs/day)					
	VOCs	NO_X	CO	SO_X	PM_{10}	$PM_{2.5}$
Existing Uses Operational Emissions						
Area Sources	3.4	<0.1	<0.1	0.0	<0.1	<0.1
Energy Sources	<0.1	0.2	0.2	<0.1	<0.1	<0.1
Mobile Sources	3.0	4.0	33.6	0.1	8.3	2.3
Total Existing Emissions	**6.4**	**4.2**	**33.8**	**0.1**	**8.3**	**2.3**
Proposed Project Operational Emissions						
Area Sources	8.8	<0.1	0.1	<0.1	<0.1	<0.1
Energy Sources	<0.1	0.3	0.2	<0.1	<0.1	<0.1
Mobile Sources	2.2	10.9	23.7	0.1	6.5	1.8
Total Project Emissions	**11.0**	**11.2**	**24.0**	**0.1**	**6.5**	**1.8**
Net Total Emissions	**4.6**	**7.0**	**-9.8**	**0.0**	**-1.8**	**-0.5**
SCAQMD Threshold	**55.0**	**55.0**	**550.0**	**150.0**	**150.0**	**55.0**
Exceeds Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Source: Compiled by LSA (December 2022).
Note: Some values may not appear to add correctly due to rounding.
CO = carbon monoxide
lbs/day = pounds per day
NO_X = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
SCAQMD = South Coast Air Quality Management District
SO_X = sulfur oxides
VOCs = volatile organic compounds

[11] Urban Crossroads. 2023. *Goodman Center Commerce Center Traffic Analysis*. January 27.

The results shown in Table 4.3.D indicate operational emissions associated with the proposed project would not exceed the significance criteria for daily VOCs, NO_X, CO, SO_X, PM_{10}, or $PM_{2.5}$ emissions. Therefore, operation of the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or State AAQS. Impacts would be less than significant, and no mitigation is required.

Long-Term Microscale (CO Hot Spot) Analysis. Vehicular trips associated with the proposed project would contribute to congestion at intersections and along roadway segments in the vicinity of the project site. Localized air quality impacts would occur when emissions from vehicular traffic increase as a result of the proposed project. The primary mobile-source pollutant of local concern is CO, a direct function of vehicle idling time and, thus, of traffic flow conditions. CO transport is extremely limited; under normal meteorological conditions, it disperses rapidly with distance from the source. However, under certain extreme meteorological conditions, CO concentrations near a congested roadway or intersection may reach unhealthful levels, affecting local sensitive receptors (e.g., residents, schoolchildren, the elderly, and hospital patients).

Typically, high CO concentrations are associated with roadways or intersections operating at unacceptable levels of service or with extremely high traffic volumes. In areas with high ambient background CO concentrations, modeling is recommended to determine a project's effect on local CO levels.

An assessment of project-related impacts on localized ambient air quality requires that future ambient air quality levels be projected. Existing CO concentrations in the immediate project vicinity are not available. Ambient CO levels monitored at the Anaheim Monitoring Station, located at 1630 W. Pampas Lane, showed a highest recorded 1-hour concentration of 2.4 parts per million (ppm) (the State standard is 20 ppm) and a highest 8-hour concentration of 1.7 ppm (the State standard is 9 ppm) from 2019 to 2021. The highest CO concentrations would normally occur during peak traffic hours; hence, CO impacts calculated under peak traffic conditions represent a worst-case analysis. Reduced speeds and vehicular congestion at intersections result in increased CO emissions.[12]

Based on the trip generation described in Section 4.17, Transportation, the proposed project would generate 692 ADT, with approximately 35 trips occurring in the AM peak hour and approximately 43 trips occurring in the PM peak hour. As the proposed project would not generate 100 or more AM or PM peak hour trips, the proposed project did not meet the criteria for an evaluation of study area intersection or roadway segment levels of service. Therefore, it is assumed that the addition of the proposed project traffic would not create any significant adverse impacts to nearby intersections.

Therefore, given the extremely low level of CO concentrations in the project area and the lack of traffic impacts at any intersections, project-related vehicles are not expected to contribute significantly to CO concentrations exceeding the State or federal CO standards. Because no CO hot spot would occur, as identified in the proposed project, there would be no project-related impacts on CO concentrations.

[12] United States Environmental Protection Agency (USEPA). Outdoor Air Quality Data. 2021. Website: https://www.epa.gov/outdoor-air-quality-data/monitor-values-report (accessed May 2022).

Therefore, operation of the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable NAAQS and CAAQS, and impacts would be less than significant.

c) Would the project expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. The SCAQMD defines structures that house persons (e.g., children, the elderly, persons with pre-existing respiratory or cardiovascular illness, and athletes and others who engage in frequent exercise) or places where they gather (i.e., residences, schools, playgrounds, child-care centers, convalescent centers, retirement homes, and athletic fields) as sensitive receptors. Sensitive receptors are defined as people who have an increased sensitivity to air pollution or environmental contaminants. The closest existing sensitive receptor is a medical center located north of the northern project site boundary.

As discussed above, LSTs are based on the ambient concentrations of that pollutant within the project SRA and the distance to the nearest sensitive receptor. SCAQMD provides LST screening tables for 25, 50, 100, 200, and 500-meter source-receptor distances. For the proposed project, the appropriate SRA for the LST is the Central Orange County area (SRA 17). While the project site is approximately 18.6 acres, for screening purposes, the 5-acre LST thresholds were used for the construction and operational LST analysis. This approach is conservative as it assumes that all on-site emissions associated with the proposed project would occur within a concentrated 5-acre area. The results of the LST analysis for both construction and operation of the proposed project are summarized in Tables 4.3.E and 4.3.F.

Table 4.3.E: Construction Localized Emissions

Emissions Sources	Pollutant Emissions (lbs/day)			
	NO_X	**CO**	**PM_{10}**	**$PM_{2.5}$**
Construction Emissions	51.2	36.7	10.9	5.5
SCAQMD LST	**215.0**	**5,667.0**	**119.0**	**56.0**
Significant Emissions?	**No**	**No**	**No**	**No**

Source: Compiled by LSA (December 2022).
Note: SRA 17— Central Orange County, 5 acres, receptors at 960 feet (293 meters).
CO = carbon monoxide
lbs/day = pounds per day
LST = localized significance threshold
NO_X = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
SCAQMD = South Coast Air Quality Management District
SRA = Source Receptor Area

Table 4.3.F: Operational Localized Emissions

Emissions Sources	Pollutant Emissions (lbs/day)			
	NO_X	CO	PM_{10}	$PM_{2.5}$
On-Site Emissions	<1.0	1.3	<1.0	<1.0
SCAQMD LST	**215.0**	**5,667.0**	**29.0**	**14.0**
Significant Emissions?	**No**	**No**	**No**	**No**

Source: Compiled by LSA (December 2022).
Note: SRA 17— Central Orange County, 5 acre, receptors at 960 feet, on-site traffic 5 percent of total.
CO = carbon monoxide
lbs/day = pounds per day
LST = localized significance threshold
NO_X = nitrogen oxides
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
PM_{10} = particulate matter less than 10 microns in size
SCAQMD = South Coast Air Quality Management District
SRA = Source Receptor Area

The results of the LST analysis, summarized in Tables 4.3.E and 4.3.F, indicate that the proposed project would not result in an exceedance of a SCAQMD LST during project construction or operation. Therefore, the proposed project would result in less than significant localized air quality impacts during construction and operation, and no mitigation is required.

d) Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less Than Significant Impact. Heavy-duty equipment on the project site during construction would emit odors, primarily from equipment exhaust. In addition, the application of asphalt and architectural coatings during construction activities may result in odors. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction and are thus considered less than significant.

SCAQMD Rule 402 regarding nuisances states: "A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property." The proposed project does not contain land uses typically associated with emitting objectionable odors. It is expected that project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the City's solid waste regulations. The proposed project would also be required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, odors associated with the proposed project construction and operations would be less than significant, and no mitigation is required.

4.4 BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?	☐	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Discussion

This section is based on geographic information system (GIS) information provided by the United States Fish and Wildlife Service (USFWS) for Critical Habitat for Threatened & Endangered Species, last updated in October 2022.

Impact Analysis

a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?

No Impact. The project site had been used for agriculture uses up until the early 1990s when it was developed for commercial/office uses with an asphalt surface parking lot. See Table 4.5.A in Section 4.5, Cultural Resources, for a description of past uses on the project site. The perimeter and parking areas of the site are surrounded with landscaped areas consisting of trees and small bushes.

Special-Status Habitat/Vegetation. The USFWS Critical Habitat for Threatened & Endangered Species map does not identify any locations of critical habitat within the project site. The closest known critical habitat is the Bolsa Chica Ecological Reserve which contains the Western snowy plover, approximately 6.8 miles south of the project site.[13] Additionally, critical habitat for the Coastal California gnatcatcher is located in the West Coyote Hills approximately 7 miles north of the project site, just north of Ralph B. Clark park. According to the California Natural Diversity Database (CNDDB), no sensitive plant species have been documented on the project site or in the immediately surrounding area.

The Orange County Transportation Authority's (OCTA) 2016 Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP), which was adopted for the purpose of permitting freeway capital improvement projects proposed by OCTA and OCTA's habitat preserve, restoration, and monitoring activities, includes a Plan Area that covers the entirety of Orange County, including Cypress. The City is not a party to the OCTA NCCP/HCP, and development activity within the City is not subject to the provisions of the OCTA NCCP/HCP. Therefore, the OCTA NCCP/HCP does not apply to the proposed project. No special-status species are anticipated to be directly affected by the project due to the lack of suitable habitat on the project site. Therefore, no impacts to sensitive or special-status species would result from implementation of the proposed project, and no mitigation is required.

b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?

No Impact. The project site is highly disturbed and developed with several buildings, a paved parking lot, and landscaping, and does not support any special-status or sensitive riparian habitat as identified in regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or USFWS. Therefore, no impacts related to riparian habitat or other sensitive natural communities identified in a local or regional plan would result from project implementation, and no mitigation is required

c) Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No Impact. According to the National Wetlands Inventory managed by the USFWS, the project site does not contain federally protected wetlands.[14] The project site is located entirely outside of streambeds, banks, and riparian habitat. No potential waters of the United States or CDFW jurisdictional areas are located on the project site.

Although construction activities have the potential to result in temporary indirect effects to water quality including a potential increase in erosion and sediment transport into downstream aquatic

[13] United States Fish and Wildlife Service (USFWS). 2022a. Critical Habitat for Threatened and Endangered Species. GIS Mapping Website: https://fws.maps.arcgis.com/home/webmap/viewer.html?webmap=9d8de5e265ad4fe09893cf75b8dbfb77 (accessed October 5, 2022).

[14] USFWS. 2022b. National Wetlands Inventory. GIS Mapping. Website: https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/ (accessed October 5, 2022).

areas and the contamination of waters from construction equipment, these potential indirect effects to hydrology and water quality would be avoided or substantially minimized through the implementation of Best Management Practices (BMPs) and a Water Quality Management Plan as discussed in Section 4.10, Hydrology and Water Quality. Specifically, adherence to Regulatory Compliance Measure 4.10-1, provided in Section 4.10, would address erosion-related impacts during construction through implementation of construction site BMPs to avoid erosion and sedimentation impacts to downstream aquatic areas and water quality. As such, there would be no impacts on State or federally protected wetlands.

d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less Than Significant Impact. The project site is currently developed and is located in an urban area. Due to the surrounding urban development, the project site does not function as a wildlife movement corridor. Species that are found on site either fly onto the site or are able to navigate on the ground through long stretches of urban development. Therefore, the project site does not contain any native resident or migratory fish, wildlife species, or wildlife corridors. In addition, no portion of the project site or the immediately surrounding areas contains an open body of water that serves as natural habitat in which fish could exist.

The existing trees on the project site may provide habitat suitable for nesting migratory birds that were observed on the project site. Approximately 84 of the existing on-site trees, which are primarily ornamental, would be removed during construction. Therefore, the proposed project has the potential to impact active bird nests if vegetation and trees are removed during the nesting season. Nesting birds are protected under the federal Migratory Bird Treaty Act (MBTA) (Title 33, United States Code, Section 703 et seq., see also Title 50, Code of Federal Regulations, Part 10) and Section 3503 of the California Fish and Game Code. Therefore, implementation of the proposed project would be subject to the provisions of the MBTA, which prohibits disturbing or destroying active nests. Project implementation must be accomplished in a manner that avoids impacts to active nests during the breeding season. If project construction occurs between February 1 and August 31, a qualified biologist shall conduct a nesting bird survey prior to ground- and/or vegetation-disturbing activities to confirm the absence of nesting birds. As documented in Regulatory Compliance Measure BIO-1, as provided below, compliance with the MBTA and avoidance of impacts can be accomplished through a variety of means, including establishing suitable buffers around any active nests. With implementation of Regulatory Compliance Measure BIO-1, impacts to nesting birds would be less than significant, and no mitigation is required.

Regulatory Compliance Measure:

The following regulatory compliance measure is an existing regulation that is applicable to the proposed project and is considered in the analysis of potential impacts related to biological resources. The City of Cypress considers this requirement to be mandatory; therefore, it is not a mitigation measure.

Regulatory Compliance Measure BIO-1 **Nesting Bird Survey and Avoidance.** If vegetation removal, construction, or grading activities are planned to occur within the active nesting bird season (February 1 through August 31), the City of Cypress, or designee, shall confirm that the Applicant has retained a qualified biologist who shall conduct a preconstruction nesting bird survey no more than 3 days prior to the start of such activities. The nesting bird survey shall include the work area and areas adjacent to the site (within 500 feet, as feasible) that could potentially be affected by project-related activities such as noise, vibration, increased human activity, and dust, etc. For any active nest(s) identified, the qualified biologist shall establish an appropriate buffer zone around the active nest(s). The appropriate buffer shall be determined by the qualified biologist based on species, location, and the nature of the proposed activities. Project activities shall be avoided within the buffer zone until the nest is deemed no longer active, as determined by the qualified biologist.

e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Less Than Significant Impact. The Landmark Tree Ordinance in the City's Municipal Code protects designated landmark trees that are specifically identified in the City's *Inventory of Landmark Trees* (July 1996). As shown in this inventory, there are no landmark trees on the project site. The removal of any on-site trees or vegetation would not conflict with the City's Landmark Tree Ordinance.

Per Article IV of the Municipal Code, Street Trees, any tree within the public right-of-way belongs to the City of Cypress. Any work to street trees conducted as part of the proposed project would be done in accordance with the City Council's adopted Parkway Tree Policy. The City has not adopted any other policies or ordinances protecting biological resources, which requires any trees removed to be replaced at a 1:1 ratio.

Therefore, because the project would comply with all local policies and ordinances relating to tree protection, it would not result in any conflicts with local policies or ordinances protecting biological resources. Less than significant impacts would occur, and no mitigation is required.

f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact. There is no adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other habitat conservation plan in the City. As discussed above in Response 4.4(a), the OCTA NCCP/HCP includes a Plan Area that covers the entirety of Orange County, including Cypress. The City is not a party to the OCTA NCCP/HCP, and development activity within the City is not subject to the provisions of the OCTA NCCP/HCP. Therefore, the OCTA NCCP/HCP does not apply to the

proposed project, and the proposed project would not conflict with any local, regional, or State HCP or NCCP. The proposed project would not result in impacts related to conflict with any provisions of an HCP or NCCP, and no mitigation is required.

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4.5 CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐

Discussion

The following section is based on the extensive archival research and observation of aerial photographs in the *Phase I Environmental Site Assessment (Phase I ESA) 5757 Plaza Drive Cypress, California*, prepared by Stantec Consulting Services, Inc. (September 2021) and provided in Appendix B of this IS/MND.

Impact Analysis

a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

No Impact. The project site is located in an urbanized area and is developed with warehouse uses and surface parking lot. The Phase I ESA reviewed historical aerial photographs provided by the Environmental Data Resources (EDR). The aerial photographs indicate that the project site was used for light agricultural purposes from approximately 1938 to the late 1980s, with railroad tracks adjacent to the north. By 1990, the project site is developed with the existing building, as well as commercial buildings to the north, east, west, and south, and the railroad tracks are also no longer present. The project site and surroundings have largely remained the same since 1990.

Based on the previous level of disturbance and the fact that the existing building on the project site was constructed around 1990, no known historic resources occur on the project site. Therefore, the proposed project would not cause a substantial adverse change in the significance of a historical resource. No impact would occur, and no mitigation is required.

b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Less Than Significant with Mitigation Incorporated. Based on the City of Cypress General Plan Conservation, Open Space and Recreation Element (2013), there are no known archaeological resources located at the project site. There are no National Register of Historic Places listed or eligible

properties or State landmarks in the City. [15] Additionally, there are no known archaeological resources existing within the City.[16]

The project site has been previously disturbed to construct a warehouse building and an asphalt surface parking lot. The existing structures at the project site would be demolished, materials removed, and the entirety of the site would be graded for the construction of the proposed project. During site preparation/grading activities, there is the potential to encounter unknown cultural resources. In the event that historical or archaeological resources are encountered during grading and construction, operations shall cease and Mitigation Measure CUL-1 will be implemented. Additionally, Regulatory Compliance Measure CUL-1, described below in Response 4.8(c), is a standard condition based on State law related to the discovery of human remains. This regulatory compliance measure is applicable to the proposed project and shall be incorporated to ensure that the project has minimal impacts related to unknown buried human remains.

With the implementation of Mitigation Measure CUL-1 and compliance with Regulatory Compliance Measure CUL-1, project impacts to archaeological resources would be less than significant with mitigation incorporated.

Mitigation Measure:

Mitigation Measure CUL-1 **Unknown Archaeological Resources.** In the event that archaeological resources are discovered during excavation, grading, or construction activities, work shall cease within 50 feet of the find until a qualified archaeologist from the Orange County List of Qualified Archaeologists has evaluated the find in accordance with federal, State, and local guidelines to determine whether the find constitutes a "unique archaeological resource," as defined in Section 21083.2(g) of the California Public Resources Code (PRC). The Applicant and its construction contractor shall not collect or move any archaeological materials and associated materials. Construction activity may continue unimpeded on other portions of the project site. Any found deposits shall be treated in accordance with federal, State and local guidelines, including those set forth in PRC Section 21083.2, and shall be assessed, handled, and treated consistent with accepted standards, such as the Secretary of the Interior's standards and guidelines for archaeology and historic preservation. Prior to commencement of grading activities, the Director of the City of Cypress (City) Community Development Department, or designee, shall verify that all project grading and construction plans include

[15] City of Cypress. General Plan. Conservation/Open Space/Recreation Element. Page COSR-7. Website: https://www.cypressca.org/home/showpublisheddocument/686/636123123792970000 (accessed September 26, 2022).

[16] City of Cypress. General Plan Environmental Impact Report. Effects Found Not To Be Significant. Page 703. Website: https://www.cypressca.org/home/showpublisheddocument/686/636123123792970000 (accessed September 26, 2022).

specific requirements regarding California PRC (Section 21083.2[g]) and the treatment of archaeological resources as specified above.

c) Would the project disturb any human remains, including those interred outside of dedicated cemeteries?

Less Than Significant Impact. No known human remains are present on the project site, and there are no facts or evidence to support the idea that Native Americans or people of European descent are buried on the project site. However, as described previously, buried and undiscovered archaeological remains, including human remains, may be present below the ground surface in portions of the project site. Disturbing human remains could violate the State's Health and Safety Code, as well as destroy the resource. In the unlikely event that human remains are encountered during project grading, the proper authorities would be notified, and standard procedures for the respectful handling of human remains during the earthmoving activities would be adhered to. Construction contractors are required to adhere to California Code of Regulations (CCR) Section 15064.5(e), PRC Section 5097, and Section 7050.5 of the State's Health and Safety Code. To ensure proper treatment of burials in the event of an unanticipated discovery of a burial, human bone, or suspected human bone, the law requires that all excavation or grading in the vicinity of the find halt immediately, the area of the find be protected, and the contractor immediately notify the County Coroner of the find. The contractor, the Applicant, and the County Coroner are required to comply with the provisions of CCR Section 15064.5(e), PRC Section 5097.98, and Section 7050.5 of the State's Health and Safety Code. Compliance with these provisions (specified in Regulatory Compliance Measure CUL-1) would ensure that any potential impacts to unknown buried human remains would be less than significant by ensuring appropriate examination, treatment, and protection of human remains as required by State law.

Regulatory Compliance Measures:

No mitigation is required. However, the following regulatory compliance measure is a standard condition based on State law related to the discovery of human remains. This regulatory compliance measure is applicable to the proposed project and shall be incorporated to ensure that the project has minimal impacts related to unknown buried human remains.

Regulatory Compliance Measure CUL-1

Human Remains. In the event that human remains are encountered on the project site, work within 50 feet of the discovery shall be redirected and the County Coroner notified immediately consistent with the requirements of California Code of Regulations (CCR) Section 15064.5(e). State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code (PRC) Section 5097.98. If the remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission (NAHC), which shall determine and notify a Most Likely Descendant

(MLD). With the permission of the property owner, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD may recommend scientific removal and non-destructive analysis of human remains and items associated with Native American burials. Consistent with CCR Section 15064.5(d), if the remains are determined to be Native American and an MLD is notified, the City of Cypress shall consult with the MLD as identified by the NAHC to develop an agreement for treatment and disposition of the remains. Prior to the issuance of grading permits, the Director of the City of Cypress Community Development Department, or designee, shall verify that all grading plans specify the requirements of CCR Section 15064.5(e), State Health and Safety Code Section 7050.5, and PRC Section 5097.98, as stated above.

4.6 ENERGY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

Discussion

Total electricity generation in California in 2021 (the most recent data published by the California Energy Commission [CEC]) was 277,764 gigawatt-hours (GWh), up 2 percent from 2020's total generation of 272,576 GWh. The project site is within the service territory of Southern California Edison (SCE). SCE provides electricity to more than 15 million people in a 50,000-square-mile area of Central, Coastal, and Southern California.[17] According to the CEC, total electricity consumption in the SCE service area in 2019 was 80,913 gigawatt-hours (GWh). Total electricity consumption in Orange County in 2021 was 18,931.8GWh (18,931,838,624 kilowatt hours [kWh]).[18]

Natural gas consumed in California is used for electricity generation (45 percent), residential uses (21 percent), industrial uses (25 percent), and commercial uses (9 percent). California continues to depend on out-of-state imports for nearly 90 percent of its natural gas supply.[19] The Southern California Gas Company (SoCalGas) is the natural gas service provider for the project site. SoCalGas provides natural gas to approximately 21.8 million people in a 24,000-square-mile service area throughout Central and Southern California, from Visalia to the Mexican border.[20] According to the CEC, total natural gas consumption in the SoCalGas service area in 2020 was 5,231 million therms (2,426 million therms for the residential sector). Total natural gas consumption in Orange County in 2021 was 580 million therms (362 million therms for the residential sector and 218 million therms for the non-residential sector).[21]

17 Southern California Edison (SCE). Fact Sheets. Website: https://newsroom.edison.com/fact-sheets/fs (accessed December 2022).

18 California Energy Commission (CEC). 2019a. California Energy Consumption Database. Website: http://www.ecdms.energy.ca.gov/ (accessed December 2022).

19 CEC. 2020. Supply and Demand of Natural Gas in California. Website: https://www.energy.ca.gov/data-reports/energy-almanac/californias-natural-gas-market/supply-and-demand-natural-gas-california (accessed December 2022).

20 Southern California Gas Company (SoCalGas). 2019. About SoCalGas. Website: https://www3.socalgas.com/about-us/company-profile (accessed December 2022).

21 CEC. 2019b. Gas Consumption by County. Website: http://www.ecdms.energy.ca.gov/gasbycounty.aspx (accessed December 2022).

Gasoline is the most used transportation fuel in California, with 97 percent of all gasoline being consumed by light-duty cars, pickup trucks, and sport utility vehicles. According to the most recent data available, total gasoline consumption in California was 289,918 thousand barrels or 1,464.7 trillion British thermal units (BTU) in 2020.[22] Of the total gasoline consumption, 273,289 thousand barrels or 1,380.7 trillion BTU were consumed for transportation.[23] Based on fuel consumption obtained from EMFAC2021, 1.5 billion gallons of diesel and 1.2 billion gallons of gasoline will be consumed from vehicle trips in Orange County in 2022.

Impact Analysis

a) Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Less Than Significant Impact. The proposed project would increase the demand for electricity, natural gas, and gasoline. The discussion and analysis provided below are based on data included in the California Emissions Estimator Model version 2020.4.0 (CalEEMod) output sheets, which are included in Appendix A.

Construction Energy Use. Construction of the proposed project is anticipated to last 12 months and would require demolition, site preparation, grading, building construction, paving, and architectural coating activities during construction. Construction and demolition activities would require energy for the manufacture and transportation of construction materials, preparation of the site for grading and building activities, and construction of the buildings. All or most of this energy would be derived from non-renewable resources. Petroleum fuels (e.g., diesel and gasoline) would be the primary sources of energy for these activities. Construction of the proposed project would not involve the consumption of natural gas because none of the construction-related equipment would be powered by natural gas.

The proposed project would utilize construction contractors who are required to comply with applicable California Air Resources Board (CARB) regulations regarding retrofitting, repowering, and replacement of diesel off-road construction equipment. Additionally, CARB has adopted the Airborne Toxic Control Measure to limit heavy-duty diesel motor vehicle idling in order to reduce public exposure to diesel particulate matter and other toxic air contaminants (TACs).[24] Compliance with anti-idling and emissions regulations would result in a more efficient use of construction-related energy and the minimization or elimination of wasteful or unnecessary consumption of energy. Idling restrictions and the use of newer engines and equipment would result in less fuel combustion and energy consumption.

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22 A British thermal unit is defined as the amount of heat required to raise the temperature of one pound of water by one degree Fahrenheit.

23 U.S. Energy Information Administration. 2020. California State Profile and Energy Estimates. Table F3: Motor gasoline consumption, price, and expenditure estimates, 2017. Website: eia.gov/state/seds/data.php?incfile=/state/seds/sep_fuel/html/fuel_mg.html&sid=CA (accessed December 2022).

24 California Air Resources Board (CARB). Airborne Toxic Control Measures. Website: https://ww2.arb.ca.gov/resources/documents/airborne-toxic-control-measures (accessed December 2022).

Additionally, certain incidental construction-source energy efficiencies would likely accrue through implementation of California regulations and best available control measures (BACM). More specifically, California Code of Regulations (CCR) Title 13, Motor Vehicles, Section 2449(d)(3) Idling, limits idling times of construction vehicles to no more than 5 minutes, thereby precluding unnecessary and wasteful consumption of fuel due to unproductive idling of construction equipment. To ensure adherence to these regulations, the Applicant would be required to comply with Regulatory Compliance Measure EN-1, provided below, which requires the placement of signage on the project site informing the construction workers that engines must be shut off at or before 5 minutes of idling.

Indirectly, construction energy efficiencies and energy conservation would be achieved for the proposed development through energy efficiencies realized from bulk purchase, transport, and use of construction materials.

In general, the construction process would promote conservation and efficient use of energy by reducing raw materials demands, with related reduction in energy demands associated with raw materials extraction, transportation, processing, and refinement. Use of materials in bulk reduces energy demands associated with the preparation and transport of construction materials as well as the transport and disposal of construction waste and solid waste in general, with corollary reduced demands on area landfill capacities and energy consumed by waste transport and landfill operations. With adherence to Regulatory Compliance Measure EN-1, the project's impacts related to energy during construction would be less than significant.

Operational Energy Use. Energy use consumed by the proposed project would be associated with natural gas use, electricity consumption, and fuel used for vehicle and truck trips associated with the project. Energy use in buildings is divided into energy consumed by the built environment and energy consumed by uses that are independent of the construction of the building such as in plug-in appliances. In California, the California Building Standards Code Title 24 governs energy consumed by the built environment, mechanical systems, and some types of fixed lighting. Non-building energy use, or "plug-in" energy use can be further subdivided by specific end-use (refrigeration, cooking, appliances, etc.). Annual natural gas and electricity usage estimates associated with project operation were obtained from CalEEMod. Table 4.6.A provides the proposed project's estimated annual operational energy usage.

In addition, the proposed project would result in energy usage associated with gasoline and diesel to fuel project-related trips. Trip generation rates used in CalEEMod for the proposed project were based on the project's trip generation estimates identified in the proposed project's Traffic Analysis (provided in Appendix F of this IS/MND).[25] The proposed project would generate a total of 692 ADT, of which 276 ADT would be for the unrefrigerated warehouse and 416 ADT would be for the refrigerated warehouse. The total 692 ADT would include 498 passenger vehicle trips, 60 two-axle truck trips, 26 three-axle truck trips, and 126 four-axle truck trips, which was included in CalEEMod. In addition, although the project's Traffic Analysis identifies an existing trip generation of 1,658 ADT associated with the 336,643-square-foot building that currently exists on the project site, this analysis assumes a scaled existing trip generation of approximately 916 ADT.

[25] Urban Crossroads. 2023. *Goodman Center Commerce Center Traffic Analysis*. January 27.

Based on CalEEMod, the proposed project would generate approximately 2,960,463 vehicle miles traveled (VMT) per year, and the existing uses would generate approximately 3,927,792 VMT per year. The average fuel economy for light-duty vehicles (autos, pickups, vans, and SUVs) in the United States has steadily increased from about 14.9 miles per gallon (mpg) in 1980 to 22.9 mpg in 2020.[26] The average fuel economy for heavy-duty trucks in the United States has also steadily increased, from 5.7 mpg in 2013 to a projected 8.0 mpg in 2021.[27] Therefore, using the United States Environmental Protection Agency (USEPA) fuel economy estimates for 2020, the California diesel fuel economy estimates for 2021, and the traffic data from the project Traffic Analysis, the proposed project is estimated to result in the consumption of approximately 129,278 gallons of gasoline and 370,058 of diesel fuel per year. For comparison purposes, the existing uses on the project site are estimated to consume approximately 171,519 gallons of gasoline and 490,974 diesel fuel per year. Therefore, the proposed project is anticipated to result in a net decrease in gasoline and diesel consumption when compared to existing conditions.

Table 4.6.A provides the proposed project's estimated annual operational energy usage.

Table 4.6.A: Estimated Annual Energy Use

Land Use	Electricity Use (kWh per year)	Natural Gas Use (therms per year)	Gasoline Consumption (gallons per year)	Diesel Consumption (gallons per year)
Existing Uses Energy Use				
Unrefrigerated Warehouse	708,950.0	7,393.9	171,519.3	490,974.0
Proposed Project Energy Use				
Refrigerated Warehouse	4,343,680.0	1,776.1	77,785.9	222,662.0
Unrefrigerated Warehouse	800,049.0	7,592.2	51,492.1	147,396.0
Parking Lot	63,000.0	-	-	-
Total Project Emissions	**5,206,729.0**	**9,368.3**	**129,278.0**	**370,058.0**
Net Total Energy Emissions	**4,497,779**	**1,974.4**	**-42,241.3**	**-120,916.0**

Source: Compiled by LSA (December 2022).
kWh = kilowatt-hour(s)

As shown in Table 4.6.A, the estimated potential net increase in electricity demand associated with the operation of the proposed project is 4,497,779.0 kWh per year. Total electricity demand in Orange County in 2021 was approximately 18,931.8 GWh or 18,931,838,624 kWh. Therefore, operation of the proposed project would increase the annual electricity consumption in Orange County by less than 0.1 percent.

Also as shown in Table 4.6.A, the estimated potential net increase in natural gas demand associated with the proposed project is 1,974.4 therms per year. Total natural gas consumption in Orange County in 2021 was 580 million therms (580,187,556 therms). Therefore, operation of the proposed project

[26] U.S. Department of Transportation (USDOT). "Table 4-23: Average Fuel Efficiency of U.S. Light Duty Vehicles." Website: https://www.bts.dot.gov/bts/bts/content/average-fuel-efficiency-us-light-duty-vehicles (accessed December 2022).

[27] CEC. 2015. Medium and Heavy-Duty Truck Prices and Fuel Economy 2013–2026. Website: efiling.energy.ca.gov/getdocument.aspx?tn=206180 (accessed December 2022).

would negligibly increase the annual natural gas consumption in Orange County by less than 0.1 percent.

Electrical and natural gas demand associated with project operations would not be considered inefficient, wasteful, or unnecessary in comparison to other similar developments in the region. Furthermore, the proposed project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. The project would be required to adhere to all federal, State, and local requirements for energy efficiency, including the Title 24 standards as discussed above, which would significantly reduce energy usage. In addition, the proposed project would exceed Title 24 standards as the proposed buildings would be able to accommodate photovoltaic (PV) solar panels.

As shown in Table 4.6.A, fuel use associated with the vehicle trips generated by the proposed project is estimated at 42,241 gallons of gasoline and 120,916 gallons of diesel fuel. Based on fuel consumption obtained from EMFAC2017, 1.5 billion gallons of diesel and 1.2 billion gallons of gasoline were consumed from vehicle trips in Orange County in 2022. Therefore, operation of the proposed project would represent a very small percentage of the annual gasoline and diesel fuel consumption in Orange County. In addition, when compared to existing conditions, the proposed project would result in a net decrease in fuel consumption. As such, fuel consumption associated with vehicle trips generated by project operations would not be considered inefficient, wasteful, or unnecessary in comparison to other similar developments in the region. Impacts are considered less than significant, and no mitigation is required.

Regulatory Compliance Measures and Mitigation Measures:

The following regulatory compliance measure is an existing regulation that is applicable to the proposed project and is considered in the analysis of potential impacts related to energy. The City of Cypress considers this requirement to be mandatory; therefore, it is not a mitigation measure.

Regulatory Compliance Measure EN-1 **Idling Restriction Signage.** Prior to the issuance of grading permits, the City of Cypress Building Official, or designee, shall confirm that the grading plans for the project include a requirement that a sign shall be posted on site stating that construction workers shall shut off engines at or before 5 minutes of idling, as required by California Code of Regulations (CCR) Title 13, Motor Vehicles, Section 2449(d)(3) Idling.

b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less Than Significant Impact. In 2002, the Legislature passed Senate Bill (SB) 1389, which required the CEC to develop an integrated energy plan every 2 years for electricity, natural gas, and transportation fuels for the California Energy Policy Report. The plan calls for the State to assist in the transformation of the transportation system to improve air quality, reduce congestion, and increase the efficient use of fuel supplies with the least environmental and energy costs. To further this policy, the plan identifies a number of strategies, including assistance to public agencies and fleet operators

in implementing incentive programs for zero emission vehicles and their infrastructure needs, and encouragement of urban designs that reduce VMT and accommodate pedestrian and bicycle access.

The CEC recently adopted the *2022 Integrated Energy Policy Report Update*[28] that provides the results of the CEC's assessments of a variety of energy issues facing California. The City of Cypress relies on the State's integrated energy plan and does not have its own local plan to address renewable energy or energy efficiency.

As indicated above, energy usage on the project site during construction would be temporary in nature and would be relatively small in comparison to the overall use in the County. In addition, energy usage associated with operation of the proposed project would be relatively small in comparison to the overall use in Orange County and the State's available energy sources. Therefore, energy impacts at the regional level would be negligible. Because California's energy conservation planning actions are conducted at a regional level, and because the proposed project's total impact on regional energy supplies would be minor, the proposed project would not conflict with or obstruct California's energy conservation plans as described in the CEC's Integrated Energy Policy Report. Additionally, as demonstrated above, the proposed project would not result in the inefficient, wasteful, and unnecessary consumption of energy. Potential impacts related to conflict with or obstruction of a State or local plan for renewable energy or energy efficiency would be less than significant, and no mitigation is required.

[28] CEC. 2022. *2022 Integrated Energy Policy Report Update*. Docket No. 21-IEPR-01.

4.7 GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☐	☒
ii. Strong seismic ground shaking?	☐	☒	☐	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☒	☐	☐
iv. Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☒	☐	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

Discussion

The following section is based on the *Geotechnical Investigation and Report Update Proposed Goodman Commerce Center 5665 and 5757 Plaza Drive* (Geotechnical Evaluation) conducted by G3SoilWorks (May 4, 2022) and provided in Appendix C of this IS/MND. The Geotechnical Evaluation included a preliminary assessment and independent analysis of the data presented in the referenced reports by others, desktop site research and on-site reconnaissance, supplemental field subsurface exploration, laboratory testing and engineering geologic evaluation, and geotechnical engineering analysis of field findings. In detail, the Geotechnical Evaluation included the following:

- Review of available pertinent geologic and geotechnical reports and maps specific to the project site and vicinity;
- Preliminary site reconnaissance and boring layout;
- The drilling of 5 borings to depths of 25 to 51.5 feet below existing grade utilizing a truck- mounted drilling rig equipped with an 8-inch diameter hollow-stem auger, and associated soil sampling and

logging by a geologist and engineer to substantiate the subsurface findings reported by the previous consultant and obtain additional subsurface information;

- A total of five (5) monitoring wells that were installed to determine static water levels and provide a means of groundwater monitoring in advance of and during construction;
- Review of the liquefaction analyses performed by the previous consultant and the performance of two (2) additional Cone Penetrometer Tests to depths of 50 feet below grade for liquefaction evaluation;
- Laboratory testing, including moisture content and dry density of relatively undisturbed samples obtained in the field, maximum density/optimum moisture relationship, expansion index, hydrometer, classification, consolidation, direct shear, and Atterberg limits;
- Engineering geologic/geotechnical evaluation and analysis of the findings by G3SoilWorks and those presented in the referenced reports relative to the existing site conditions and proposed development, including geologic hazards and re-evaluation of potential site liquefaction;
- Consultation with a ground improvement design and build specialist to develop criteria for use in ground stabilization and preliminary recommendations for remedial grading/ground improvement, and foundation design criteria; and
- Preparation of a written report presenting a summary of field findings, laboratory test results, and updated recommendations for grading, preliminary criteria for ground improvement, foundation design and construction, and utility trench excavation considerations.

Impact Analysis

a) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of known fault? (Refer to Division of Mines and Geology Special Publication 42.)

No Impact. According to the Geotechnical Evaluation, active faults do not appear to be present under or in close proximity to the project site. Additionally, according to the California Geological Survey's EQ Zapp: California Earthquake Hazards Zone Application (EQ Zapp web-based application), the Newport-Inglewood and Whittier Fault Zones are the nearest zoned faults located approximately 5.1 miles southwest and 11.6 miles northeast of the project site, respectively. Therefore, surface rupture is not anticipated to occur within the project site or surrounding vicinity. No impact would occur, and no mitigation is required.

ii. Strong seismic ground shaking?

Less Than Significant with Mitigation Incorporated. As mentioned above, the Geotechnical Evaluation determined no evidence of active faults to be present under or in close proximity to the project site. However, incidental ground cracking and other ground shaking phenomena can occur due to high seismic accelerations and regional seismic activity. Thus, it was determined in the Geotechnical Evaluation that risks associated with seismic shaking and strong ground motion are considered to be moderate.

As specified in Regulatory Compliance Measure GEO-1, the proposed project's buildings will be subject to the seismic design criteria of the most current California Building Code requirements that aim to prevent building collapse and reduce the impacts of seismic ground shaking. Adherence to these requirements will address injury and loss of life and building damage after an earthquake. Further, Mitigation Measure GEO-1 requires the construction contractor to comply with the recommendations in the Geotechnical Evaluation to reduce the proposed project's impact related to seismic hazards. Therefore, with the implementation of Regulatory Compliance Measure GEO-1 and Mitigation Measure GEO-1, impacts related to seismic ground shaking would be less than significant.

Regulatory Compliance Measures and Mitigation Measures:

The following regulatory compliance measure is an existing regulation that is applicable to the proposed project and is considered in the analysis of potential impacts related to geology and soils. The City of Cypress considers this requirement to be mandatory; therefore, it is not a mitigation measure.

Regulatory Compliance Measure GEO-1 **Compliance with Seismic and Building Standards in the Building Code.** Prior to issuance of the first building permit for the proposed buildings, the City of Cypress (City) Building Official, or their designee, and the project soils engineer shall review the building plans to verify that the structural design conforms to the requirements of the City's latest adopted edition of the California Building Standards Code. Structures and walls shall be designed in accordance with applicable sections of the City's Building Code.

The following mitigation measure would be required to reduce impacts related to seismic ground shaking.

Mitigation Measure GEO-1 **Implementation of Geotechnical Evaluation Recommendations.** The Applicant's construction contractor shall implement the recommendations of the Geotechnical Evaluation prepared for the proposed project, as applicable, to the satisfaction of the City of Cypress' (City) Building Official, or designee. The City's Building Official, or designee, shall confirm recommendations have been

implemented into the design and construction of the proposed project prior to the issuance of a building permit.

iii. Seismic-related ground failure, including liquefaction?

Less Than Significant with Mitigation Incorporated. Soil liquefaction is a phenomenon in which cyclic stresses, produced by earthquake-induced ground motion, create excess pore pressures in relatively cohesionless and low plastic soils. These soils may thereby acquire a high degree of mobility, which can lead to lateral movement, sliding, consolidation and settlement of loose sediments, sand boils, and other damaging deformations. This phenomenon occurs only below the water table; however, after liquefaction has developed, the effects can propagate upward into overlying non-saturated soil as excess pore water dissipates.

The factors known to influence liquefaction potential include soil type and grain size, relative density, groundwater level, confining pressures, and both intensity and duration of ground shaking. In general, materials that are susceptible to liquefaction are loose, saturated granular soils having low fine content under low confining pressures and some low plastic silts and clays.

According to the California Geological Survey's EQ Zapp, the site is located on a Liquefaction Hazards Zone of required investigations. The Geotechnical Evaluation included a subsurface exploration and has determined the presence of potentially liquefiable soils to depths of 50 feet. Further analysis determined potential dynamic settlements of approximately 2.9 inches to 5.27 inches during a strong seismic event.

This dynamic settlement as a result of severe seismic activity is expected to occur over a large area and would result in areal subsidence, and the potential differential settlement is expected to be significantly less over any relatively small segment. However, given the nature of the proposed project, comprised of large-scale industrial warehouse facilities, differential settlements under current conditions could be significant. Thus, remedial grading, foundation considerations, and/or in-situ ground improvement measures are recommended in the Geotechnical Evaluation to help mitigate potential adverse effects due to soil liquefaction.

Mitigation Measure GEO-1 (described above) requires the construction contractor to comply with the recommendations in the Geotechnical Evaluation to reduce the proposed project's impact related to liquefaction. Therefore, with implementation of Mitigation Measure GEO-1, the proposed project's impacts related to liquefaction would be reduced to less than significant. The project would also be required to adhere to Regulatory Compliance Measure GEO-1.

iv. Landslides?

No Impact. According to the City's General Plan Safety Element (2001), no significant topographic features are located within the City. Further, according to the Geotechnical Evaluation, the topography of the site is relatively flat to very gently sloping. Site elevations in feet above the North American Vertical Datum of 1988 (NAVD88) are estimated to range from approximately 38 feet above mean sea level (amsl) near the northeast and southeast corners of the site, approximately 39 feet amsl near the center of the site, and approximately 35-36 feet amsl near the northwest and southwest

corners of the site, respectively. Evidence of ancient landslides or slope instabilities at the site was not observed. Both the project site and surrounding properties are flat with no unusual geographic features, and therefore, neither the site nor the surrounding area has the potential for impacts related to landslides. No mitigation is required.

b) Would the project result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. During project construction activities, soil would be exposed and disturbed, drainage patterns would be temporarily altered during grading and other construction activities, and there would be an increased potential for soil erosion and siltation compared to existing conditions. However, as described in Section 4.10, Hydrology and Water Quality, the Construction General Permit requires preparation of a Storm Water Pollution Prevention Plan (SWPPP) (see Regulatory Compliance Measure HYD-1 in that section). The SWPPP would detail Erosion Control and Sediment Control Best Management Practices (BMPs) to be implemented during project construction to minimize erosion and retain sediment on site. With compliance with the requirements of the Construction General Permit and with implementation of the construction BMPs, construction impacts related to substantial soil erosion and loss of topsoil would be less than significant. Following construction, the site will be covered with the proposed buildings, paving, and landscaping. Therefore, operation of the proposed project would not result in substantial soil erosion or loss of topsoil. Potential soil erosion impacts related to construction activities would be less than significant with adherence to the required regulations discussed above. Operation of the proposed project would result in no impacts related to soil erosion or loss of topsoil. No mitigation is required.

c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslides, lateral spreading, subsidence, liquefaction, or collapse?

Less Than Significant with Mitigation Incorporated. Landslides and other forms of mass wasting, including mud flows, debris flows, and soil slips, occur as soil moves downslope under the influence of gravity. Landslides are frequently triggered by intense rainfall or seismic shaking. Because the project site is in a flat area, landslides or other forms of natural slope instability do not represent a significant hazard to the project site or the surrounding area. In addition, as discussed in Response 4.6(a)(4), the site is not within an area susceptible to landslides as both the project site and surrounding properties are flat with no unusual geographic features.

Lateral spreading often occurs on very gentle slopes or flat terrain. The dominant mode of movement is lateral extension accompanied by shear or tensile fracture. This failure is caused by liquefaction and is usually triggered by rapid ground motion, such as that experienced during an earthquake, but can also be artificially induced. When coherent material, either bedrock or soil, rests on materials that liquefy, the upper units may undergo fracturing and extension and may then subside, translate, rotate, disintegrate, or liquefy and flow. The Geotechnical Evaluation indicates that heavy lateral spreading is considered a low risk while ground cracking displacements, and localized spread is considered a moderate risk. This risk would be reduced by the implementation of Regulatory Compliance Measure GEO-1, which would include ground treatment and dewatering, as well as providing a capping of engineered fill. Therefore, potential impacts related to lateral spreading would be less than significant, and no mitigation is required.

Subsidence refers to broad-scale changes in the elevation of land. Common causes of land subsidence are pumping water, oil, and gas from underground reservoirs; dissolution of limestone aquifers (sinkholes); collapse of underground mines; drainage of organic soils; and initial wetting of dry soils (hydrocompaction). Subsidence may also be caused by heavy loads generated by large earthmoving equipment. As stated in the Geotechnical Evaluation, dynamic settlement as a result of liquefaction is expected to occur over a large area and would result in areal subsidence, and the potential differential settlement is expected to be significantly less over any relatively small segment. As specified in Regulatory Compliance Measure GEO-1, the proposed project's buildings will be subject to the seismic design criteria of the most current California Building Code requirements that aim to prevent building collapse and reduce the impacts of seismic ground shaking. Adherence to these requirements will address injury and loss of life and building damage during and after an earthquake. The proposed project's compliance with the most current California Building Code requirements would also reduce the project's impacts related to subsidence. Adherence to these requirements will address the removal and replacement of site soils. Therefore, with the implementation of Regulatory Compliance Measure GEO-1, impacts related to seismic ground shaking would be less than significant, and no mitigation is required.

As discussed in detail in Response 4.7(a)(iii) above, implementation of Mitigation Measure GEO-1 and adherence to the regulatory standards described in Regulatory Compliance Measure GEO-1 would be required to address the proposed project's impacts with respect to liquefaction. Provided that design and remedial grading and ground improvement (as necessary) are performed in accordance with the applicable requirements in the California Building Code (adopted by the City as its Building Code with certain amendments), and current standards of practice in the area, excessive settlement resulting from liquefaction and compression of existing undocumented fill and some layers of loose sands and silty sands on the project site would be reduced to a less than significant level.

d) Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating direct or indirect substantial risks to life or property?

Less Than Significant Impact. According to the Geotechnical Evaluation prepared for the proposed project, surface site soils had a "very low" potential for expansion. No recommendations are provided in the Geotechnical Evaluation related to expansive soils due to this very low potential. Therefore, impacts related to expansive soils for the proposed project would be less than significant. No mitigation is required.

e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

No Impact. The proposed project would not include the use of septic tanks or alternative wastewater disposal systems because sanitary sewer and wastewater facilities are available in the vicinity of the project site. Therefore, the project would have no impact with respect to septic tanks or alternative wastewater disposal systems. No mitigation is required.

f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant with Mitigation Incorporated. The project site contains Artificial Fill, which has no paleontological sensitivity, and Young Alluvium, Unit 2, which has low paleontological sensitivity from the surface to a depth of 10 feet and high paleontological sensitivity below 10 feet. With a maximum depth of 8 feet during excavation, the proposed project is expected to remain in deposits with no or low paleontological sensitivity. However, in the event that paleontological resources are encountered during construction, Mitigation Measure GEO-2 would require work in the immediate area of the discovery to be halted and a qualified paleontologist to assess the discovery. These procedures would reduce potential impacts to scientifically significant nonrenewable paleontological resources encountered during construction.

Mitigation Measure:

Mitigation Measure GEO-2 **Procedures for Unexpected Paleontological Resources Discoveries.** In the event that paleontological resources are encountered, work in the immediate area of the discovery shall be halted and the Applicant shall retain a professional Paleontologist who meets the qualifications established by the Society of Vertebrate Paleontology to assess the discovery. The qualified, professional Paleontologist shall make recommendations regarding the treatment and disposition of the discovered resources, as well as the need for subsequent paleontological mitigation, which may include, but not be limited to, paleontological monitoring, collection of observed resources, preservation, stabilization and identification of collected resources, curation of resources into a museum repository, and preparation of a monitoring report of findings, consistent with well accepted standards, such as those established by the Society of Vertebrate Paleontology. The City of Cypress shall ensure that the recommendations from the qualified, professional Paleontologist shall be followed by the Applicant.

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4.8 GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Discussion

Greenhouse gases (GHGs) are present in the atmosphere naturally, are released by natural sources, or are formed from secondary reactions taking place in the atmosphere. The gases that are widely seen as the principal contributors to human-induced global climate change are:

- Carbon dioxide (CO_2);
- Methane (CH_4);
- Nitrous oxide (N_2O);
- Hydrofluorocarbons (HFCs);
- Perfluorocarbons (PFCs); and
- Sulfur Hexafluoride (SF_6).

Over the last 200 years, humans have caused substantial quantities of GHGs to be released into the atmosphere. These extra emissions are increasing GHG concentrations in the atmosphere and enhancing the natural greenhouse effect, believed to be causing global warming. While manmade GHGs include naturally occurring GHGs such as CO_2, methane, and N_2O, some gases, like HFCs, PFCs, and SF_6 are completely new to the atmosphere.

In October 2008, the South Coast Air Quality Management District (SCAQMD) released a *Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold*[29] that suggested a tiered approach to analyzing GHG emissions in a project level analysis. In the Draft Guidance Document, the SCAQMD provided numerical thresholds that can be applied to smaller projects (like the proposed project). Although the interim GHG significance threshold of 3,000 metric tons (MT) per year of carbon dioxide equivalents (CO_2e) is residential and commercial land uses where the SCAQMD is the lead agency, other lead agencies in the South Coast Air Basin, including the City of Cypress, have determined that this threshold is more conservative and appropriate for industrial and warehouse land use development projects. If emissions exceed the numerical screening threshold, a more

[29] South Coast Air Quality Management District (SCAQMD). 2008. *Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold*. October. Website: http://www.aqmd.gov/docs/default-source/ceqa/handbook/greenhouse-gases-(ghg)-ceqa-significance-thresholds/ghgattachmente.pdf (accessed December 2022).

detailed review of the project's GHG emissions is warranted. The SCAQMD has proposed an efficiency target for projects that exceed the bright-line threshold. The current recommended approach is per-capita efficiency targets. The SCAQMD is not recommending use of a percent emissions reduction target. Instead, the SCAQMD proposes a 2020 efficiency target of 4.8 MT CO_2e per year per service population (residents plus employees) for project-level analyses.

For the purpose of this analysis, the proposed project will be compared to the threshold of 3,000 MT CO_2e/year for all land use types. The project is also evaluated for compliance with the California Air Resources Board's (CARB) 2017 *California's 2017 Climate Change Scoping Plan* (Scoping Plan).[30]

Impact Analysis

a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less Than Significant Impact. This following analysis describes the proposed project's construction- and operation-related GHG emissions and contribution to global climate change. The SCAQMD has not addressed emission thresholds for construction in its *CEQA Air Quality Handbook* (April 1993, currently being revised); however, the SCAQMD requires quantification and disclosure. Thus, this section discusses construction emissions.

Construction Greenhouse Gas Emissions. Demolition and construction activities associated with the proposed project would produce combustion emissions from various sources. During construction, GHGs would be emitted through the operation of construction equipment and from worker and builder supply vendor vehicles, each of which typically use fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as CO_2, CH_4, and N_2O. Furthermore, CH_4 is emitted during the fueling of heavy equipment. Exhaust emissions from on-site construction activities would vary daily as construction activity levels change.

The SCAQMD does not have an adopted threshold of significance for construction-related GHG emissions. However, lead agencies are required to quantify and disclose GHG emissions that would occur during construction. The SCAQMD suggests that construction GHG emissions be amortized over the life of the project (defined as 30 years), added to the operational emissions, and compared to the applicable interim GHG significance threshold tier.

Using the California Emissions Estimator Model version 2020.4.0 (CalEEMod), it is estimated that the proposed project would generate a total of approximately 922.1 MT CO_2e during construction of the project. When annualized over the 30-year life of the project, annual emissions would be 30.7 MT CO_2e.

Operational Emissions. Long-term operation of the proposed project would generate GHG emissions from area, mobile, stationary, waste, and water sources as well as indirect emissions from sources associated with energy consumption. Mobile-source GHG emissions would include project-generated vehicle trips associated with trips to the proposed project. Area-source emissions would be associated with activities such as landscaping and maintenance on the project site, and other sources. Waste

[30] California Air Resources Board (CARB). 2017. *California's 2017 Climate Change Scoping Plan*. November.

source emissions generated by the proposed project include energy generated by landfilling and other methods of disposal related to transporting and managing project-generated waste. In addition, water source emissions associated with the proposed project are generated by water supply and conveyance, water treatment, water distribution, and wastewater treatment.

Following guidance from the SCAQMD, GHG emissions were estimated using CalEEMod. Trip generation rates used in CalEEMod for the proposed project were based on the project's trip generation estimates identified in the proposed project's Traffic Analysis.[31] The proposed project would generate a total of 692 average daily trips (ADT), of which 276 ADT would be for the unrefrigerated warehouse and 416 ADT would be for the refrigerated warehouse. The total 692 ADT would include 498 passenger vehicle trips, 60 two-axle truck trips, 26 three-axle truck trips, and 126 four-axle truck trips, which were included in CalEEMod.

In addition, long-term operational emissions associated with the existing uses were evaluated in CalEEMod. The project site is developed with an existing 336,643-square-foot building; however, a total of 151,486 square feet of space is currently occupied. Therefore, the existing uses analysis evaluates 151,486 square feet of existing warehouse uses. Although the project's Traffic Analysis identifies an existing trip generation of 1,658 ADT associated with the total 336,643-square-foot building, this analysis assumes a scaled existing trip generation of approximately 916 ADT.

Table 4.8.A shows the calculated GHG emissions for the proposed project. Appendix A provides additional calculation details. As shown in Table 4.8.A, mobile sources are the largest source of GHG emissions for the proposed project at approximately 51 percent of the total project emissions. Energy sources are the next largest category at approximately 32 percent. Water sources are approximately 11 percent of the total emissions and waste sources are approximately 6 percent of the total emissions. Area sources are approximately less than 1 percent of the total emissions.

As discussed above, according to SCAQMD, a project would have less than significant GHG emissions if it would result in operational-related GHG emissions of less than 3,000 MT CO_2e per year. Based on the analysis results, the proposed project would result in a net increase of 1,370.6 MT CO_2e per year over existing conditions, which would be well below the numeric threshold of 3,000 MT CO_2e. Therefore, operation of the proposed project would not generate substantial GHG emissions, and impacts related to operational GHG emissions would be less than significant. No mitigation is required.

[31] Urban Crossroads, 2023. *Goodman Center Commerce Center Traffic Analysis*. January 27.

Table 4.8.A: GHG Emissions (MT/yr)

Emission Type	Operational Emissions				
	CO_2	CH_4	N_2O	CO_2e	Percentage of Total
Existing Uses GHG Emissions					
Area Source	<0.1	<0.1	0.0	**<1.0**	<1
Energy Source	165.2	<0.1	<0.1	166.1	10
Mobile Source	1,319.2	0.1	0.1	1,337.1	78
Waste Source	28.9	1.7	0.0	71.6	4
Water Source	92.0	1.1	<0.1	129.0	8
Total Existing Uses Emissions				**1,703.8**	**100**
Proposed Project GHG Emissions					
Area Source	<0.1	<0.1	0.0	<0.1	<1
Energy Source	973.4	0.1	<0.1	978.4	32
Mobile Source	1,502.2	0.1	0.1	1,548.5	51
Waste Source	74.5	4.4	0.0	184.5	6
Water Source	237.0	3.0	0.1	332.3	11
Total Operational Emissions				**3,043.7**	**100**
Amortized Construction Emissions				30.7	-
Total Annual Emissions				**3,074.4**	**-**
Total Net Annual Emissions				**1,370.6**	
SCAQMD Threshold				**3,000**	-
Exceeds Threshold?				**No**	**-**

Source: LSA (December 2022).
GHG = greenhouse gas
MT/yr = metric tons per year
SCAQMD = South Coast Air Quality Management District

b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less Than Significant Impact. The City, as a lead agency, may assess the significance of GHG emissions by determining a project's consistency with a local GHG reduction plan that qualifies under Section 15183.5 of the *State CEQA Guidelines*. The City of Cypress has not adopted a GHG reduction plan. In addition, the City has not completed the GHG inventory, benchmarking, and goal-setting process required to identify a reduction target and to take advantage of the streamlining provisions contained in the *State CEQA Guidelines* amendments adopted in Senate Bill (SB) 97.

Since no other local or regional climate action plan is in place, the proposed project was analyzed for consistency with the goals of the Scoping Plan and the 2020 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).

CARB Scoping Plan. Executive Order (EO) B-30-15 added the immediate target of reducing GHG emissions to 40 percent below 1990 levels by 2030. SB 32 affirms the importance of addressing climate change by codifying into statute the GHG emissions reduction target of at least 40 percent below 1990 levels by 2030 contained in EO B-30-15. CARB released the 2017 Scoping Plan to reflect the 2030 target set by EO B-30-15 and codified by SB 32.[32] SB 32 builds on Assembly Bill (AB) 32 and

[32] CARB. 2017. *California's 2017 Climate Change Scoping Plan*. November.

keeps the State on its path toward achieving its 2050 objective of reducing emissions to 80 percent below 1990 levels. The companion bill to SB 32, Assembly Bill (AB) 197, provides additional direction to CARB related to the adoption of strategies to reduce GHG emissions. Additional direction in AB 197 that is intended to provide easier public access to air emission data collected by the CARB was posted in December 2016.

The 2022 Scoping Plan Update[33] assesses progress toward the statutory 2030 target, while laying out a path to achieving carbon neutrality no later than 2045. The 2022 Scoping Plan Update focuses on outcomes needed to achieve carbon neutrality by assessing paths for clean technology, energy deployment, natural and working lands, and others, and is designed to meet the State's long-term climate objectives and support a range of economic, environmental, energy security, environmental justice, and public health priorities. The 2022 Scoping Plan was approved on December 15, 2022.

As identified above, the 2022 Scoping Plan contains GHG reduction measures that work toward reducing GHG emissions, consistent with the targets set by EO B-30-15 and codified by SB 32 and AB 197. The measures applicable to the proposed project include energy efficiency measures, water conservation and efficiency measures, and transportation and motor vehicle measures, as discussed below.

Energy efficiency measures are intended to maximize energy-efficient building and appliance standards; pursue additional efficiency efforts, including new technologies and new policy and implementation mechanisms; and pursue comparable investment in energy efficiency from all retail providers of electricity in California. In addition, these measures are designed to expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings. As identified above, the proposed project would comply with the latest California Green Building Standards Code (CALGreen Code) standards regarding energy conservation and green building. Therefore, the proposed project would comply with applicable energy measures.

Water conservation and efficiency measures are intended to continue efficiency programs and use cleaner energy sources to move and treat water. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions. As noted above, the project would be required to comply with the latest CALGreen Code standards, which include a variety of different measures, including reduction of wastewater and water use. The proposed project would also include drought tolerant landscape and would be required to comply with the California Model Water Efficient Landscape Ordinance. Therefore, the proposed project would not conflict with any of the water conservation and efficiency measures.

The goal of transportation and motor vehicle measures is to develop regional GHG emission reduction targets for passenger vehicles. Specific regional emission targets for transportation emissions would not directly apply to the proposed project. However, vehicles traveling to the project site would comply with the Pavley II (LEV III) Advanced Clean Cars Program. The second phase of Pavley standards will reduce GHG emissions from new cars by 34 percent from 2016 levels by 2025. Therefore, the proposed project would not conflict with the identified transportation and motor vehicle measures.

[33] CARB. 2017. op. cit.

The proposed project would comply with existing State regulations adopted to achieve the overall GHG emissions reduction goals.

Southern California Association of Governments' (SCAG) Regional Transportation Plan/Sustainable Communities Strategy.SCAG's 2020–2045 RTP/SCS was adopted on September 3, 2020. SCAG's RTP/SCS identifies that land use strategies that focus on new housing and job growth in areas served by high-quality transit and other opportunity areas would be consistent with a land use development pattern that supports and complements the proposed transportation network. The core vision in the 2020–2045 RTP/SCS is to better manage the existing transportation system through design management strategies, integrate land use decisions and technological advancements, create complete streets that are safe to all roadway users, preserve the transportation system, and expand transit and foster development in transit-oriented communities. The 2020–2045 RTP/SCS contains transportation projects to help more efficiently distribute population, housing, and employment growth, as well as a forecasted development pattern that is generally consistent with regional-level General Plan data. The forecasted development pattern, when integrated with the financially constrained transportation investments identified in the 2020–2045 RTP/SCS, would reach the regional target of reducing GHG emissions from automobiles and light-duty trucks by 8 percent per capita by 2020 and 19 percent by 2035 (compared to 2005 levels). The 2020–2045 RTP/SCS does not require that local General Plans, Specific Plans, or zoning be consistent with the 2020–2045 RTP/SCS, but it does provide incentives for consistency to governments and developers.

Implementing SCAG's RTP/SCS will greatly reduce the regional GHG emissions from transportation, helping to achieve statewide emissions reduction targets. The proposed project would not conflict with the stated goals of the RTP/SCS; therefore, the proposed project would not interfere with SCAG's ability to achieve the region's GHG reduction targets of 8 percent below 2005 per capita emissions levels by 2020 and 19 percent below 2005 per capita emissions levels by 2035, and it can be assumed that regional mobile emissions would decrease in line with the goals of the RTP/SCS. Furthermore, the proposed project is not regionally significant per *State CEQA Guidelines* Section 15206, and, as such, it would not conflict with the SCAG RTP/SCS targets since those targets were established and are applicable on a regional level.

The proposed project would consist of two warehouse buildings totaling 390,268 square feet, including 20,000 square feet of office space. Based on the nature of the proposed project, it is anticipated that implementation of the proposed project would not interfere with SCAG's ability to implement the regional strategies outlined in the RTP/SCS. Therefore, the proposed project would not conflict with plans, policies, or regulations adopted for the purpose of reducing GHG emissions. Impacts would be less than significant, and no mitigation is required.

4.9 HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☒	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒

Discussion

The following section is based on the *Phase I Environmental Site Assessment 5757 Plaza Drive Cypress, California* (Phase I ESA) prepared by Stantec Consulting Services, Inc. (September 2021) and provided in Appendix B of this IS/MND.

Impact Analysis

a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact. Hazardous materials are chemicals that could potentially cause harm during an accidental release or mishap, and are defined as being toxic, corrosive, flammable, reactive, and an irritant, or strong sensitizer.[34] Hazardous substances include all chemicals regulated under the United States Department of Transportation's "hazardous materials" regulations and the United

[34] A "sensitizer" is a chemical that can cause a substantial proportion of people or animals to develop an allergic reaction in normal tissue after repeated exposure to a chemical.

States Environmental Protection Agency's (USEPA) "hazardous waste" regulations. Hazardous wastes require special handling and disposal because of their potential to damage public health and the environment. The probable frequency and severity of consequences from the routine transport, use, or disposal of hazardous materials is affected by the type of substance, the quantity used or managed, and the nature of the activities and operations.

Construction of the proposed project would temporarily increase the regional transport, use, and disposal of construction-related hazardous materials and petroleum products (e.g., diesel fuel, lubricants, paints and solvents, and cement products containing strong basic or acidic chemicals). These materials are commonly used at construction sites, and the construction activities would be required to comply with applicable State and federal regulations for proper transport, use, storage, and disposal of excess hazardous materials and hazardous construction waste. In addition, Regulatory Compliance Measures HYD-1 and HYD-2, as detailed in Section 4.10, Hydrology and Water Quality, of this IS/MND, require compliance with the waste discharge permit requirements to avoid potential impacts to water quality due to spills or runoff from hazardous materials used during construction. Therefore, with adherence to the regulatory standards included in Regulatory Compliance Measures HYD-1 and HYD-2, impacts related to the routine transport, use, or disposal of hazardous materials during construction would be less than significant.

The proposed project includes the development of two warehouse/office buildings. Warehouse and office uses typically do not present a hazard associated with the accidental release of hazardous substances into the environment. Operation of the proposed warehouses would involve the use of materials common to all urban developments that are labeled hazardous such as solvents and commercial cleansers and petroleum products and would include the limited use of pesticide and herbicides for landscape maintenance. Trucks accessing the businesses on site would contain oil and gasoline to power their engines, which could have the potential to result in minor releases of such substances through drips or leaks from truck loading areas.

Any hazardous materials associated with project operations would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with applicable federal, State, and local regulations. In addition, operation of the proposed project would not store, transport, generate, or dispose of large quantities of hazardous substances. Therefore, potential impacts from the routine transport, use of disposal of hazardous materials resulting from operation of the proposed project would be less than significant, and no mitigation would be required.

The Orange County Fire Authority's (OCFA) Hazardous Material Division and the Orange County Environmental Health Department both identify types and amounts of waste generated in Orange County and establish programs for managing waste. The OCFA maintains a Hazardous Material Management Plan, which assures that adequate treatment and disposal capacity is available to manage the hazardous waste generated within the County and address issues related to the disposal, handling, processing, storage, and treatment of local hazardous materials and waste products.

The proposed project would be reviewed by the OCFA for hazardous material use, safe handling, and storage of materials. Prior to the issuance of grading permits, conditions of approval would be applied to the proposed project by the OCFA to reduce hazardous material impacts and ensure that any hazardous waste that is generated on site would be transported to an appropriate disposal facility by

a licensed hauler in accordance with State and federal law. Therefore, due to the type and nature of the proposed project, its implementation would result in less than significant impacts related to the routine transport, use, or disposal of hazardous materials; no mitigation is required.

b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less Than Significant Impact. The Phase I ESA prepared for the proposed project included site reconnaissance to visually assess the project site and surrounding area's current land uses; and a review of regulatory agency reports, aerial photographs, and other historic record sources. The purpose of the Phase I ESA was to identify and assess environmental characteristics of the project site that could impact the present or future uses of the project site.

The project site was historically used for agricultural purposes until approximately 1980. Based on the adjacent railroad line and historical agricultural use, pesticides or herbicides may have been utilized on the project site and near-surface soils may have at one time contained these compounds. However, the soils on the project site were reworked when the project site was developed around 1988, and therefore it is not anticipated that any hazardous materials in the soils remain related to past agricultural use. The Phase I ESA concluded that there was no evidence of recognized environmental conditions at the project site.

The Phase I ESA also determined that the presence of lead-based paint (LBP) was unlikely as the existing building was built around 1988, and risks related to LBP only apply to paint that is intact but was applied before 1977. In addition, the Phase I ESA determined that previous investigations on the project site indicated the potential presence of asbestos-containing materials (ACMs) in building materials. An asbestos inspection report prepared for the existing building in 2021 did not identify any ACMs.[35] Therefore, possible impacts related to ACMs would be less than significant, and no mitigation is required.

For the reasons described above, the proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Therefore, impacts would be less than significant, and no mitigation is required.

c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Less Than Significant Impact. The closest schools to the project site are the Frank Vessels Elementary School (0.4 miles north) and Del Sol School (0.6 miles northwest). Therefore, there are no existing or proposed schools within 0.25 mile of the project site.

As noted in Responses 4.9(a) and 4.9(b), the proposed project is not anticipated to release hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste in significant

[35] Pacific Environmental Company. 2021. *Asbestos Inspection Report*, *5757 Plaza Drive, Cypress, California 90630.* August 10.

quantities. Construction activities associated with the proposed project would use a limited amount of hazardous and flammable substances/oils during heavy equipment operation for site excavation, grading, and construction. The amount of hazardous chemicals present during construction is limited and would be in compliance with existing government regulations. Future warehouse land uses would not require the use, storage, disposal, or transport of large volumes of hazardous materials that could cause serious environmental damage in the event of an accident. Although hazardous substances would be present and utilized at the proposed warehouses, such substances are generally present now in the existing development on the project site, typically found in small quantities, and can be cleaned up without affecting the environment. Therefore, impacts related to hazardous emissions or handling of hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school would be less than significant, and no mitigation is required.

d) Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Less Than Significant Impact. Under Government Code Section 65962.5, the Department of Toxic Substances Control (DTSC) provides a list (Cortese List) of hazardous materials sites. The DTSC's data management system (EnviroStor) does not include any sites within the City of Cypress. [36] Therefore, the project site is not on the list, impacts related to the project site's status on the list of hazardous materials sites would be less than significant, and no mitigation is required.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

Less Than Significant Impact. The project site is located approximately 0.25 mile north of Joint Forces Training Base (JFTB) Los Alamitos. The facilities at JFTB Los Alamitos include two runways and associated taxiways, ramp space, and hangars. According to the Orange County Airport Land Use Commission's *Airport Environs Land Use Plan (AELUP) for Joint Forces Training Base Los Alamitos*, the project site is located in the Federal Aviation Administration's (FAA) Part 77 Notification Area (Exhibit D1) and the AELUP height restriction zone for JFTB Los Alamitos.[37] Height limitations are imposed on projects within a height restriction zone so that structures or trees (1) do not obstruct the airspace

[36] California Department Toxic Substances Control (DTSC). EnviroStor. Website: https://www.envirostor.dtsc.ca.gov/public/search.asp?PAGE=2&CMD=search&ocieerp=&business_name=&main_street_number=&main_street_name=&city=&zip=&county=&branch=&status=ACT%2CBKLG%2CCOM&site_type=CSITES%2CFUDS&cleanup_type=&npl=&funding=&reporttype=CORTESE&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST+%28CORTESE%29&federal_superfund=&state_response=&voluntary_cleanup=&school_cleanup=&operating=&post_closure=&non_operating=&corrective_action=&tiered_permit=&evaluation=&spec_prog=&national_priority_list=&senate=&congress=&assembly=&critical_pol=&business_type=&case_type=&display_results=&school_district=&pub=&hwmp=False&permitted=&pc_permitted=&inspections=&inspectionsother=&complaints=&censustract=&cesdecile=&ORDERBY=city&next=Next+50 (accessed September 15, 2022).

[37] Orange County Airport Land Use Commission. 2016. *Airport Environs Land Use Plan for Joint Forces Training Base Los Alamitos.* Website: http://www.ocair.com/commissions/aluc/docs/JFTB-AELUP2016ProposedFINAL.pdf (accessed January 13, 2023).

required for takeoff, flight, or landing of an aircraft at an airport, or (2) are not otherwise hazardous to the landing or takeoff or aircraft.

Implementation of the proposed project would not result in a safety hazard for people working in the project area because the proposed project would include the demolition of the existing building on the project site and replace it with two warehouses that would not exceed 50 feet in height (each building would have a maximum height of approximately 47 feet, 6 inches). As such, the proposed buildings would be consistent with the height of surrounding land uses and would not penetrate the 100 to 1 imaginary surface that surrounds the runway at JFTB Los Alamitos. Impacts would be less than significant, and no mitigation is required.

f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

No Impact. The City's emergency evacuation routes are shown on Exhibit SAF-5 in the Safety Element (2001) of the City's General Plan. All emergency evacuation activities are coordinated by the City's Police Chief. The Police Chief would issue evacuation orders based on information gathered from emergency experts. Evacuation operations would be conducted by law enforcement agencies, highway/road/street departments, and public and private transportation providers.[38] The project site is located adjacent to Valley View Street, which is identified as an emergency evacuation route by the City.[39] The proposed project does not include any modifications to Valley View Street and would not introduce any new driveways or other vehicular access points to Valley View Street. Therefore, the proposed project would not interfere with emergency operations and evacuations, and there would be no impact on emergency response. No mitigation is required.

g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

No Impact. The California Department of Forestry and Fire Protection (CAL FIRE) has mapped areas of significant fire hazards in the State through its Fire and Resources Assessment Program (FRAP). These maps place areas of California into different fire hazard severity zones (FHSZ), based on a hazard scoring system using subjective criteria for fuels, fire history, terrain influences, housing densities, and occurrence of severe fire weather where urban conflagration could result in catastrophic losses. As part of this mapping system, the California Department of Forestry and Fire Protection (CAL FIRE) is responsible for wildland fire protection for land areas that are generally unincorporated and they are classified as State Responsibility Areas (SRAs). In areas where local fire protection agencies (e.g., Orange County Fire Authority [OCFA]) are responsible for wildfire protection, the lands are classified as Local Responsibility Areas (LRAs). CAL FIRE currently identifies the proposed project site as an LRA. In addition to establishing local or State responsibility for wildfire protection in a specific area, CAL FIRE designates areas as very high fire hazard severity zones (VHFHSZ) or non-VHFHSZ.

38 City of Cypress. General Plan Environmental Impact Report. Geology and Seismic Hazards. Page 4.6-7.

39 City of Cypress General Plan, Safety Element, Emergency Evacuation Routes map (Exhibit SAF-5), October 2, 2001.

According to the CAL FIRE Very High Fire Hazard Severity Zone Maps for the Orange County region, the entire City of Cypress is designated as a non-VHFHSZ,[40] and the City does not include an SRA. The nearest VHFHSZ to the project site is approximately 10 miles to the northeast in Coyote Hills on the western side of Fullerton.[41] The nearest SRA is in Puente Hills, approximately 12 miles northeast of the project site. Because the project site is not located in or near an SRA or VHFHSZ, the proposed project would not result in any impacts related to wildfire. No mitigation is required.

[40] California Department of Forestry and Fire Protection (CAL FIRE). 2011. Very High Fire Hazard Severity Zones in LRA. Website: https://osfm.fire.ca.gov/media/6739/fhszl_map30.pdf (accessed August 30, 2022).

[41] Ibid.

4.10 HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) Result in a substantial erosion or siltation on- or off-site;				
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or				
iv) impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

Discussion

The following section is based on the *Preliminary Water Quality Management Plan* (Preliminary WQMP) (PBLA Engineering, Inc., December 2022) provided in Appendix D of this IS/MND.

Impact Analysis

a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less Than Significant Impact.

***Construction*.** Pollutants of concern during construction include sediments, trash, petroleum products, concrete waste (dry and wet), sanitary waste, and chemicals. Each of these pollutants on its own or in combination with other pollutants can have a detrimental effect on water quality. During construction, the entirety of the project site would be graded and excavated and 18.6 acres of soil would be disturbed. During construction activities, soil would be exposed and disturbed, and there

would be an increased potential for soil erosion and sedimentation compared to existing conditions. In addition, chemicals, liquid products, petroleum products (e.g., paints, solvents, and fuels), and concrete-related waste may be spilled or leaked and have the potential to be transported via stormwater runoff into receiving waters. Sediment from increased soil erosion and chemicals from spills and leaks have the potential to be discharged to downstream receiving waters during storm events, which can affect water quality and impair beneficial uses.

Because construction of the proposed project would disturb greater than 1 acre of soil, the proposed project is subject to the requirements of the *General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities,* Order No. 2009-0009-DWQ, National Pollutant Discharge Elimination System (NPDES) No. CAS000002, as amended by Order Nos. 2010-0014-DWQ and 2012-0006-DWQ (Construction General Permit), as specified in Regulatory Compliance Measure HYD-1. As also specified in Regulatory Compliance Measure HYD-1, a Stormwater Pollution Prevention Plan (SWPPP) would be prepared and construction Best Management Practices (BMPs) detailed in the SWPPP would be implemented during construction, in compliance with the requirements of the Construction General Permit. The SWPPP would detail the BMPs to be implemented during construction. Construction BMPs would include, but not be limited to, Erosion Control and Sediment Control BMPs designed to minimize erosion and retain sediment on site, and Good Housekeeping BMPs to prevent spills, leaks, and discharge of construction debris and waste into receiving waters. Compliance with the requirements of the Construction General Permit, including incorporation of construction BMPs to target and reduce pollutants of concern in stormwater runoff, would ensure that construction impacts related to waste discharge requirements, water quality standards, degradation of water quality, increased pollutant discharge, and alteration of receiving water quality, or impacts on surface water quality to marine, fresh, or wetland waters, would be less than significant.

According to the Geotechnical Evaluation (Appendix C), borings encountered groundwater at depths of 6 to 9 feet below ground surface (bgs). Due to the presence of shallow groundwater, it is likely that groundwater dewatering would be required during excavation activities. Groundwater may contain high levels of total dissolved solids, nitrate, salinity, or other constituents, or high or low pH levels that could be introduced to surface waters when dewatered groundwater is discharged to receiving waters. If groundwater dewatering is necessary, groundwater would be discharged to either the sanitary sewer system or storm drain system. If discharged to the sanitary sewer system, a permit from the City of Cypress Public Works Department or Orange County Sanitation District would be required, as specified in Regulatory Compliance Measure HYD-2, to ensure that there is sufficient capacity available to accommodate the discharge to prevent sanitary sewer overflow, which can result in a discharge of pollutants to surface waters. If groundwater is discharged to the storm drain system, coverage under the Santa Ana Regional Water Quality Control Board's (RWQCB) NPDES Permit *General Waste Discharge Requirements for Discharges to Surface Waters that Pose an Insignificant (De Minimis) Threat to Water Quality* (Order No. R8-2020-0006, NPDES No. CAG998001) would be required, as also specified in Regulatory Compliance Measure HYD-2. This permit requires testing and treatment (as necessary) of groundwater encountered during groundwater dewatering prior to release to the storm drain system. As a result, groundwater dewatering would not introduce pollutants to receiving waters at levels that would violate water quality standards or waste discharge requirements, degrade water quality, increase pollutant discharge, or alter the quality of the receiving water. Impacts to surface water quality from groundwater dewatering would be less than significant.

Operation. Expected pollutants of concern from long-term operation of the proposed project include suspended solids/sediment, nutrients, heavy metals, pathogens (bacteria/virus), pesticides, oil and grease, toxic organic compounds, and trash and debris. According to the *Preliminary Water Quality Management Plan* prepared for the proposed project, potential sources of these pollutants include the following:

- Suspended Solids/Sediment: proposed landscaped areas
- Nutrients: proposed landscaped areas
- Heavy Metals: uncovered parking areas
- Pathogens (bacteria/virus): proposed operations and common wildlife species
- Pesticides: proposed landscaped areas
- Oil and Grease: uncovered parking areas
- Toxic Organic Compounds: uncovered parking areas
- Trash and Debris: proposed operations

The proposed project would comply with the requirements of the Santa Ana RWQCB's NPDES Permit *Waste Discharge Requirements for the County of Orange, Orange County Flood Control District, and the Incorporated Cities of Orange County within the Santa Ana Region Areawide Urban Storm Water Runoff Orange County* (Order No. R8-2009-0030, NPDES No. CAS618030, as amended by Order No. R8-2010-0062) (North Orange County MS4 Permit). The North Orange County MS4 Permit requires that a Water Quality Management Plan (WQMP) be prepared for priority new development and redevelopment projects. The preparation of a WQMP and compliance with the North Orange County MS4 Permit is specified in Regulatory Compliance Measure HYD-3.

WQMPs specify the BMPs that would be implemented to capture, treat, and reduce pollutants of concern in stormwater runoff. The Preliminary WQMP prepared for the project specifies the Source Control, Low Impact Development (LID) BMPs, and Treatment Control BMPs proposed for the project. Source Control BMPs are preventative measures that are implemented to prevent the introduction of pollutants into stormwater. LID BMPs mimic a project site's natural hydrology by using design measures that capture, filter, store, evaporate, detain, and infiltrate runoff rather than allowing runoff to flow directly to piped or impervious storm drains. Treatment Control BMPs are structural BMPs designed to treat and reduce pollutants in stormwater runoff prior to releasing it to receiving waters.

The BMPs specified in the Preliminary WQMP would be implemented and maintained, as specified in Regulatory Compliance Measure HYD-3. The proposed project BMPs are detailed below.

Proposed Structural Source Control BMPs include storm drain stenciling and signage; design and construct trash and waste storage areas to reduce pollution introduction; efficient irrigation systems and landscape design, water conservation, and smart controllers; and the incorporation of requirements applicable to dock areas from Santa Ana RWQCB's NPDES Permit. Proposed Non-structural Source Control BMPs include education for property owners, tenants, and occupants; activity restrictions; common area landscape management; BMP maintenance; common area litter control; employee training; housekeeping of loading docks; common area catch basin inspection, and; street sweeping private streets and parking lots.

Due to the high and seasonally mounded groundwater, traditional infiltration BMPs are not feasible for the proposed project. Proposed LID BMPs include a stormwater biofiltration system (Modular Wetland Systems), also utilized as biotreatment BMPs. Stormwater runoff in the proposed condition would be collected by a series of area drains and proposed sump curb inlet catch basins and would be conveyed to an underground stormwater basin beneath the parking lot in the southern portion of the project site before being pumped to the proposed Modular Wetland Systems for treatment. The Modular Wetland Systems would treat street, roof, and landscape runoff for the proposed project, as well as reduce project-related flow rates into the existing storm drains by retaining and treating stormwater on the site. The proposed Modular Wetland Systems and catch basins would be designed with internal peak bypass and upstream diversion systems for conveyance of larger storm events. Treated and overflow stormwater from the Modular Wetland Systems would be conveyed via a proposed private underground storm drain system to a private point of connection, then to an existing City public 48-inch storm drain system located within Plaza Drive. Flows would then be conveyed from the 48-inch storm drain system to the Bolsa Chica Channel, then to Anaheim Bay, ultimately discharging to the Pacific Ocean.

The proposed BMPs would target and reduce pollutants of concern from runoff from the project site in compliance with the North Orange County MS4 Permit requirements. Compliance with the requirements of the North Orange County MS4 Permit, including incorporation of operational BMPs to target pollutants of concern (as specified in Regulatory Compliance Measure HYD-3), would ensure that water quality impacts related to waste discharge requirements, water quality standards, degradation of water quality, increased pollutant discharge, alteration of receiving water quality, or impacts on surface water quality to marine, fresh, or wetland waters during operation of the proposed project would be less than significant.

Regulatory Compliance Measures:

The following regulatory compliance measures are existing regulations that are applicable to the proposed project and are considered in the analysis of potential impacts related to hydrology and water quality. The City of Cypress considers these requirements to be mandatory; therefore, they are not considered mitigation measures.

Regulatory Compliance Measure HYD-1 **Construction General Permit.** Prior to commencement of construction activities, the Applicant shall obtain coverage under the *National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit),* NPDES No. CAS000002, Order No. 2009-0009-DWQ, as amended by Order No. 2010-0014-DWQ and Order No. 2012-0006-DWQ, or any other subsequent permit. This shall include submission of Permit Registration Documents (PRDs), including permit application fees, a Notice of Intent (NOI), a risk assessment, a site plan, a Stormwater Pollution Prevention Plan (SWPPP), a signed certification statement, and any other compliance-

related documents required by the permit, to the State Water Resources Control Board via the Stormwater Multiple Application and Report Tracking System (SMARTS). Construction activities shall not commence until a Waste Discharge Identification Number (WDID) is obtained for the project from the SMARTS and provided to the Director of the City of Cypress Community Development Department, or designee, to demonstrate that coverage under the Construction General Permit has been obtained. Project construction shall comply with all applicable requirements specified in the Construction General Permit, including, but not limited to, preparation of a SWPPP and implementation of construction site best management practices (BMPs) to address all construction-related activities, equipment, and materials that have the potential to impact water quality for the appropriate risk level identified for the project. The SWPPP shall identify the sources of pollutants that may affect the quality of stormwater and shall include BMPs (e.g., Sediment Control, Erosion Control, and Good Housekeeping BMPs) to control the pollutants in stormwater runoff. Construction Site BMPs shall also conform to the requirements specified in the latest edition of the Orange County Stormwater Program *Construction Runoff Guidance Manual for Contractors, Project Owners, and Developers* to control and minimize the impacts of construction and construction-related activities, materials, and pollutants on the watershed. Upon completion of construction activities and stabilization of the project site, a Notice of Termination shall be submitted via SMARTS.

Regulatory Compliance Measure HYD-2

Groundwater Dewatering Permit. If groundwater dewatering is required during construction or excavation activities and the dewatered groundwater is discharged to the sanitary sewer system, the Applicant shall obtain a discharge permit from the Director of the City of Cypress Public Works Department. If the dewatered groundwater is discharged to the storm drain system, the Applicant shall obtain coverage under the *General Waste Discharge Requirements for Discharges to Surface Waters that Pose an Insignificant (De Minimis) Threat to Water Quality (*Order No. R8-2020-0006, NPDES No. CAG998001), which covers discharges to surface waters that pose an insignificant (de minimis) threat to water

quality within. This shall include submission of a Notice of Intent for coverage under the permit to the RWQCB at least 45 days prior to the start of dewatering. The Applicant shall provide the Waste Discharge Identification Number (WDID) to the Director of the City's Public Works Department, or designee, to demonstrate proof of coverage under the *De Minimis* Permit. Groundwater dewatering shall not be initiated until a WDID is received from the Santa Ana Regional Water Quality Control Board (RWQCB) and is provided to the Director of the City's Public Works Department, or designee. Groundwater dewatering activities shall comply with all applicable provisions in the permit, including water sampling, analysis, treatment (if required), and reporting of dewatering-related discharges. Upon completion of groundwater dewatering activities, a Notice of Termination shall be submitted to the Santa Ana RWQCB.

Regulatory Compliance Measure HYD-3

Water Quality Management Plan. Prior to the issuance of grading or building permits, the Applicant shall submit a Final Water Quality Management Plan (WQMP) to the City of Cypress City Engineer, or designee, for review and approval in compliance with the requirements of the *Waste Discharge Requirements for the County of Orange, Orange County Flood Control District, and the Incorporated Cities of Orange County within the Santa Ana Region Areawide Urban Storm Water Runoff Orange County (Order No. R8-2009-0030, NPDES No. CAS618030, as amended by Order No. R8-2010-0062) (North Orange County MS4 Permit)*. The Final WQMP shall be prepared consistent with the requirements of the *Technical Guidance Document for Water Quality Management Plans* (December 2013) and the Water Quality Management Plan template, or subsequent guidance manuals. The Final WQMP shall specify the BMPs to be incorporated into the project design to target pollutants of concern in runoff from the project area. The City shall ensure that the BMPs specified in the Final WQMP are incorporated into the final project design.

b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Less Than Significant Impact. According to the Geotechnical Evaluation (Appendix C) prepared for the proposed project, borings encountered groundwater at depths of 6 to 9 feet bgs. Because of the presence of shallow groundwater, it is likely that groundwater dewatering would be required during construction activities. However, groundwater dewatering would be localized and temporary, and the volume of groundwater removed would not be substantial. In addition, any volume of water removed during groundwater dewatering would be minimal compared to the size of the Coastal Plain of Orange County Groundwater Basin, which has a surface area of 350 square miles and a storage capacity of 38,000,000 acre-feet.[42] Construction and operation of the proposed project would not involve direct groundwater extraction. Increased water use would not substantially affect groundwater supplies because the groundwater basin has been sustainably managed by the Orange County Water District (OCWD) over the last 10 years, and it is anticipated that the Coastal Plain of Orange County Groundwater Basin will continue to be sustainably managed with implementation of the Basin 8-1 Alternative. The Basin 8-1 Alternative establishes objectives and criteria for groundwater management within the Coastal Plain of Orange County Groundwater Basin, as required by the Sustainable Groundwater Management Act (SGMA).[43] Therefore, construction and operational impacts related to a decrease in groundwater supplies or interference with groundwater recharge would be less than significant, and no mitigation is required.

c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i) Result in a substantial erosion or siltation on- or off-site;

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;

iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

iv) Impede or redirect flood flows?

Construction. During project construction activities, soil would be exposed and disturbed, drainage patterns would be temporarily altered during grading and other construction activities, and there would be an increased potential for soil erosion and siltation compared to existing conditions. Additionally, during a storm event, soil erosion and siltation could occur at an accelerated rate. Project construction would not alter the course of a stream or river. As discussed above, the Construction General Permit requires preparation of a SWPPP (Regulatory Compliance Measure HYD-1). The SWPPP would detail Erosion Control and Sediment Control BMPs to be implemented during project construction to minimize erosion and retain sediment on site. With compliance with the requirements of the Construction General Permit and with implementation of the construction BMPs, construction

[42] California Department of Water Resources (DWR). 2004. California's Groundwater Bulletin 118. Coastal Plains of Orange County Groundwater Basin.

[43] Orange County Water District. 2017. Basin 8-1 Alternative – OCWD Management Area. January 1, 2017.

impacts related to on-site, off-site, or downstream erosion or siltation would be less than significant, and no mitigation is required.

Operation. According to the Preliminary WQMP prepared for the proposed project, impervious surface area on-site would decrease by approximately 30,538 square feet (a 4 percent decrease), which would decrease on-site stormwater flows. Impervious surface areas associated with development of the proposed project site would not be prone to erosion or siltation, because no loose soil would be included in these areas. The remaining acreage of the approximately 18.6-acre project site would consist of pervious surface area, which would contain landscaping that would minimize on-site erosion and siltation by stabilizing the soil. Therefore, on-site erosion and siltation impacts would be minimal.

As a result of the 30,538-square-foot decrease in impervious surface area, the proposed project would decrease runoff from the site during storm events, which can decrease off-site erosion and siltation. As discussed previously, the proposed BMPs include Modular Wetland Systems, which would be designed to further reduce the volume of stormwater discharged to the local storm drain system off site.

Significant redevelopment projects are subject to specific hydromodification[44] requirements of the North Orange County MS4 Permit and must implement measures for site design, source control, runoff reduction, stormwater treatment, and baseline hydromodification management. According to the Preliminary WQMP, the project site is located in an area of hydrologic condition of concern (HCOC).[45] Specifically, the project site is a tributary to the Bolsa Chica Channel, which has sections that are not concrete lined. Therefore, because the downstream receiving waters are susceptible to hydromodification, the proposed project has the potential to result in downstream erosion or siltation. However, as described in the Preliminary WQMP, the time of concentration after implementation of the proposed project would not be significantly different than the existing condition. For these reasons, the proposed project would not result in any new operational impacts related to substantial on- or off-site and downstream erosion or siltation and this impact would be less than significant, and no mitigation is required.

As described above, the proposed project includes Modular Wetland Systems and catch basins to treat and reduce stormwater runoff from the project site. As demonstrated by the hydraulic modeling conducted as part of the Preliminary WQMP, the underground stormwater basin and Modular Wetland Systems would be designed to accommodate the Design Capture Volume of 47,800 cubic feet for the entire project site. The Modular Wetland Systems would treat the required volume and would reduce the peak flow rate below the 10-year, 25-year, and 100-year pre-project peak flow rates. In addition, as specified in Regulatory Compliance Measure HYD-4, a Final Hydrology Study would be prepared based on final project plans and would be approved by the City. The Hydrology Study would confirm that the proposed project drainage facilities comply with City and County

[44] Hydromodification is defined as hydrologic changes resulting from increased runoff from increases in impervious surfaces. Hydromodification impacts can included changes in downstream erosion and sedimentation.

[45] Areas designated as hydrologic conditions of concern are watersheds of unarmored or soft-armored drainages that are vulnerable to geomorphology changes due to hydromodification.

requirements. Furthermore, as runoff from the site would be reduced compared to the existing condition, the proposed project would not contribute to the downstream capacity exceedences or existing flooding. With implementation of the proposed BMPs, operational impacts related to a substantial increase in the rate or amount of surface runoff, flow, and volume that would result in flooding would be less than significant, and no mitigation is required.

Regulatory Compliance Measure:

The following regulatory compliance measure is an existing regulation that is applicable to the proposed project and is considered in the analysis of potential impacts related to hydrology and water quality. The City of Cypress considers this requirement to be mandatory; therefore, it is not a mitigation measure.

Regulatory Compliance Measure HYD-4

Final Hydrology and Hydraulic Analysis. The Applicant shall submit a Final Hydrology Study to the City of Cypress City Engineer, or his/her designee, for review and approval prior to issuance of grading and building permits. The Final Hydrology Study shall be prepared consistent with the requirements of the *Orange County Hydrology Manual* (Orange County Environment Agency 1986) and *Orange County Hydrology Manual Addendum No. 1* (Orange County Environment Agency 1996), or subsequent guidance manuals. The Final Hydrology Study shall demonstrate that the on-site drainage facilities and post-project Best Management Practices (BMPs) (e.g., Modular Wetland Systems) are designed in compliance with the requirements of the *Waste Discharge Requirements for the County of Orange, Orange County Flood Control District, and the Incorporated Cities of Orange County within the Santa Ana Region Areawide Urban Storm Water Runoff Orange County (Order No. R8-2009-0030, NPDES No. CAS618030, as amended by Order No. R8-2010-0062) (North Orange County MS4 Permit)*. The Final Hydrology Study shall also demonstrate that the on-site drainage facilities and post-construction BMPs are adequately sized to accommodate stormwater runoff from the design storm so that post-development peak flow rates for the 10-year 24-hour frequency storm, 25-year 24-hour frequency storm, and 100-year 24-hour frequency storm does not exceed the pre-development flow rate. The City Director of Public Works, or designee, shall ensure that the drainage facilities specified in the Final Hydrology Study are incorporated into the final project design.

d) Would the project, in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Less Than Significant Impact. The project site is not located within a 100-year floodplain. According to the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Map (FIRM) No. 06059C0116J (December 3, 2009), the project site is located within Zone X, which comprises areas of 0.2 percent annual chance flood (500-year flood). As the project site is not located within a 100-year floodplain, the proposed project would not place housing or structures within a 100-year flood hazard area.

According to the Safety Element of the City's General Plan, the project site is located within the inundation zone of Prado Dam.[46] There are no open bodies of water in the vicinity of the project site, and the proposed project is therefore not located within an inundation zone of a seiche. The project site is located approximately 6.3 miles northeast of the Pacific Ocean and is not located within a tsunami inundation zone, according to the Orange County Tsunami Inundation Maps.[47] The levee inundation zone of Coyote Creek/Carbon Creek is located south of the project site; however, the project site is not located within this inundation area. Therefore, no impact from inundation by seiche, tsunami, or mudflow would occur, and no mitigation is required.

e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less Than Significant Impact. As discussed above, it is likely that groundwater dewatering would be required during construction activities. However, groundwater dewatering would be localized and temporary, and the volume of groundwater removed would not be substantial. In addition, any volume of water removed during groundwater dewatering would be minimal compared to the size of the Coastal Plain of the Orange County Groundwater Basin. Construction and operation of the proposed project would not involve direct groundwater extraction. Increased water use would not substantially affect groundwater supplies because the groundwater basin has been sustainably managed by OCWD over the last 10 years, and it is anticipated that the Coastal Plain of the Orange County Groundwater Basin will continue to be sustainably managed with implementation of the Basin 8-1 Alternative. Therefore, implementation of the proposed project would not conflict with or obstruct the sustainable groundwater management plan adopted for the Orange County Groundwater Basin.

[46] City of Cypress. 2001. City of Cypress General Plan Safety Element. October 5.

[47] California Department of Conservation. 2019. Orange County Tsunami Inundation Maps. Website: https://www.conservation.ca.gov/cgs/tsunami/maps/orange (accessed on June 18, 2021).

4.11 LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	☐	☐	☒	☐
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

Impact Analysis

a) Would the project physically divide an established community?

Less Than Significant Impact. In its existing condition, the project site consists of approximately 18.69 acres of land currently developed with a two-story office/warehouse building (336,653 square feet) and associated asphalt parking lot. The project site is located in a largely developed portion of the City of Cypress within the McDonnell Specific Plan that consists of numerous office/light industrial uses. The existing buildings would be demolished and replaced with two warehouses. The proposed project would provide parking for automobiles around the perimeter of the two buildings, parking for trucks between the two buildings, and 25 dock doors per building. Access to the site would be accommodated via four driveways along Plaza Drive located at the existing access points.

Although implementation of the proposed project would result in changes on the project site (demolition of the existing buildings and construction of the proposed warehouse buildings and associated improvements), the proposed project would not result in changes to the existing configuration of adjacent parcels. As such, the proposed project would not divide or separate any existing land uses or neighborhoods. Therefore, construction and implementation of the project would not result in the physical division of an established community. No mitigation would be required.

b) Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Less Than Significant Impact. The main documents regulating land use on the project site and in the immediate vicinity of the proposed project are the City of Cypress (City) General Plan and the McDonnell Specific Plan. The proposed project's relationship to these planning documents and the proposed project's consistency with the Southern California Association of Governments' (SCAG) Connect SoCal Plan are provided below.

SCAG Connect SoCal Plan (2020–2045 Regional Transportation Plan/Sustainable Communities Strategy [RTP/SCS]). The 2020–2045 RTP/SCS is a long-range planning document that provides a common foundation for regional and local planning, policymaking, and infrastructure goals in the SCAG region. The core vision for the 2020–2045 RTP/SCS, which is formally named the Connect SoCal

Plan, is to increase mobility options and achieve a more sustainable growth pattern. Table 4.11.A provides a consistency analysis of the goals from the Connect SoCal Plan that are relevant to the proposed project. In order to eliminate repetitive goals and focus on key issues, goals that are not relevant to the proposed project are not included in Table 4.11.A. As stated in this table, the proposed project would be consistent with applicable goals in the SCAG's Connect SoCal Plan.

City of Cypress General Plan. The General Plan is a comprehensive plan intended to guide the physical development of the City, and it serves as a blueprint for future growth and development. As a blueprint for the future, the plan contains policies and programs designed to provide decision-makers with a solid basis for decisions related to land use and development. The Cypress General Plan Land Use Policy Map designates the project site as Planning Area 2 of the McDonnell Specific Plan Area (PC-3) and it is currently zoned for industrial/warehouse use, which allows for light manufacturing, storage and warehousing, and offices, among various other uses. The Cypress General Plan Land Use Policy Map designates the project site as "Specific Plan Area PC-3" in recognition that the project site is subject to the McDonnell Specific Plan. Therefore, the McDonnell Specific Plan largely governs the permitted uses and development standards associated with the project site.

Table 4.11.B provides a consistency analysis of the goals and policies from the City's General Plan that are relevant to the proposed project. As stated in Table 4.11.B, the proposed project would be consistent with all the applicable General Plan goals and policies.

McDonnell Specific Plan. As discussed above, the project site is within the boundaries of the McDonnell Specific Plan, which covers an approximately 71.23-acre area in the southern portion of the City. The 1994 amended McDonnell Specific Plan replaced the 1982 plan. The 1994 amended McDonnell Specific Plan called for an additional 206,130 square feet of office/commercial, mixed use business park, and office, in four of the planning areas within the McDonnell Specific Plan. The proposed project consists of a warehouse use, which is identified as a permitted use under the McDonnell Specific Plan. Permitted uses in the McDonnell Specific Plan area include light manufacturing, storage and warehousing, and offices, among various other uses. The proposed project would be consistent with the land use designations, development, standards, design guidelines, parking requirements, and other applicable standards of the McDonnell Specific Plan.

Appendix C of the McDonnell Specific Plan, General Plans Consistency, provides summaries of the McDonnell Specific Plan's consistency with the City's General Plan. The City's General Plan has been reviewed, and applicable goals addressed as they pertain to the amended McDonnell Specific Plan. Listings of methods of implementation by which the Specific Plan is consistent with the General Plan

Table 4.11.A: RTP/SCS Consistency Analysis

Relevant RTP/SCS Goals	Consistency Analysis
RTP/SCS Goal 1: Encourage regional economic prosperity and global competitiveness	**Consistent.** The proposed project would result in the development of two warehouse facilities with office spaces in each building. In its current use, only two warehouse spaces are occupied by Bar Bakers (a food distribution facility) and a private university. The remaining warehouse and office space is vacant. The proposed project is expected to generate 190 employees, which would reactivate the recently vacated project site. The proposed project would also result in employment on the site during construction. Therefore, the proposed project would be consistent with Goal 1 in the 2020–2045 RTP/SCS.
RTP/SCS Goal 5: Reduce greenhouse gas emissions and improve air quality	**Consistent**. As described in Section 4.3, Air Quality, of this IS/MND, construction and operation of the proposed project would result in less than significant air quality impacts. As described in Section 4.8, Greenhouse Gas Emissions, of this IS/MND, construction and operation of the proposed project would result in less than significant impacts related to greenhouse gas emissions. Because the proposed project would not degrade air quality or result in significant impacts related to greenhouse gas emissions, the proposed project would be consistent with Goal 5 in the 2020–2045 RTP/SCS.
RTP/SCS Goal 6: Support healthy and equitable communities	**Consistent.** As described in Section 4.3, Air Quality, of this IS/MND, construction and operation of the proposed project would result in less than significant air quality impacts. Because the proposed project would not degrade air quality or result in mobile source health risk impacts, the proposed project would be consistent with Goal 6 in the 2020–2045 RTP/SCS.

Source: Southern California Association of Governments. 2020–2045 Regional Transportation Plan/Sustainable Communities Strategy.
RTP/SCS = Regional Transportation Plan/Sustainable Communities Strategy

Table 4.11.B: General Plan Consistency Analysis

Relevant General Plan Goals/Policies	Consistency Analysis
Land Use Element	
Goal LU-1: Create a well balanced land use pattern that accommodates existing and future needs for housing, commercial, industrial and open space/ recreation uses, while providing adequate community services to City residents.	**Consistent.** The proposed project would develop a warehouse project in an area of the City that is currently characterized by a mix of commercial, warehouse, office, and residential uses. As discussed further in Section 4.15, Public Services, and Section 4.19, Utilities and Service Systems, the project's impacts to utilities and other public services would be less than significant. Therefore, project implementation would contribute to a well-balanced land use pattern that accommodates the City's existing and future needs for commercial uses, while providing adequate community services to City residents. Therefore, the proposed project would be consistent with General Plan Land Use Element Goal LU-1.
Goal LU-2: Ensure that new development is compatible with surrounding land uses, the circulation network, availability of public facilities, and existing development constraints.	**Consistent.** As demonstrated in Section 4.1, Aesthetics, and Section 4.13, Noise, the project is designed to be compatible with surrounding land uses. As discussed further in Section 4.17, Transportation, the proposed project would have less than significant impacts on the local circulation network. According to Section 4.15, Public Services, and Section 4.19, Utilities and Service Systems, the proposed project would not have a significant impact on public facilities in light of existing development constraints. Therefore, the proposed project would be consistent with General Plan Land Use Element Goal LU-2.
Policy LU-2.1: Ensure a sensitive transition between commercial or business park uses and residential uses by implementing precise development standards with such techniques as buffering, landscaping, and setbacks.	**Consistent.** The proposed project would comply with all applicable development standards outlined in the McDonnell Specific Plan, which would ensure cohesion with the surrounding urban uses. The majority of the on-site landscaping would be situated along the perimeter of the project site and within the surface parking lot. Trees and ornamental vegetation would border the project site on all sides, serving as a buffer. Therefore, the proposed project would be consistent with General Plan Land Use Element Policy LU-2.1.
Policy LU-2.4: Mitigate traffic congestion and unacceptable levels of noise, odors, dust, and light and glare which affect residential areas and sensitive receptors, where feasible.	**Consistent.** As discussed in Section 4.17, Transportation, the proposed project would not generate significant adverse impacts related to transportation. As discussed in Section 4.1, Aesthetics, Section 4.3, Air Quality, and Section 4.13, Noise, the closest sensitive receptors for light, glare, air pollution, and noise would not experience unacceptable levels of noise, odors, dust, light, or glare as a result of project implementation. Therefore, the proposed project would be consistent with General Plan Land Use Element Policy LU-2.4.

Table 4.11.B: General Plan Consistency Analysis

Relevant General Plan Goals/Policies	Consistency Analysis
Goal LU-10: Carefully regulate future development in the Business Park to ensure the current high quality environment is maintained.	**Consistent.** The proposed project would comply with all applicable development standards in the McDonnell Specific Plan and, as detailed throughout this IS/MND, the proposed project would include mitigation measures and regulatory compliance measures that would minimize environmental impacts to the extent feasible. Therefore, the proposed project would be consistent with General Plan Land Use Element Goal LU-10.
Policy LU-10.1: As a condition of development approval in the Business Park, consider the impacts of site utilization, access, and occupancy on traffic generation.	**Consistent.** The proposed project would demolish an existing building and replace it with two new warehouse buildings. The proposed project would provide access to the project site via four driveways along Plaza Drive. As discussed in Section 4.17, Transportation, the proposed project would result in less than significant traffic impacts. Consistent with the referenced policy, this information will be provided to City decision-makers prior to considering approval of the proposed project. Therefore, the proposed project would be consistent with General Plan Land Use Element Policy LU-10.1.
Goal LU-15: Retain and facilitate the expansion of businesses throughout the City.	**Consistent.** The proposed project would result in the development of two warehouse buildings on a site that is currently developed with a building that is partially vacant. These two proposed warehouse buildings would provide new expansion space for existing businesses within the City of Cypress. Therefore, the proposed project would be consistent with General Plan Land Use Element Goal LU-15.
Circulation Element	
Goal CIR-1: Maintain a safe, efficient, economical, and aesthetically pleasing transportation system providing for the movement of people, goods, and services to serve the existing and future needs of the City of Cypress.	**Consistent.** As discussed in Section 4.17, Transportation, the proposed project would comply with all applicable standards related to transportation and would incorporate mitigation measures, as necessary, to mitigate traffic impacts. Therefore, the proposed project would be consistent with General Plan Circulation Element Goal CIR-1.
Policy CIR-1.4: Require new development to conform to the standards and criteria of the City of Cypress and other mandated programs. This includes mitigation of traffic impacts to the surrounding street system.	**Consistent.** As discussed in Section 4.17, Transportation, the proposed project would comply with all applicable standards related to transportation and would incorporate mitigation measures, as necessary, to mitigate traffic impacts. Therefore, the proposed project would be consistent with General Plan Circulation Element Policy CIR-1.4.
Policy CIR-2.8: Enhance the sidewalk environment to encourage pedestrian activities through streetscape and transit enhancement programs.	**Consistent.** The proposed project would install a sidewalk along Plaza Drive. Therefore, the proposed project would be consistent with General Plan Circulation Element Policy CIR-2.8.
Conservation/Open Space/Recreation Element	
Goal COSR-3: Conserve energy resources through the use of available technology and conservation practices.	**Consistent.** As described in Section 4.6, Energy, the proposed project would comply with the updated energy efficiency standards included in Title 24 (Regulatory Compliance Measure 4.6-1), which would significantly reduce energy usage. Therefore, the proposed project would be consistent with General Plan Conservation/Open Space/Recreation Element Goal COSR-3.

Table 4.11.B: General Plan Consistency Analysis

Relevant General Plan Goals/Policies	Consistency Analysis
Goal COSR-5: Preserve Cypress' archaeologic and paleontologic resources.	**Consistent.** As described in Section 4.7, Geology and Soils, the proposed project would implement Mitigation Measure GEO-2, which would require that a qualified paleontologist be contacted in the event that any paleontological resources are discovered during ground-disturbing activities so the discovery can be assessed for scientific importance. The qualified paleontologist shall then make recommendations regarding treatment and disposition of the discovery, the need for paleontological monitoring, and preparation of the appropriate report. Implementation of Mitigation Measure GEO-2 would ensure that impacts to paleontological resources are reduced to a level that is less than significant. As described in Section 4.5, Cultural Resources, the proposed project would implement procedures for recovering any significant or unique archaeological resource and for preparation of a report that documents any cultural resource recovery at the project site. Implementation of Mitigation Measure CUL-1 would ensure that impacts to archaeological resources are reduced to a level that is less than significant. Therefore, the proposed project would be consistent with General Plan Conservation/Open Space/Recreation Element Goal COSR-5.
Policy COSR-5.2: Prior to development in previously undeveloped areas, require strict adherence to the CEQA guidelines for environmental documentation and mitigation measures where development will affect archaeological or paleontological resources.	**Consistent.** Refer to Mitigation Measure CUL-1 in Section 4.5, Cultural Resources, and Mitigation Measure GEO-2 in Section 4.7, Geology and Soils. The proposed project has the potential to affect unknown archaeological and paleontological resources. The proposed project would adhere to the *State CEQA Guidelines* for environmental documentation and mitigation measures where development could affect these resources. Mitigation Measures CUL-1 and GEO-2 would ensure project compliance with CEQA, the California Code of Regulations, the State Health and Safety Code, and the California Public Resources Code as they relate to archaeological and paleontological resources, respectively. Therefore, the proposed project would be consistent with General Plan Conservation/Open Space/Recreation Element Policy COSR-5.2.
Safety Element	
Goal SAF-1: Protect residents, workers, and visitors from flood hazards, including dam inundation.	**Consistent.** As described in further detail in Section 4.10, Hydrology and Water Quality, the proposed project would not result in significant impacts related to flooding. Additionally, the project site has a low likelihood of flooding, and the proposed on-site storm drain system would be adequately sized to accommodate stormwater runoff so that on-site flooding would not occur. Therefore, the proposed project would be consistent with General Plan Safety Element Goal SAF-1.

Table 4.11.B: General Plan Consistency Analysis

Relevant General Plan Goals/Policies	Consistency Analysis
Goal SAF-2: Protect life and property in Cypress from seismic events and resulting hazards.	**Consistent.** As discussed in further detail in Section 4.7, Geology and Soils, with the implementation of Mitigation Measure GEO-1, which requires compliance with the recommendations in the project Geotechnical Evaluation, all impacts related to geological hazards would be less than significant. As such, the proposed project would be consistent with General Plan Safety Element Goal SAF-2.
Goal SAF-3: Minimize risks to life and property associated with the handling, transporting, treating, generating, and storing of hazardous materials.	**Consistent.** As discussed in further detail in Section 4.9, Hazards and Hazardous Materials, the proposed project would not result in any significant impacts related to the routine transport, use, or disposal of hazardous materials. Therefore, the proposed project would be consistent with General Plan Safety Element Goal SAF-3**.**
Goal SAF-5: Protect life and property in Cypress from urban fires. Maintain the Orange County Fire Authority's high level of service to community businesses and residents.	**Consistent.** As discussed in further detail in Section 4.15, Public Services, the proposed project does not include any residential uses and therefore would not induce substantial population growth that would affect OCFA's response times. As such, the proposed project would be consistent with General Plan Safety Element Goal SAF-5.
Goal SAF-6: Maintain the police department's high quality of service to the City.	**Consistent.** As discussed in further detail in Section 4.15, Public Services, the proposed project is expected to be adequately served by existing police facilities. Additionally, the Cypress Police Department would review the site plan during the project approval phase and would impose standard conditions of approval. As such, the proposed project would be consistent with General Plan Safety Element Goal SAF-6.
Goal SAF-8: Protect Cypress residents from air operation accidents.	**Consistent.** As discussed in further detail in Section 4.9, Hazards and Hazardous Materials, the proposed project would not result in a safety hazard for people in the project area because the proposed project would comply with all appropriate Federal Aviation Administration (FAA) standards and requirements, including compliance with Federal Aviation Regulations [FAR] Part 77 requirements. As such, the proposed project would be consistent with General Plan Safety Element Goal SAF-8.
Noise Element	
Goal N-2: Incorporate noise considerations into land use planning decisions.	**Consistent.** As discussed in further detail in Section 4.13, Noise, the proposed uses on the project site would be compatible with surrounding uses based on noise standards established by the City. Therefore, the proposed project would result in the development of land uses consistent with the City's noise standards, and the proposed project would be consistent with General Plan Noise Element Goal N-2.
Goal N-3: Minimize noise spillover from commercial uses into nearby residential neighborhoods.	**Consistent.** As discussed in further detail in Section 4.13, Noise, with the implementation of Standard Condition NOI-1, noise impacts would be less than significant. As such, the proposed project would be consistent with General Plan Noise Element Goal N-3.

Table 4.11.B: General Plan Consistency Analysis

Relevant General Plan Goals/Policies	Consistency Analysis
Air Quality Element	
Goal AQ-1: Reduce air pollution through proper land use and transportation planning.	**Consistent**. As discussed in further detail in Section 4.3, Air Quality, the proposed project would not result in significant air quality impacts. Additionally, the proposed project would result in the development of a warehouse facility located directly adjacent to Katella Avenue, which is one of the City's major travel corridors. As such, the proposed project would be consistent with General Plan Air Quality Element Goal AQ-1.
Goal AQ-2: Improve air quality by reducing the amount of vehicular emissions in Cypress.	**Consistent**. As discussed in further detail in Section 4.3, Air Quality, the proposed project would not result in significant air quality impacts related to vehicular emissions. As such, the proposed project would be consistent with General Plan Air Quality Element Goal AQ-2.
Growth Management Element	
Goal GM-1: Reduce traffic congestion.	**Consistent.** As discussed in Section 4.17, Transportation, the proposed project would result in less than significant impacts related to traffic at all study area intersections. Therefore, the proposed project would be consistent with General Plan Growth Management Element Goal GM-1.

Source: City of Cypress General Plan (2001).

were achieved and identified in Appendix C of the McDonnell Specific Plan.[48] Therefore, the proposed project would be consistent with both the City's General Plan and the McDonnell Specific Plan.

Zoning Ordinance. The City's Zoning Ordinance is the primary implementation tool for its General Plan Land Use Element (2001) and the goals and policies therein. For this reason, the Zoning Map must be consistent with the General Plan Land Use Map. The General Plan Land Use Map indicates the general location and extent of future land uses in Cypress. The Zoning Ordinance, which includes the Zoning Map, contains more detailed information about permitted land uses, building intensities, and required development standards.

The project site currently has the zoning designation of Planning Community Zone McDonnell Center (PC-3). Allowable land uses within the PC-3 McDonnell Center includes light manufacturing, storage and warehousing, and offices, among various other uses. The PS-3 zone was established to set aside properties to be developed with offices. The proposed project would not include or require any amendments to the City's General Plan, the McDonnell Specific Plan, or the City's Zoning Ordinance. Therefore, the proposed project is consistent with the City's Zoning Ordinance.

[48] City of Cypress. 2001. PC-3 McDonnell Center Amended Specific Plan (October 1994) Appendix C, Page 7- through Page 80. Website: https://www.cypressca.org/home/showpublisheddocument/9697/637363718 99353 0000 (accessed December 2022).

Summary. Approval of the proposed project would not introduce any inconsistencies with the 2020–2045 Connect SoCal Plan, the City's General Plan, or the Cypress Municipal Code. Therefore, the proposed project would result in less than significant impacts related to potential conflicts with applicable land use plans, policies, and regulations. No mitigation is required.

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4.12 MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

Impact Analysis

a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No Impact. The Surface Mining and Reclamation Act (SMARA) enacted by California Legislature in 1975 provides guidelines to assist with classification and designation of mineral lands. These areas were designated under the basis of several geologic factors, but do not give regard to existing land uses and ownership. These Mineral Resource Zones (MRZs) are divided into the following four categories:

- **MRZ-1:** An area where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.
- **MRZ-2:** An area where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood exists for their presence.
- **MRZ-3:** An area containing mineral deposits of which their significance cannot be properly evaluated.
- **MRZ-4:** An area where information is not adequate enough to be able to assign to any other MRZ zone.

Of these four categories, lands classified as MRZ-2 are of the greatest importance. Such areas are underlain by demonstrated mineral resources or are located where geologic data indicate that significant measured or indicated resources are present. MRZ-2 areas are designated by the State of California Mining and Geology Board as being "regionally significant." Such designations require that a lead agency's land use decisions involving designated areas are to be made in accordance with its mineral resource management policies and that it consider the importance of the mineral resource to the region or the State as a whole, not just to the lead agency's jurisdiction.

The project site has been classified by the California Geological Survey (CGS) as MRZ-4, indicating that the project site is in an area where information is inadequate for assignment to any other mineral resource zone.[49] The City of Cypress (City) is not within the proximity of any MRZ-2 zones, and is surrounded by an MRZ-1 zone, indicating the absence of significant mineral deposits in the area.[50] Furthermore, according to the City's General Plan Environmental Impact Report, there are no mineral resources as defined by the CDMG within the City.[51] Therefore, no significant impacts related to the loss of availability of a known mineral resource that would be of value to the region and to the residents of the State would result from project implementation, and no mitigation is required.

b) Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact. As stated in Response 4.12(a), the project site is clearly shown to not be a part of a mineral resource zone containing any known valuable mineral resources, which would suggest a high unlikelihood of minerals being extracted at the project site.[52] Therefore, no impact would occur, and no mitigation is required.

[49] California Department of Conservation (DOC). Division of Mines and Geology. 1981. Mineral Land Classification Map. Los Alamitos Quadrangle. Special Report 143, Plate 3.17.

[50] Ibid.

[51] City of Cypress. General Plan Environmental Impact Report. Effects Found Not to Be Significant. Page 7-4. Website: https://www.cypressca.org/home/showpublisheddocument/722/636123118731230000 (accessed September 1, 2022).

[52] Ibid.

4.13 NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Technical Background

The following provides an overview of the characteristics of sound and the regulatory framework that applies to noise within the vicinity of the project site. Long-term noise monitoring data results and traffic noise modeling results are provided in Appendix E of this IS/MND.

Characteristics of Sound

Noise is usually defined as unwanted sound. Noise consists of any sound that may produce physiological or psychological damage and/or interfere with communication, work, rest, recreation, or sleep. Several noise measurement scales exist that are used to describe noise in a particular location. A decibel (dB) is a unit of measurement that indicates the relative intensity of a sound. Sound levels in decibels are calculated on a logarithmic basis. An increase of 10 dB represents a tenfold increase in acoustic energy, while 20 dB is 100 times more intense, and 30 dB is 1,000 times more intense. Each 10 dB increase in sound level is perceived as approximately a doubling of loudness; similarly, each 10 dB decrease in sound level is perceived as half as loud. Sound intensity is normally measured through the A-weighted sound level (dBA). This scale gives greater weight to the frequencies of sound to which the human ear is most sensitive. The A-weighted sound level is the basis for 24-hour sound measurements, which better represents how humans are more sensitive to sound at night.

As noise spreads from a source, it loses energy; therefore, the farther away the noise receiver is from the noise source, the lower the perceived noise level. Geometric spreading causes the sound level to attenuate or be reduced, resulting in a 6 dB reduction in the noise level for each doubling of distance from a single point source of noise to the noise-sensitive receptor of concern.

There are many ways to rate noise for various time periods, but an appropriate rating of ambient noise affecting humans also accounts for the annoying effects of sound. The equivalent continuous sound level (L_{eq}) is the total sound energy of time-varying noise over a sample period. However, the predominant rating scales for human communities in the State of California are the L_{eq}, the community

noise equivalent level (CNEL), and the day-night average level (L_{dn}) based on A-weighted decibels. CNEL is the time-varying noise over a 24-hour period, with a 5 dBA weighting factor applied to the hourly L_{eq} for noises occurring from 7:00 p.m. to 10:00 p.m. (defined as relaxation hours), and a 10 dBA weighting factor applied to noises occurring from 10:00 p.m. to 7:00 a.m. (defined as sleeping hours). L_{dn} is similar to the CNEL scale but without the adjustment for events occurring during the evening hours. CNEL and L_{dn} are within 1 dBA of each other and are normally interchangeable. The City of Cypress (City) uses the CNEL noise scale for long-term noise impact assessment. Other noise rating scales of importance when assessing the annoyance factor include the maximum instantaneous noise level (L_{max}), which is the highest exponential time-averaged sound level that occurs during a stated time period. The noise environments discussed in this analysis for short-term noise impacts are specified in terms of maximum levels denoted by L_{max}, which reflects peak operating conditions and addresses the annoying aspects of intermittent noise.

Noise impacts can be described in three categories. The first category includes audible impacts that refer to increases in noise levels noticeable to humans. Audible increases in noise levels generally refer to a change of 3 dB or greater because this level has been found to be barely perceptible in exterior environments. The second category, potentially audible, refers to a change in the noise level between 1 dB and 3 dB. This range of noise levels has been found to be noticeable only in laboratory environments. The last category includes changes in noise levels of less than 1 dB, which are inaudible to the human ear. Only audible changes in existing ambient or background noise levels are considered potentially significant.

Characteristics of Vibration

Vibration refers to ground-borne noise and perceptible motion. Ground-borne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors where the motion may be discernible. However, without the effects associated with the shaking of a building, there is less adverse reaction. Vibration energy propagates from a source through intervening soil and rock layers to the foundations of nearby buildings. The vibration then propagates from the foundation throughout the remainder of the structure. Building vibration may be perceived by occupants as motion of building surfaces, the rattling of items on shelves or hanging on walls, or a low-frequency rumbling noise. The rumbling noise is caused by the vibrating walls, floors, and ceilings radiating sound waves. Building damage is not a factor for normal operation and construction activities with the occasional exception of blasting and pile driving during construction. Annoyance from vibration often occurs when the vibration exceeds the threshold of perception by 10 vibration velocity decibels (VdB) or less. This is an order of magnitude below the damage threshold for normal buildings.

Typical sources of ground-borne vibration are construction activities (e.g., blasting, pile driving, and operating heavy-duty earthmoving equipment), steel-wheeled trains, and occasional traffic on rough roads. Problems with ground-borne vibration and noise from these sources are usually localized to areas within approximately 100 feet of the vibration source, although there are examples of ground-borne vibration causing interference out to distances greater than 200 feet. When roadways are smooth, vibration from traffic, even heavy trucks, is rarely perceptible. For most projects, it is assumed that the roadway surface will be smooth enough that ground-borne vibration from street traffic will not exceed the impact criteria; however, construction activities have the potential to result in ground-borne vibration that could be perceptible and annoying. Ground-borne noise is not likely to be a

problem because noise arriving via the normal airborne path usually will be greater than ground-borne noise.

Ground-borne vibration has the potential to disturb people as well as damage buildings. Although it is very rare for ground-borne vibration to cause even cosmetic building damage, it is not uncommon for construction processes such as blasting and pile driving to cause vibration of sufficient amplitudes to damage nearby buildings, as described in the Federal Transit Administration's (FTA) *Transit Noise and Vibration Impact Assessment Manual* (FTA Manual) (2018). Ground-borne vibration is usually measured in terms of vibration velocity, either the root-mean-square (RMS) velocity or peak particle velocity (PPV). RMS is best for characterizing human response to building vibration, and PPV is used to characterize the potential for damage. Decibel notation acts to compress the range of numbers required to describe vibration. Vibration velocity level in decibels is defined as:

$$Lv = 20 \log10 [V/Vref]$$

where Lv is the velocity in decibels (VdB), "V" is the RMS velocity amplitude, and "Vref" is the reference velocity amplitude, or 1 x 10-6 inches per second (in/sec) used in the United States. Table 4.13.A illustrates the human response to various vibration levels, as described in the FTA Manual (FTA 2018).

Table 4.13.A: Human Response to Different Levels of Ground-Borne Noise and Vibration

Vibration Velocity Level	Noise Level		Human Response
	Low Freq[1]	Mid Freq[2]	
65 VdB	25 dBA	40 dBA	Approximate threshold of perception for many humans. Low-frequency sound usually inaudible; mid-frequency sound excessive for quiet sleeping areas.
75 VdB	35 dBA	50 dBA	Approximate dividing line between barely perceptible and distinctly perceptible. Many people find transit vibration at this level unacceptable. Low-frequency noise acceptable for sleeping areas; mid-frequency noise annoying in most quiet occupied areas.
85 VdB	45 dBA	60 dBA	Vibration acceptable only if there are an infrequent number of events per day. Low-frequency noise unacceptable for sleeping areas; mid-frequency noise unacceptable even for infrequent events with institutional land uses (e.g., schools and churches).

Source: *Transit Noise and Vibration Impact Assessment Manual,* Table 7-1 (FTA 2018).
[1] The approximate noise level when vibration spectrum peak is near 30 Hz.
[2] The approximate noise level when vibration spectrum peak is near 60 Hz.
dBA = A-weighted decibels
Freq = Frequency
FTA = Federal Transit Administration
Hz = Hertz
VdB = vibration velocity decibels

Applicable Noise Standards

The applicable noise standards governing the project site are the criteria in the City's Noise Element of the General Plan (Noise Element) and Chapter 13, Article VII, of the City's Municipal Code.

City of Cypress General Plan Noise Element

California Government Code Section 65302(g) requires that a noise element be included in the General Plan of each county and city in the State. The Noise Element of the City's General Plan (2001) is intended to identify sources of noise and provide objectives and policies that ensure that noise from various sources does not create an unacceptable noise environment. Overall, the City's Noise Element describes the noise environment (including noise sources) in the City, and addresses noise mitigation regulations, strategies, and programs, as well as delineates federal, State, and City jurisdiction relative to rail, automotive, aircraft, and nuisance noise.

The City's noise standards are correlated with land use zoning classifications in order to maintain identified ambient noise levels and to limit, mitigate, or eliminate intrusive noise that exceeds the ambient noise levels within a specified zone. The City has adopted local guidelines based, in part, on the community noise compatibility guidelines established by the State Department of Health Services for use in assessing the compatibility of various land use types with a range of noise levels. These guidelines are set forth in the City's General Plan Noise Element.

In accordance with Table N-3 of the Noise Element of the City's General Plan, the exterior noise level standard for residential uses, including single-family and multi-family development, is 60 dBA CNEL. This standard is limited to the private yards of single-family homes and the private patios or balconies of multi-family uses that are served by means of an exit from inside each dwelling; however, private patios or balconies that are 6 feet deep or less are exempt from this standard. For residential uses, the City's interior noise level standard is 45 dBA CNEL.

City of Cypress Municipal Code

The Cypress Municipal Code Chapter 13, Article VII, Sections 13-64 through 13-79, established noise standards and enforcement procedures to enforce the reduction of "obnoxious or offensive" noises.

More specifically, Chapter 13, Article VII, Sections 13-67 through 13-69, establish the noise zone designations, exterior noise level standards, and interior noise level standards. Section 13-67 specifies that the residential properties are assigned to the following noise zones:

- **Noise Zone 1:** All residential properties zoned RS-15000 or RS-6000 (low-density residential uses with a maximum of 5 dwelling units per gross acre).
- **Noise Zone 2:** All residential property not in Noise Zone 1.

Section 13-68 (a), as shown in Table 4.13.B, presents the exterior noise level standards for Noise Zone 2, which would apply to the proposed project.

In the event the alleged offensive noise consists of impact noise, simple tone noise, speech, music, or any combination thereof, each of the above noise levels shall be reduced by 5 dBA.

Table 4.13.B: Exterior Noise Level Standards

Noise Zone	Noise Level (dBA L_{eq})	Time Period

1	55	7:00 a.m. – 10:00 p.m.
	50	10:00 p.m. – 7:00 a.m.
2	60	7:00 a.m. – 10:00 p.m.
	55	10:00 p.m. – 7:00 a.m.

Source: City of Cypress Municipal Code Section 13-68 (a) (1976).
dBA = A-weighted decibels
L_{eq} = Average Hourly Noise Level

Section 13-68 of the Cypress Municipal Code goes on to state in subsection (b) the following:

> "It shall be unlawful for any person at any location within the incorporated area of the city to create any noise, or to allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, when the foregoing causes the noise level, when measured on any other residential property, either incorporated or unincorporated, to exceed:"

1. The noise standard for a cumulative period of more than 30 minutes in any hour; or
2. The noise standard plus 5 dB(A) for a cumulative period of more than 15 minutes in any hour; or
3. The noise standard plus 10 dB(A) for a cumulative period of more than 5 minutes in any hour; or
4. The noise standard plus 15 dB(A) for a cumulative period of more than 1 minute in any hour; or
5. The noise standard plus 20 dB(A) for any period of time.

Subsection (c) also specifies the following:

> "In the event the ambient noise level exceeds either of the first four (4) noise limit categories above, the cumulative period applicable to said category shall be increased to reflect said ambient noise level. In the event the ambient noise level exceeds the fifth noise limit category, the maximum allowable noise level under said category shall be increased to reflect the maximum ambient noise level."

Section 13-69 (a), as shown in Table 4.13.C, presents the interior noise level standards for all residential zones.

Table 4.13.C: Interior Noise Level Standards

Noise Zone	Noise Level (dBA L_{eq})	Time Period
1 and 2	55	7:00 a.m. – 10:00 p.m.
	45	10:00 p.m. – 7:00 a.m.

Source: City of Cypress Municipal Code (1976).
dBA = A-weighted decibels
L_{eq} = Average Hourly Noise Level

Section 13-69(a) also states the following for the noise levels shown in Table 4.13.C:

> "In the event the alleged offensive noise consists of impact noise, simple tone noise, speech, music, or any combination thereof, each of the above noise levels shall be reduced by five (5) dBA."

Section 13-69 (b) of the Cypress Municipal Code states the following:

> "It shall be unlawful for any person at any location within the incorporated area of the city to create any noise, or to allow the creation of any noise on property owned, leased, occupied or otherwise controlled by such person, when the foregoing causes the noise level, when measured on any other residential property, either incorporated or unincorporated, to exceed:
>
> 1. The interior noise standard for a cumulative period of more than 5 minutes in any hour; or
> 2. The interior noise standard plus 5 dB(A) for a cumulative period of more than 1 minute in any hour; or
> 3. The interior noise standard plus 10 dB(A) for any period of time.

Subsection (c) also specifies the following:

> "In the event the ambient noise level exceeds either of the first two (2) noise limit categories above, the cumulative period applicable to said category shall be increased to reflect said ambient noise level. In the event the ambient noise level exceeds the third noise limit category, the maximum allowable noise level under said category shall be increased to reflect the maximum ambient noise level."

Section 13-70, Special Provisions, of the City's Municipal Code specifies that construction activities are exempt from the provisions listed above; however, it regulates the timing of construction activities. According to the Municipal Code, construction activities shall not take place between the hours of 8:00 p.m. and 7:00 a.m. on weekdays, before 9:00 a.m. and after 8:00 p.m. on Saturday, or at any time on Sunday or a federal holiday.

Section 13-71, Schools, hospitals and churches; special provisions, of the Municipal Code states the following:

> "It shall be unlawful for any person to create any noise which causes the noise level at any school, hospital or church while the same is in use, to exceed the noise limits as specified in section 13-68 prescribed for the assigned noise zone in which the school, hospital or church is located, or which noise level unreasonably interferes with the use of such institutions or which unreasonably disturbs or annoys patients in the hospital, provided conspicuous signs are displayed in three (3) separate locations within one-tenth (0.1) of a mile of the institution indicating the presence of a school, church or hospital."

Applicable Vibration Standards

Due to the lack of vibration standards within the City's General Plan or Municipal Code, vibration standards included in the FTA Manual are used in this analysis for ground-borne vibration impacts, as shown in Table 4.13.D.

Table 4.13.D: Construction Vibration Damage Criteria

Building Category	PPV (in/sec)
Reinforced concrete, steel, or timber (no plaster)	0.50
Engineered concrete and masonry (no plaster)	0.30
Nonengineered timber and masonry buildings	0.20
Buildings extremely susceptible to vibration damage	0.12

Source: *Transit Noise and Vibration Impact Assessment Manual*, Table 12-3 (FTA 2018).
[1] RMS vibration velocity in decibels (VdB) re 1 micro-inch/second.
FTA = Federal Transit Administration
in/sec = inches per second
L_V = velocity in decibels
PPV = peak particle velocity
RMS = root-mean-square
VdB = vibration velocity in decibels

The criteria for environmental impact from ground-borne vibration and noise are based on the maximum levels for a single event. Table 4.13.D lists the potential vibration damage criteria associated with construction activities, as suggested in the FTA Manual.

The FTA Manual guidelines show that a vibration level of up to 0.5 in/sec in PPV is considered safe for buildings consisting of reinforced concrete, steel, or timber (no plaster), and would not result in any construction vibration damage. For a nonengineered timber and masonry building, the construction vibration damage criterion is 0.2 in/sec in PPV.

Table 6-6 within the FTA Manual guidelines indicates that for workshop or similar type uses, a level of 90 VdB would be the threshold at which vibration is distinctly felt and may disrupt operations.

Thresholds of Significance

A project would normally have a significant effect on the environment related to noise if it would substantially increase the ambient noise levels for adjoining areas or conflict with the adopted

environmental plans and the goals of the community in which the project is located. The following noise level increases were used to determine whether the project would result in a significant noise impact:

For off-site transportation-related impacts:

- Where the existing ambient noise level is less than 65 dBA and a project-related permanent increase in ambient noise levels of 3 dBA CNEL or greater occurs.
- Where the existing ambient noise level is greater than 65 dBA and a project-related permanent increase in ambient noise levels of 1 dBA CNEL or greater occurs.

For non-transportation-related stationary source impacts, including operations:

- If current noise levels experienced at the surrounding sensitive uses are less than the hourly daytime noise level standards, then an exceedance of the standards listed in Table 4.13.B would constitute a potentially significant impact.
- If current noise levels experienced at the surrounding sensitive uses are greater than the hourly daytime noise level standard listed in Table 4.13.B, then a perceptible increase of 3 dBA or more would constitute a potentially significant impact.

For construction-related impacts:

- Compliance with the City's Municipal Code and exceedance of the FTA standards listed above and in Table 4.13.D.

Existing Noise Environment

The existing noise levels at the project site and surrounding uses are dominated by traffic on Valley View Street and Katella Avenue, and parking lot activities at the surrounding uses.

Existing Noise Level Measurements

In order to assess the existing noise conditions in the area, long-term (24-hour) noise-level measurements were conducted on September 1 and 2, 2022, using four (4) Larson Davis Spark 706RC Dosimeters at four locations near the edge of the project site. Figure 4.13-1 shows the long-term noise monitoring locations. Table 4.13.E provides a summary of the measured hourly noise levels and calculated CNEL level from the long-term noise level measurements as well as a brief description of the locations where the measurements were collected. As shown in Table 4.13.E, the calculated CNEL levels range from 56.4 dBA CNEL to 63.0 dBA CNEL. Hourly noise levels at surrounding sensitive uses are as low as 44.7 dBA L_{eq} during nighttime hours and 51.2 dBA L_{eq} during daytime hours. Long-term noise monitoring data results are provided in Appendix E.

Figure 4.13-1: Noise Monitoring Locations

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Table 4.13.E: Existing Noise Level Measurements

Location	Description	Daytime Noise Levels[1] (dBA L_{eq})	Evening Noise Levels[2] (dBA L_{eq})	Nighttime Noise Levels[3] (dBA L_{eq})	Daily Noise Level (dBA CNEL)
LT-1	Northwest corner of 5757 Plaza Drive #100, south of 5626 Corporate Avenue. near a parking lot light pole. Approximately 1,340 feet away from Katella Avenue centerline.	57.3 - 68.4	53.3 - 54.7	45.0 - 60.1	63.0
LT-2	Northeast corner of 5757 Plaza Drive #100, near a parking lot light pole, approximately 750 feet away from Valley View Street centerline.	51.2 - 53.8	52.0 - 52.5	44.7 - 52.3	56.4
LT-3	East of the building entrance at 5665 Plaza Drive, on a nearby tree, approximately 280 feet away from Plaza Drive centerline.	51.9 - 56.5	51.1 - 51.8	45.7 - 53.3	57.1
LT-4	Southeast corner of 5757 Plaza Drive, on a pole. Approximately 40 feet away from Plaza Drive centerline.	53.3 - 56.4	52.2 - 53.1	46.2 - 53.2	57.8

Source: LSA (2022).
Note: Noise measurements were conducted from September 1 to September 2, 2022, starting at 11:00 a.m.
[1] Daytime Noise Levels = noise levels during the hours of 7:00 a.m. to 7:00 p.m.
[2] Evening Noise Levels = noise levels during the hours from 7:00 p.m. to 10:00 p.m.
[3] Nighttime Noise Levels = noise levels during the hours of 10:00 p.m. to 7:00 a.m.
CNEL = Community Noise Equivalent Level
dBA = A-weighted decibel
ft = foot/feet
L_{eq} = the average noise level during a specific hour
LT = long-term measurement

Impact Analysis

a) Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less Than Significant Impact.

Short-Term Construction Noise Impacts

Short-term noise impacts would be associated with demolition of the existing structures, excavation, grading, and construction of the proposed structures. Construction-related short-term noise levels would be higher than existing ambient noise levels in the vicinity of the project site at the present time but would no longer occur once construction of the proposed project is completed.

Two types of short-term noise impacts could occur during construction of the proposed project. First, construction crew commutes and the transport of construction equipment and materials to the project site would incrementally increase noise levels on access roads leading to the site. Although there would be a relatively high single-event noise exposure potential causing intermittent noise nuisance (passing trucks at 50 feet would generate up to a maximum of 84 dBA), the effect on longer-term (hourly or daily) ambient noise levels would be small when compared to existing average daily traffic (ADT) volumes of 34,740 vehicles on Katella Avenue and 34,360 vehicles on Valley View Street (Urban Crossroads).[53] Because construction-related vehicle trips would not approach the daily traffic volumes, traffic noise would not increase by 3 dBA. A noise level increase of less than 3 dBA would not be perceptible to the human ear in an outdoor environment.

Therefore, short-term, construction-related impacts associated with worker commute and equipment transport to the project site would be less than significant.

In addition to the reference maximum noise level, the usage factor provided in Table 4.13.F is utilized to calculate the hourly noise level impact for each piece of equipment based on the following equation:

$$L_{eq}(equip) = E.L. + 10\log(U.F.) - 20\log\left(\frac{D}{50}\right)$$

where: $L_{eq}(equip)$ = L_{eq} at a receiver resulting from the operation of a single piece of equipment over a specified time period

E.L. = noise emission level of the particular piece of equipment at a reference distance of 50 feet

U.F. = usage factor that accounts for the fraction of time that the equipment is in use over the specified period of time

D = distance from the receiver to the piece of equipment

[53] Urban Crossroads. 2023. *Goodman Commerce Center Traffic Analysis*. January 27.

Table 4.13.F: Typical Maximum Construction Equipment Noise Levels (L_{max})

Type of Equipment	Acoustical Usage Factor	Suggested Maximum Sound Levels for Analysis (dBA L_{max} at 50 ft)
Air Compressor	40	80
Backhoe	40	80
Cement Mixer	50	80
Concrete/Industrial Saw	20	90
Crane	16	85
Excavator	40	85
Forklift	40	85
Generator	50	82
Grader	40	85
Loader	40	80
Pile Driver	20	101
Paver	50	85
Roller	20	85
Rubber Tire Dozer	40	85
Scraper	40	85
Tractor	40	84
Truck	40	84
Welder	40	73

Source: Federal Highway Administration. *Highway Construction Noise Handbook* (2006).
dBA = A-weighted decibel(s)
ft = foot/feet
L_{max} = maximum instantaneous noise level

Each piece of construction equipment operates as an individual point source. Utilizing the following equation, a composite noise level can be calculated when multiple sources of noise operate simultaneously:

$$Leq\ (composite) = 10 * \log_{10}\left(\sum_{1}^{n} 10^{\frac{Ln}{10}}\right)$$

Once composite noise levels are calculated, reference noise levels can then be adjusted for distance using the following equation:

$$Leq\ (at\ distance\ X) = Leq\ (at\ 50\ feet) - 20 * \log_{10}\left(\frac{X}{50}\right)$$

In general, this equation shows that doubling the distance would decrease noise levels by 6 dBA, while halving the distance would increase noise levels by 6 dBA.

Using the equations from the methodology above, the reference information in Table 4.13.F, and the construction equipment list provided, the composite noise level of each construction phase was calculated. The project construction composite noise levels at a distance of 50 feet would range from

74 dBA L_{eq} to 88 dBA L_{eq}, with the highest noise levels occurring during the site preparation and grading phases.

Based on the information in Table 4.13.F, the noise level generated by the construction phases were calculated. As shown in Appendix E, the combination of the equipment during the site preparation and grading phases, considering the usage factor of each piece of equipment, would result in a combined noise level of 69 dBA L_{eq} at a distance of 450 feet, which represents the distance from the center of construction activity at the project site to the nearest noise-sensitive uses to the north and south. These predicted noise levels would only occur when all construction equipment is operating simultaneously; and therefore, the noise levels are assumed to be rather conservative in nature. While construction-related short-term noise levels have the potential to be higher than existing ambient noise levels in the project area under existing conditions, the noise impacts would no longer occur once project construction is completed.

Compliance with the allowed construction hours in the City's Noise Ordinance would ensure that construction noise does not disturb residents during typical sleeping hours or during hours when ambient noise levels are likely to be lower (i.e., at night). In addition, the proposed project would implement several best practices for reducing construction noise, including, but not limited to, maximizing the distance between noise sources and sensitive receptors during construction activities, equipping construction equipment with properly operating and maintained noise mufflers, and establishing a noise disturbance coordinator for the proposed project. These best practices are included in Standard Condition NOI-1, provided below. Although construction noise would be higher than the ambient noise in the vicinity of the project site, it would cease to occur once project construction is completed. Additionally, with the incorporation of Standard Condition NOI-1, all feasible and reasonable measures to reduce construction noise would be implemented, and a less than significant impact would occur.

Long-Term Off-Site Traffic Noise Impacts

The Federal Highway Administration (FHWA) Highway Traffic Noise Prediction Model (FHWA RD-77-108) was used to evaluate traffic-related noise conditions in the vicinity of the project site. This model requires various parameters, including traffic volumes, vehicle mix, vehicle speed, and roadway geometry to compute typical equivalent noise levels during daytime, evening, and nighttime hours. The resultant noise levels are weighted and summed over 24-hour periods to determine the Community Noise Equivalent Level (CNEL) values. The existing and existing plus project traffic volumes in the vicinity of the project site were obtained from the Traffic Analysis prepared for the proposed project (Urban Crossroads 2022). Table 4.13.G lists the existing and existing plus project traffic noise levels adjacent to roadway segments in the project site vicinity. These noise levels represent worst-case scenarios, which assume that no shielding is provided between the traffic and the location where the noise contours are drawn. The FHWA Noise Model Printouts are provided in Appendix E.

The results indicate that the increase in noise associated with project-related traffic would be very small, ranging from 0.0 to 1.0 dBA along the segments analyzed. These noise level increases are not perceptible by the human ear; therefore, off-site traffic noise impacts would be less than significant. No mitigation is required.

Table 4.13.G: Traffic Noise Levels Without and With Proposed Project

Roadway Segment	Existing Without Project		Existing With Project			Opening Year		Opening Year With Project		
	ADT	CNEL (dBA) 50 feet from Centerline of Nearest Lane	ADT	CNEL (dBA) 50 feet from Centerline of Nearest Lane	Increase from Existing Conditions	ADT	CNEL (dBA) 50 feet from Centerline of Nearest Lane	ADT	CNEL (dBA) 50 feet from Centerline of Nearest Lane	Increase from Near-Term Conditions
Katella Avenue between Douglas Drive and Valley View Street	34,740	69.6	34,750	69.6	0.0	37,570	70.0	37,580	70.0	0.0
Douglas Drive North of Katella Avenue	890	48.3	1,000	48.8	0.5	920	48.5	1,130	49.4	0.9
Plaza Drive West of McDonnell Drive	650	47.0	770	47.7	0.7	680	47.2	800	47.9	0.7
Plaza Drive between McDonnell Drive and Valley View Street	790	47.8	1,000	48.8	1.0	820	48.0	1,020	48.9	0.9
McDonnell Drive Between Katella Avenue and Plaza Drive	280	43.0	290	43.2	0.2	280	43.0	280	43.0	0.0
Valley View Street North of Katella Avenue	34,360	69.1	34,570	69.2	0.1	36,080	69.3	36,290	69.4	0.1

Source: Compiled by LSA (December 2022).
Note: Traffic noise within 50 feet of the roadway centerline should be evaluated with site-specific information.
Shaded cells indicate roadway segments adjacent to the project site.
ADT = average daily traffic
CNEL= Community Noise Equivalent Level
dBA = A-weighted decibels

Long-Term Off-Site Stationary Noise Impacts

Implementation of the proposed project would generate various on-site stationary noise sources, including heating, ventilation, and air conditioning (HVAC) and dock operations. The Cypress Municipal Code limits non-construction noise experienced at the surrounding sensitive uses to 60 dBA or less per the hourly daytime noise level standards for Noise Zone 2. The closest sensitive use for the noise analysis is the Extended Stay America Hotel located approximately 70 feet north of the project site.

Of the on-site stationary noise sources during operation of the project, noise generated by loading dock activities would generate the highest maximum noise levels. To provide a conservative analysis, it is assumed that operations would occur equally during all hours of the day and half of the 25 loading docks at each building would be active at all times.

According to the Project Description, approximately 50 percent of the project's warehouse space would be cold storage. Noise levels generated by cold storage fan units would be similar to noise readings from previously gathered reference noise level measurements, which generate a noise level of 63.2 dBA L_{eq} at 5 feet based on measurements taken by LSA (*Operational Noise Impact Analysis for Richmond Wholesale Meat Distribution Center* [LSA 2016]). Additionally, 50 percent of the loading docks have the potential to have containers with refrigeration units that would generate a noise level of 79.4 dBA L_{eq} at 15 feet based on measurements taken by LSA.

The project would have various rooftop mechanical equipment, including HVAC units on the proposed building. To be conservative, it is assumed the project could have sixteen (16) rooftop HVAC units between the proposed two buildings which would operate 24 hours per day and would generate sound power levels (SPL) of up to 76 dBA SPL or 63 dBA L_{eq} at 5 feet, based on manufacturer data (Allied Commercial 2019).

To determine the future noise impacts from project operations to the noise sensitive uses, a 3-D noise model, SoundPLAN, was used to incorporate the site topography as well as the shielding from the proposed building on-site. A graphic representation of the operational noise impacts is presented in Appendix E of this IS/MND. The results show the 60 dBA L_{eq} noise contour from operations and that the combined hourly noise level generated by the on-site stationary sources is expected to be 45.0 dBA L_{eq} at the closest sensitive uses. Additionally, the proposed project would not substantially increase noise levels over existing conditions. Therefore, this impact would be less than significant. No mitigation is required.

Standard Condition:

In addition to compliance with the construction hours specified in the Municipal Code, the following standard condition would reduce construction noise to the extent feasible and reasonable:

Standard Condition NOI-1 **Construction Noise and Vibration.** Prior to issuance of grading permits, the City of Cypress (City) Director of Community Development Department, or designee, shall verify that grading and construction plans include the following requirements:

- Ensure that the greatest distance between noise sources and sensitive receptors during construction activities has been achieved.

- Construction equipment, fixed or mobile, shall be equipped with properly operating and maintained noise mufflers consistent with manufacturers' standards.

- Construction staging areas shall be located away from off-site sensitive uses during the later phases of project development.

- The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site whenever feasible.

- The construction contractor shall use on-site electrical sources to power equipment rather than diesel generators where feasible.

- A sign, legible at a distance of 50 feet, shall also be posted at the construction site. All notices and the signs shall indicate the dates and duration of construction activities, as well as provide a telephone number for the "noise disturbance coordinator."

- A "noise disturbance coordinator" shall be established. The disturbance coordinator shall be responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall be required to implement reasonable measures to reduce noise levels. All signs posted at the construction site shall list the telephone number for the disturbance coordinator.

b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Less Than Significant Impact. Vibration refers to ground-borne noise and perceptible motion. Ground-borne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors. Vibration energy propagates from a source, through intervening soil and rock layers, to the foundations of nearby buildings. The vibration then propagates from the foundation throughout the remainder of the structure. Building vibration may be perceived by the occupants as the motion of building surfaces, rattling of items on shelves or hanging on walls, or as a low-frequency rumbling noise. The rumbling noise is caused by the vibrating walls, floors, and ceilings radiating sound waves. Annoyance from vibration often occurs when the vibration exceeds the threshold of perception by 10 dB or less. This is an order of magnitude below the damage threshold for normal buildings.

Typical sources of ground-borne vibration are construction activities (e.g., pavement breaking and operating heavy-duty earthmoving equipment), rail activity, and occasional traffic on rough roads. In general, ground-borne vibration from standard construction practices is only a potential issue when within 25 feet of vibration-sensitive uses. Ground-borne vibration levels from construction activities very rarely reach levels that can damage structures; however, these levels are perceptible near the active construction site. With the exception of older buildings built prior to the 1950s or buildings of historic significance, potential structural damage from heavy construction activities rarely occurs. When roadways are smooth, vibration from traffic (even heavy trucks) is rarely perceptible.

The roadways surrounding the project site, including Plaza Drive, McDonnell Drive, and the existing driveways, are paved, smooth, and unlikely to cause significant ground-borne vibration. In addition, the rubber tires and suspension systems of buses and other on-road vehicles make it unusual for on-road vehicles to cause ground-borne noise or vibration problems. It is, therefore, assumed that no such vehicular vibration impacts would occur and, therefore, no vibration impact analysis of on-road vehicles is necessary.

The following vibration impact analysis discusses the level of human annoyance using vibration levels in VdB and will assess the potential for structural damages using vibration levels in PPV (in/sec) because vibration levels calculated in RMS are best for characterizing human response to building vibration, while vibration level in PPV is best used to characterize potential for damage.

Construction Vibration Impacts

Construction of the proposed project could result in the generation of ground-borne vibration. This construction vibration impact analysis discusses the level of human annoyance using vibration levels in VdB and will assess the potential for building damages using vibration levels in PPV (in/sec) because vibration levels calculated in RMS are best for characterizing human response to building vibration, while vibration level in PPV is best used to characterize potential for damage. The FTA's *Transit Noise and Vibration Impact Assessment Manual* guidelines indicate that a vibration level up to 102 VdB (an equivalent to 0.5 in/sec in PPV) is considered safe for buildings consisting of reinforced concrete, steel, or timber (no plaster), and would not result in any construction vibration damage. For a non-engineered timber and masonry building, the construction vibration damage criterion is 94 VdB (0.2 in/sec in PPV). Additionally, the FTA's *Transit Noise and Vibration Impact Assessment Manual* guidelines indicate that vibration levels in excess of 90 VdB have the potential to cause annoyance in a workshop use, similar to an industrial building.

Table 4.13.H shows the PPV and VdB values at 25 feet from a construction vibration source. As shown in Table 4.13.H, bulldozers and other heavy-tracked construction equipment (except for pile drivers and vibratory rollers) generate approximately 87 VdB of ground-borne vibration when measured at 25 feet, based on the FTA's *Transit Noise and Vibration Impact Assessment Manual.* At this level, ground-borne vibration would result in potential annoyance to residents and workers but would not cause any damage to the buildings. Construction vibration, similar to vibration from other

Table 4.13.H: Vibration Source Amplitudes for Construction Equipment

Equipment	Reference PPV/L_V at 25 feet	
	PPV (in/sec)	L_V (VdB)[1]
Pile Driver (Impact), Typical	0.644	104
Pile Driver (Sonic), Typical	0.170	93
Vibratory Roller	0.210	94
Hoe Ram	0.089	87
Large Bulldozer	0.089	87
Caisson Drilling	0.089	87
Loaded Trucks	0.076	86
Jackhammer	0.035	79
Small Bulldozer	0.003	58

Sources: *Transit Noise and Vibration Impact Assessment* (FTA 2018).
[1]RMS vibration velocity in decibels (VdB) is 1 µin/sec.
µin/sec = micro-inches per second
FTA = Federal Transit Administration
in/sec = inches per second
L_V = velocity in decibels
PPV = peak particle velocity
RMS = root-mean-square
VdB = vibration velocity decibels

sources, would not have any significant effects on outdoor activities (e.g., those outside of residences and commercial/office buildings in the project vicinity). Outdoor site preparation for the proposed project is expected to include the use of bulldozers and loaded trucks. The greatest levels of vibration are anticipated to occur during the site preparation phase. All other phases are expected to result in lower vibration levels.

The distance to the nearest buildings for the vibration impact analysis is measured between the nearest off-site buildings and the project site boundary (assuming the construction equipment would be used at or near the project site boundary) because vibration impacts occur normally within the buildings. The formula for vibration transmission is provided below.

$$L_vdB\ (D) = L_vdB\ (25\ feet) - 30\ Log\ (D/25)$$
$$PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}$$

For typical construction activity, the equipment with the highest vibration generation potential is the large bulldozer, which would generate 87 VdB at 25 feet. The closest surrounding buildings to the project site include an existing industrial building located approximately 45 feet north of the project site. The industrial building would experience vibration levels of up to 79 VdB (0.037 PPV [in/sec]). This vibration level at the nearest building from construction equipment would not exceed the FTA threshold of 94 VdB (0.2 in/sec PPV) for building damage. Additionally, construction vibration levels at the nearest buildings would be below the 90 VdB threshold of potential annoyance, and these vibration levels would no longer occur once construction of the project is completed. Although construction vibration levels at the nearest buildings would have the potential to result in annoyance, these vibration levels would no longer occur once construction of the project is completed. Therefore, ground-borne vibration impacts from construction activities associated with the proposed project would be considered less than significant.

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Less Than Significant Impact. The closest airport to the project site is JFTB Los Alamitos, which is located approximately 0.25 mile to the south. The noise contour boundaries of JFTB show that the majority of the project site is located in Noise Impact Zone 2 (60 dB CNEL or greater, less than 65 dB CNEL), while the southeast corner of the site is within Noise Impact Zone 1 (65 dB CNEL and above). Commercial and industrial uses are listed as conditionally consistent for areas with noise levels exceeding 65 dB CNEL, provided that structures are sufficiently sound attenuated to allow normal work activities to be conducted. Pursuant to Section 5.507 of the California Green Building Standards Code, the wall and roof-ceiling assemblies would be required to meet a composite Sound Transmission Class (STC) rating of at least 50 (or a composite Outdoor-Indoor Sound Transmission Class (OITC) rating of no less than 40), and exterior windows would be required to meet a minimum STC of 40 (or OITC of 30) because the project site is located within the 65 dB noise contour of an airport.[54] Therefore, because the proposed project would be required to sufficiently attenuate noise to normal levels, this impact would be less than significant. No mitigation is required.

[54] California Building Standards Commission. 2022. California Green Building Standards Code, California Code of Regulations, Title 24, Part 11. July.

4.14 POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Impact Analysis

a) Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Less Than Significant Impact. The proposed project would include the demolition of the existing building on the project site and the construction of two new warehouse buildings that would total approximately 390,268 square feet in size, as well as associated site improvements including landscaping, surface parking, and utility improvements. The proposed project would not cause or result in direct population growth because the proposed project would not provide or remove housing on the project site. The proposed warehouses are anticipated to provide employment for up to 190 people at full capacity.

As of August 2022, the City of Cypress (City) had a labor force of 24,900, and the County of Orange (County) had a labor force of 1,595,100, with approximately 800 and 44,300 people unemployed, respectively.[55] The November 2022 unemployment rate was 2.9 percent for the City and 3.0 percent for the County.[56] It is unlikely that a substantial number of employees would need to be relocated from outside the region to meet the need for employees resulting from implementation of the proposed project. Furthermore, the proposed project would be located within a developed area of Cypress that is already served by all utilities. The existing regional infrastructure and the established roadway network would be utilized by employees accessing the proposed project site and would not indirectly or directly induce population growth.

Operation of the proposed project would not induce substantial population growth or accelerate development in an underdeveloped area, and any impacts to population growth would be less than significant. No mitigation is required.

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55 State of California Employment Development Department (EDD). 2023. *Monthly Labor Force Data for Cities and Census Designated Places, November 2022.* Website: https://www.labormarketinfo.edd.ca.gov/data/labor-force-and-unemployment-for-cities-and-census-areas.html (accessed January 16, 2023).

56 Ibid.

b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact. As previously stated, the project proposes to demolish the existing building on the project site and construct two new warehouse buildings that would total approximately 390,268 square feet in size, as well as associated site improvements including landscaping, surface parking, and utility improvements. There are no existing housing units or people living on the project site. Therefore, the project would not displace housing or persons, nor require or necessitate the development of replacement housing elsewhere. No mitigation would be required.

4.15 PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	☐	☐	☒	☐
ii. Police protection?	☐	☐	☒	☐
iii. Schools?	☐	☐	☒	☐
iv. Parks?	☐	☐	☒	☐
v. Other public facilities?	☐	☐	☒	☐

Impact Analysis

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for *fire protection*?

Less Than Significant Impact. The Orange County Fire Authority (OCFA) is a Joint Powers Authority that serves the City of Cypress (City) and is responsible for reducing the loss of lives and property from fire, medical, and environmental emergencies. The OCFA is a regional fire service agency that provides fire suppression, emergency medical services, hazardous materials response, wildland firefighting, technical rescue, and airport rescue firefighting services, and a variety of other public services to its service area of 1,891,414 residents that includes 23 cities in Orange County (County) and all unincorporated areas in the County. Currently, OCFA has a total of 77 stations located throughout Orange County.[57]

The City of Cypress is located within Operations Division 7, which also serves the cities of Buena Park, La Palma, and Stanton along with portions of several unincorporated communities.[58] As a regional fire agency, OCFA engages in service agreements with other local and regional fire agencies.

The nearest station to the project site is OCFA Fire Station No. 17, located at 4991 Cerritos Avenue in Cypress, which is approximately 5,000 feet/one mile northwest of the project site and would be designated as the "first-in" station that would be the first to serve the project in the event of an

[57] Orange County Fire Authority (OCFA). 2021. Fiscal Year 2019–2020 Adopted Budget. Page 11. Website: OCFA 2021-2022 Adopted Budget.pdf (accessed September 13, 2022).

[58] OCFA. 2020. Operations Division 7. Website: OCFA - Orange County Fire Authority (accessed September 13, 2022).

emergency. Fire Station No. 17 is staffed by two fire captains, two fire apparatus engineers, with a total of 24 staffed firefighters and is equipped with a medic engine, truck engine, and paramedic engine. Fire Station No. 17 was substantially rebuilt and expanded in 2012 with added capacity to accommodate the existing and future fire protection and paramedic needs in the service area. In 2020, the City of Cypress generated 3,099 calls for service.[59]

"Second call" stations are fire stations that support the "first-in" station. Fire Station Nos. 13 and 63 would be designated as the "second call" stations to support Fire Station No. 17. Fire Station No. 13, located at 7822 Walker Street in La Palma, is approximately 3 miles north of the project site and is staffed by 1 fire captain, 1 engineer, and 2 firefighters. Fire Station No. 63, located at 9120 Holder Street in Buena Park, is approximately 2 miles northeast of the project site and is staffed by 1 captain, 1 apparatus engineer, and 2 firefighters. Fire Station No. 63 is equipped with a paramedic engine.

According to the City's General Plan Safety Element (2001), it is the OCFA's goal to have the first responding company for a fire call to reach the emergency scene within 8 minutes and paramedics to reach the scene within 5 minutes, at least 90 percent of the time. In Fiscal Year 2021–2022, OCFA responded to emergency calls within 6 minutes and 29 seconds 90 percent of the time across all service area calls.[60] Although OCFA's ratio of firefighters per 10,000 residents increased slightly in the last two fiscal years from 5.86 to 5.94 firefighters for every 10,000 residents, during the past 10-year time frame emergency call load has increased by 89 percent, due in part to the City of Santa Ana joining the OCFA in April of 2012 and the City of Garden Grove joining in August 2019.[61] As a non-residential project, the proposed project would not be expected to result in an excessive increase in calls for service. In addition, as discussed in Section 4.17, Transportation, the proposed project would not result in inadequate emergency access.

Further, the City's Safety Element states that separation and setback requirements, adopted in the City's Municipal Code, assist in minimizing the risk of urban fire spread. The proposed project would be consistent with the City's setback requirements. In addition, as discussed in further detail in Section 4.20, Wildfire, the project site is not located within a Very High Fire Hazard Severity Zone (VHFHSZ).

The proposed project would adhere to the development standards described in the City's Municipal Code related to public safety. The proposed project would also be designed to comply with all OCFA requirements, including providing adequate fire flow/structure protection to the project site and providing adequate access for emergency vehicles. Additionally, the proposed project would comply with current editions of the California Building Code, California Fire Code, and related codes.

As stated in Section 4.14, Population and Housing, the proposed project would not induce substantial population growth in the City and therefore would be able to be served by Fire Station No. 17. The OCFA would review and comment on the site plan prior to approval. As part of the review, the OCFA would impose standard conditions of approval, which would ensure all impacts regarding fire

[59] OCFA. Station Statistics. Website: https://ocfa.org/AboutUs/Departments/OperationsDirectory/ Division7.aspx (accessed September 13, 2022).

[60] OCFA. Fiscal Year 2021/2022 Adopted Budget. Website: https://www.ocfa.org/Uploads/Transparency/OCFA%202022-2023%20Adopted%20Budget.pdf (accessed January 16, 2023).

[61] Ibid.

protection would be less than significant. Therefore, the proposed project would not require the construction of new fire protection facilities or the upgrade of existing facilities, which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection. Therefore, impacts associated with fire protection services would be less than significant, and no mitigation is required.

b) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for *police protection*?

Less Than Significant Impact. The Cypress Police Department (CPD) provides police protection services throughout the City. The CPD has one station located within the Cypress Civic Center at 5275 Orange Avenue, approximately 1.5 mile north of the project site. Management and supervision of the CPD is provided by 1 chief, 3 commanders, 1 civilian manager, 10 sergeants, and 1 civilian supervisor. Of the CPD's 55 sworn personnel, 41 are dedicated to the delivery of patrol services. In addition to the 55 officers, the department is supported by 23 civilian employees and numerous volunteers.[62] The officer-to-resident ratio in 2019 was 1 CPD officer per 1,000 residents.

The services provided by CPD include a detective bureau, canine teams, narcotics team, vice and intelligence, motorcycle officers, Personnel & Training, Positive Actions thru Character Education (P.A.C.E.) program, S.W.A.T. and a Lead Patrol Officer program. In addition, the CPD has established Community Policing, or Cypress Policing, as the philosophy for providing public safety services.

Police dispatch services for the City of Cypress are provided by the West Cities Police Communications Center, also known as West-Comm. West-Comm is a consolidated police dispatch center, formed by a Joint Powers Authority between the cities of Cypress, Los Alamitos and Seal Beach. Located at the Seal Beach Police Department, West-Comm serves a combined population of approximately 90,000 and handles approximately 100,000 calls for service each year. In 2020, the CPD responded to 24,929 calls for service, including 12,215 emergency calls and 12,714 officer-initiated calls.[63] This volume of calls for 2020 represents an overall 23 percent decrease in calls for service throughout the City compared to 2019.

As discussed in Response 4.13(a) in Section 4.13, Population and Housing, the proposed project would not increase the City's population, as it proposes a non-residential development. Therefore, the project would have no impact on the CPD's ratio of police officers per 1,000 residents and would not trigger the need for new or physically altered police facilities.

Impacts to police services would be less than significant, and no mitigation is required.

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62 City of Cypress. Cypress Police Department Overview. Website: https://www.cypressca.org/government/departments/police/inside-cypress-pd/the-community-we-serve#overview (accessed January 2023).

63 City of Cypress. Cypress Police Department. 10-Year Calls for Service Trend. 2020. Website: https://www.cypressca.org/home/showdocument?id=10173 (January 2023).

c) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for *schools*?

Less Than Significant Impact. The provision of education and school facilities in the City is the responsibility of the Cypress School District (CSD), which serves the City's kindergarten through sixth-grade students, and the Anaheim Union High School District (AUHSD), which serves the City's junior high and high school students (grades 7 through 12).

The proposed project would include the demolition of the existing building on the project site and the construction of two new warehouse buildings, as well as associated site improvements including landscaping, surface parking, and utility improvements. The proposed project would not cause or result in direct population growth because the proposed project would not provide or remove housing on the project site.

Pursuant to California Education Code Section 17620(a)(1), the governing board of any school district is authorized to levy a fee, charge, dedication, or other requirement against any construction within the boundaries of the district for the purpose of funding the construction or reconstruction of school facilities. As a commercial warehouse project, the proposed project would not add any students because it does not include any new housing. Nevertheless, the Applicant would be required to pay school fees to reduce any impacts of new residential development on school services as provided in Section 65995 of the California Government Code (refer to Regulatory Compliance Measure PS-1, below). The fees are collected by the AUHSD and shared equally with CSD.

Pursuant to the provisions of Government Code Section 65996, a project's impact on school facilities is fully mitigated through payment of the requisite school facility development fees current at the time a building permit is issued. Therefore, with payment of the required fees, as outlined in Regulatory Compliance Measure PS-1, potential impacts to school services and facilities associated with implementation of the proposed project would be less than significant. No mitigation is required.

Regulatory Compliance Measure:

Regulatory Compliance Measure PS-1 **Payment of School Fees.** Prior to issuance of any building permits, the Applicant shall provide proof to the City of Cypress Building Official, or designee, that payment of school fees to the Anaheim Union High School District has been made in compliance with Section 65995 of the California Government Code.

d) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for *parks*?

Less Than Significant Impact. Please refer to Section 4.16, Recreation, of this IS/MND for a detailed discussion related to the proposed project's potential impacts to parks and recreational facilities. As discussed previously in Section 4.14, Population and Housing, the proposed project would not directly generate new residents to the City's population, as it is a non-residential development. The project does not propose any residential uses and, therefore, would not increase the population or demand related to parks. Although the project is anticipated to increase employment by 190 jobs, the number of employees is minor compared to the amount of parks and recreational space within the City. While it is possible that employees may visit parks and recreational facilities in the City during lunch breaks or after-work hours, it is unlikely that the use of parks by project employees would increase the use of those parks to a level that would contribute to substantial physical deterioration of those facilities. Impacts to parks and recreation facilities would be less than significant, and no mitigation is required.

e) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for *other public facilities*?

Less Than Significant Impact. The Cypress Senior Center, which provides a variety of services for senior residents, is located at 9031 Grindlay Street, approximately 1.8 mile north of the project site. The Cypress Community Center, which provides regular classes and programming for local residents, is located at 5700 Orange Avenue, approximately 1.2 miles north of the project site. The proposed project would not generate population growth as it is a non-residential development and would not generate an increased demand the use of these public facilities. Therefore, it is reasonable to assume that the proposed project would not result in adverse physical impacts to these facilities. Impacts to other public facilities would be less than significant, and no mitigation is required.

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4.16 RECREATION

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

Impact Analysis

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Less Than Significant Impact. There are currently a total of 20 developed public parks within the City of Cypress (City), which range in size from the approximately 0.17-acre Laurel Park to the 22-acre Oak Knoll Park.[64] According to the Conservation/Open Space/Recreation Element of the City's General Plan (2001), the City had a total of approximately 82 acres of parks and recreational facilities. Subsequently, the City added 2.9 acres of park space at the former Mackay School site, which increased its park space to 84.9 acres.[65] The City recently completed a new 9-acre sports park at the southeastern corner of Lexington Drive and Cerritos Avenue, which opened in March 2022.[66]

Section 25-43 of the City's Municipal Code establishes a standard of 3.0 acres of land per 1,000 residents for park and recreational purposes, and an additional 1.5 acres of land per 1,000 residents for such purposes that are made available at K–12 schools through a cooperative arrangement between the City and local school districts and local park and recreation districts. This results in a total of 4.5 acres of land per 1,000 residents. The nearest park to the project site is Maple Grove Park, located at 6221 Orangewood Avenue, approximately 0.7 mile south of the project site.

The project does not propose any residential uses and, therefore, would not increase the population or demand related to parks. Although the project is anticipated to increase employment by 190 jobs, the number of employees is minor compared to the amount of parks and recreational space within the City. While it is possible that employees may visit parks and recreational facilities in the City during lunch breaks or after-work hours, it is unlikely that the use of parks by project employees would increase the use of those parks to a level that would contribute to substantial physical deterioration

64 City of Cypress. 2022a. Facility and Park Locations. Website: https://www.cypressca.org/activities/facility-park-locations (accessed September 1, 2022).

65 City of Cypress 2020b. Facility & Park Locations: Mackay Park Webpage. Website: https://www.cypressca.org/Home/Components/FacilityDirectory/FacilityDirectory/66/240 (accessed September 13, 2022).

66 City of Cypress. 2022. *The Progress*. April.

of those facilities. Therefore, the impact would be less than significant, and no mitigation would be required.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Less than Significant Impact. In its existing condition, the project site consists of approximately 18.69 acres of land currently developed with a two-story office/warehouse building and associated asphalt parking lot. The proposed project includes the demolition of the existing structure, and development of two new warehouse buildings. The project would not include recreational facilities nor develop residential uses that would require the construction or expansion of recreational facilities that might have an adverse effect on the environment. Therefore, impacts to recreation requirements would be less than significant.

4.17 TRANSPORTATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☒	☐	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

Discussion

The following section describes the potential transportation impacts related to the proposed project based on the *Goodman Commerce Center Traffic Analysis* prepared by Urban Crossroads, dated January 27, 2023 (Appendix F of this IS/MND) and the Vehicle Miles Traveled (VMT) Analysis, prepared by LSA Associates, Inc., dated October 18, 2022 (Appendix G of this IS/MND).

Regulatory Setting

The following is a summary of State, regional, and local regulations that apply to transportation and circulation within the project study area.

State

Senate Bill 743. On September 27, 2013, Governor Jerry Brown signed Senate Bill (SB) 743 into law and codified a process that revises the approach to determining transportation impacts and mitigation measures under CEQA. SB 743 directed the Governor's Office of Planning and Research (OPR) to administer new CEQA guidance for jurisdictions by replacing the focus on automobile vehicle delay and level of service (LOS) or other similar measures of vehicular capacity or traffic congestion in the transportation impact analysis with vehicle miles traveled (VMT). This change shifts the focus of the transportation impact analysis from measuring impacts to drivers, such as the amount of delay and LOS at an intersection, to measuring the impact of driving on the local, regional, and statewide circulation system and the environment. This shift in focus is expected to better align the transportation impact analysis with the statewide goals related to reducing greenhouse gas (GHG) emissions, encouraging infill development, and promoting public health through active transportation. As a result of SB 743, the California Office of Administrative Law cleared the revised *State CEQA Guidelines* for use on December 28, 2018, with a statewide implementation date of July 1, 2020. The OPR *Technical Advisory on Evaluating Transportation Impacts in CEQA* (OPR Technical Advisory) (2018) provides a resource for agencies to use at their discretion.

Regional

Orange County Transportation Authority. The Orange County Transportation Authority (OCTA) is an agency that serves as transportation planner and coordinator, designer, builder, and operator for the 34 cities and unincorporated areas of Orange County. As a State-designated regional transportation planning agency for the County of Orange (County), OCTA is tasked with the development, conformance monitoring, and biennial updating of Orange County's Congestion Management Program. OCTA is responsible for the funding of transportation projects, including highway, transit, local road, bicycle, pedestrian, and trail projects.

Local

The City of Cypress does not have formal Traffic Impact Analysis (TIA) guidelines. However, based on discussion with the City Traffic Engineer, a Traffic Impact Analysis is generally required if a project generates 50 or more net new vehicle trips in the a.m. or p.m. peak hour, including an analysis for any intersection where a project adds 25 or more net new peak-hour trips.

Impact Analysis

a) Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Less Than Significant Impact. In order to assess the impact of the proposed project on the surrounding circulation system, Urban Crossroads calculated the project-related trips using trip rates from the Institute of Transportation Engineers' (ITE) *Trip Generation Manual*, 11th Edition (2021) for the existing warehouse (Land Use Code 150) and general office (Land Use Code 710), and for the proposed high-cube transload and short-term warehouse use (Land Use Code 154) and high-cube cold-storage warehouse use (Land Use Code 157). Table 4.17.A, below, presents the trip generation comparison between the existing and proposed use.

As Table 4.17.A shows, the proposed project is anticipated to generate 930 fewer two-way trips per day with a net reduction of 167 a.m. peak hour trips and net reduction of 168 p.m. peak hour trips (in passenger car equivalents [PCE]).

Table 4.17.A: Proposed Project Trip Generation Comparison

Land Use	Daily	AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
Proposed Project Trip Generation							
Passenger Cars	498	25	3	28	8	27	35
Total Truck Trips (PCE)	458	10	15	25	9	10	9
Total Trips (PCE)	**956**	**35**	**18**	**53**	**17**	**37**	**54**
Fully Occupied Existing Trip Generation							
Passenger Cars	1,230	148	23	171	31	134	165
Total Truck Trips (PCE)	656	37	12	49	18	39	57
Total Trips (PCE)	**1,886**	**185**	**35**	**220**	**49**	**173**	**222**
Net Trips (Proposed Project - Existing)	**-930**	**-150**	**-17**	**-167**	**-32**	**-136**	**-168**

[1] Trip rates from the Institute of Transportation Engineers' (ITE) *Trip Generation* Manual, 11th Edition (2021).

Since the proposed project is likely to generate fewer than 50 net new peak-hour trips and fewer than 25 net new peak-hour trips at any single intersection, the implementation of the proposed project is not anticipated to result in any operational or LOS deficiencies; therefore, no further study is necessary.

The City's General Plan provides goals and policies to implement a balanced, functional, and efficient circulation system, and incorporate alternative modes of travel which allows for the safe movement of people and goods. General Plan policies CIR-2.5 and CIR-2.8 encourage the development of adequate sidewalks, particularly to provide connections to surrounding alternative modes of transportation. The project site does not currently provide sidewalks along Plaza Drive, and therefore does not have a pedestrian connection to nearby transit. However, the proposed project would be required to include the installation of sidewalks along Plaza Drive as a condition of approval. Therefore, with implementation of this condition, the proposed project would promote the use of alternative transportation in the area and would not conflict with circulation policies in the General Plan. Impacts would be less than significant, and no mitigation is required.

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Less Than Significant Impact. The City requires that all CEQA-related VMT studies be conducted consistent with the State of California Governor's OPR Technical Advisory, and that screening criteria and impact thresholds are determined on a case-by-case basis in accordance with Caltrans' February 2020 VMT-Focused Transportation Impact Study Guide (TISG).

California Public Resources Code (PRC) Section 15064.3(b)(4) states (in part) that:

> "A lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household, or in any other measure."

Additionally, the OPR Technical Advisory recommends VMT screening thresholds for smaller projects. The footnote on page 12 of the OPR Technical Advisory states the following:

> "Screening Threshold for Small Projects
>
> Many local agencies have developed screening thresholds to indicate when detailed analysis is needed. Absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact."

The OPR Technical Advisory recommends that a project generating 110 average daily trips (ADT) or less be screened out of a VMT analysis due to the presumption of a less than significant impact. This recommendation is not based on any analysis of GHG reduction but is instead based on the potential trip generation of a project that would be categorically exempt under CEQA.

As mentioned before, the proposed project includes the demolition of 336,653 square feet of warehouse/office space and the construction of two new two-story warehouse/office buildings that would be approximately 204,910 square feet (Building 1) and 185,360 square feet (Building 2) in size. Each building would contain approximately 10,000 square feet of office space. The proposed project may qualify for one of the screening criteria, including the screening threshold for small projects described above. However, in order to present a more conservative analysis, a detailed VMT analysis was prepared.

The Orange County Transportation Analysis Model (OCTAM) was used to determine the VMT impact of the proposed project. OCTAM is a socioeconomic data-based model, hence project land uses were converted into model employment using land use-to-employment conversion factors. The ITE *Trip Generation Manual*, 11th Edition, was used to develop the conversion factors. The ITE *Trip Generation Manual* includes trip rates for different types of land uses by multiple unit types that were used to develop land use-to-employee conversion factors (i.e., employees per thousand square feet). The socioeconomic data (i.e., total number of jobs) for the proposed project were added to the project transportation analysis zone (TAZ) for the model run.

A baseline model run was conducted using the adjusted socioeconomic data for the project and project location TAZs. No circulation/network modifications were identified for inclusion in the model network. The outputs from this updated model run were used to calculate the VMT per employee for the project.

VMT per employee is used to evaluate the proposed project's land use (warehouse/office). The proposed project would constitute a significant impact if the project VMT per employee metric is greater than 85 percent of the regional existing VMT metric. Hence the proposed project would constitute a significant impact if the project's VMT per employee is greater than 85 percent of the Orange County VMT per employee (threshold). As shown in Table 4.17.B, the project's VMT per employee would be lower than the Orange County regional threshold; therefore, the proposed project would have a less than significant impact related to VMT, and no mitigation measures would be required.

Table 4.17.B: Baseline Project and Regional VMT Per Employee Comparison

Baseline	Goodman Commerce Center	Entire Orange County[1]	Threshold[2]	% Difference	Significant Impact
VMT per employee	20.1	24.1	20.5	-2%	No

Source: Compiled by LSA (2022).
[1] Obtained from the *Final Draft Guidelines For Evaluating Vehicle Miles Traveled Under CEQA for the County of Orange*, September 17, 2020.
[2] 85% of the regional average (24.1*0.85=20.5) baseline. Base year of the OCTAM model is 2016.
OCTAM = Orange County Transportation Analysis Model
VMT = vehicle miles traveled

c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less Than Significant with Mitigation Incorporated. Vehicular traffic to and from the project site would utilize the existing network of regional and local roadways that serve the project area. Access to the project site would be provided via four existing driveways along Plaza Drive. The design of the proposed project, including the internal roadways, ingress, egress, and other streetscape changes, would be subject to review by the City's Department of Public Works. The proposed project would include the installation of a full access (no turn restriction) stop control on the southbound approach (i.e., for traffic exiting the project site) for each driveway along Plaza Drive.

It is anticipated that Driveway #2 (the second driveway from the east) would be utilized by heavy trucks to access the project site. Driveway #2 is anticipated to be able to accommodate the ingress and egress of heavy trucks as currently designed. However, without proper signage, heavy trucks may access the project site using alternate driveways that either would not be capable of accommodating them or would allow them to access areas of the project site that lack sufficient space to execute turning maneuvers. Implementation of Mitigation Measure TRA-1, described below, would require the installation of on-site traffic signing and striping. With implementation of Mitigation Measure TRA-1, the proposed project would have a less than significant impact related to transportation hazards.

Mitigation Measure:

Mitigation Measure TRA-1 **Truck Signage and Striping Plan.** The Applicant shall submit a Signage and Striping Plan, consistent with the provisions of the California Manual on Uniform Traffic Control Devices (CA MUTCD), that directs heavy trucks to the most appropriate access points. The City of Cypress City Engineer, or their designee, shall review and approve the Signage and Striping Plan and confirm it has been incorporated into the project plans prior to the issuance of a building permit.

d) Would the project result in inadequate emergency access?

Less Than Significant Impact. As described above, vehicular access to the project site would be provided via four existing full-access driveways on Plaza Drive. Plaza Drive would allow for adequate emergency access. All emergency access routes to the proposed project and adjacent areas would be kept cleared and unobstructed during demolition and construction of the proposed project. No roadway closures or lane closures are anticipated as part of project construction. Therefore, the proposed project's effects on emergency access would be less than significant, and no mitigation is required.

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4.18 TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)? Or	☐	☐	☐	☒
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

Impact Analysis

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

No Impact. As previously discussed in Section 4.5, Cultural Resources, the project site does not contain any known historical resources. In addition, a Sacred Lands File search for the site was requested of the Native American Heritage Commission (NAHC) and no resources were noted in the database based on NAHC correspondence, dated September 6, 2022.

Native American consultations were conducted in compliance with Assembly Bill (AB) 52. Native American representatives were contacted by the City to determine their desire to consult on the proposed project. During that process, the Gabrieleño Band of Mission Indians – Kizh Nation (Kizh Nation) stated that the project site is within their tribal territory and requested consultation with the City. The Kizh Nation was provided with a summary of the project and its location. No information regarding specific known tribal cultural resources on the project site was provided by the Kizh Nation.

Therefore, no tribal cultural resources listed or eligible for listing in the California Register of Historical Resources (California Register) or in a local register exist within the project area, and there are no known tribal cultural resources on the project site. The proposed project would not cause a substantial adverse change in the significance of a tribal cultural resource defined as a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is listed or eligible for listing in the California Register or in a local register of historical resources as defined in PRC Section 5020.1(k), and no mitigation is required.

ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Less Than Significant with Mitigation Incorporated. Effective July 1, 2015, AB 52 requires meaningful consultation with California Native American Tribes on potential impacts to Tribal Cultural Resources, as defined in Public Resources Code (PRC) Section 21074. A tribe must submit a written request to the relevant lead agency if it wishes to be notified of proposed projects in its traditionally and culturally affiliated area. The lead agency must provide written formal notification to the tribes that have requested it within 14 days of determining that a project application is complete or of deciding to undertake a project. The tribe must respond to the lead agency within 30 days of receipt of the notification if it wishes to engage in consultation on the project, and the lead agency must begin the consultation process within 30 days of receiving the request for consultation. Consultation concludes when either (1) the parties agree to mitigation measures to avoid a significant effect, if one exists, on a tribal cultural resource, or (2) a party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. AB 52 also addresses confidentiality during tribal consultation per PRC Section 21082.3(c).

Correspondence to the tribes recommended by NAHC was transmitted on January 18, 2023 (provided in Appendix H of this IS/MND). The City of Cypress (City) currently maintains a list of tribal councils based on a list of councils and corresponding Native American representatives that have requested to be notified of proposed projects in their respective areas of traditional and cultural affiliation. All tribal contacts on this list were sent a letter from the City on January 18, 2023, for the purposes of AB 52 consultation. Only one response was received in response to the City's AB 52 letters. The Gabrieleño Band of Mission Indians – Kizh Nation called City staff to express an interest in meeting to discuss the proposed project. The Kizh Nation sent the City proposed mitigation measures for tribal cultural resources, which the City accepted with no modifications or revisions.

As discussed previously in Response 4.5(a), the project site does not contain any "historical resources" as defined by CEQA. Therefore, the proposed project would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the *State CEQA Guidelines* or PRC 5020.1(k).

As discussed in Response 4.5(b), the project site is not likely to contain any prehistoric site or archaeological resources based on archival research and field surveys conducted for the project site.

There is little potential for the proposed project to impact prehistoric resources due to significant prior disturbance from past grading and development activities on the project site and in the surrounding area. However, Mitigation Measure CUL-1 has been included to mitigate potentially significant impacts associated with the unlikely discovery of archaeological resources on the project site. Therefore, implementation of Mitigation Measure CUL-1 would reduce potentially significant impacts to unknown archaeological resources to a less than significant level.

As discussed in Response 4.5(c), the project site is not likely to contain any human remains due to the fact that soils on the site have been previously disturbed associated with prior disturbance from past grading and development activities on the project site and surrounding area. However, Regulatory Compliance Measure CUL-1 has been included to mitigate potentially significant impacts associated with the unlikely discovery of human remains, including those determined to be of Native American descent, on the project site. The recommendations of the Kizh Nation have been incorporated into this mitigation measure to further minimize potential impacts to human remains. Therefore, implementation of Regulatory Compliance Measure CUL-1 would reduce potentially significant impacts to unknown human remains to a less than significant level.

As noted above, the Kizh Nation provided mitigation measures to address potential impacts related to tribal cultural resources. Implementation of Mitigation Measures TCR-1 through TCR-3, which incorporate the recommendations of the Kizh Nation, would reduce any potential impacts to previously undiscovered tribal cultural resources to a less than significant level. Therefore, on this basis and as a result of the City's consultation with the Gabrieleño Band of Mission Indians – Kizh Nation or any other interested local Native American tribe, the City has concluded that, with implementation of Mitigation Measures TCR-1 through TCR-3, potential impacts related to unknown buried tribal cultural resources would also be reduced below a level of significance.

Mitigation Measure:

Mitigation Measure TCR-1 **Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities.** The project Applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the Project Description/definition and/or required in connection with the project, such as public improvement work). "Ground-disturbing activity" shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching.

A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity.

The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCRs"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project Applicant/lead agency upon written request to the Tribe.

On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project Applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project Applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs.

Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural, and/or historic purposes.

Mitigation Measure TCR-2 **Unanticipated Discovery of Human Remains and Associated Funerary Objects.** Native American human remains are defined in Public Resources Code (PRC) 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in PRC Section 5097.98, are also to be treated according to this statute.

If Native American human remains and/or grave goods are discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground-disturbing activities shall immediately halt and shall remain halted until the Coroner has determined the nature of the remains. If the

Coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission (NAHC), and PRC Section 5097.98 shall be followed.

Human remains and grave/burial goods shall be treated alike per California PRC Section 5097.98(d)(1) and (2).

Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the Kizh determines in its sole discretion that resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Kizh monitor and/or archaeologist deems necessary). (CEQA Guidelines Section 15064.5(f).)

Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any historic archaeological material that is not Native American in origin (non-TCR) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes.

Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.

Mitigation Measure TCR-3

Procedures for Burials and Funerary Remains. As the Most Likely Descendant ("MLD"), the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term "human remains" encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains.

If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created.

The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a

culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials.

In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed.

In the event preservation in place is not possible despite good faith efforts by the project Applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects.

Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.

The Tribe will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does not authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.

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4.19 UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Discussion

This section describes the utility providers within whose jurisdiction the project site is located and evaluates the potential impacts of the proposed project on utilities and service systems. This section addresses the following utilities and service systems (service providers are noted in parentheses).

- Electricity (Southern California Edison [SCE])
- Natural Gas (Southern California Gas Company [SoCalGas])
- Solid Waste (Valley Vista Services; Orange County Waste and Recycling [OCWR])
- Wastewater (City of Cypress; Orange County Sanitation District [OC SAN])
- Potable Domestic Water (Golden State Water Company [GSWC])
- Storm Drainage (City of Cypress; Orange County Flood Control District [OCFCD])

Impact Analysis

a) Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Less Than Significant Impact.

Water. The Golden State Water Company (GSWC) would provide water services to the project site and would connect the proposed project to the existing water main within Plaza Drive. GSWC provides domestic water service to the project site through its West Orange System. GSWC's West Orange System service area includes Cypress, Los Alamitos, and Stanton. Additionally, small portions of Buena Park, Garden Grove, La Palma, Seal Beach, and the unincorporated community of Rossmoor are included in the West Orange System. There are approximately 27,200 customers within GSWC's West Orange System service area.[67]

The 2020 West Orange Urban Water Management Plan (UWMP) demonstrates that GSWC has adequate domestic water supply for future water demands through 2045. GSWC obtains its water supply for the West Orange System from two primary sources: imported groundwater and GSWC-operated groundwater wells. Imported water is purchased from the Municipal Water District of Orange County (MWDOC). MWDOC is largely a pass-through provider of imported water, obtaining its water supply from the Metropolitan Water District of Southern California (MWD). According to the UWMP, MWD intends to provide 100-percent supply reliability to MWDOC, which in turn provides 100-percent supply reliability to the West Orange System. Groundwater is extracted from 17 active, GSWC-owned wells in the Orange County Groundwater Basin. The UWMP includes a water supply and demand assessment that demonstrates that adequate water supply, including both imported groundwater and groundwater from GSWC-owned wells, will be available to GSWC through 2045.

The West Orange system receives recycled water supplies from the City of Cerritos through its agreement with the County Sanitation District No. 2 of Los Angeles. As such, the West Orange system has a reliable recycled water supply. It is anticipated that approximately 250 acre-feet per year (afy) of recycled water would be available to the West Orange system through 2045.

According to the 2020 UWMP, the total projected water demand for customers served by GSWC is approximately 14,137 afy in 2025; the projected water demand increases every 5-year period, totaling 15,759 afy by 2045. GSWC's planned water supplies for 2025 total 21,940 afy, increasing to 23,645 afy in 2045.

Short-term demand for water may occur during excavation, grading, and construction activities on site. Construction activities would require water primarily for dust mitigation purposes. Water from the existing potable water lines in the vicinity of the project site would be used. Overall, short-term construction activities would require minimal water and are not expected to have any adverse impacts on the existing water system or available water supplies. The proposed project would not require the construction of new or expanded water conveyance, treatment, or collection facilities with respect to construction activities. Therefore, the impacts on water facilities during construction would be less than significant, and no mitigation is required**.**

According to water demand factors included in the California Emissions Estimator Model (CalEEMod) emissions model, the proposed project is estimated to demand 247,253 gallons per day (gpd) or 277.14 afy of potable water. The existing uses are estimated to demand approximately 95,978 gpd, or 107 afy of potable water. Therefore, the estimated net increase in water demand would be

[67] Golden State Water Company (GSWC). 2021b. Los Alamitos Customer Service Area. Website: http://www.gswater.com/los-alamitos/ (accessed January 2023).

approximately 151,275 gpd, or 168 afy. Therefore, increased water demand associated with new development proposed as part of the project would represent approximately 1.1 percent of the West Orange System's current annual water demand, based on the system's projected demand of 14,137 afy in 2020. The project-generated increase in water demand would fall within GSWC's existing capacity and available supply.

The project site has an existing private water system connected to existing water mains along Plaza Drive. As part of the proposed project, new water lines supporting the development would connect to these existing lines within Plaza Drive. The on-site system would be constructed in compliance with the City's building and plumbing codes in its Municipal Code. Extension of the water infrastructure from the adjacent streets into the project site would be a routine part of the construction process analyzed in this IS/MND and would not have a material environmental impact. The water facility improvements would be limited to the project site and connection points to the adjacent, existing GSWC facilities. Therefore, the proposed project would not require or result in the construction of new water facilities, or the expansion of existing facilities, which could cause a significant environmental impact and the impact would be less than significant. No mitigation is required.

Wastewater. The City's Public Works Department's Maintenance Division is responsible for maintaining the City's sanitary sewer system. The City operates and maintains a sanitary sewer collection and conveyance system that includes a network of gravity sewers, one pump station, and one sewer force main. Approximately 108 miles of sewers are included within the City's gravity system.[68]

The project site is in the sewer service area of the Orange County Sanitation District (OC SAN). The OC SAN is responsible for the provision of wastewater treatment facilities that serve the project site. The existing building on the project site is estimated to generate approximately 86,380 gpd of wastewater (approximately 90 percent of the existing building's water use estimate of 95,978 gpd). The proposed project would connect with OC SAN's 30-inch trunk collection line before eventually discharging to the OC SAN's Reclamation Plant No. 1 in Fountain Valley.

The OC SAN provides wastewater collection, treatment, and recycling for approximately 2.6 million people living within a 479-square-mile area of central and northwestern Orange County.[69] The OC SAN's facilities include 396 miles of sewer pipes and 15 pump stations located throughout the county. The OC SAN treats approximately 185 million gallons of wastewater from residential, commercial, and industrial sources per day that is sent to two treatment plants: Plant No. 1 and Plant No. 2. Treatment Plant No. 1, at 10844 Ellis Avenue in Fountain Valley, is located approximately 11 miles southeast of the project site. Treatment Plant No. 2, at 22212 Brookhurst Street in Huntington Beach, is located approximately 14 miles southeast of the project site.

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68 City of Cypress. Maintenance. Website: http://www.cypressca.org/government/departments/public-works/maintenance (accessed January 16, 2023).

69 Orange County Sanitation District (OC SAN). 2022. *2021-2022 Annual Report.* Website: https://www.ocsan.gov/home/showpublisheddocument/33473/638080061619170000 (accessed January 16, 2023).

Reclamation Plant No. 1 has a primary treatment capacity of 204 million gallons per day (mgd), and received approximately 118 mgd of average daily flow in 2020-21.[70] Additionally, through its Capital Improvement Program, the OC SAN strives to continue maintaining its facilities at optimal levels by planning, designing, and preparing for future demand by developing Facilities and Biosolids Master Plans that address 20-year planning horizons.[71]

No significant increase in wastewater flows is anticipated as a result of construction activities on the project site. Sanitary services during construction would be provided by portable toilet facilities, which transport waste off-site for treatment and disposal. Therefore, during construction, potential impacts to wastewater treatment and wastewater conveyance infrastructure would be less than significant, and no mitigation would be required.

According to water demand factors included in the CalEEMod emissions model, the proposed project is estimated to generate 222,527 gallons per day (gpd) of wastewater (approximately 90 percent of the project's water use estimate of 247,253 gpd), for a net increase of approximately 136,147 gpd over the 86,380 gpd of wastewater generated by the existing uses on the project site. The proposed project would include new sewer lines supporting the development that would connect to an existing sewer line owned and maintained by the City of Cypress within Plaza Drive. As discussed above, the proposed project is anticipated to generate approximately 222,527 gpd of wastewater, which is approximately 0.25 percent of the available daily treatment capacity at Plant No. 1.[72] Plant No. 1 is in compliance with the Santa Ana RWQCB's wastewater treatment requirements and has the capacity to accommodate the increased wastewater flows from the proposed project. The proposed project would be adequately served by the capacity and the existing wastewater conveyance system.

Sewer improvements associated with the proposed project would be designed and constructed to City and OC SAN standards. The proposed project's site plans would be accompanied by adequate plans for sewer improvements prepared by a registered professional engineer and facilities would be dedicated to the City and/or OC SAN at the completion of construction. Regulatory Compliance Measure UTIL-1, provided below, requires all sewer improvements to comply with City and OC SAN sewage standards. With the implementation of Regulatory Compliance Measure UTIL-1, the proposed project would result in less than significant impacts related to the construction or expansion of wastewater treatment facilities. Therefore, the proposed project would not require or result in the construction of new water treatment or collection facilities, or the expansion of existing facilities, which could cause a significant environmental impact, and the impact would be less than significant. No mitigation is required.

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70 OC SAN. 2023. Facts and Key Statistics Webpage. Website: https://www.ocsan.gov/services/regional-sewer-service (accessed January 2023).

71 OC SAN. Capital Improvement Program Fiscal Year 2021/2022. Website: https://www.ocsan.gov/home/showpublisheddocument/33268/638000527692070000 (accessed January 16, 2023).

72 222,527 gpd / 86 mgd = approximately 0.25 percent.

Regulatory Compliance Measure:

No mitigation is required. However, the following regulatory compliance measure is an existing regulation that is applicable to the proposed project and is considered in the analysis of potential impacts related to utilities and service systems. The City of Cypress considers this requirement to be mandatory; therefore, it is not a mitigation measure.

Regulatory Compliance Measure UTIL-1 **Sewer Improvement Standards.** All required sewer improvements shall be designed and constructed to City of Cypress (City) and Orange County Sanitation District (OC SAN) standards and shall be approved by the City Engineer prior to development. These improvements may be constructed in a phased sequence depending upon the development process. Public facilities shall be dedicated to the City and/or the OC SAN at the completion of construction.

Stormwater and Drainage Facilities. As discussed in Section 4.10, Hydrology and Water Quality, in its existing condition, stormwater drains to an existing City public 48-inch storm drain system within Plaza Drive.

Grading and construction activities would disturb soils and temporarily modify the stormwater flow patterns on the construction site. As described in Section 4.10, Hydrology and Water Quality, the proposed project would be subject to the requirements of the Construction General Permit (see Regulatory Compliance Measure HYD-1 in Section 4.10), which requires the preparation of a Storm Water Pollution Prevention Plan (SWPPP) and identification of construction Best Management Practices (BMPs) that must be implemented during construction of the proposed project to address potential impacts to hydrology and stormwater drainage, including soil erosion, siltation, spills, and runoff. Adherence to the regulatory standards described in Regulatory Compliance Measure HYD-1 would ensure that any changes in stormwater drainage from the project site are controlled during construction. Therefore, the proposed project would not require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts, and the impact would be less than significant. No mitigation is required.

Refer to Section 4.10, Hydrology and Water Quality, for additional information regarding the proposed project's impacts related to hydrology during operation. Stormwater runoff in the proposed condition would be collected by a series of area drains and proposed sump curb inlet catch basins and would be conveyed to the proposed underground stormwater basin beneath the parking lot in the southern portion of the project site before being pumped to the proposed Modular Wetland System for treatment. The Modular Wetland System would treat street, roof, and landscape runoff for the proposed project, as well as reduce project-related flow rates into the existing storm drains by retaining and treating stormwater on the site. The proposed Modular Wetland System and catch basins would be designed with internal peak bypass and upstream diversion systems for conveyance of larger storm events. Treated and overflow stormwater from the Modular Wetland System would be conveyed via a proposed private underground storm drain system to an existing City public 48-inch

storm drain system within Plaza Drive. Flows would then be conveyed to Bolsa Chica Channel, then to Anaheim Bay, ultimately discharging to the Pacific Ocean.

As demonstrated by the hydraulic modeling conducted as part of the *Preliminary Water Quality Management Plan,* the underground stormwater basin and Modular Wetland Systems would be designed to accommodate the Design Capture Volume of 47,800 cubic feet (cf) for the entire project site. The Modular Wetland System would treat the required volume within each of the seven drainage areas respectively, and would reduce the peak flow rate below the 10-year, 25-year, and 100-year pre-project peak flow rates. In addition, as specified in Regulatory Compliance Measure HYD-4, in Section 4.10, Hydrology and Water Quality, a Final Hydrology Study would be prepared based on final project plans and would be approved by the City. The Hydrology Study would confirm that the proposed drainage facilities comply with City and County requirements. Furthermore, as runoff from the site would be reduced compared to the existing condition, the proposed project would not contribute to the downstream capacity exceedances.

With the adherence to Regulatory Compliance Measure HYD-4, the proposed project would result in less than significant impacts related to the construction or expansion of stormwater drainage facilities. No mitigation is required.

Electric Power. Electrical power would be supplied to the project site by Southern California Edison (SCE). SCE provides electricity to more than 15 million people in a 50,000-square-mile area of Central, Coastal, and Southern California.[73] According to the California Energy Commission (CEC), total electricity consumption in the SCE service area in 2021 was 81,122 gigawatt-hours (GWh). Total electricity consumption in Orange County in 2019 was 18.932 GWh.[74] As shown in Table 4.6.A, the existing building on the project site is estimated to consume approximately 708,950 kilowatt hours (kWh) of electricity per year.

Short-term construction activities would be limited to providing power to the staging area and portable construction equipment and would not substantially increase demand for electricity. The heavy equipment used for construction is primarily powered by diesel fuel. Temporary electric power would be provided via existing utility boxes and lines on the project site. Given the limited nature of potential demand for electricity during construction and the availability of existing power lines on the site, there would not be a need to construct new or alter existing electric transmission facilities. Impacts to local regional supplies of electricity would be less than significant, and no mitigation is required.

The proposed project includes connections to the surrounding electrical system on site. Operation of the proposed project would increase on-site electricity demand. CalEEMod 2020.4.0 was used to calculate the approximate annual electricity demand of the proposed project. As discussed in Section 4.6, Energy, the proposed project would be required to adhere to all federal, State, and local requirements for energy efficiency, including the Title 24 standards, which would substantially reduce

[73] Southern California Edison (SCE). 2023. Fact Sheets. Website: https://newsroom.edison.com/fact-sheets/fs (accessed January 2023).

[74] California Energy Commission (CEC). 2023. California Energy Consumption. Website: http://www.ecdms.energy.ca.gov/ (accessed January 2023).

energy usage. Based on the CalEEMod outputs (see Appendix A of this IS/MND), the estimated potential net increase in electricity demand associated with the operation of the proposed project is 4,497,779 kWh per year. Total electricity demand in Orange County in 2021 was approximately 18,931.8 GWh or 18,931,838,624 kWh. Therefore, operation of the proposed project would increase the annual electricity consumption in Orange County by less than 0.1 percent.

Service providers utilize projected demand forecasts in order to provide an adequate supply or plan for surplus in their service areas. Because the proposed project would only represent a small fraction of electricity demand in Orange County, the proposed project would meet Title 24 requirements, and there would be sufficient electricity supplies available, energy demand for the proposed project would be less than significant.

The supply and distribution network within the area surrounding the project site would remain essentially the same as exists currently, with the exception of on-site improvements to serve to the proposed project. These on-site improvements would connect to the existing infrastructure and provide electrical service to the proposed warehouse uses. The proposed project would not increase electrical demand beyond existing projections from the local electricity provider and the project site is within a developed service area with existing demand. Therefore, the proposed project would not require the construction of any physical improvements related to the provision of electricity service that would result in significant environmental impacts and the proposed project's impacts would be less than significant. No mitigation is required.

Natural Gas. The Southern California Gas Company (SoCalGas) is the natural gas service provider for the project site. SoCalGas provides natural gas to approximately 21.8 million people through 5.9 million meters in a more than 500 communities through California.[75] According to the CEC, total natural gas consumption in the SoCalGas service area in 2020 was 594 million therms (387 million therms for the residential sector and 207 million therms for the non-residential sectors). [76]As shown in Table 4.6.A, the existing building on the project site is estimated to consume approximately 7,393.9 therms of natural gas per year.

Short-term construction activities would not result in demand for natural gas since construction activities/equipment would not require accessing existing adjacent natural gas facilities. Therefore, construction activities would not impact natural gas services, and the proposed project would not require new or physically altered gas transmission facilities.

Operation of the proposed project would increase on-site natural gas demand. As discussed in Section 4.6, Energy, the proposed project would be required to adhere to all federal, State, and local requirements for energy efficiency, including the Title 24 standards, which would significantly reduce energy usage. CalEEMod 2020.4.0 was used to calculate the approximate annual natural gas demand of the proposed project. As discussed in Section 4.6, Energy, the estimated potential net increase in

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75 Southern California Gas Company (SoCalGas). 2019. About SoCalGas. Website: https://www.socalgas.com/about-us/company-profile#:~:text=About%20SoCalGas%C2%AE,in%20more%20than%20500%20communities (accessed October 6, 2022).

76 CEC. 2020. Gas Consumption by County. Website: http://www.ecdms.energy.ca.gov/gasbycounty.aspx (accessed May 2022).

natural gas demand associated with the proposed project is 1,974.4 therms per year. Total natural gas consumption in Orange County in 2021 was 580 million therms (580,187,556 therms). Therefore, operation of the proposed project would negligibly increase the annual natural gas consumption in Orange County by less than 0.1 percent.

As noted above, service providers utilize projected demand forecasts in order to provide an adequate supply or plan for surplus in their service areas. As discussed in Section 4.6, Energy, because the proposed project would only represent a small fraction of natural gas demand in Orange County, the proposed project would meet Title 24, and there would be sufficient natural gas supplies available, natural gas demand for the proposed project would be less than significant. No mitigation is required.

The supply and distribution network within the area surrounding the project site would remain essentially the same as exists today except for standard on-site improvements to serve the proposed project. Levels of service to off-site users would not be adversely affected. Existing gas transmission and distribution services maintained by SoCalGas would provide natural gas service to the proposed project. The proposed project would not increase natural gas demand beyond existing projections from the local natural gas provider and the project site is within a developed service area with existing demand. Therefore, the proposed project would not require the construction of any physical improvements related to the provision of natural gas service that would result in significant environmental impacts and the proposed project's potential impacts would be less than significant. No mitigation would be required.

Telecommunication Facilities. Telephone, television, and internet services are offered by a variety of providers in the City of Cypress, including AT&T, Frontier Communications, Spectrum, HughesNet, and ViaSat. Non-satellite providers include Frontier, DirectTV, Spectrum Cable, and DishTV. Satellite internet providers include ViaSat. These services are privately operated and offered to each location in the City for a fee defined by the provider.

Existing telephone, cable, and internet service lines in the vicinity would continue to serve the project site. Internal to the project site, the project Applicant will be responsible for constructing adequate telecommunication facility extensions for the proposed project. The reconfiguration of these facilities would occur on site during the site preparation and earthwork phase and are not expected to impact any telephone, cable, or internet services offsite that serve the surrounding areas. Additionally, telecommunication facilities are generally installed concurrently with utility expansions and impacts associated with the expansion of telecommunications facilities are already considered in the air quality, noise, and construction traffic analysis. Therefore, the project impacts associated with the relocation or construction of new or expanded telecommunication facilities and impacts would be less than significant. No mitigation is required.

Summary. The proposed project would not require or result in the relocation or construction of new or expanded facilities for water, wastewater treatment, storm drainage, electric power, natural gas, or telecommunications. With implementation of Regulatory Compliance Measures UTIL-1, included here, and Regulatory Compliance Measure HYD-4, in Section 4.10, Hydrology and Water Quality, existing facilities would have the capacity to serve the anticipated uses, and the proposed project would not substantially increase demand upon these facilities as compared to historic and existing

conditions at the project site. Therefore, impacts to these utility facilities would be less than significant.

b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less Than Significant Impact. As previously discussed in Response 4.19(a), above, the increase in water use would be accounted for in the anticipated growth rates for the City in the UWMP. The proposed project would not necessitate new or expanded water entitlements, and GSWC would be able to accommodate the increased demand for potable water under a worst-case scenario as forecasted in the 2020 UWMP. Taking into account population growth, GSWC is able to meet demand in the multiple dry year scenario for years 2025, 2030, 2035, 2040, and 2045.[77] As described above, the proposed project is anticipated to use approximately 247,253 gallons per day (gpd) or 277.14 afy, or a net increase of approximately 95,978 gpd (107 afy) over the existing uses on the project site. Further, the total amount of anticipated water usage by the proposed project represents less than 2 percent of the West Orange System's current annual water demand. Additionally, the proposed project would be required to implement Regulatory Compliance Measure UTIL-2, which requires the proposed project to comply with all State laws for water conservation measures, including the use of low-flow fixtures. Therefore, water demand from the proposed project would be within GSWC's current and projected water supplies available to serve the proposed project and reasonably foreseeable future development during normal, dry, and multiple dry years. Impacts related to water supplies would be less than significant, and no mitigation would be required.

Regulatory Compliance Measure:

The following regulatory compliance measure is an existing regulation that is applicable to the proposed project and is considered in the analysis of potential impacts related to utilities and service systems. The City of Cypress considers this requirement to be mandatory; therefore, it is not a mitigation measure.

Regulatory Compliance Measure UTIL-2 **Water Conservation.** The Applicant shall comply with all State laws related to water conservation measure. Voluntary water conservation strategies shall be encouraged. The City of Cypress Planning Division shall determine compliance prior to issuance of building permits.

c) Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Less Than Significant Impact. Refer to Response 4.19(a). Although the proposed project would increase wastewater generation on site, the increased wastewater flows from the proposed project could be accommodated within the existing design capacity of OC SAN Treatment Plant No. 1, which

[77] GSWC. 2021. *2020 West Orange Urban Water Management Plan* (UWMP). July 15.

would serve the project site. Therefore, the City's Public Works Maintenance Division and OC SAN would have adequate capacity to serve the projected demand of the proposed project in addition to its existing commitments. Therefore, impacts related to wastewater treatment would be less than significant, and no mitigation would be required.

d) Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less Than Significant Impact. The City currently contracts with Valley Vista Services of Orange County (VVS), a private solid waste hauler, to collect and dispose of the solid waste generated throughout the City. Solid waste collected in the City by Valley Vista would be transported to one of the Class III landfills operated and maintained by OCWR. OCWR owns and operates three active landfills (i.e., the Olinda Alpha Landfill in Brea, the Frank R. Bowerman Landfill in Irvine, and the Prima Deshecha Landfill in San Juan Capistrano). All three landfills are permitted as Class III landfills, which only accept non-hazardous municipal solid waste for disposal; no hazardous or liquid waste is accepted. County residents are able to dispose of their household hazardous waste items at any of OCWR's four household hazardous waste collection centers, located in the Cities of Anaheim, Huntington Beach, Irvine, and San Juan Capistrano.[78] Table 4.19.A identifies the Class III sanitary landfills operated by OCWR.

Table 4.19.A: Orange County Class III Landfills

Landfill	Location	Approximate Distance from Project Site (miles)	Service
Frank R. Bowerman	11002 Bee Canyon Access Road Irvine, CA 92602	20 (southeast)	Commercial dumping; no public dumping
Olinda Alpha	1942 North Valencia Avenue Brea, CA 92823	14 (northeast)	Commercial dumping; public dumping allowed
Prima Deshecha	32250 La Pata Avenue San Juan Capistrano, CA 92675	33 (southeast)	Commercial dumping; public dumping allowed

Sources: Orange County Waste & Recycling. Active Landfills. Google Maps; Website: https://oclandfills.com/landfills/active-landfills (accessed December 2022).

Of the three Class III landfills currently operated by OCWR, the closest active landfill to the project site is the Olinda Alpha Landfill. The Olinda Alpha Landfill, which is currently permitted by the California Department of Resources, Recycling, and Recovery (CalRecycle) to receive a maximum of 8,000 tons per day (tpd) of waste, currently receives an average of approximately 7,000 tpd.[79] Therefore, the Olinda Alpha Landfill is currently operating at approximately 87.5 percent of its daily capacity. As of October 2020, the Olinda Alpha Landfill has an estimated remaining disposal capacity of 17,500,000

[78] OC Waste & Recycling (OCWR). Household Hazardous Waste. Website: http://www.oclandfills.com/hazardous (accessed September 26, 2022).

[79] OCWR. 2021. Olinda Alpha Landfill. Website: https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2757?siteID=2093 (accessed September 26, 2022).

cubic yards.[80] If the State-permitted daily tonnage limit is reached at any County landfill, waste haulers are subject to diversion to local transfer stations located throughout the County. The Olinda Alpha Landfill is scheduled to close in approximately 2030, at which time it would be landscaped to become a County regional park.[81] The existing building on the project site is estimated to generate approximately 0.39 tons (780 pounds) of solid waste per day.[82]

Non-hazardous waste from construction activities associated with the proposed project would be recycled to the extent feasible, and where necessary, would likely be disposed of at the Olinda Alpha Landfill. Construction waste is anticipated to be minimal compared to waste generated throughout the lifetime of the project during operation. The proposed project is not anticipated to result in a significant production of solid waste that would exceed the daily available capacity (1,000 tpd) at the Olinda Alpha Landfill, the proposed project would not result in an impact related to City, State, or federal statutes and regulations related to solid wastes. The proposed project would generate approximately 0.5 tpd(1,000 pounds) of solid waste[83] during operation, a net increase of approximately 0.11 tpd (220 pounds) over the existing uses on the project site. Therefore, the proposed project would contribute an insignificant amount of solid waste per day to the remaining daily capacity at the Olinda Alpha Landfill (approximately 0.01 percent). Moreover, the proposed project would not impair the attainment of solid waste reduction goals. Therefore, the proposed project would result in a less than significant impact to solid waste and landfill facilities, and no mitigation would be required.

e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less Than Significant Impact. Solid waste disposal practices in California are governed by multiple federal, State, and local agencies that enforce legislation and regulations ensuring that landfill operations minimize impacts to public health and safety and the environment.

The California Integrated Waste Management Act (Assembly Bill [AB] 939) changed the focus of solid waste management from landfill to diversion strategies (e.g., source reduction, recycling, and composting). The purpose of the diversion strategies is to reduce dependence on landfills for solid waste disposal. AB 939 established mandatory diversion goals of 25 percent by 1995, 50 percent by 2000, and 75 percent by 2020. The City provides curbside recycling for both residential and commercial uses, as well as curbside residential green waste, which both count toward the City's solid waste diversion rate. CalRecycle tracks and monitors solid waste disposal on a per capita basis. Table 4.19.B, below, shows solid waste disposal volumes for the City of Cypress between 2016 and 2020.

80 OCWR. 2021. Olinda Alpha Landfill. Website: https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2757?siteID=2093 (accessed September 26, 2022).

81 Ibid.

82 CalEEMod Outputs. Calculations: 142.4 tons per year / 365 days = 0.39 ton per day.

83 CalEEMod Outputs. Calculations: 183.42 tons per year / 365 days = 0.5 ton per day.

Table 4.19.B: Solid Waste Disposal in the City of Cypress

Year	Total Disposal Tonnage (tons/year)
2016	50,412
2017	51,542
2018	47,305
2019	47,516
2020	43,147

Source: CalRecycle Jurisdiction Disposal Tonnage Trend (California Department of Resources Recycling and Recovery 2022).

Implementation of the proposed project involves the demolition of the existing structure on the site, site grading, and construction of the proposed warehouses on the project site. Demolition, site preparation (vegetation removal, grading, and filling activities) and construction activities would generate typical construction debris, including wood, paper, glass, metals, cardboard, and green wastes. The proposed project would comply with the City's Construction and Demolition Ordinance (Regulatory Compliance Measure UTIL-3). The Applicant would also be required to submit a Materials Questionnaire should the contractor haul away its own demolition waste. As stipulated by City Ordinance No. 1097 and the 2022 California Green Building Standards, the proposed project would be required to divert a minimum of 65 percent of construction and demolition debris in order to obtain building permits.[84] Additionally, Valley Vista Services certifies 75 percent diversion for all construction and demolition material,[85] which would contribute to an increased waste diversion rate within the City.

The proposed project would comply with existing and future statutes and regulations, including waste diversion programs mandated by City, State, and federal law. In addition, as discussed in Response 4.19(d), the proposed project would not result in an excessive production of solid waste that would exceed the capacity of the existing landfill serving the project site. Therefore, the proposed project would not result in an impact related to federal, State, and local statutes and regulations related to solid wastes, and no mitigation is required.

Regulatory Compliance Measure:

The following regulatory compliance measure is an existing regulation that is applicable to the proposed project and is considered in the analysis of potential impacts related to utilities and service systems. The City of Cypress considers this requirement to be mandatory; therefore, it is not a mitigation measure.

[84] City of Cypress. 2021. C&D Recycling Requirement. Website: C&D Recycling Requirement | City of Cypress (cypressca.org) (accessed January 2023).

[85] Ibid.

Regulatory Compliance Measure UTIL-3 **Construction and Demolition Ordinance**. The construction contractor shall comply with the provisions of City of Cypress Ordinance No. 1166 and the 2022 California Green Building Standards Code, which would reduce construction and demolition waste. Ordinance No. 1166 is codified in Article VIII, Materials Questionnaire for Certain Construction and Demolition Projects within the City of Cypress in the Cypress Municipal Code.

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4.20 WILDFIRE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

Impact Analysis

a) Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

b) Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

c) Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

d) Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

The following response addresses Thresholds 4.20(a), (b), (c), and (d), as outlined above.

No Impact. The California Department of Forestry and Fire Protection (CAL FIRE) has mapped areas of significant fire hazards in the State through its Fire and Resources Assessment Program (FRAP). These maps place areas of California into different fire hazard severity zones (FHSZ), based on a hazard scoring system using subjective criteria for fuels, fire history, terrain influences, housing densities, and occurrence of severe fire weather where urban conflagration could result in catastrophic losses. As part of this mapping system, CAL FIRE is responsible for wildland fire protection for land areas that are generally unincorporated and they are classified as State Responsibility Areas (SRAs). In areas

where local fire protection agencies (e.g., Orange County Fire Authority [OCFA]) are responsible for wildfire protection, the lands are classified as Local Responsibility Areas (LRAs). CAL FIRE currently identifies the proposed project site as an LRA. In addition to establishing local or State responsibility for wildfire protection in a specific area, CAL FIRE designates areas as very high fire hazard severity zones (VHFHSZ) or non-VHFHSZ.

According to the CAL FIRE Very High Fire Hazard Severity Zone Maps for the Orange County region, the entire City of Cypress is designated as a non-VHFHSZ,[86] and the City does not include an SRA. The nearest VHFHSZ to the project site is approximately 10 miles to the northeast in Coyote Hills on the western side of Fullerton.[87] The nearest SRA is in Puente Hills, approximately 12 miles northeast of the project site. Because the project site is not located in or near an SRA or VHFHSZ, the proposed project would not result in any impacts related to wildfire. No mitigation is required.

[86] California Department of Forestry and Fire Protection (CAL FIRE). 2011. Very High Fire Hazard Severity Zones in LRA. Website: https://osfm.fire.ca.gov/media/6739/fhszl_map30.pdf (accessed August 30, 2022).

[87] Ibid.

4.21 MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☒	☐	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Impact Analysis

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Less Than Significant with Mitigation Incorporated. Based on the discussion in Section 4.4, Biological Resources, the proposed project is anticipated to result in less than significant impacts related to habitat, wildlife species, and/or plant and animal communities. The proposed project would not eliminate a plant or animal community, nor would it substantially reduce the number or restrict the range of a rare or endangered plant or animal.

The proposed project would avoid impacts on nesting resident and/or migratory birds either by avoiding vegetation removal during the avian nesting season (February 1 through August 31) or by implementing Regulatory Compliance Measure BIO-1. This measure would address any impacts to nesting resident and/or migratory birds should it be necessary to conduct vegetation removal during the nesting season and nests are present.

As discussed in Section 4.5, Cultural Resources, Response 4.5(a), the project site does not contain any buildings or structures that meet any of the California Register of Historical Resources criteria or qualify as "historical resources" as defined by CEQA. Further, according to the City of Cypress General Plan, there are no known archaeological resources located in Cypress. Therefore, the proposed project would not cause a substantial adverse change in the significance of a historical resource. In

addition, Mitigation Measures CUL-1 and GEO-2 have been incorporated to address the discovery of archaeological and paleontological resources should any be unearthed during construction. With the application of Mitigation Measures CUL-1 and GEO-2, potential impacts to previously undiscovered archaeological or paleontological resources would be reduced to less than significant.

As discussed in Section 4.18, Tribal Cultural Resources, the City requested a search of the Sacred Lands File by the Native American Heritage Commission (NAHC) for the project site. According to NAHC correspondence dated September 6, 2022, no resources were noted in the database. The Kizh Nation was provided with a summary of the project and location. The Kizh Nation recommended mitigation measures to reduce potential impacts related to inadvertent discovery of tribal cultural resources, but did not indicate that known resources were located on the project site. Therefore, no tribal cultural resources listed or eligible for listing in the California Register or in a local register exist within the project area, and there are no known tribal cultural resources on the project site. Although the project site is not likely to contain any human remains, adherence to regulatory standards included in Regulatory Compliance Measure CUL-1 would reduce the impact of the proposed project on human remains to less than significant and addresses tribal concerns regarding the treatment of human remains. Additionally, Mitigation Measures TCR-1 through TCR-3 requires tribal monitoring of ground disturbing activities and Mitigation Measure CUL-1, provided in Section 4.5, Cultural Resources, requires that a qualified archaeologist be retained to monitor ground disturbing activities and addresses treatment of non-tribal cultural resources discovered during construction. In the unlikely event that ground-disturbing construction activities uncover a yet-to-be-discovered tribal cultural resource, implementation of Mitigation Measures TCR-1 through TCR-3 and Mitigation Measure CUL-1 and adherence to Regulatory Compliance Measure CUL-1 would reduce any potential impacts to previously undiscovered tribal cultural resources to a less than significant level.

For the reasons stated above, the project does not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. Impacts to archaeological and paleontological resources would be reduced to less than significant with the implementation of Mitigation Measures CUL-1 and GEO-2 and Mitigation Measures TCR-1 through TCR-3, and no additional mitigation would be required.

Mitigation Measures: Refer to Mitigation Measures CUL-1 (in Section 4.5, Cultural Resources), GEO-2 (in Section 4.7, Geology and Soils) and TCR-1 (in Section 4.18, Tribal Cultural Resources).

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

Less Than Significant with Mitigation Incorporated. The project would be located on a previously developed site and would include similar uses to those existing on the project site and in the surrounding area. Mitigation measures have been added to ensure that impacts regarding cultural resources (archaeological resources) (Mitigation Measure CUL-1), geology and soils (Mitigation

Measures GEO--1 and GEO-2), transportation (Mitigation Measure TRA-1), and tribal cultural resources (Mitigation Measure TCR-1) would be less than significant. In addition, the project would be required to comply with various regulations, which are outlined as regulatory compliance measures in this IS/MND. Adherence to the regulations described in the regulatory compliance measures related to biological resources (Regulatory Compliance Measure BIO-1), cultural resources (Regulatory Compliance Measure CUL-1), energy (Regulatory Compliance Measure EN-1), geology (Regulatory Compliance Measure GEO-1), hydrology and water quality (Regulatory Compliance Measures HYD-1 through HYD-4), public services (schools) (Regulatory Compliance Measure PS-1), and utilities (Regulatory Compliance Measures UTIL-1 through UTIL-3) would also ensure that impacts to those resource areas would be less than significant. There is no indication that the proposed project would have environmental impacts that could cause other facilities or projects to be adversely affected.

The area is highly urbanized and, therefore, subject to mostly infill development and redevelopment projects. Based on the analysis contained in this IS/MND, the proposed project would not have cumulatively considerable impacts with implementation of project mitigation measures and regulatory compliance measures. Implementation of mitigation measures and regulatory compliance measures at the project-level would reduce the potential for the incremental effects of the proposed project to be considerable when viewed in connection with the effects of past projects, current projects, or probable future projects for all environmental parameters.

Mitigation Measures: Refer to Mitigation Measures CUL-1 (in Section 4.5, Cultural Resources), GEO--1 and GEO-2 (in Section 4.7, Geology and Soils), TRA-1 (in Section 4.17, Transportation) and TCR-1 (in Section 4.18, Tribal Cultural Resources).

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less Than Significant with Mitigation Incorporated. Previous sections of this IS/MND reviewed the proposed project's potential impacts and regulatory compliance measures and mitigation measures related to energy (Regulatory Compliance Measure EN-1), geology (Mitigation Measures GEO-1 and GEO-2 and Regulatory Compliance Measure GEO-1), hydrology and water quality (Regulatory Compliance Measures HYD-1 through HYD-4), public services (schools) (Regulatory Compliance Measure PS-1), transportation (Mitigation Measure TRA-1) and utilities (Regulatory Compliance Measures UTIL-1 through UTIL-3). As concluded in the previous discussions, the proposed project would result in less than significant environmental impacts with adherence to these regulatory compliance measures and implementation of the recommended mitigation measures. Therefore, the proposed project would not result in environmental impacts that would cause substantial adverse effects on human beings.

Mitigation Measures: Refer to Mitigation Measures GEO-1 and GEO-2 (in Section 4.7, Geology and Soils), and TRA-1 (in Section 4.17, Transportation).

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5.0 RECOMMENDATION

Based on the information and environmental analysis contained in the Initial Study/Environmental Checklist, we recommend that the City of Cypress prepare a Mitigated Negative Declaration for the Goodman Commerce Center Project. We find that the proposed project could have a significant effect on a number of environmental issues, but that mitigation measures have been identified that reduce such impacts to a less than significant level. We recommend that the second category be selected for the City of Cypress' determination (see Section 3.1, Determination, in Chapter 3.0, Environmental Factors Potentially Affected).

_____ Date: _____

Ryan Bensley, AICP
Principal / Project Manager
LSA

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6.0 MITIGATION MONITORING AND REPORTING PROGRAM

6.1 MITIGATION MONITORING REQUIREMENTS

California Public Resources Code (PRC) Section 21081.6, which is part of the California Environmental Quality Act (CEQA) statute, mandates that the following requirements shall apply to all reporting or mitigation monitoring programs:

- The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation. For those changes that have been required or incorporated into the project at the request of a responsible agency or a public agency having jurisdiction by law over natural resources affected by the project, that agency shall, if so requested by the lead agency or a responsible agency, prepare and submit a proposed reporting or monitoring program.

- The lead agency shall specify the location and custodian of the documents or other materials that constitute the record of proceedings upon which its decision is based.

- The lead agency shall provide measures to mitigate or avoid potentially significant effects on the environment that are fully enforceable through permit conditions, agreements, or other measures. Conditions of project approval may be set forth in referenced documents that address required mitigation measures or, in the case of the adoption of a plan, policy, regulation, or other project, by incorporating the mitigation measures into the plan, policy, regulation, or project design.

- Prior to the close of the public review period for a draft environmental impact report (EIR) or MND, a responsible agency, or a public agency having jurisdiction over natural resources affected by the project, shall either (1) submit to the lead agency complete and detailed performance objectives for mitigation measures that would address the significant effects on the environment identified by the responsible agency or agency having jurisdiction over natural resources affected by the project, or (2) refer the lead agency to appropriate, readily available guidelines or reference documents. Any mitigation measures submitted to a lead agency by a responsible agency or an agency having jurisdiction over natural resources affected by the project shall be limited to measures that mitigate impacts to resources that are subject to the statutory authority of, and definitions applicable to, that agency. Compliance or noncompliance with that requirement by a responsible agency or agency having jurisdiction over natural resources affected by a project shall not limit the authority of the responsible agency or agency having jurisdiction over natural resources affected by a project, or the authority of the lead agency, to approve, condition, or deny projects as provided by this division or any other provision of law.

6.2 MITIGATION MONITORING PROCEDURES

The mitigation monitoring and reporting program for the proposed Goodman Commerce Center Project (proposed project) has been prepared in compliance with PRC Section 21081.6. It describes the requirements and procedures to be followed by the City of Cypress, as the Lead Agency, to ensure that all mitigation measures adopted as part of the proposed project will be carried out as described in this IS/MND.

Table 6.A sets forth the proposed mitigation monitoring and reporting program. It lists each of the mitigation measures specified in this IS/MND and identifies the party or parties responsible for implementation and monitoring of each measure.

Table 6.A: Mitigation Monitoring and Reporting Program

Regulatory Compliance Measures/Standard Conditions/ Mitigation Measures	Monitoring Milestone	Responsible Party Responsible for Monitoring	Verification of Compliance		
			Initials	Date	Remarks
4.4: Biological Resources					
Regulatory Compliance Measure BIO-1 **Nesting Bird Survey and Avoidance.** If vegetation removal, construction, or grading activities are planned to occur within the active nesting bird season (February 1 through August 31), the City of Cypress, or designee, shall confirm that the Applicant has retained a qualified biologist who shall conduct a preconstruction nesting bird survey no more than 3 days prior to the start of such activities. The nesting bird survey shall include the work area and areas adjacent to the site (within 500 feet, as feasible) that could potentially be affected by project-related activities such as noise, vibration, increased human activity, and dust, etc. For any active nest(s) identified, the qualified biologist shall establish an appropriate buffer zone around the active nest(s). The appropriate buffer shall be determined by the qualified biologist based on species, location, and the nature of the proposed activities. Project activities shall be avoided within the buffer zone until the nest is deemed no longer active, as determined by the qualified biologist.	No more than three days prior to commencement of grading activities	Applicant and City of Cypress Community Development Director, or designee			
4.5: Cultural Resources					
Mitigation Measure CUL-1 **Unknown Archaeological Resources.** In the event that archaeological resources are discovered during excavation, grading, or construction activities, work shall cease within 50 feet of the find until a qualified archaeologist from the Orange County List of Qualified Archaeologists has evaluated the find in accordance with federal, State, and local guidelines to determine whether the find constitutes a "unique archaeological resource," as defined in Section 21083.2(g) of the California Public Resources Code (PRC). The Applicant and its construction contractor shall not collect or move any archaeological materials and associated materials. Construction activity may continue unimpeded on other portions of the project site. Any found deposits shall be treated in accordance with federal,	During construction activities	Applicant and/or construction supervisor/City of Cypress Director of Community Development Department, or designee			

Table 6.A: Mitigation Monitoring and Reporting Program

Regulatory Compliance Measures/Standard Conditions/ Mitigation Measures	Monitoring Milestone	Responsible Party Responsible for Monitoring	Verification of Compliance		
			Initials	Date	Remarks
State and local guidelines, including those set forth in PRC Section 21083.2, and shall be assessed, handled, and treated consistent with accepted standards, such as the Secretary of the Interior's standards and guidelines for archaeology and historic preservation. Prior to commencement of grading activities, the Director of the City of Cypress (City) Community Development Department, or designee, shall verify that all project grading and construction plans include specific requirements regarding California PRC (Section 21083.2[g]) and the treatment of archaeological resources as specified above.					
Regulatory Compliance Measure CUL-1 **Human Remains.** In the event that human remains are encountered on the project site, work within 50 feet of the discovery shall be redirected and the County Coroner notified immediately consistent with the requirements of California Code of Regulations (CCR) Section 15064.5(e). State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code (PRC) Section 5097.98. If the remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission (NAHC), which shall determine and notify a Most Likely Descendant (MLD). With the permission of the property owner, the MLD may inspect the site of the discovery. The MLD shall complete the inspection within 48 hours of notification by the NAHC. The MLD may recommend scientific removal and non-destructive analysis of human remains and items associated with Native American burials. Consistent with CCR Section 15064.5(d), if the remains are determined to be Native American and an MLD is notified, the City of Cypress shall consult with the MLD as identified by the NAHC to develop an agreement for treatment and disposition of the remains. Prior to the issuance of grading permits, the Director of the City of Cypress Community Development Department, or designee, shall verify that all grading	During construction activities	Construction supervisor/Applicant			

Table 6.A: Mitigation Monitoring and Reporting Program

Regulatory Compliance Measures/Standard Conditions/ Mitigation Measures	Monitoring Milestone	Responsible Party Responsible for Monitoring	Verification of Compliance		
			Initials	Date	Remarks
plans specify the requirements of CCR Section 15064.5(e), State Health and Safety Code Section 7050.5, and PRC Section 5097.98, as stated above.					
4.6: Energy					
Regulatory Compliance Measure EN-1 **Idling Restriction Signage.** Prior to the issuance of grading permits, the City of Cypress Building Official, or designee, shall confirm that the grading plans for the project include a requirement that a sign shall be posted on site stating that construction workers shall shut off engines at or before 5 minutes of idling, as required by California Code of Regulations (CCR) Title 13, Motor Vehicles, Section 2449(d)(3) Idling.	Prior to issuance of a building permit	Applicant and City of Cypress Building Official, or designee			
4.7: Geology and Soils					
Regulatory Compliance Measure GEO-1 **Compliance with Seismic and Building Standards in the Building Code.** Prior to issuance of the first building permit for the proposed buildings, the City of Cypress (City) Engineer, Building Official, or their designee, and the project soils engineer shall review the building plans to verify that the structural design conforms to the requirements of the City's latest adopted edition of the California Building Standards Code. Structures and walls shall be designed in accordance with applicable sections of the City's Building Code.	Prior to issuance of building permits	Applicant and City of Cypress Building Official, or designee			
Mitigation Measure GEO-1 **Implementation of Geotechnical Evaluation Recommendations.** The Applicant's construction contractor shall implement the recommendations of the Geotechnical Evaluation prepared for the proposed project, as applicable, to the satisfaction of the City of Cypress' (City) Building Official, or designee. The City's Building Official, or designee, shall confirm recommendations have been	Prior to issuance of building permits	Applicant and City of Cypress Building Official, or designee			

Table 6.A: Mitigation Monitoring and Reporting Program

Regulatory Compliance Measures/Standard Conditions/ Mitigation Measures	Monitoring Milestone	Responsible Party Responsible for Monitoring	Verification of Compliance		
			Initials	Date	Remarks
implemented into the design and construction of the proposed project prior to the issuance of a building permit.					
Mitigation Measure GEO-2 **Procedures for Unexpected Paleontological Resources Discoveries.** In the event that paleontological resources are encountered, work in the immediate area of the discovery shall be halted and the Applicant shall retain a professional Paleontologist who meets the qualifications established by the Society of Vertebrate Paleontology to assess the discovery. The qualified, professional Paleontologist shall make recommendations regarding the treatment and disposition of the discovered resources, as well as the need for subsequent paleontological mitigation, which may include, but not be limited to, paleontological monitoring, collection of observed resources, preservation, stabilization and identification of collected resources, curation of resources into a museum repository, and preparation of a monitoring report of findings, consistent with well accepted standards, such as those established by the Society of Vertebrate Paleontology. The City of Cypress shall ensure that the recommendations from the qualified, professional Paleontologist shall be followed by the Applicant.	During ground-disturbing activities	Applicant and/or construction supervisor/City of Cypress Building Official or designee			
4.10: Hydrology and Water Quality					
Regulatory Compliance Measure HYD-1 **Construction General Permit.** Prior to commencement of construction activities, the Applicant shall obtain coverage under the *National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit),* NPDES No. CAS000002, Order No. 2009-0009-DWQ, as amended by Order No. 2010-0014-DWQ and Order No. 2012-0006-DWQ, or any other subsequent permit. This shall include submission of Permit Registration Documents (PRDs), including permit application fees, a	Prior to commencement of construction activities	Applicant and/or construction supervisor/City of Cypress City Engineer or designee			

Table 6.A: Mitigation Monitoring and Reporting Program

Regulatory Compliance Measures/Standard Conditions/ Mitigation Measures	Monitoring Milestone	Responsible Party Responsible for Monitoring	Verification of Compliance		
			Initials	Date	Remarks
Notice of Intent (NOI), a risk assessment, a site plan, a Stormwater Pollution Prevention Plan (SWPPP), a signed certification statement, and any other compliance-related documents required by the permit, to the State Water Resources Control Board via the Stormwater Multiple Application and Report Tracking System (SMARTS). Construction activities shall not commence until a Waste Discharge Identification Number (WDID) is obtained for the project from the SMARTS and provided to the Director of the City of Cypress Community Development Department, or designee, to demonstrate that coverage under the Construction General Permit has been obtained. Project construction shall comply with all applicable requirements specified in the Construction General Permit, including, but not limited to, preparation of a SWPPP and implementation of construction site best management practices (BMPs) to address all construction-related activities, equipment, and materials that have the potential to impact water quality for the appropriate risk level identified for the project. The SWPPP shall identify the sources of pollutants that may affect the quality of stormwater and shall include BMPs (e.g., Sediment Control, Erosion Control, and Good Housekeeping BMPs) to control the pollutants in stormwater runoff. Construction Site BMPs shall also conform to the requirements specified in the latest edition of the Orange County Stormwater Program *Construction Runoff Guidance Manual for Contractors, Project Owners, and Developers* to control and minimize the impacts of construction and construction-related activities, materials, and pollutants on the watershed. Upon completion of construction activities and stabilization of the project site, a Notice of Termination shall be submitted via SMARTS.					
Regulatory Compliance Measure HYD-2 **Groundwater Dewatering Permit.** If groundwater dewatering is required during construction or excavation activities and the dewatered groundwater is discharged to the sanitary sewer system,	Prior to commencement of excavation activities	Applicant and/or construction supervisor/City of Cypress City			

Table 6.A: Mitigation Monitoring and Reporting Program

Regulatory Compliance Measures/Standard Conditions/ Mitigation Measures	Monitoring Milestone	Responsible Party Responsible for Monitoring	Verification of Compliance		
			Initials	Date	Remarks
the Applicant shall obtain a discharge permit from the Director of the City of Cypress Public Works Department. If the dewatered groundwater is discharged to the storm drain system, the Applicant shall obtain coverage under the *General Waste Discharge Requirements for Discharges to Surface Waters that Pose an Insignificant (De Minimis) Threat to Water Quality (*Order No. R8-2020-0006, NPDES No. CAG998001), which covers discharges to surface waters that pose an insignificant (de minimis) threat to water quality within. This shall include submission of a Notice of Intent for coverage under the permit to the RWQCB at least 45 days prior to the start of dewatering. The Applicant shall provide the Waste Discharge Identification Number (WDID) to the Director of the City's Public Works Department, or designee, to demonstrate proof of coverage under the *De Minimis* Permit. Groundwater dewatering shall not be initiated until a WDID is received from the Santa Ana Regional Water Quality Control Board (RWQCB) and is provided to the Director of the City's Public Works Department, or designee. Groundwater dewatering activities shall comply with all applicable provisions in the permit, including water sampling, analysis, treatment (if required), and reporting of dewatering-related discharges. Upon completion of groundwater dewatering activities, a Notice of Termination shall be submitted to the Santa Ana RWQCB.		Engineer or designee			
Regulatory Compliance Measure HYD-3 **Water Quality Management Plan.** Prior to the issuance of grading or building permits, the Applicant shall submit a Final Water Quality Management Plan (WQMP) to the City of Cypress City Engineer, or designee, for review and approval in compliance with the requirements of the *Waste Discharge Requirements for the County of Orange, Orange County Flood Control District, and the Incorporated Cities of Orange County within the Santa Ana Region Areawide Urban Storm Water Runoff Orange County (Order No. R8-2009-0030, NPDES No. CAS618030, as amended by Order No. R8-*	Prior to issuance of grading or building permits	Applicant and City of Cypress City Engineer or designee			

Table 6.A: Mitigation Monitoring and Reporting Program

Regulatory Compliance Measures/Standard Conditions/ Mitigation Measures	Monitoring Milestone	Responsible Party Responsible for Monitoring	Verification of Compliance		
			Initials	Date	Remarks
2010-0062) (North Orange County MS4 Permit). The Final WQMP shall be prepared consistent with the requirements of the *Technical Guidance Document for Water Quality Management Plans* (December 2013) and the Water Quality Management Plan template, or subsequent guidance manuals. The Final WQMP shall specify the BMPs to be incorporated into the project design to target pollutants of concern in runoff from the project area. The City shall ensure that the BMPs specified in the Final WQMP are incorporated into the final project design.					
Regulatory Compliance Measure HYD-4 **Final Hydrology and Hydraulic Analysis.** The Applicant shall submit a Final Hydrology Study to the City of Cypress City Engineer, or his/her designee, for review and approval prior to issuance of grading and building permits. The Final Hydrology Study shall be prepared consistent with the requirements of the *Orange County Hydrology Manual* (Orange County Environment Agency 1986) and *Orange County Hydrology Manual Addendum No. 1* (Orange County Environment Agency 1996), or subsequent guidance manuals. The Final Hydrology Study shall demonstrate that the on-site drainage facilities and post-project Best Management Practices (BMPs) (e.g., Modular Wetland Systems) are designed in compliance with the requirements of the *Waste Discharge Requirements for the County of Orange, Orange County Flood Control District, and the Incorporated Cities of Orange County within the Santa Ana Region Areawide Urban Storm Water Runoff Orange County (Order No. R8-2009-0030, NPDES No. CAS618030, as amended by Order No. R8-2010-0062) (North Orange County MS4 Permit)*. The Final Hydrology Study shall also demonstrate that the on-site drainage facilities and post-construction BMPs are adequately sized to accommodate stormwater runoff from the design storm so that post-development peak flow rates for the 10-year 24-hour frequency storm, 25-year 24-hour frequency storm, and 100-year 24-hour frequency storm does	Prior to issuance of grading or building permits	Applicant and City of Cypress City Engineer or designee			

Table 6.A: Mitigation Monitoring and Reporting Program

Regulatory Compliance Measures/Standard Conditions/ Mitigation Measures	Monitoring Milestone	Responsible Party Responsible for Monitoring	Verification of Compliance		
			Initials	Date	Remarks
not exceed the pre-development flow rate. The City Director of Public Works, or designee, shall ensure that the drainage facilities specified in the Final Hydrology Study are incorporated into the final project design.					
4.13: Noise					
Standard Condition NOI-1 **Construction Noise and Vibration.** Prior to issuance of grading permits, the City of Cypress (City) Director of Community Development Department, or designee, shall verify that grading and construction plans include the following requirements: • Ensure that the greatest distance between noise sources and sensitive receptors during construction activities has been achieved. • Construction equipment, fixed or mobile, shall be equipped with properly operating and maintained noise mufflers consistent with manufacturers' standards. • Construction staging areas shall be located away from off-site sensitive uses during the later phases of project development. • The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site whenever feasible. • The construction contractor shall use on-site electrical sources to power equipment rather than diesel generators where feasible. • A sign, legible at a distance of 50 feet, shall also be posted at the construction site. All notices and the signs shall indicate the dates and duration of construction activities, as well as provide a telephone number for the "noise disturbance coordinator." • A "noise disturbance coordinator" shall be established. The disturbance coordinator shall be responsible for responding to any local complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and shall be required to	Prior to issuance of grading permits	Applicant and/or construction supervisor/City of Cypress Director of Community Development Department or designee			

Table 6.A: Mitigation Monitoring and Reporting Program

Regulatory Compliance Measures/Standard Conditions/ Mitigation Measures	Monitoring Milestone	Responsible Party Responsible for Monitoring	Verification of Compliance		
			Initials	Date	Remarks
implement reasonable measures to reduce noise levels. All signs posted at the construction site shall list the telephone number for the disturbance coordinator.					
4.15: Public Services					
Regulatory Compliance Measure PS-1 **Payment of School Fees.** Prior to issuance of any building permits, the Applicant shall provide proof to the City of Cypress Building Official, or designee, that payment of school fees to the Anaheim Union High School District has been made in compliance with Section 65995 of the California Government Code.	Prior to issuance of building permits	Applicant and City of Cypress Director of Community Development Department or designee			
4.17: Transportation					
Mitigation Measure TRA-1 **Truck Signage and Striping Plan.** The Applicant shall submit a Signage and Striping Plan, consistent with the provisions of the California Manual on Uniform Traffic Control Devices (CA MUTCD), that directs heavy trucks to the most appropriate access points. The City of Cypress City Engineer, or their designee, shall review and approve the Signage and Striping Plan and confirm it has been incorporated into the project plans prior to the issuance of a building permit.	Prior to issuance of certificate of occupancy	Applicant and City of Cypress City Engineer or designee			
4.18: Tribal Cultural Resources					
Mitigation Measure TCR-1 **Retain a Native American Monitor Prior to Commencement of Ground-Disturbing Activities.** The project Applicant/lead agency shall retain a Native American Monitor from or approved by the Gabrieleño Band of Mission Indians – Kizh Nation. The monitor shall be retained prior to the commencement of any "ground-disturbing activity" for the subject project at all project locations (i.e., both on-site and any off-site locations that are included in the Project Description/definition and/or required in connection with the	Prior to ground-disturbing activities	Applicant and City of Cypress Community Development Director, or designee			

Table 6.A: Mitigation Monitoring and Reporting Program

Regulatory Compliance Measures/Standard Conditions/ Mitigation Measures	Monitoring Milestone	Responsible Party Responsible for Monitoring	Verification of Compliance		
			Initials	Date	Remarks
project, such as public improvement work). "Ground-disturbing activity" shall include, but is not limited to, demolition, pavement removal, potholing, auguring, grubbing, tree removal, boring, grading, excavation, drilling, and trenching. A copy of the executed monitoring agreement shall be submitted to the lead agency prior to the earlier of the commencement of any ground-disturbing activity, or the issuance of any permit necessary to commence a ground-disturbing activity. The monitor will complete daily monitoring logs that will provide descriptions of the relevant ground-disturbing activities, the type of construction activities performed, locations of ground-disturbing activities, soil types, cultural-related materials, and any other facts, conditions, materials, or discoveries of significance to the Tribe. Monitor logs will identify and describe any discovered TCRs, including but not limited to, Native American cultural and historical artifacts, remains, places of significance, etc., (collectively, tribal cultural resources, or "TCRs"), as well as any discovered Native American (ancestral) human remains and burial goods. Copies of monitor logs will be provided to the project Applicant/lead agency upon written request to the Tribe. On-site tribal monitoring shall conclude upon the latter of the following (1) written confirmation to the Kizh from a designated point of contact for the project Applicant/lead agency that all ground-disturbing activities and phases that may involve ground-disturbing activities on the project site or in connection with the project are complete; or (2) a determination and written notification by the Kizh to the project Applicant/lead agency that no future, planned construction activity and/or development/construction phase at the project site possesses the potential to impact Kizh TCRs. Upon discovery of any TCRs, all construction activities in the immediate vicinity of the discovery shall cease (i.e., not less than the					

Table 6.A: Mitigation Monitoring and Reporting Program

Regulatory Compliance Measures/Standard Conditions/ Mitigation Measures	Monitoring Milestone	Responsible Party Responsible for Monitoring	Verification of Compliance		
			Initials	Date	Remarks
surrounding 50 feet) and shall not resume until the discovered TCR has been fully assessed by the Kizh monitor and/or Kizh archaeologist. The Kizh will recover and retain all discovered TCRs in the form and/or manner the Tribe deems appropriate, in the Tribe's sole discretion, and for any purpose the Tribe deems appropriate, including for educational, cultural, and/or historic purposes.					
Mitigation Measure TCR-2 **Unanticipated Discovery of Human Remains and Associated Funerary Objects.** Native American human remains are defined in Public Resources Code (PRC) 5097.98 (d)(1) as an inhumation or cremation, and in any state of decomposition or skeletal completeness. Funerary objects, called associated grave goods in PRC Section 5097.98, are also to be treated according to this statute. If Native American human remains and/or grave goods are discovered or recognized on the project site, then all construction activities shall immediately cease. Health and Safety Code Section 7050.5 dictates that any discoveries of human skeletal material shall be immediately reported to the County Coroner and all ground-disturbing activities shall immediately halt and shall remain halted until the Coroner has determined the nature of the remains. If the Coroner recognizes the human remains to be those of a Native American or has reason to believe they are Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission (NAHC), and PRC Section 5097.98 shall be followed. Human remains and grave/burial goods shall be treated alike per California PRC Section 5097.98(d)(1) and (2). Construction activities may resume in other parts of the project site at a minimum of 200 feet away from discovered human remains and/or burial goods, if the Kizh determines in its sole discretion that	During construction activities	Applicant and/or construction supervisor/City of Cypress Director of Community Development Department, or designee			

Table 6.A: Mitigation Monitoring and Reporting Program

Regulatory Compliance Measures/Standard Conditions/ Mitigation Measures	Monitoring Milestone	Responsible Party Responsible for Monitoring	Verification of Compliance		
			Initials	Date	Remarks
resuming construction activities at that distance is acceptable and provides the project manager express consent of that determination (along with any other mitigation measures the Kizh monitor and/or archaeologist deems necessary). (CEQA Guidelines Section 15064.5(f).) Preservation in place (i.e., avoidance) is the preferred manner of treatment for discovered human remains and/or burial goods. Any historic archaeological material that is not Native American in origin (non-TCR) shall be curated at a public, non-profit institution with a research interest in the materials, such as the Natural History Museum of Los Angeles County or the Fowler Museum, if such an institution agrees to accept the material. If no institution accepts the archaeological material, it shall be offered to a local school or historical society in the area for educational purposes. Any discovery of human remains/burial goods shall be kept confidential to prevent further disturbance.					
Mitigation Measure TCR-3 **Procedures for Burials and Funerary Remains.** As the Most Likely Descendant ("MLD"), the Koo-nas-gna Burial Policy shall be implemented. To the Tribe, the term "human remains" encompasses more than human bones. In ancient as well as historic times, Tribal Traditions included, but were not limited to, the preparation of the soil for burial, the burial of funerary objects with the deceased, and the ceremonial burning of human remains. If the discovery of human remains includes four or more burials, the discovery location shall be treated as a cemetery and a separate treatment plan shall be created. The prepared soil and cremation soils are to be treated in the same manner as bone fragments that remain intact. Associated funerary objects are objects that, as part of the death rite or ceremony of a	During construction activities	Applicant and/or construction supervisor/City of Cypress Director of Community Development Department, or designee			

Table 6.A: Mitigation Monitoring and Reporting Program

Regulatory Compliance Measures/Standard Conditions/ Mitigation Measures	Monitoring Milestone	Responsible Party Responsible for Monitoring	Verification of Compliance		
			Initials	Date	Remarks
culture, are reasonably believed to have been placed with individual human remains either at the time of death or later; other items made exclusively for burial purposes or to contain human remains can also be considered as associated funerary objects. Cremations will either be removed in bulk or by means as necessary to ensure complete recovery of all sacred materials. In the case where discovered human remains cannot be fully documented and recovered on the same day, the remains will be covered with muslin cloth and a steel plate that can be moved by heavy equipment placed over the excavation opening to protect the remains. If this type of steel plate is not available, a 24-hour guard should be posted outside of working hours. The Tribe will make every effort to recommend diverting the project and keeping the remains in situ and protected. If the project cannot be diverted, it may be determined that burials will be removed. In the event preservation in place is not possible despite good faith efforts by the project Applicant/developer and/or landowner, before ground-disturbing activities may resume on the project site, the landowner shall arrange a designated site location within the footprint of the project for the respectful reburial of the human remains and/or ceremonial objects. Each occurrence of human remains and associated funerary objects will be stored using opaque cloth bags. All human remains, funerary objects, sacred objects and objects of cultural patrimony will be removed to a secure container on site if possible. These items should be retained and reburied within six months of recovery. The site of reburial/repatriation shall be on the project site but at a location agreed upon between the Tribe and the landowner at a site to be protected in perpetuity. There shall be no publicity regarding any cultural materials recovered.					

Table 6.A: Mitigation Monitoring and Reporting Program

Regulatory Compliance Measures/Standard Conditions/ Mitigation Measures	Monitoring Milestone	Responsible Party Responsible for Monitoring	Verification of Compliance		
			Initials	Date	Remarks
The Tribe will work closely with the project's qualified archaeologist to ensure that the excavation is treated carefully, ethically and respectfully. If data recovery is approved by the Tribe, documentation shall be prepared and shall include (at a minimum) detailed descriptive notes and sketches. All data recovery data recovery-related forms of documentation shall be approved in advance by the Tribe. If any data recovery is performed, once complete, a final report shall be submitted to the Tribe and the NAHC. The Tribe does not authorize any scientific study or the utilization of any invasive and/or destructive diagnostics on human remains.					
4.19: Utilities and Service Systems					
Regulatory Compliance Measure UTIL-1 **Sewer Improvement Standards.** All required sewer improvements shall be designed and constructed to City of Cypress (City) and Orange County Sanitation District (OC SAN) standards and shall be approved by the City Engineer prior to development. These improvements may be constructed in a phased sequence depending upon the development process. Public facilities shall be dedicated to the City and/or the OC SAN at the completion of construction.	Prior to issuance of building permits and completion of applicable facilities	Applicant and City of Cypress City Engineer or designee			
Regulatory Compliance Measure UTIL-2 **Water Conservation.** The Applicant shall comply with all State laws related to water conservation measure. Voluntary water conservation strategies shall be encouraged. The City of Cypress Planning Building Division shall determine compliance prior to issuance of building permits.	Prior to issuance of building permits	Applicant and City of Cypress Community Development Director or designee			

Table 6.A: Mitigation Monitoring and Reporting Program

Regulatory Compliance Measures/Standard Conditions/ Mitigation Measures	Monitoring Milestone	Responsible Party Responsible for Monitoring	Verification of Compliance		
			Initials	Date	Remarks
Regulatory Compliance Measure UTIL-3 **Construction and Demolition Ordinance**. The construction contractor shall comply with the provisions of City of Cypress Ordinance No. 1166 and the 2022 California Green Building Standards Code, which would reduce construction and demolition waste. Ordinance No. 1166 is codified in Article VIII, Materials Questionnaire for Certain Construction and Demolition Projects within the City of Cypress in the Cypress Municipal Code.	Prior to and during project construction	Applicant and City of Cypress City Engineer or designee			

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7.0 LIST OF PREPARERS AND PERSONS CONSULTED

7.1 CITY OF CYPRESS

The following individuals from the City of Cypress (City) were involved in the preparation of this Initial Study/Mitigated Negative Declaration (IS/MND):

- Alicia Velasco, Planning Director
- Laura Vander Neut, Planner

7.2 IS/MND PREPARERS

The following individuals were involved in the preparation of this IS/MND. The nature of their involvement is summarized below.

7.2.1 LSA

The following individuals were involved in the preparation of this IS/MND:

- Deborah Pracilio, Principal in Charge
- Ryan Bensley, AICP, Principal/Project Manager
- Matthew Wiswell, AICP, Senior Planner
- Amy Fischer, Principal/Air Quality, Noise and Global Climate Change Specialist
- Cara Cunningham, Associate/Air Quality Specialist
- Bianca Martinez, Air Quality Specialist
- Ken Wilhelm, Principal/Transportation
- Ambarish Mukherjee, Principal/Transportation
- JT Stephens, Principal/Noise
- Moe Abushanab, Noise Specialist
- Matt Phillips, Graphics Technician
- Lauren Johnson, Technical Editor
- Chantik Virgil, Senior Word Processor

7.3 TECHNICAL REPORT PREPARERS

The following individuals were involved in the preparation of the technical reports in support of this IS/MND. The nature of their involvement is summarized below.

7.3.1 PBLA Engineering, Inc.

The following individuals were involved in the preparation of the *Preliminary Water Quality Management Plan: GIC - Cypress* (December 2022):

- Steven Levisee, P.E.

7.3.2 G3SoilWorks, Inc.

The following individuals were involved in the preparation of the *Geotechnical Investigation and Report Update, Proposed Goodman Commerce Center* (May 2022):

- Steven Strickler, G.E., CEO/Principal Geotechnical Engineer
- Daniel Morikawa, P.E., Director of Engineering
- Erik Haaker, P.E., C.E.G., Senior Engineering Geologist

7.3.3 Stantec Consulting Services, Inc.

The following individuals were involved in the preparation of the *Phase I Environmental Assessment – 5757 Plaza Drive* (September 2021):

- Alicia Jansen, Associate Scientist
- Brian Viggiano, P.G., Senior Geologist
- Kevin Miskin, P.E., Senior Principal Engineer

7.4 PROJECT APPLICANT

7.4.1 Goodman

The project Applicant was consulted during the preparation of this IS/MND:

- Blair Dahl, Vice President of Entitlements & Construction, Southwest Region

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APPENDIX A

CALEEMOD OUTPUT DATA

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APPENDIX B

PHASE I ENVIRONMENTAL SITE ASSESSMENT

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APPENDIX C

GEOTECHNICAL EVALUATION

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APPENDIX D

PRELIMINARY WATER QUALITY MANAGEMENT PLAN

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APPENDIX E

NOISE MEASUREMENTS AND MODELING RESULTS

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APPENDIX F

TRAFFIC ANALYSIS

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APPENDIX G

VEHICLE MILES TRAVELED ANALYSIS

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APPENDIX H

TRIBAL CONSULTATION CORRESPONDENCE

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EXHIBIT "A"

PROJECT TITLE: SPR NO. 2022-05 & VTPM NO. 2023-101 – GOODMAN COMMERCE CENTER

ADDRESS: 5757 PLAZA DRIVE

CONDITIONS OF APPROVAL

1. General Conditions

1.1. Unless and until the project applicant and property owner sign and return a City-provided affidavit accepting these conditions of approval, there shall be no entitlement of the application. The project applicant and property owner shall have 15 calendar days to return the signed affidavit to the Community Development Department. Failure to do so will render City Council action on the application void. *(Planning)*

1.2. This permit is granted for the plans dated July 1, 2022 and the tentative map dated January 12, 2023, ("the plans") on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Planning Director. A minor modification may be granted for minimal changes or increases in the extent of use or size of structures or of the design, materials or colors of structures or masonry walls. *(Planning)*

1.3. The applicant shall defend, indemnify, and hold harmless, the City and any agency thereof, or any of its agents, officers, and employees from any and all claims, actions, or proceedings against the City or any agency thereof, or any of its agents, officers or employees, to attack, set aside, void or annul, an approval of the City, or any agency thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the City, concerning the project, which action is brought within the time period provided in Government Code Section 66499.37 and Public Resources Code, Division 13, CH. 4 (§ 21000 et seq. - including but not by way of limitation § 21152 and 21167). City shall promptly notify the applicant of any claim, action, or proceeding brought within this time period. *(City Attorney)*

1.4. The applicant's contractor shall provide the City with a Certificate of Insurance on City form evidencing a comprehensive liability insurance policy with a combined single limit of not less than $500,000 each occurrence in connection with the work performed. Certificate shall include the City, its Council, officers, members of boards or commissions and employees as additional Named Insureds with respect to all claims, actions, damages, liabilities and expenses, including attorney's fees, arising out of or in connection with the work to be performed under the

development executed by the Named Insured and City, including any act or omission of employees, agents, subcontractors, or their employees. Such certificate shall have a 30 day cancellation notice to the City of Cypress. *(City Attorney)*

1.5. Any and all correction notice(s) generated through the plan check and/or inspection process is/are hereby incorporated by reference as conditions of approval and shall be fully complied with by the owner, applicant and all agents thereof. *(Planning)*

1.6. All requirements of the Orange County Fire Authority (OCFA), Orange County Health Department, and Cypress Building and Safety Division shall be satisfied prior to commencement of the business operation. *(Planning)*

1.7. The applicant shall obtain a Cypress business license prior to commencement of the business operation. *(Finance)*

1.8. All applicable conditions of the project shall be complied with prior to occupancy of the subject building. *(Planning)*

1.9. The applicant may request minor modifications of conditions of approval consistent with the intent of the project approval. The modification must be approved in writing by the Planning Director (Conditions of Approval Sections 1-8), City Engineer (Conditions of Approval Sections 9-22 and 24), and the Police Chief (Conditions of Approval Section 23).

2. Planning

2.1. Areas subject to vehicle loading, including internal streets, driveways, etc., shall consist of Portland Cement Concrete (PCC) unless an alternative material is approved in the project WQMP for infiltration purposes. *(Planning)*

2.2. At least two weeks prior to the issuance of the certificate of occupancy, the applicant shall meet with the project planner and members of the Building and Engineering Divisions to ensure that all applicable conditions of approval have been satisfied. *(Planning)*

2.3. Developer shall submit both a lighting plan showing standard heights and light materials and a photometric plan showing light levels on site and at the adjacent property limits, for design review and approval of the Planning Director. *(Planning)*

2.4. All exterior portions of the site, during the hours of darkness, shall be illuminated with a minimum of one foot-candle of light. In order to minimize light and glare on

the project property and adjacent properties, all parking lot and exterior structure light fixtures shall be high cut-off type that divert lighting downward onto the property and shall not cast light on any adjacent property or roadway. Illumination levels at the property lines shall not exceed .5 foot candles. *(Planning)*

2.5. Project on-site lighting shall be of a type and in a location that does not constitute a hazard to vehicular traffic, either on private property or on adjoining streets. To prevent damage from vehicles, standards in parking areas shall be mounted on reinforced concrete pedestals or otherwise protected. Developer shall recess or conceal under-canopy lighting elements so as not to be directly visible from a public street. *(Planning)*

2.6. That no vending machines, publication racks, telephones, kiosks, donation bins and similar items shall be permitted outside of the buildings. *(Planning)*

2.7. The easement restricting parking in the 60-foot wide strip on the northern edge of the site shall remain in effect so long as the area is zoned PS-1A. Parking stalls located within the PS-1A zone shall be available for public use from 7:00 p.m. to 6:00 a.m., Monday through Friday, and all day on Saturday and Sunday. *(Planning)*

2.8. Signs shall be installed and maintained at the entrances to the site and within the easement referenced above indicating that the parking area within the easement is available for public parking from 7:00 p.m. to 6:00 a.m., Monday through Friday, and all day on Saturday and Sunday. *(Planning)*

3. Mitigation Measures

3.1. Prior to issuance of any grading or building permit associated with implementation of the project, the applicant shall demonstrate compliance with the adopted Mitigation Monitoring and Reporting Program (MMRP), to the satisfaction of the Community Development Department. *(Planning)*

3.2. A copy of the approved Conditions of Approval including Table 6.A Mitigation Monitoring and Reporting Program from the approved Initial Study/Mitigated Negative Declaration, shall be included in all development plans submitted to the City. *(Planning)*

4. Architectural

4.1. Architectural elevations and site plans shall be reviewed and approved by the Community Development Department prior to the issuance of building permits. *(Planning)*

4.2. All architectural treatments shall be constructed as illustrated on plans and renderings submitted. The final exterior color scheme shall be submitted to City staff for review and approval prior to actually painting the structure. *(Planning)*

4.3. All roof mounted equipment, such as heating and air conditioning units, shall be adequately screened from public view by a parapet wall of equal or greater height than the highest piece of roof mounted equipment or vent, subject to the approval of the Community Development Department. *(Planning)*

4.4. The transformer boxes and water valves shall be placed in locations acceptable to the Director of Planning and shall be adequately screened from view with plant materials. *(Planning)*

4.5. During construction, the developer shall provide an adequate number of trash bins at a location acceptable to City staff. Construction bins must be maintained onsite. Bin rental shall be contracted through the City's disposal services contractor. *(Planning)*

5. Signage

5.1. A comprehensive sign program for both building and freestanding monument signs shall be submitted for Community Development Department approval prior to the installation of any signs. The developer shall not erect or display on the subject property any signs which have not been approved in writing by the Community Development Department. *(Planning)*

5.2. The installation and method of sign illumination shall be reviewed and approved by the Planning Division and the Building and Safety Division. The business owner shall take the appropriate measures to ensure that the illumination of the sign shall not create glare for vehicular traffic. All electrical conduits, timer devices, and other electrical equipment shall be buried underground or concealed within the sign. *(Planning) (Building and Safety)*

6. Landscaping

6.1. The site shall be landscaped in compliance with the McDonnell Center Specific Plan, including landscape requirements for parking areas and setback areas. *(Planning)*

6.2. A detailed landscape and automatic irrigation plan shall be submitted to the Planning Division for review and approval at least 60 days prior to issuance of a

certificate of occupancy. In addition, a bond shall be posted with Public Works to guarantee against defects in plant materials and workmanship for a period of one year from acceptance of the landscape installation. All required landscaping shall be permanently maintained in a neat and orderly condition and comply with the provisions of Section IV.D. (Design Concept, Landscape Guidelines) and Section V.H. (Development Regulations, Landscape). *(Planning) (Public Works)*

6.3. All new or revised landscape areas shall comply with the City's water efficiency ordinance as well as the water efficient requirements of the Cypress Zoning Code and the City's Drought Response Management Plan. All new or revised irrigation shall be provided by a drip or microspray system. *(Planning)*

6.4. Landscape irrigation pipes and sprinkler heads shall be maintained in good working order so as to cover all landscaped areas. *(Planning)*

6.5. All trees required to be removed to install the sidewalk along Plaza Drive shall be replaced. The tree species shall be consistent with the McDonnell Center Specific Plan Design Concept (Section IV.D), and subject to Planning Director approval. Replacement trees shall be a minimum of 24" box size. *(Planning)*

7. Operational

7.1. All business activity shall occur within the building except for the loading and unloading vehicles which shall occur in the loading docks as indicated on the approved plans. Temporary use permits may be granted for outdoor activity in accordance with Section 19, of the Cypress Zoning Ordinance. *(Planning)*

7.2. All product and material storage shall occur within the building. Exterior storage is specifically prohibited. *(Planning)*

7.3. The parking lot shall be used solely for vehicular parking, unless otherwise approved in writing by the Planning Director. *(Planning)*

8. Property Maintenance

8.1. Continuous Maintenance. The Project property owner shall continually maintain the property so that it is visually attractive and not dangerous to the health, safety and general welfare of both on-site users (e.g. employees) and surrounding properties. The property owner shall ensure that all facets of the development are regularly inspected, maintained and that any defects are timely repaired. Among the elements to be maintained, include but are not limited to:

a. All walls, fences, and trash enclosures shall be maintained free of

significant surface cracks, dry rot, warping, missing panels or blocks, which threaten the structure's structural integrity.

b. Parking lot surfaces and pedestrian walkways shall be maintained in a safe condition such that any concrete, asphalt, or other driving or walking surfaces are free of potholes, buckled or cracked surfaces, or raised areas.
c. The property shall be maintained free of the accumulation of trash and debris. Trash and debris associated with the business operation shall be stored solely in designated trash enclosures.
d. Exterior building elevations shall be maintained such that buildings are free from broken, missing, or significantly cracked surface finished materials.
e. Signage. The developer shall maintain all on-site signs, including posted area signs (e.g. "No Trespassing") in a clean readable condition at all times. The developer shall remove all graffiti and repair vandalism on a regular basis.
f. Lighting. The developer shall maintain any lighting so that they operate properly for safety purposes and do not project onto adjoining properties or roadways.
g. Parking and on-site circulation. The developer shall maintain all parking and on-site circulation requirements, including surfaces, all markings and traffic/directional signs in an un-faded condition as identified on the approved site plan.

(Planning)

8.2. The property owner shall maintain the site, the publicly accessible interior, and publicly viewable exterior of the building(s) clear of all graffiti, including but not limited to bathrooms and dining areas if applicable. All graffiti shall be removed within 48 hours once notified in writing by the City. *(Planning)*

9. Fees

9.1. As applicable, the applicant shall pay the following fees per the adopted Master Fee resolution, as noted below. *(Engineering)*

- Park and Recreation (Prior to issuance of Building Permit)
- Drainage Fee for Master Drainage Plan (Prior to issuance of Building Permit)
- City-wide Traffic Improvement (Prior to issuance of Building Permit)
- Regional Traffic Improvement (Prior to issuance of Building Permit)
- Final Subdivision Map Check (Prior to submittal of Map)
- Sanitary Sewer Connection (Prior to issuance of Building Permit)
- Grading / On-Site (Non-Structural) Plan Check (Prior to submittal of Grading Plans)
- Grading Permit and Inspection (Prior to Permit issuance)

- Building Plan Check (Prior to submittal of Plans)
- Building Permit and Inspection (Prior to Permit issuance)
- Public Improvement Plan Check (Prior to submittal of Plans)
- Public Improvement Permit and Inspection (Prior to Permit issuance)

Within 48 hours of the approval of this project, the applicant/developer shall deliver to the Community Development Department the required Fish and Wildlife impact fee in the form of a check payable to the **County Clerk-Recorder** in the amount required by the County, to enable the City to file the Notice of Determination pursuant to Fish and Game Code §711.4 and California Code of Regulations, Title 14, section 753.5. *(Planning)*

10. Engineering

10.1. That all engineering requirements of the City of Cypress, including preparation of improvement plans and installation of all improvements such as curbs and gutters, sidewalks, street grading and pavement, sewer and drainage facilities, or other appurtenant work shall be complied with as required by the City Engineer and in accordance with specifications on file in the Office of the City Engineer, as may be modified by the City Engineer; and, that security in the form of a bond, certificate of deposit, letter of credit, completion guarantee, or cash, in an amount and form satisfactory to the City of Cypress, shall be posted with the City to guarantee the satisfactory completion of said improvements. Said security shall be posted with the City prior to the issuance of a building permit or final map approval, whichever occurs first, to guarantee the installation of the related improvements prior to final building and zoning inspections in accordance with an approved construction phasing plan. In the event the developer's contractor and/or subcontractor fails to diligently prosecute the work within the public right-of-way, the City reserves the right, in its reasonable discretion, to issue a stop work notice and to provide a substitute contractor and/or subcontractor to complete said work at the sole cost and expense of developer. *(Engineering)*

10.2. Prior to recordation of a subdivision map, the applicant shall submit all public improvement plans per the Public Works Standard Plans and specified design criteria. All plans shall be submitted in an acceptable digital format and one copy printed on mylar with the City title block on all sheets. *(Engineering)*

10.3. The applicant shall not grant any easements over any property subject to a requirement of dedication or irrevocable offer to the City of Cypress, unless such easements are expressly made subordinate to the easements to be offered for dedication to the City. Prior to granting any of said easements, the subdivider shall furnish a copy of the proposed easement to the City Engineer for review and

approval. *(Engineering) (Easement Subordination)*

10.4. Prior to any street construction or relocation, when there are monuments in the project area which control the location of subdivisions, streets or highways, or provide survey control, the developer shall locate and reference the monuments and shall reset them after construction as required by Section 8771 of the Business and Professions Code, in a manner meeting the approval of the City Engineer. *(Engineering)*

10.5. The applicant shall notify the City Engineer in writing if any changes to parcel/tract map are proposed during the plan check process. Permits shall not be issued until the City Engineer has reviewed and approved the proposed changes for conformance with the intent of the City Council's action and the conditions herein. If the proposed changes are of a substantial nature, an amendment to the original entitlement may be required*. (Engineering, Planning)*

10.6. The applicant shall make all submittals, including engineering, building, grading, water quality, and inquiries through the department's online plan check and permit application at https://cypressca.viewpointcloud.com or as determined by the City Engineer. *(Engineering)*

11. Landscaping within the Public Right-of-Way

11.1. Prior to or with the submittal of building plans, the applicant shall submit a street landscaping and irrigation plan within the public right-of-way to the City Engineer for approval. The subject landscaping and irrigation plans shall be designed to be in conformance with the City's water efficient landscape ordinance. *(Engineering, Maintenance)*

11.2. The applicant shall post a bond to guarantee against any defects in plant materials and workmanship. The applicant shall submit a soils report for all planting areas, prepared by a qualified agricultural laboratory to the City Engineer for approval at least 30 days prior to planting date. Test results shall include concentration of nitrogen, phosphorus, potassium, ph, salinity, sodium status, and boron saturation extract. Drought tolerant landscape is encouraged. The landscaping will be irrigated from the private property meter and the applicant or successor in interest will pay for all water. *(Engineering, Maintenance)*

11.3. Prior to issuance of a temporary or final certificate of occupancy, the applicant shall install all new public right-of-way landscaping and irrigation per the approved street landscaping and irrigation plan. *(Engineering, Maintenance)*

11.4. The applicant or his successor in interest shall maintain all landscaping planted in the public right-of-way located along the frontage of their property in a healthy and safe condition. *(Engineering, Maintenance)*

12. Sewer and Wastewater

12.1. The developer shall construct new private sewer laterals with cleanouts at a location approved by the City Engineer. *(Engineering)*

12.2. Prior to the recordation of the subdivision map, the applicant shall submit a sewer plan signed and stamped by a registered civil engineer, detailing all the proposed public and/or private sewer lines meeting the requirements of the City Design Standards for Sewer Facilities to be approved by the City Engineer*. (Engineering)*

12.3. All sewer lines within the development shall be private sewer lines and shall be maintained and cleaned by the developer, or successor in interest. The City of Cypress shall have no responsibility for maintenance of the private sewer lines. *(Engineering)*

13. Street Trees

13.1. If trees are planted within the public right of way, they shall be installed in accordance with the approved street landscape plan subject to the approval of the City Engineer. *(Engineering)*

13.2. The applicant or successor in interest shall trim all trees in the public right-of-way annually or as prescribed by the City Engineer and maintain the trees in a healthy and safe condition*. (Maintenance)*

14. Street Lighting

14.1. The applicant shall bear the full cost of upgrading the existing street lights along the Plaza Drive frontage to energy efficient LED fixtures. Street lighting shall be approved by the City Engineer and meet the City of Cypress design standards. *(Engineering)*

15. Streets

15.1. Prior to the issuance of any certificate of occupancy, including temporary, the applicant shall install new sidewalks and driveway approaches that are compliant with the American Disabilities Act along the property frontage on Plaza Drive. The developer shall comply with the following requirements regarding the

improvements:

- Within 90 days issuance of any grading or demolition permit, submit plans to Public Works for both the sidewalk and associated landscaping within the ten-foot parkway strip within the public right of way and obtain approval by the City Engineer prior to approval of the Final Map.
- Construct all improvements in accordance with Cypress Public Works standards and specifications to satisfaction of the City Engineer.
- Prior to construction, obtain and pay for a permit and inspection services. As part of the permit, submit a bond to guarantee its construction acceptable to the City Engineer and maintain a schedule on file with the City Engineer for the work.
- Sidewalks shall be a minimum width of five feet, clear of all obstructions (including utilities, street lights, fire hydrants, etc).
- Adjust utility vaults and boxes to grade in accordance with the corresponding utility's requirements and standards.
- Relocate any utilities as necessary securing the appropriate approvals from the respective utilities.
- Plant new trees at 1:1 ratio on private property along the property frontage for any tree removed as part of the sidewalk improvements. Submit the size and types of trees and locations for approval to the Planning Director.
- Landscaping within the public right of way parkway strip shall be drought tolerant and water efficient.
- Irrigate all landscaping within the public right-of-way from the private property meter and the developer or successor in interest shall pay for all water.
- The developer or his successor in interest shall maintain all landscaping planted in the public right-of-way located along the frontage of their property in a healthy and safe condition.
- Grant easements to the City for pedestrian purposes for any sidewalk or driveways, as needed, for compliance with ADA requirements prior to issuance of a permit for construction.

(Engineering)

15.2. Remove and replace any damaged street, pavement or other concrete improvements as a result of damage due to this work and appropriately clean the area to the satisfaction of the City Engineer. *(Engineering)*

15.3. Prior to recordation of the subdivision map, the applicant shall submit a street design plans for approval by the City Engineer for all proposed City streets or any work within existing public right of way. Street name signs and traffic signs shall be installed per City Standards. *(Engineering)*

15.4. The final map shall show easements for any sidewalk located within private property to the City for pedestrian purposes. *(Engineering)*

15.5. Prior to issuance of a certificate of occupancy, the applicant shall remove and replace any existing public improvements at the development site which have existing damage, are damaged due to construction, or otherwise below current standards, to the satisfaction of the City Engineer. *(Engineering)*

16. Subdivisions

16.1. This permit is granted subject to the City's approval of a tentative map and final map and recordation of the final map. The City shall issue building permits only after such recordation, unless otherwise approved by both the Planning Director and Public Works Director and/or pursuant to the Subdivision Map Act. Before occupying any structures or initiating any use approved by this permit, the applicant shall comply with all conditions of the tentative and final map. *(Engineering, Planning)*

17. Traffic

17.1. The access driveway to the development shall be designed such as there is minimal impact on the vehicle's tire upon ingress and egress from the driveway, as approved by the City Engineer. *(Engineering)*

17.2. The quantity, location, width, and type of public driveways shall be subject to the approval of the City Traffic Engineer. Prior to construction of any driveway approach upon public street right-of-way, the applicant shall obtain a public works permit. *(Engineering) (Driveways)*

17.3. No driveway access from Valley View Street shall be permitted. *(Engineering) (Driveways)*

17.4. Prior to the issuance of any grading permits, the applicant shall provide adequate sight distance per Engineering Standard Plan 204 and 205 at all street intersections, driveways, and parkways, in a manner meeting the approval of the City Traffic Engineer. The applicant shall make all necessary revisions to the plan to meet the sight distance requirement such as removing slopes or other encroachments from the limited use area in a manner meeting the approval of the City Engineer. *(Engineering) (Sight Distance)*

17.5. Mitigation Measure TRA-1: Prior to the issuance of a building permit, the Applicant shall submit a Signage and Striping Plan consistent with the provisions of the California Manual on Uniform Traffic Control Devices (CA MUTCD), that directs heavy trucks to the most appropriate access points. The City Engineer, or their designee, shall review and approve the Signage and Striping Plan and confirm it has been incorporated into the project plans prior to the issuance of a

building permit. The applicant shall construct all improvements shown on the Signage and Striping Plan or as required by the City, prior to the issuance of any Certificate of Occupancy. All costs for the improvements including, but not limited to, design, construction, construction management, permitting and inspection shall be the sole responsibility of the applicant. *(Engineering) (Construction of Traffic Improvements)*

17.6. Prior to the issuance of any certificate of occupancy, the Applicant shall install a stop control on the southbound approach of all project driveways to implement a cross-street stop-controlled intersection. Driveways will accommodate site access for passenger cars and will accommodate full access (no turn restrictions). Left turn storage into the Project is anticipated to be accommodated by the painted median. *(Engineering) (Construction of Traffic Improvements)*

17.7. Prior to the issuance of any certificate of occupancy, Plaza Drive shall be restriped to accommodate the anticipated increased truck traffic and reduce conflicts at the driveways. The Signing and Striping plan shall be reviewed and approved by the City Engineer, or their designee, prior to installation. All costs for the improvements including, but not limited to, design, construction, construction management, permitting and inspection shall be the sole responsibility of the applicant. *(Engineering) (Construction of Traffic Improvements)*

17.8. Prior to the issuance of any building permits, the applicant shall pay to the City $150,000 for traffic signal and intersection improvements at the intersection of Valley View Street and Plaza Drive. The City will design and construct the improvements. *(Engineering)*

18. Utilities

18.1. Prior to issuance of a certificate of occupancy, the applicant shall install all new and existing utility services underground. *(Engineering)*

18.2. Arterials shall be crossed by boring only. In public streets, lateral open cuts spaced within 20 feet of each other shall be covered with a one-inch continuous asphalt concrete cap. *(Engineering)*

19. Drainage

19.1. Prior to issuance of grading permits or recordation of the subdivision map, whichever comes first, at the direction of the City Engineer, the applicant shall

submit a grading plan for approval signed and stamped by a registered California civil engineer and using actual grades from an Orange County Surveyor's Benchmark. *(Engineering)*

The applicant shall ensure the following requirements are met:

- Drainage is solved to the satisfaction of the City Engineer and Building Official.
- The Grading Plan is consistent with the Water Quality Management Plan, Site Plan and any Improvement Plan for proposed public storm drains.
- Submittal of a Preliminary Grading Plan if deemed necessary by the City Engineer.
- The topography of the area surrounding this development shall be made to establish existing drainage flow patterns.
- The minimum slope standards are met for 1% for landscape areas, AC parking areas 1.5%, Concrete .2%.
- All surface runoff and subsurface drainage directed to the nearest acceptable drainage facility, as determined by the City Engineer.
- Drainage facilities discharging onto adjacent property shall be designed to imitate the manner in which runoff is currently produced from the site or alternatively, the applicant may obtain a drainage acceptance and maintenance agreement, suitable for recordation, from the owner of said adjacent property.
- All drainage facilities must be consistent with the County of Orange Grading Ordinance as supplemented by the Engineering Division and Local Drainage Manual.

20. Storm Water Quality – National Pollutant Discharge Elimination System

20.1. Development must be undertaken in accordance with conditions and requirements of the Santa Ana Region National Pollutant Discharge Elimination System (NPDES) Permit Order No. R8-2009-0030 as amended by Order No. R8-2010-0062. *(Engineering)*

20.2. Prior to the issuance of any grading or building permits, the applicant shall submit for review and approval by the City Engineer, a Water Quality Management Plan (WQMP). The WQMP must include best management practices for source control, pollution prevention, site design, and low impact development as well as structural treatment controls among many factors. Site design for controlling urban runoff must first evaluate infiltration, then harvest and water re-use, then evapotranspiration and only bio-treatment if the other three are not feasible. The WQMP must identify the routine structural and non-structural measures specified

in the current Drainage Area Management Plan (DAMP) and utilize the Orange County Technical Guidance Document (OC TGD) as well as the Model WQMP.

Applicable WQMP projects must also:

- Utilize the City's current WQMP template;
- Utilize the City's online WQMP application system for submittal;
- Address site Design BMPs (as applicable) such as minimizing impervious areas, maximizing permeability, minimizing connected impervious areas, creating reduced or zero discharge areas, and conserving natural areas;
- Incorporate Routine Source Control BMPs as defined in the DAMP;
- Include post-construction Treatment Control BMP(s) as defined in the DAMP;
- Include and Operations and Maintenance (O&M) Plan that (1) describes the long- term operation and maintenance requirements for pos-construction Treatment Control BMP(s); (2) identifies the entity that will be responsible for long-term operation and maintenance of the referenced Treatment Control BMP(s); (3) describes the mechanism for funding the long-term operation and maintenance of the referencesTreatment Control BMP(s); (4) includes the Water Quality Implementation Covenant and Agreement.

(Engineering)

20.3. Prior to issuance of and grading or building permits, the applicant must submit a certified copy of the approved Final Water Quality Management Plan (WQMP) along with the final approved Grading Plan and all other supporting documentation on a USB flash drive in a single digital file (pdf) format acceptable to the City Engineer. The Final WQMP Submittal and subsequent approval of the Preliminary Water Quality Management Plan does not guarantee approval of the Final Water Quality Management Plan. Should the final calculations and submittals not meet the required thresholds necessary to meet the obligations of the City under the NPDES Permit for development and its incorporated documents such as the DAMP and OC TGD. alterations to the site and the site plan may be required as prescribed by the City Engineer to the WQMP. Any significant alteration to the site plan due to the Final WQMP may require approval of the Council for the revision. Additionally, the WQMP must identify a responsible party and implement funding sources for maintaining post construction BMPs as required as part of the development and must ensure that appropriate easements and ownerships are properly recorded in public records and access is made available for inspection of said devices. *(Engineering)*

20.4. The owner is responsible for providing a Water Quality Implementation Covenant and Agreement and an Operations and Maintenance plan that outlines the funding and maintenance of water quality BMPs, consent to inspect, and indemnification

on the forms provided by the City for all post-construction stormwater mitigation and treatment devices, as required by the Santa Ana Regional National Pollutant Discharge Elimination System (NPDES) Permit Order No. R8-2009-0030 as amended by Order No. R8-2010- 0062. The agreement will be subject to the review and approval of the City Engineer and City Attorney. Before final acceptance of project improvements, the owner or his/her designated representative must certify that the treatment device was constructed and installed in accordance with the approved plans. Prior to the issuance of a certificate of occupancy, the applicant must demonstrate compliance with the City's NPDES Implementation Program in a manner meeting the satisfaction of the City Engineer and Water Quality Manager, including:

- Demonstrate that all structural Best Management Practices (BMPs) described in the BMP Exhibit from the project's approved WQMP and Maintenance Covenant and Agreement have been implemented, constructed and installed in conformance with approved plans and specifications
- Demonstrate that the applicant has complied with all non-structural BMPs described in the project's WQMP
- Demonstrate that copies of the project's approved WQMP and Covenant and Agreement (with attached O&M Plan) are available for each of the initial occupants
- Agree to provide pay a compliance deposit to pay for any required inspections and any additional non-compliance inspections as the City deems necessary
- Submit certified record drawings as well as the project engineer's post-construction certification as well as the owner's post construction certification on a template provided by the City
- Agree to pay for an inspection (special investigation) from the City for a date 12 months after the issuance of a certificate of occupancy for the project to verify compliance with the approved WQMP, Maintenance Covenant and Agreement and O&M Plan.
- Demonstrate that the applicant has RECORDED one of the following:

    1. The CC&R's (that must include the approved WQMP, Maintenance Covenant and Agreement and O&M Plan) for the project's Homeowner's Association;
    2. A Water Quality Implementation Covenant and Agreement that has the approved WQMP and O&M Plan attached; or
    3. The final approved Water Quality Management Plan (WQMP) and Operations and Maintenance (O&M) Plan. *(Engineering, Water Quality)* (NPDES/WQMP Compliance Measures)

(Engineering)

20.5. All onsite storm drain inlets, whether newly constructed or existing, must be labeled “No Dumping Drains to Ocean” before occupancy in accordance with city requirements. *(Engineering)*

20.6. All exterior metal building surfaces, including roofs, must be coated with rust-inhibitive paint to prevent corrosion and release of metal contaminants into the storm drain system prior to occupancy. *(Engineering)*

20.7. Trash enclosures and/or recycling area(s) must include a structure to cover the enclosure with a solid roof design below to direct stormwater away from entering the enclosure. All litter/waste material must be kept in leak-proof containers. Area(s) must be paved with impermeable material. No other area may drain onto these areas. The trash enclosure and/or recycling area(s) may not drain to the storm drain system and all cleanups must be performed using dry cleanup methods. Trash Enclosures for projects regulated by the current NPDES Permit may be required to design to slope to an interior trapped area floor drain and connected to a pre-treatment device such as an interceptor or clarifier before plumbing to the sanitary sewer system. Additionally, there must be a posted sign on the trash enclosure informing users that hazardous materials are not to be disposed therein. Enclosures for air compressors must include a roof installation similar to trash enclosures, and direct water from entering the enclosure. Additionally, trash enclosures may be required to be modified to meet the current solid waste requirements. *(Engineering)*

20.8. All material storage and handling areas, delivery areas/loading docks, outdoor work areas must be covered, constructed on impermeable pavement, designed to eliminate run-on from other areas, and be graded and constructed to prevent runoff from the area Additionally, the development must be designed and constructed with no drain in this area. If these conditions cannot be met, BMPs such as oil/water separators, sand filters, and/or detention basins must be installed to treat all stormwater runoff before it is discharged to the storm drain system. If other areas drain onto the area, treatment for these areas must be included in the design of BMPs. The design must be submitted to the City Engineer for review and approval before the issuance of grading permit. *(Engineering)*

20.9. Food facilities, including industrial kitchens or bakeries, must be designed with contained areas for cleaning mats, equipment and containers. This wash area must be inside or covered and designed to prevent run-on or runoff from the area. The area may not discharge to the storm drain; indoor or covered area wash waters must drain through a grease interceptor to the sanitary sewer or be collected for ultimate disposal to the sanitary sewer or an authorized location (pumped/trucked offsite). Wash areas located outside must be covered and

bermed; wash water must be collected and pre-treated through a grease interceptor and not allowed to drain to storm drain. Additionally, there must be a sign posted instructing that all washing activities be conducted in this area. Employees must be instructed, and signs posted indicating that all washing activities be conducted in this area. Additionally, food facilities are required to obtain a FOG permit through the City's online application and permitting system prior to project close-out and or the issuance of a certificate of occupancy. *(Engineering)*

20.10. Prior to the issuance of any grading or building permit, the applicant must submit an Erosion and Sediment Control Plan (ESCP) in a manner meeting approval of the City Engineer and the Building Official and in accordance with requirements of the Santa Ana Regional National Pollutant Discharge Elimination System (NPDES) Permit Order No. R8-2009-0030 as amended by Order No. R8-2010-0062. The ESCP must be developed and implemented to demonstrate compliance with the City's NPDES Implementation Program and State water quality regulations for grading and construction activities. The ESCP must identify how all construction materials, wastes, grading or demolition debris, and stockpiles of soil, aggregates, soil amendments, etc. must be properly covered, stored, and secured to prevent transport into local drainage ways or coastal waters by wind, rain, tracking, tidal erosion or dispersion. The ESCP must also describe how the applicant will ensure that all BMPs will be maintained during construction of any future public right-of-ways. The ESCP must be updated as needed to address the changing circumstances of the project site. A copy of the current ESCP must be kept at the project site and be available for City review on request. *(Engineering)*

20.11. For projects that disturb one (1) acre or more of soil or are part of a larger common plan of development, prior to the issuance of any grading or building permits, the applicant must demonstrate compliance with California's General Permit for Storm Water Discharges Associated with Construction Activity (Permit No. CAS000002/Order No. 2009-009- DWQ as amended) by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number; or other proof of filing in a manner meeting the satisfaction of the City Engineer. Projects subject to this requirement must prepare and implement a Storm Water Pollution Prevention Plan (SWPPP). A copy of the current SWPPP must be kept at the project site and be available for City review on request. The applicant must ensure that the SWPPP is consistent with any City approved plan including the grading plan, site plan, building plans, and water quality management plan. *(Engineering)*

20.12. If a change of ownership takes place for the entire development or portions of the common plan of development where construction activities are still on-going, development must provide the City with Proof of a Change of Information form (COI) with the State GCP. *(Engineering)*

20.13. Prior to issuance of certificate of occupancy, the applicant must clean all on site storm drain systems, catch basins, filters, storm drain lines, inlet boxes, etc. Additionally, upon direction of the City Engineer, the applicant must clean any public storm drain systems, catch basins, filters, lines, inlet boxes that the City Engineer has determined have been impacted by the applicant's construction. If clean-up is not performed, the City may make arrangements to clean the system at developer's expense. *(Engineering)*

20.14. The owner is responsible for maintaining and operating all on-site private improvements. *(Engineering)*

20.15. All property areas must be maintained free of litter/debris. *(Engineering)*

20.16. All onsite storm drains must be cleaned at least twice a year; once immediately before October 1st (the beginning of the rainy season), and once in January. Additional cleaning may be required by the City Engineer. *(Engineering)*

20.17. Generator or tank enclosure areas must be paved with impermeable material. No other area may drain onto these areas. The enclosure area must not drain to the storm drain system or the sanitary sewer and all cleanups must be performed using dry cleanup methods. There must be no slope on the interior floor of the enclosure and the area must be bermed to prevent run-on of stormwater. The generator or tank must have adequate secondary containment to contain 110 percent of fuel or liquid in tank in event of a spill. *(Engineering)*

20.18. There must be no pressure washing of parking or loading areas, material and waste storage areas, or building site, unless the City approves a collection system to keep water from entering the storm drain. *(Engineering)*

20.19. Landscaping must be properly maintained with efficient irrigation to reduce runoff, promote surface filtration, and minimize the use of fertilizers and pesticides that can contribute to urban runoff pollution. *(Engineering)*

20.20. Prior to grading or building permit close-out and or the issuance of a certificate of occupancy, the applicant must demonstrate that compliance with the permit has been obtained by providing a copy of the Notice of Intent (NOI) submitter to the State Water Resources Control Board and a copy of the notification of the issuance of a Waste Discharge Identification (WDID) Number or other proof of

filing coverage under the current Industrial General Permit. Additionally, the applicant will be subject to all requirements of Section 13-29 of the Cypress Municipal Code regarding stormwater pollution prevention including, but not limited to obtaining Water Quality permit prior to the issuance of a final certificate of occupancy. *(Engineering)*

20.21. Any CUP applicant or its successor shall be responsible for the cost of any water quality inspections by the City that are mandated by the State of California or by the U.S. Environmental Protections Agency (USEPA) presently or in the future. *(Engineering)*

20.22. The Improvement Bond must incorporate all post-construction stormwater devices from the approved WQMP. These costs will be provided in the WQMP for review and inclusion in the Improvement Bond and shall cover device defects as well as malfunctions and possible replacement in the event the device is damaged or not operating per the manufacturer's specification or intended design. *(Engineering)*

20.23. The applicant will be subject to all requirements of Section 13-29 of the Cypress Municipal Code regarding stormwater pollution prevention including, but not limited to, obtaining a Water Quality permit through the City's online application and permitting system, prior to issuance of a final certificate of occupancy. *(Engineering)*

21. Building and Safety

21.1. Applicant/developer shall provide a single point of contact for all phases of the permitting process and the construction process. The point of contact may be different for permitting and construction. The applicant/developer will provide a 24-hour contact number. This person will be responsible for all communications with Building and safety including but not limited to application, plan submittal, permit issuance, inspection requests and any other requests or inquiries. *(Building and Safety)*

21.2. The applicant will schedule a pre-construction meeting with both the Building Official and City Engineer (or desginees) prior to any work starting on the project site. The meeting shall take place one to two weeks prior to the start of construction. All contractors including their superintendents, designers/engineers will be required to attend unless otherwise directed by the Director of Public Works. *(Building and Safety, Engineering)*

21.3. Construction bins for non-recyclable and recyclable materials generated from any construction site (residential and non-residential) must be placed "on site" out of

the public right-of-way unless permit is obtained from the City Engineer. *(Building & Safety)*

21.4. A pre-grading SWPPP's inspection is required prior to grading permit issuance. All required grading stormwater BMPs shall be installed and inspected by the Building Division prior to release of the grading permit. *(Building & Safety)*

21.5. Delivery, loading and unloading of construction materials shall occur on site and not within the Public Right of Way unless a permit is obtained from the City Engineer. *(Building and Safety)*

22. Solid Waste

22.1. The applicant shall construct new or modify its existing trash enclosure structures to house all required solid waste containers (trash, recycle, organics) and possess a solid covered roof that prohibits stormwater to enter and then discharge from the enclosure. *(Public Works, Water Quality) (Trash Enclosures)*

22.2. The applicant shall subscribe to solid waste services from the City's solid waste hauler with no less than one time per week service for trash, recycling, and organics recycling. These shall be properly maintained and not allowed to overflow. Source separated organic recycling is required unless alternatives are approved in writing from the Public Works Director. *(Public Works, Water Quality)*

22.3. For phased construction, as buildings are occupied, the applicant shall ensure there is adequate room and clearance for solid waste trucks and for placement of construction bins on site during construction. Access ways shall not be blocked without written approval of the Building Official. *(Public Works)*

22.4. The applicant shall not install a trash compactor at the site without first having received written approval from the City's solid waste hauler. *(Public Works)*

23. Security

23.1. The property address shall be clearly identified on both sides of the freestanding sign base. A minimum of six-inch lettering shall be used for the property address. The property address shall also be posted in a visible location on the building. *(Police Department.)*

23.2. The address number of every commercial building shall be illuminated during the hours of darkness so that it shall be easily visible from the street. *(Police Department)*

23.3. All exterior commercial doors, during the hours of darkness, shall be illuminated with a minimum of one footcandle of light. All exterior bulbs shall be protected by weather and vandalism resistant cover(s). *(Police Department)*

23.4. The landscaping and lighting plans for the project shall also be subject to review by the Cypress Police Department. *(Police Department)*

23.5. The applicant will provide a Crime Prevention through Environmental Design study for approval by the planning and police departments. *(Police Department)*

23.6. The business shall install a surveillance camera system, colored monitor, and silent alarm. *(Police Department)*

24. Fire

24.1. The applicant or responsible party shall submit the plan(s) listed below to the Orange County Fire Authority for review. Approval shall be obtained on each plan prior to the event specified. Specific submittal requirements may vary from these listed below.

Prior to issuance of a building permit, if a grading permit is not required:

- Fire master plan (service code PR145)

Prior to issuance of a building permit:

- Architectural (service codes PR200/PR224)
- Tanks storing hazardous materials (service codes PR300-PR305)
- Hazardous materials compliance and chemical classification (service codes PR315-PR328)
- High-piled storage (service code PR330)
- Battery (service code PR375), for any system containing an aggregate quantity of electrolyte in excess of 50 gallons
- Underground piping for private hydrants and fire sprinkler systems (service code PR470-PR475)
- Fire sprinkler system (service codes PR400-PR465)

Prior to concealing interior construction:

- Fire alarm system (service code PR500-PR520). (Fire Authority)

Effective: 2/27/22

SECTIONS

1. General
2. Planning
3. Mitigation Measures
4. Architectural
5. Signage
6. Landscaping
7. Operational
8. Property Maintenance
9. Fees
10. Engineering
11. Landscaping in the Public Right-of-Way
12. Sewer and Wastewater
13. Street Trees
14. Street Lighting
15. Streets
16. Subdivisions
17. Traffic
18. Utilities
19. Drainage
20. Storm Water Quality
21. Building & Safety
22. Solid Waste
23. Security
24. Fire

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CYPRESS, CALIFORNIA, APPROVING VESTING TENTATIVE PARCEL MAP NO. 2023-101, FOR THE DEVELOPMENT OF TWO WAREHOUSE BUILDINGS AND ASSOCIATED PARKING AND LANDSCAPING ON A 18.6-ACRE SITE LOCATED AT 5757 PLAZA DRIVE IN THE MCDONNELL CENTER SPECIFIC PLAN, IN THE CITY OF CYPRESS, CALIFORNIA.

WHEREAS, the City Council of the City of Cypress has considered an application submitted by GLC Cypress, LLC ("Developer") for the development of two warehouse buildings and associated parking and landscaping on an 18.6-acre site located at 5757 Plaza Drive in the McDonnell Center Specific Plan (the "Project"), which is within the City's municipal boundaries; and

WHEREAS, the Project requires the following to be approved by the City Council: an Initial Study/Mitigated Negative Declaration ("IS/MND"), a Vesting Tentative Parcel Map (VTPM No. 2023-101), and a Site Plan Review (SPR No. 2022-05); and

WHEREAS, in compliance with the requirements of the California Environmental Quality Act (CEQA), on February 27, 2023, the City Council of the City of Cypress adopted the IS/MND that has been prepared for the Project applications in accordance with CEQA, and adopted a Mitigation Monitoring and Reporting Program for the Project. The City Council has fully considered the IS/MND prior to considering this resolution; and

WHEREAS, on February 27, 2023 the City Council held a duly noticed public hearing and accepted testimony in regards to the Project; and

WHEREAS, said tentative map has been reviewed by the City's Engineer and the Orange County Fire Department with recommended conditions of approval; and

WHEREAS, the proposed subdivision, together with the provisions for its design and improvement, is consistent with the City's General Plan; and

WHEREAS, the City Council finds that the applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of the citizenry in general and the persons who work, visit or live in this development in particular.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CYPRESS, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The proposed map does not warrant rejection based upon the criteria for rejection in the Cypress Subdivision Ordinance, the City's General Plan, the Cypress Zoning Ordinance, or Sections 66473.5, 66474.6 and 66474 of the Subdivision Map Act as the proposed tentative map is:

A. The map is consistent with the site's General Plan land use designation of "Specific Plan Area" as it is consistent with the intent of the McDonnell Center Specific Plan in which the Project is located.
B. The two warehouse buildings associated with the proposed subdivision are consistent with the General Plan and the McDonnell Center Specific Plan.
C. The site is physically suitable for the type of development. The project meets all the required development standards.
D. The site is physically suitable for the density of development. The McDonnell Center Specific Plan limits intensity of development to a floor area ratio of 1.0:1.0, which is met by the project.
E. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. An IS/MND was prepared for the project which identified the potential for significant effects on the environment from development of the Project, all of which can be reduced to a level of insignificance through the implementation of mitigation measures;
F. The design of the subdivision will not cause serious public health problems. Sewer discharge requirements will occur pursuant to Section 66474.6 of the Subdivision Map Act.
G. The design of the subdivision or the type of improvements will not unreasonably interfere with the free and complete exercise of a public entity and/or public utility rights-of-way and/or easements within the tract map. All existing utility easements will remain intact as will the easement for public parking on the northern edge of the Project.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the City Council of the City of Cypress hereby approves Vesting Tentative Parcel Map No. 2023-101, subject to the applicable conditions included in Exhibit "A" of the Resolution approving Site Plan Review No. 2022-05. The decision of the City Council is final and conclusive as to all things involved.

PASSED, APPROVED and ADOPTED by the City Council of the City of Cypress at a regular meeting held on the 27th day of February, 2023.

_____
MAYOR OF THE CITY OF CYPRESS

ATTEST:

_____
CITY CLERK OF THE CITY OF CYPRESS

STATE OF CALIFORNIA)
COUNTY OF ORANGE)SS

I, ALISHA FARNELL, City Clerk of the City of Cypress, DO HEREBY CERTIFY that the foregoing Resolution was duly adopted at a regular meeting of the said City Council held on the 27th day of February, 2023, by the following roll call vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

_____
CITY CLERK OF THE CITY OF CYPRESS

TENTATIVE PARCEL MAP NO. 2023-101

PROPERTY LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF CYPRESS, IN THE COUNTY OF ORANGE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL A: APN: 241–101–25

PARCEL 2, IN THE CITY OF CYPRESS, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON LOT LINE ADJUSTMENT NO. LL 2000–03 RECORDED AUGUST 30, 2000 AS INSTRUMENT NO. 200000453704,OFFICIAL RECORDS.

EXCEPTING FROM A PORTION OF SAID LAND ALL COAL, CHEMICALS, PETROLEUM, OIL, GAS, ASPHALTUM AND OTHER HYDROCARBONS AND ALL MINERALS, METALS AND MINERAL ORES, WHETHER SIMILAR TO THOSE HEREIN SPECIFIED OR NOT, OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED UPON, WITHIN OR UNDERLYING SAID LAND, TOGETHER WITH THE EXCLUSIVE AND PERPETUAL RIGHT OF THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, OF INGRESS AND EGRESS BENEATH THE SURFACE OF SAID LAND TO EXPLORE FOR, EXTRACT, MINE AND REMOVE THE SAME AND TO MAKE SUCH USE OF SAID LAND BENEATH THE SURFACE AS IS NECESSARY OR USEFUL IN CONNECTION THEREWITH, WHICH USE MAY INCLUDE LATERAL OR SLANT DRILLING, DIGGING, BORING OR SINKING OF WELLS, SHAFTS, TUNNELS OR OTHER METHODS, TOGETHER WITH THE FUTURE EXCLUSIVE AND PERPETUAL RIGHT OF THE GRANTEE, ITS SUCCESSORS AND ASSIGNS, TO MAKE SUCH USE OF SAID LAND AS MAY BE NECESSARY TO STORE, KEEP, DEPOSIT AND/OR REMOVE ALL COAL, CHEMICALS, PETROLEUM, OIL, GAS, ASPHALTUM AND OTHER HYDROCARBONS AND ALL MINERALS, METALS AND MINERALS ORES, WHETHER SIMILAR TO THOSE HEREIN SPECIFIED OR NOT, OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED; PROVIDED, HOWEVER, THAT THE GRANTEE, ITS SUCCESSORS OR ASSIGNS, SHALL NOT USE THE SURFACE OF SAID LAND ABOVE A FIVE HUNDRED FOOT DEPTH IN THE EXERCISE OF ANY OF SAID RIGHTS AS GRANTED TO CONSOLIDATED PACIFIC INVESTMENT COMPANY, BY DEED RECORDED JANUARY 29, 1959, AS INSTRUMENT NO. 14208, IN BOOK 4567, PAGE 496, OFFICIAL RECORDS.

ALSO EXCEPTING FROM A PORTION OF SAID LAND, ALL MINERALS AND ALL MINERAL RIGHTS OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED UNDERLYING THE PROPERTY, INCLUDING, WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, OIL AND GAS RIGHTS THERETO, TOGETHER WITH THE SOLE, EXCLUSIVE AND PERPETUAL RIGHT TO EXPLORE FOR, REMOVE AND DISPOSE OF SAID MINERALS BY ANY MEANS OR METHODS SUITABLE TO GRANTOR, ITS SUCCESSORS AND ASSIGNS, BUT WITHOUT ENTERING UPON OR USING THE SURFACE OF THE PROPERTY, AND IN SUCH MANNER AS NOT TO DAMAGE THE SURFACE OF THE PROPERTY, OR TO INTERFERE WITH THE USE THEREOF AS EXCEPTED AND RESERVED BY UNION PACIFIC RAILROAD COMPANY IN DEED RECORDED JULY 28, 2000, AS INSTRUMENT NO. 20000396720, OF OFFICIAL RECORDS.

PARCEL B: APN: 241–101–26

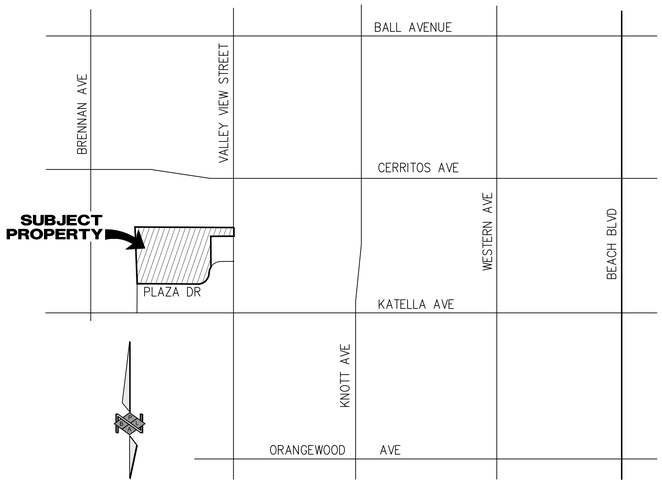
PARCEL 3, IN THE CITY OF CYPRESS, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON LOT LINE ADJUSTMENT NO. LL 2000–03 RECORDED AUGUST 30, 2000 AS INSTRUMENT NO. 200000453704, OF OFFICIAL RECORDS.

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF CYPRESS, IN THE COUNTY OF ORANGE, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:
EXCEPT THEREFROM A PORTION OF SAID LAND ALL COAL, CHEMICALS, PETROLEUM, OIL, GAS, ASPHALTUM AND OTHER HYDROCARBONS AND ALL MINERALS, METALS AND MINERAL ORES, WHETHER SIMILAR TO THOSE HEREIN SPECIFIED OR NOT, OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED UPON, WITHIN OR UNDERLYING SAID LAND, TOGETHER WITH THE EXCLUSIVE AND PERPETUAL RIGHT OF THE GRANTEE, ITS SUCCESSORS AND/OR ASSIGNS, OR INGRESS AND EGRESS BENEATH THE SURFACE OF SAID LAND TO EXPLORE FOR, EXTRACT, MINE AND REMOVE THE SAME AND TO MAKE SUCH USE OF SAID LAND BENEATH THE SURFACE AS IN NECESSARY OR USEFUL IN CONNECTION THEREWITH, WHICH USE MAY INCLUDE LATERAL OR SLANT DRILLING, DIGGING, BORING OR SINKING OF WELLS, SHAFTS, TUNNELS OR OTHER METHODS, TOGETHER WITH THE FURTHER EXCLUSIVE AND PERPETUAL RIGHT OF THE GRANTEE, ITS SUCCESSORS AND/OR ASSIGNS, TO MAKE SUCH USE OF SAID LAND AS MAY BE NECESSARY TO STORE, KEEP, DEPOSIT AND/OR REMOVE ALL COAL, CHEMICALS, PETROLEUM, OIL, GAS, ASPHALTUM AND OTHER HYDROCARBONS AND ALL MINERALS, METALS AND MINERAL ORES, WHETHER SIMILAR TO THOSE HEREIN SPECIFIED OR NOT OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED, PROVIDED, HOWEVER, THAT THE GRANTEE, ITS SUCCESSORS OR ASSIGNS, SHALL NOT USE THE SURFACE OF SAID LAND ABOVE A FIVE HUNDRED FOOT DEPTH IN THE EXERCISE–OF ANY SAID RIGHTS AS GRANTED TO CONSOLIDATED PACIFIC INVESTMENT COMPANY, BY DEED RECORDED JANUARY 29, 1959 AS INSTRUMENT NO. 14208, IN BOOK 4567, PAGE 496, OF OFFICIAL RECORDS.

ALSO EXCEPTING FROM A PORTION OF SAID LAND ALL MINERALS AND ALL MINERAL RIGHTS OF EVERY KIND AND CHARACTER NOW KNOWN TO EXIST OR HEREAFTER DISCOVERED UNDERLYING THE PROPERTY, INCLUDING, WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, OIL AND GAS RIGHTS THERETO, TOGETHER WITH THE SOLE, EXCLUSIVE AND PERPETUAL RIGHT TO EXPLORE FOR, REMOVE AND DISPOSE OF SAID MINERALS BY ANY MEANS OR METHODS SUITABLE TO GRANTOR, ITS SUCCESSORS AND ASSIGNS, BUT WITHOUT ENTERING UPON OR USING THE SURFACE OF THE PROPERTY AND IN SUCH MANNER AS NOT TO DAMAGE THE SURFACE OF THE PROPERTY, OR TO INTERFERE WITH THE USE THEREOF AS EXCEPTED AND RESERVED BY UNION PACIFIC RAILROAD COMPANY IN DEED RECORDED JULY 28, 2000 AS INSTRUMENT NO. 200000396720, OF OFFICIAL RECORDS.

PARCEL C:

A RIGHT–OF–WAY FOR PURPOSES OF INGRESS, EGRESS, DRIVEWAY AND INCIDENTAL PURPOSES OVER A PORTION OF PARCEL 3 OF PARCEL MAP 84–1113, IN THE CITY OF CYPRESS, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON A MAP FILED IN BOOK 191, PAGES 3 THROUGH 5 INCLUSIVE, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY AS SET FORTH IN THAT CERTAIN GRANT OF RECIPROCAL EASEMENT AND MAINTENANCE AGREEMENT RECORDED FEBRUARY 11, 1986 AS INSTRUMENT NO. 86–057178, OF OFFICIAL RECORDS.



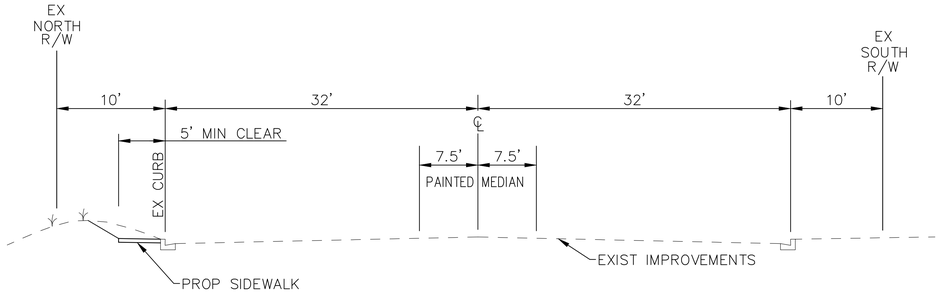
VICINITY MAP
NOT TO SCALE

NO LETTERED PARCELS

BOUNDARY . . . . 18.64 AC / 811,692 SF
PARCEL 1 . . . . 8.37 AC / 364,546 SF
PARCEL 2 . . . . 10.27 AC / 447,146 SF

PROIJECT DATA

PARCELS ARE INTENDED FOR INDUSTRIAL USE
BUILDING 1 – 199,909 SF – 5,000 SF MEZZ
BUILDING 2 – 180,359 – 5,000 SF MEZZ INDUSTRIAL BUILDINGS – 42' HEIGHT
SPECULATIVE BUILDINGS – SPECIFIC USE UNKNOWN
CURRENT ZONING – MCDONNELL S.P. 1
WATER PURVEYOR – GOLDEN STATE WATER
SEWER PURVEYOR – OC SANITATION DISTRICT & CITY OF CYPRESS



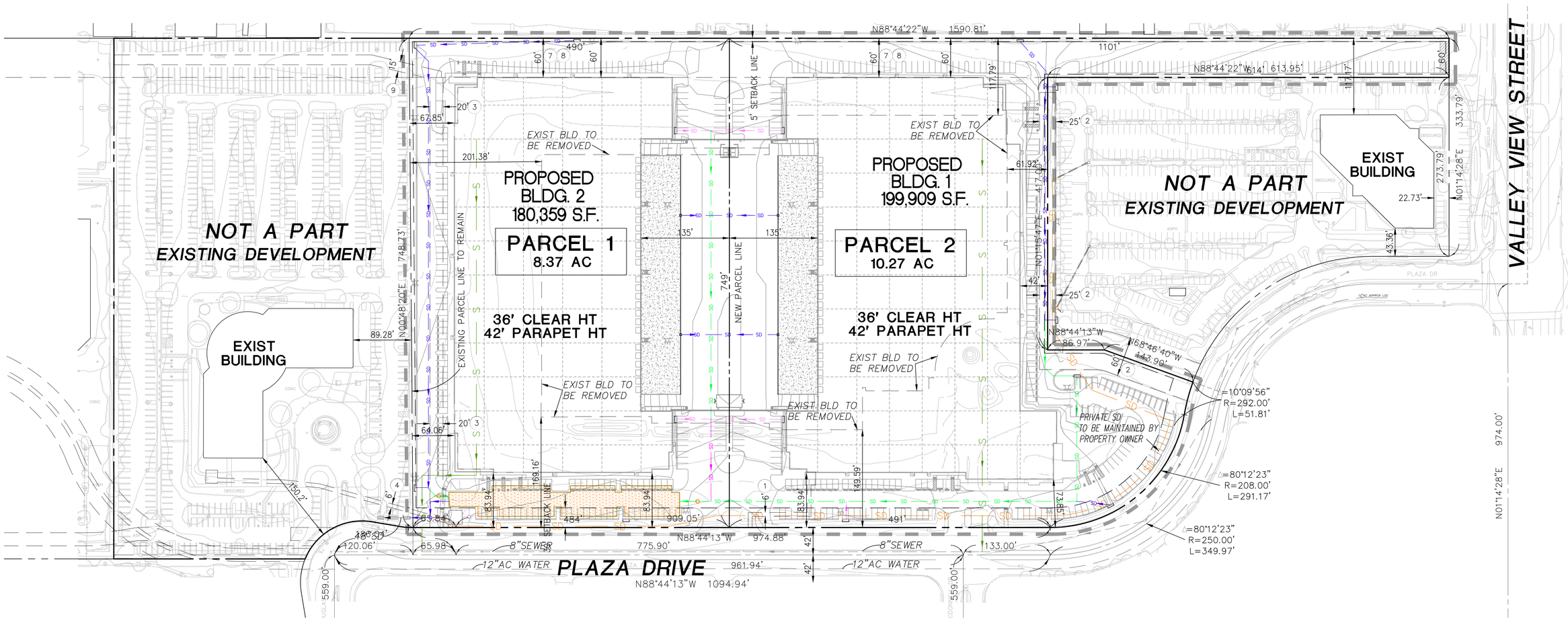
PLAZA DRIVE
LOOKING EAST – NTS

OWNER:	DEVELOPER:	PREPARED BY:
GLC CYPRESS, LLC 18201 VON KARMAN, STE 1170 IRVINE, CA 92612	GLC CYPRESS, LLC 18201 VON KARMAN, STE 1170 IRVINE, CA 92612	PBLA ENGINEERING, INC. 1809 E. DYER ROAD, #301 SANTA ANA, CA. 92705 STEVE LEVISEE R.C.E. 45926 PREPARATION DATE: Feb 02 2023

REGISTERED PROFESSIONAL ENGINEER · STEVEN D. LEVISEE · NO. 45926 EXP. 12-31-24 · CIVIL · STATE OF CALIFORNIA

JOB NO.
128-7
SHEET
1 of 2

TENTATIVE PARCEL MAP NO. 2023-101



EASEMENTS OF RECORD

1. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:
   - GRANTED TO: SOUTHERN CALIFORNIA EDISON COMPANY
   - PURPOSE: PUBLIC UTILITIES
   - RECORDING DATE: SEPTEMBER 20, 1984
   - RECORDING NO: AS INSTRUMENT NO. 1984-391696, OFFICIAL RECORDS

2. MATTERS CONTAINED IN THAT CERTAIN DOCUMENT
   - ENTITLED: GRANT OF RECIPROCAL EASEMENT AND MAINTENANCE AGREEMENT
   - DATED: NOVEMBER 11, 1985
   - EXECUTED BY: MCDONNELL DOUGLAS REALTY COMPANY, A CALIFORNIA CORPORATION WHO ACQUIRED TITLE AS MDC REALTY COMPANY, A CALIFORNIA CORPORATION AND SHUWA INVESTMENTS CORPORATION, A CALIFORNIA CORPORATION
   - RECORDING DATE: FEBRUARY 11, 1986
   - RECORDING NO: AS INSTRUMENT NO. 1986-057178, OFFICIAL RECORDS

3. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO AS SET FORTH IN A DOCUMENT:
   - PURPOSE: INGRESS AND EGRESS
   - RECORDING DATE: JULY 1, 1986
   - RECORDING NO: AS INSTRUMENT NO. 1986-280779, OFFICIAL RECORDS

4. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:
   - GRANTED TO: SOUTHERN CALIFORNIA EDISON
   - PURPOSE: ELECTRICAL FACILITIES AND APPURTENANCES
   - RECORDING DATE: JULY 9, 1990
   - RECORDING NO: AS INSTRUMENT NO. 1990-360215, OFFICIAL RECORDS

7. MATTERS CONTAINED IN THAT CERTAIN DOCUMENT
   - ENTITLED: GRANT OF EASEMENT TO THE CITY OF CYPRESS
   - EXECUTED BY: LBA-VF III, LLC, A DELAWARE LIMITED LIABILITY COMPANY
   - RECORDING DATE: SEPTEMBER 7, 2000
   - RECORDING NO: AS INSTRUMENT NO. 2000-0466024, OFFICIAL RECORDS

8. MATTERS CONTAINED IN THAT CERTAIN DOCUMENT
   - ENTITLED: COVENANT AGREEMENT
   - EXECUTED BY: LBA-VF III, LLC, A DELAWARE CORPORATION
   - RECORDING DATE: SEPTEMBER 19, 2000
   - RECORDING NO: AS INSTRUMENT NO. 2000-0490225, OFFICIAL RECORDS

9. EASEMENT(S) FOR THE PURPOSE(S) SHOWN BELOW AND RIGHTS INCIDENTAL THERETO, AS GRANTED IN A DOCUMENT:
   - GRANTED TO: YAESU MUSEN USA, INC., A CALIFORNIA CORPORATION
   - PURPOSE: PUBLIC UTILITIES
   - RECORDING DATE: NOVEMBER 1, 2000
   - RECORDING NO: AS INSTRUMENT NO. 2000589710, OFFICIAL RECORDS

PROPOSED SEWER and WATER

- SD — 12" STORM DRAIN
- SD — 18" STORM DRAIN
- SD — 24" STORM DRAIN
- SD — 36" STORM DRAIN
- SD — 24" BYPASS STORM DRAIN
- S — 6" SEWER
- UNDERGROUND STORMWATER STORAGE (FOR WATER QUALITY COMPLIANCE)

LEGEND

- INDICATES NEW DEVELOPMENT SITE AREA
- EXIST BLD TO BE REMOVED
- MAP BOUNDARY

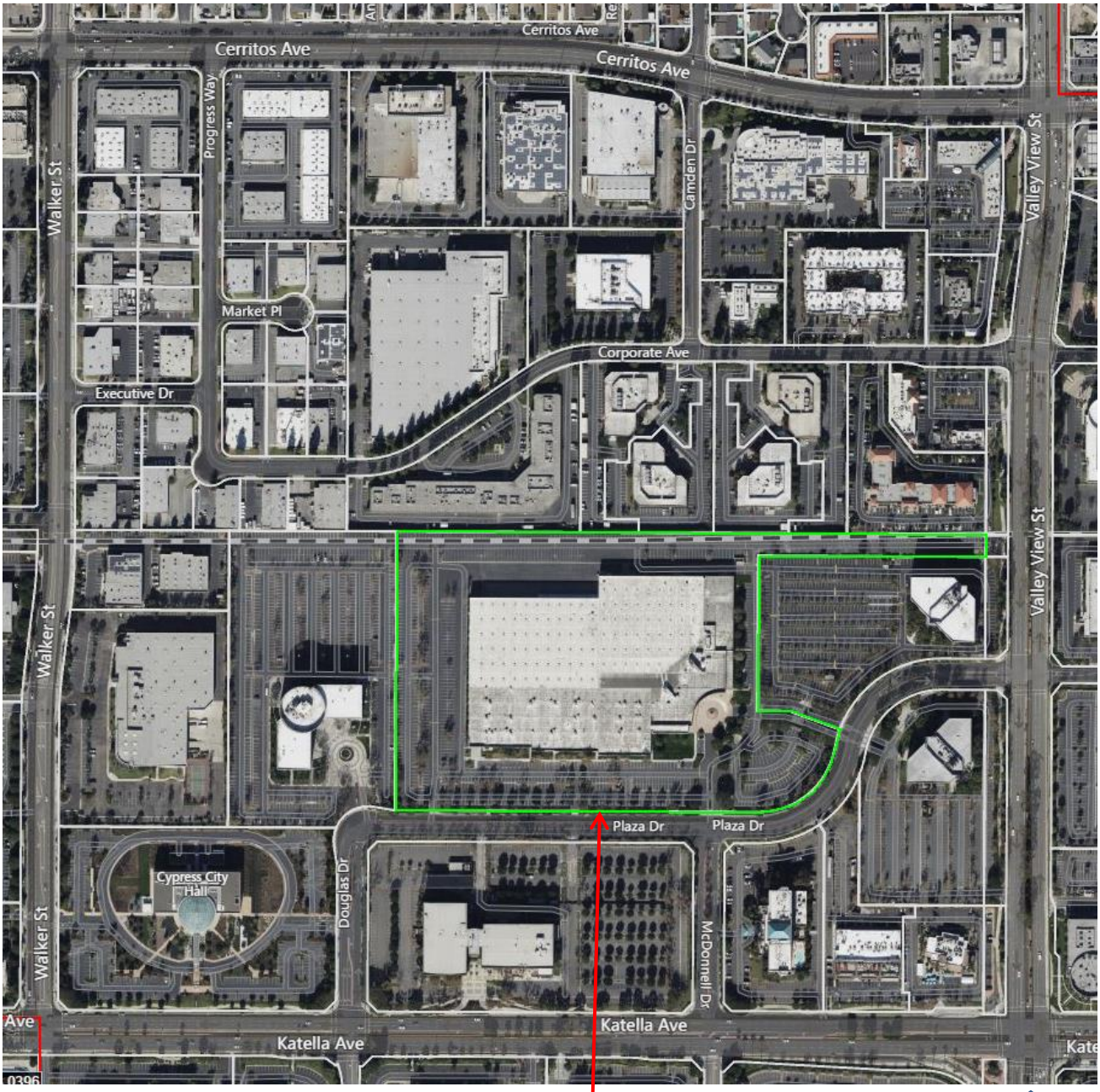
GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)
1 inch = 100 ft.

JOB NO.
128-7
SHEET
2 of 2

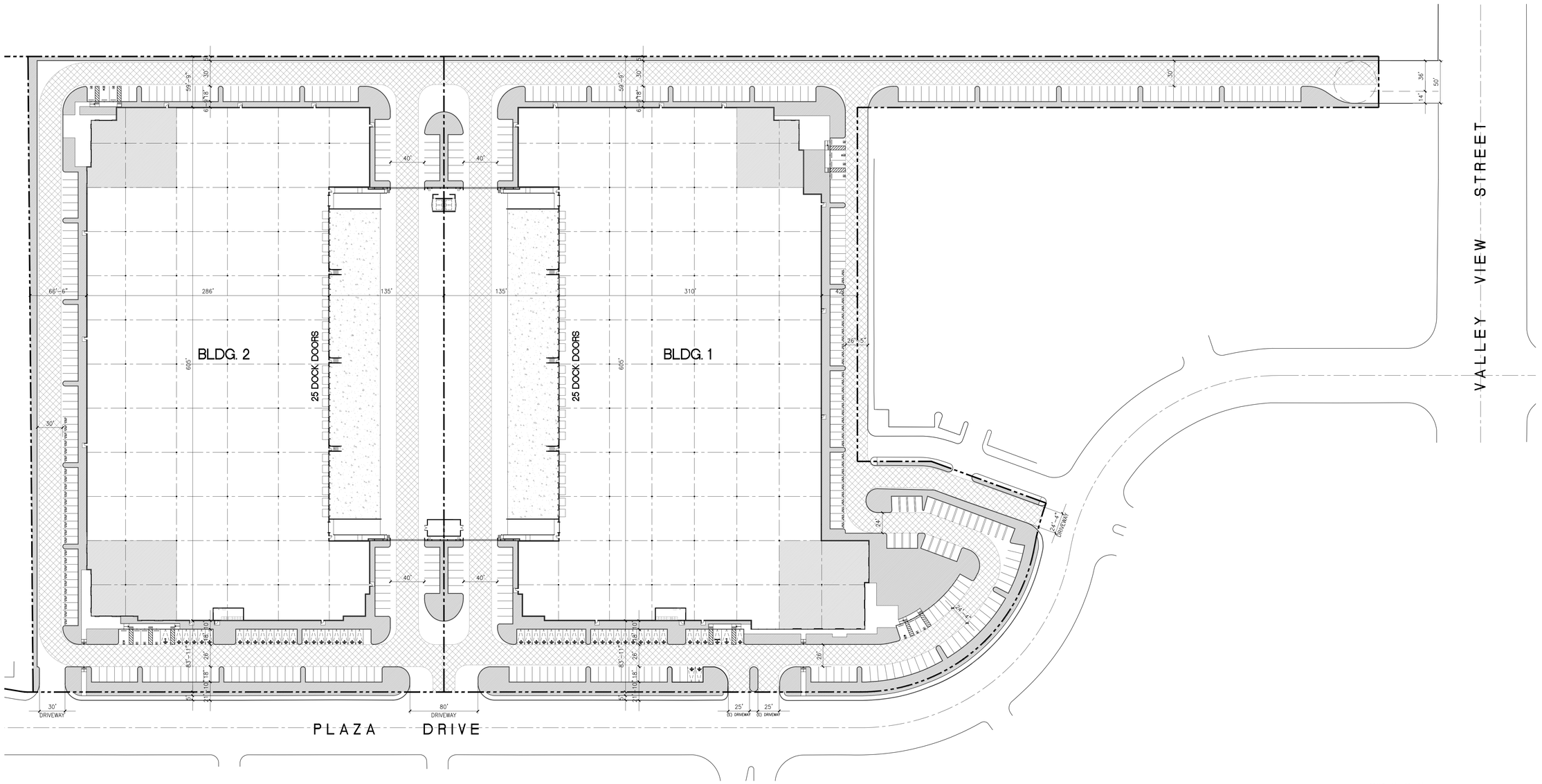
Site Plan Review No. 2022-05
&
Tentative Parcel Map No. 2023-101



PROJECT SITE
5757 Plaza Drive

N

VICINITY MAP



OVERALL SITE PLAN (A)
scale: 1"= 50'-0"

SCALE: 1"= 50'-0"
0 50' 100' 150'
TRUE NORTH

PROPERTY OWNER

GLC CYPRESS LLC
18201 VON KARMAN AVE., STE 1170
IRVINE, CA 92612
949-407-0118
BLAIR.DAHL@GOODMAN.COM

ADDRESS OF THE PROPERTY

5757 PLAZA DRIVE, CYPRESS, CA

ASSESSOR'S PARCEL NUMBER

241-101-26

LEGAL DESCRIPTION

PARCEL 3, IN THE CITY OF CYPRESS, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON LOT LINE ADJUSTMENT NO. LL 2000-03 RECORDED AUGUST 30, 2000 AS INSTRUMENT NO. 20000453704, OF OFFICIAL RECORDS.
APN: 241-101-26

ZONING ORDINANCE FOR CITY

MCDONNELL SP I

APPLICANT

GLC CYPRESS LLC
18201 VON KARMAN AVE., STE 1170
IRVINE, CA 92612
949-407-0118
BLAIR.DAHL@GOODMAN.COM

APPLICANT'S REPRESENTATIVE

HPA INC.
18831 BARDEEN AVE, STE#100
IRVINE, CA 92612
TEL. NO.: (949) 862-2161
CONTACT: ANDY WIYANTO

SITE PLAN GENERAL NOTES

1. ALL LIGHTING SHALL CONFORM WITH MUNICIPAL STANDARDS.
2. SEE CIVIL AND STRUCTURAL FOR SITE CONCRETE.
3. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, FACE OF CONCRETE CURB OR GRID LINE U.N.O.
4. REFER TO CIVIL PLANS FOR ALL CONCRETE CURBS, GUTTERS AND SWALES. DETAILS ON SHEET AD.1 ARE MINIMUM STANDARDS.
5. THE ENTIRE PROJECT SHALL BE PERMANENTLY MAINTAINED WITH AN AUTOMATIC IRRIGATION SYSTEM.
6. REFER TO CIVIL DWGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR SHALL VERIFY ACTUAL UTILITY LOCATIONS.
7. PROVIDE POSITIVE DRAINAGE AWAY FROM BLDG. REFER TO CIVIL DRAWINGS.
8. CONTRACTOR TO REFER TO CIVIL DRAWINGS FOR ALL HORIZONTAL CONTROL DIMENSIONS. SITE PLANS ARE FOR GUIDANCE AND STARTING LAYOUT POINTS.
9. REFER TO CIVIL DRAWINGS FOR FINISH GRADE ELEVATIONS.
10. CONCRETE SIDEWALKS TO BE A MINIMUM OF 4" THICK W/ TOOLED JOINTS AT 6' O.C. EXPANSION/CONSTRUCTION JOINTS SHALL BE A MAXIMUM 12' EA. WAY. EXPANSION JOINTS TO HAVE COMPRESSIVE EXPANSION FILLER MATERIAL OF 1/4". FINISH TO BE A MEDIUM BROOM FINISH U.N.O.
11. ALL SIGNAGE SHALL CONFORM WITH THE MUNICIPAL STANDARD.
12. PAINT CURBS AND PROVIDE SIGNS TO INFORM OF FIRE LANES AS REQUIRED BY FIRE DEPARTMENT.
13. CONSTRUCTION DOCUMENTS PERTAINING TO THE LANDSCAPE AND IRRIGATION OF THE ENTIRE PROJECT SITE SHALL BE SUBMITTED TO THE BUILDING DEPARTMENT AND APPROVED BY PUBLIC FACILITIES DEVELOPMENT PRIOR TO ISSUANCE OF BUILDING PERMITS.
14. PRIOR TO FINAL CITY INSPECTION, THE LANDSCAPE ARCHITECT SHALL SUBMIT A CERTIFICATE OF COMPLETION TO PUBLIC FACILITIES DEVELOPMENT.
15. SITE PLAN SHALL MEET ALL ENGINEERING AND NPDES REQUIREMENT.
16. ALL LANDSCAPE AND IRRIGATION DESIGNS SHALL MEET CURRENT CITY STANDARDS AS LISTED IN GUIDELINES OR AS OBTAINED FROM PUBLIC FACILITIES DEVELOPMENT.
17. NOT USED.
18. ALL VERTICAL MOUNTING POLES OF CHAIN LINK FENCING SHALL BE CAPPED.
19. LANDSCAPED AREAS SHALL BE DELINEATED WITH A MINIMUM SIX INCHES (6") HIGH CURB

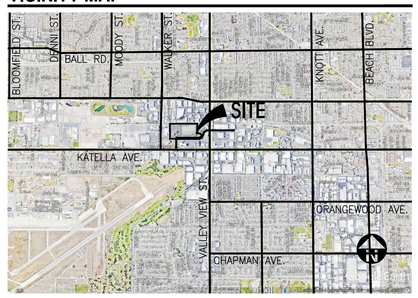
SITE PLAN GENERAL NOTES

- CONCRETE PAVING – RE: CIVIL DRAWINGS THICKNESS
- STANDARD PARKING STALL 9' X 18'
- ACCESSIBLE PARKING STALL, 9'X18+5'W ACCESSIBLE AISLE
- VAN ACCESSIBLE 12'X18'+5'W ACCESSIBLE AISLE
- EV PARKING
- CLEAN AIR/VANPOOL/EV (PROVIDE CONDUIT FOR FUTURE EV CHARGING) STALL (9' X 18')
- EV AMBULATORY PARKING STALL (10' X 18')
- LIGHT STANDARD
- 26' WIDE FIRE LANE. PROVIDE RED CURBS AND SIGNAGE PER FIRE DEPT REQUIREMENT

PROJECT DATA

	BLDG.1	BLDG.2	TOTAL
SITE AREA			
In s.f.	447,173	364,548	811,721 s.f.
In acres	10.27	8.37	18.63 ac
BUILDING AREA			
Office 1st Floor	5,000	5,000	10,000 s.f.
Office 2nd Floor	5,000	5,000	10,000 s.f.
Warehouse	194,909	175,359	370,268 s.f.
TOTAL	204,909	185,359	390,268 s.f.
COVERAGE	45.8%	50.8%	48.1%
AUTO PARKING REQUIRED			
Office: 1/250 s.f.	40	40	80 stalls
Whse: 1/1,000 s.f.	195	175	370 stalls
TOTAL	235	215	450 stalls
AUTO PARKING PROVIDED			
Standard (9' x 18')	214	125	339 stalls
ADA Standard (9' x 18')	5	5	10 stalls
ADA VAN (12' x 18')	2	2	4 stalls
Clean Air Van Pool / EV (9'x18')	32	26	58 stalls
Future EV Charging Std. (9'x18')	24	20	44 stalls
ADA EV Charging Std. (9'x18')	1	1	2 stalls
ADA EV Charging Van (12'x18')	1	1	2 stalls
ADA EV Charging Ambulatory (10'x18')	1	0	1 stalls
TOTAL	280	180	460 stalls
ZONING ORDINANCE FOR CITY			
Zoning Designation -Mc Donnell Center(PC-3)			
MAXIMUM BUILDING HEIGHT ALLOWED			
Height - 99'			
MAXIMUM FLOOR AREA RATIO			
FAR - 70%			
SETBACKS			
Building	Landscape		
Front - 30'	10'		
Rear - 5'	5'		

VICINITY MAP



OFFICIAL USE ONLY

HPA architecture
hpa, inc.
18831 bardeen avenue, - ste. #100
irvine, ca
92612
tel: 949•863•1770
fax: 949•863•0851
email: hpa@hparchs.com

LICENSED ARCHITECT
YONG NAM
C-29451
3-31-23
RENEWAL DATE
STATE OF CALIFORNIA

Owner:

Goodman

Project:

Goodman Commerce Center

Consultants:

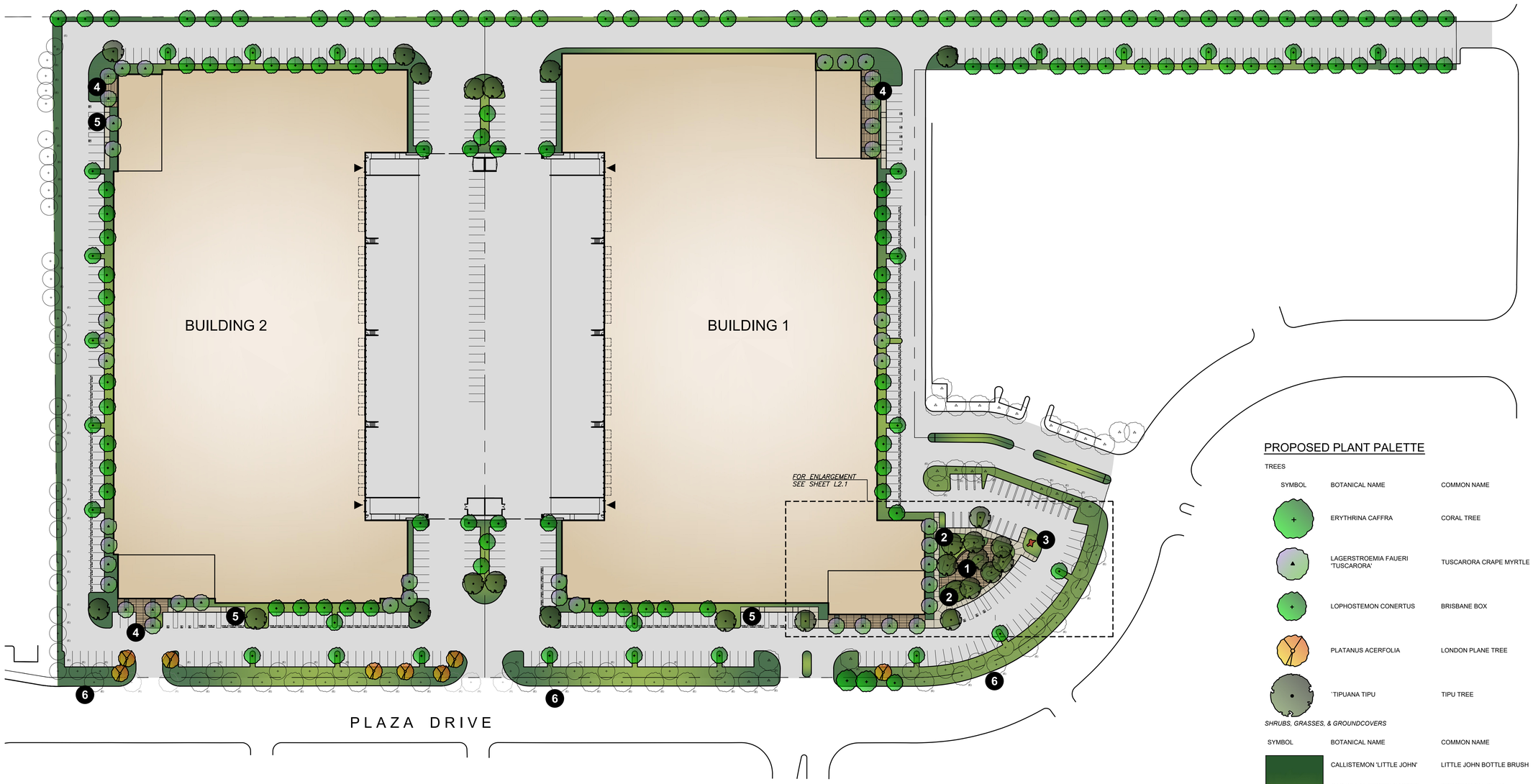
CIVIL
STRUCTURAL
MECHANICAL
PLUMBING
ELECTRICAL
LANDSCAPE
FIRE PROTECTION
SOILS ENGINEER

Title: MASTER SITE PLAN

Project Number: 21196
Drawn by: AW
Date: 07/01/22
Revision:

Sheet:

0-DAB-A1.0



LEGEND

1. OUTDOOR SEATING AREA W/ ENHANCED CONCRETE PAVING
2. SPECIMEN TREES IN MOUNDED LANDSCAPE AREAS
3. PUBLIC ART - SCULPTURE TO BE VISIBLE UPON ENTRY TO SITE
4. ENHANCED PAVING AT BUILDING ENTRY
5. CONCRETE WALKWAYS
6. EXISTING TREES TO BE PROTECTED IN PLACE

EXISTING PLANT SCHEDULE

TREES

SYMBOL	BOTANICAL NAME	COMMON NAME	COMMENTS
+	PLATANUS ACERFOLIA	LONDON PLANE	DECIDUOUS CANOPY
⁂	ERYTHRINA CAFFRA	CORAL	MULTI TRUNK ACCENT
+	LOPHOSTEMON CONFERTUS	BRISBANE BOX	EVERGREEN CANOPY

NOTE: THE LETTER (E) NEXT TO A TREE SYMBOL INDICATES AN EXISTING TREE TO BE PROTECTED IN PLACE. THE LETTER (R) INDICATES AN EXISTING TREE TO BE REMOVED FROM SITE.

PROPOSED PLANT PALETTE

TREES

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE / FORM	HT. X SPRD. X CAL. (MIN.)	WATER USE	DESCRIPTION
+	ERYTHRINA CAFFRA	CORAL TREE	36" BOX	12' H X 5' W	L	MULT ITRUNK ACCENT
▲	LAGERSTROEMIA FAUERI 'TUSCARORA'	TUSCARORA CRAPE MYRTLE	24" BOX STD.	8'H X 5'W X 4"C	M	FLOWERING TREE
+	LOPHOSTEMON CONERTUS	BRISBANE BOX	24" BOX STD.	8'H X 5'W	L	EVERGREEN CANOPY
◔	PLATANUS ACERFOLIA	LONDON PLANE TREE	24" BOX	8'H X 5'W	M	DECIDUOUS CANOPY
●	`TIPUANA TIPU	TIPU TREE	36" BOX STD.	14' H X 6'W	M	SEMIDECIDUOUS BROAD CANOPY

SHRUBS, GRASSES, & GROUNDCOVERS

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	WATER USE	DESCRIPTION
	CALLISTEMON 'LITTLE JOHN'	LITTLE JOHN BOTTLE BRUSH	5 GAL.	36" O.C.	L	MIDGROUND FLOWERING SHRUB
	CARISSA M. 'GREEN CARPET'	DWARF NATAL PLUM	1 GAL.	30" O.C.	L	EVERGREEN LOW SHRUB
	CAREX DIVULSA	BERKELEY SEDGE	1 GAL.	24" O.C.	L	ORNAMENTAL GRASS
	DIANELLA 'LITTLE REV'	LITTLE REV FLAX LILY	1 GAL.	24" O.C.	L	UPRIGHT ACCENT
	DIANELLA T. 'VARIEGATA'	VARIEGATED FLAX LILY	5 GAL.	36" O.C.	M	UPRIGHT ACCENT
	HESPERALOE 'BRAKE LIGHTS'	BRAKE LIGHTS YUCCA	5 GAL.	36" O.C.	L	UPRIGHT ACCENT
	LANTANA MONTEVIDENSIS	PURPLE LANTANA	5 GAL.	36" O.C.	L	FLOWERING SHRUB
	LANTANA 'NEW GOLD'	NEW GOLD LANTANA	5 GAL.	36" O.C.	L	FLOWERING LOW SHRUB
	MUHLENBERGIA 'EL TORO'	BULL RUSH	1 GAL.	36" O.C.	L	ORNAMENTAL GRASS
	OLEA 'MONTRA'	LITTLE OLLIE	5 GAL.	48" O.C.	L	LARGE SHRUB
	RHAPHIOLEPIS INDICA 'CLARA'	INDIAN HAWTHORN	5 GAL.	36" O.C.	L	EVERGREEN SHRUB
	WESTRINGIA 'WYNYABBIE GEM'	COAST ROSEMARY	5 GAL.	36" O.C.	L	EVERGREEN HEDGE

WATER USE KEY:
VL = VERY LOW WATER USE, L = LOW WATER USE, M = MODERATE WATER USE, H = HIGH WATER USE. WATER USE STATED IS PER 'WATER USE CLASSIFICATION OF LANDSCAPE SPECIES' (ALSO REFERRED TO AS WUCOLS IV) FOR THE CITY OF CYPRESS.

north

1" = 50'

0 50 100 150

HPA architecture
RLA
8841 RESEARCH DR
SUITE 200
IRVINE • CA 92618
949.387.1323
RIDGELA.COM

Preliminary Landscape Plan

Plaza Dr

Cypress, CA

18831 Bardeen Ave. - Ste. #100
Irvine, CA 92612
(949) 863-1770
www.hparchs.com

November 18th, 2021 / Job #21196

L1.1



PLAZA DRIVE ELEVATION - SOUTH ELEVATION



EAST ELEVATION

HPA architecture
RLA
8841 RESEARCH DR
SUITE 200
IRVINE • CA 92618
949.387.1323
RIDGELA.COM

Landscape Elevations

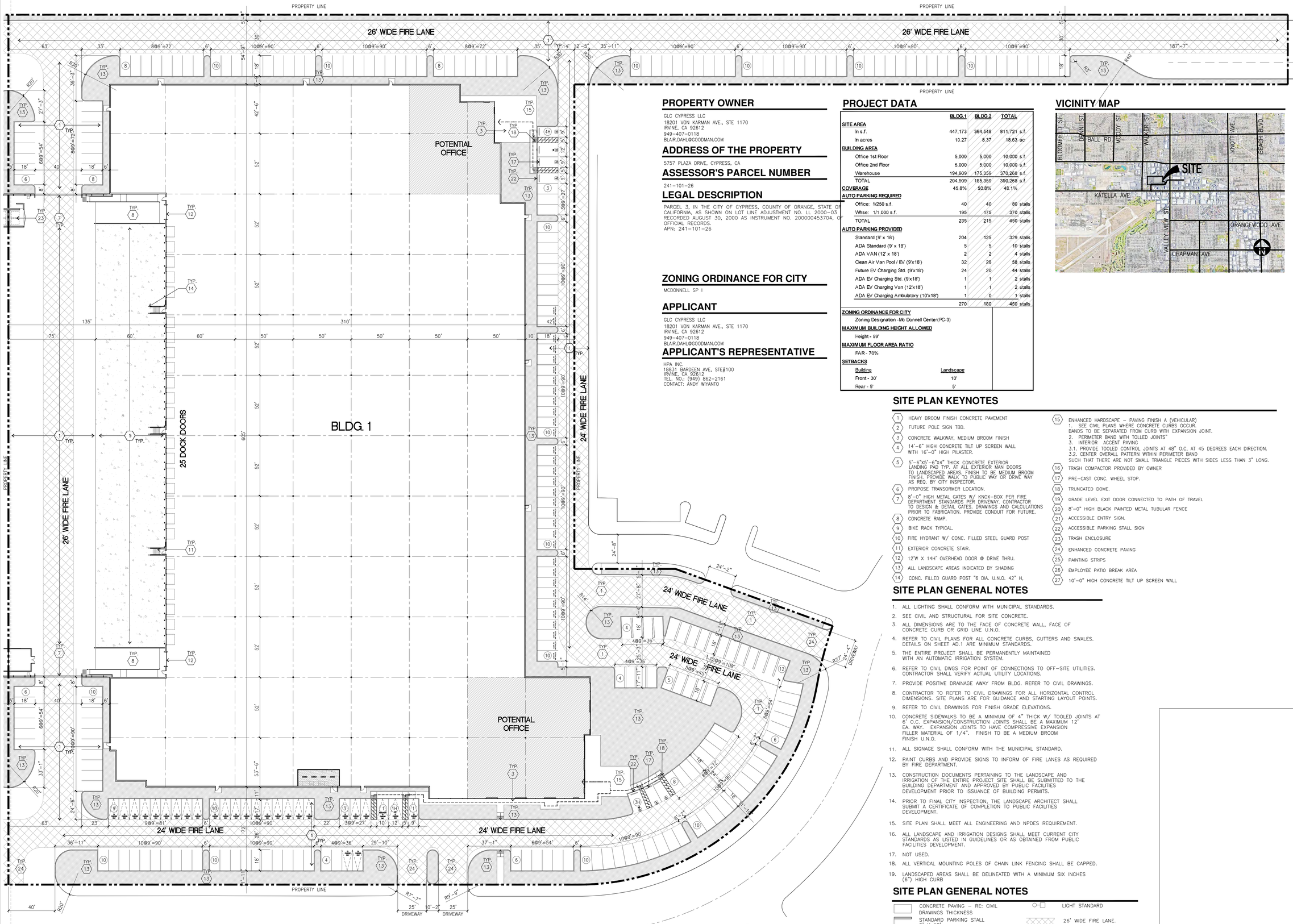
Plaza Dr

Cypress, CA

18831 Bardeen Ave. - Ste. #100
Irvine, CA 92612
(949) 863-1770
www.hparchs.com

November 18th, 2021 / Job #21196

L3.1



OVERALL SITE PLAN
scale: 1"= 30'-0" (A)

SCALE: 1"= 30'-0"
0 30' 60' 90'
TRUE NORTH

PROPERTY OWNER

GLC CYPRESS LLC
18201 VON KARMAN AVE., STE 1170
IRVINE, CA 92612
949-407-0118
BLAIR.DAHL@GOODMAN.COM

ADDRESS OF THE PROPERTY

5757 PLAZA DRIVE, CYPRESS, CA

ASSESSOR'S PARCEL NUMBER

241-101-26

LEGAL DESCRIPTION

PARCEL 3, IN THE CITY OF CYPRESS, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON LOT LINE ADJUSTMENT NO. LL 2000-03 RECORDED AUGUST 30, 2000 AS INSTRUMENT NO. 20000453704, OF OFFICIAL RECORDS.
APN: 241-101-26

ZONING ORDINANCE FOR CITY

MCDONNELL SP I

APPLICANT

GLC CYPRESS LLC
18201 VON KARMAN AVE., STE 1170
IRVINE, CA 92612
949-407-0118
BLAIR.DAHL@GOODMAN.COM

APPLICANT'S REPRESENTATIVE

HPA INC.
18831 BARDEEN AVE, STE#100
IRVINE, CA 92612
TEL. NO.: (949) 862-2161
CONTACT: ANDY WYANTO

PROJECT DATA

	BLDG.1	BLDG.2	TOTAL
SITE AREA			
In s.f.	447,173	364,548	811,721 s.f.
In acres	10.27	8.37	18.63 ac
BUILDING AREA			
Office 1st Floor	5,000	5,000	10,000 s.f.
Office 2nd Floor	5,000	5,000	10,000 s.f.
Warehouse	194,909	175,359	370,268 s.f.
TOTAL	204,909	185,359	390,268 s.f.
COVERAGE	45.8%	50.8%	48.1%
AUTO PARKING REQUIRED			
Office: 1/250 s.f.	40	40	80 stalls
Whse: 1/1,000 s.f.	195	175	370 stalls
TOTAL	235	215	450 stalls
AUTO PARKING PROVIDED			
Standard (9' x 18')	204	125	329 stalls
ADA Standard (9' x 18')	5	5	10 stalls
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ADA EV Charging Std. (9'x18')	1	1	2 stalls
ADA EV Charging Van (12'x18')	1	1	2 stalls
ADA EV Charging Ambulatory (10'x18')	1	0	1 stalls
	270	180	450 stalls

ZONING ORDINANCE FOR CITY
Zoning Designation -Mc Donnell Center(PC-3)

MAXIMUM BUILDING HEIGHT ALLOWED
Height - 99'

MAXIMUM FLOOR AREA RATIO
FAR - 70%

SETBACKS

Building	Landscape
Front - 30'	10'
Rear - 5'	5'

VICINITY MAP

SITE PLAN KEYNOTES

1. HEAVY BROOM FINISH CONCRETE PAVEMENT
2. FUTURE POLE SIGN TBD.
3. CONCRETE WALKWAY, MEDIUM BROOM FINISH
4. 14'-6" HIGH CONCRETE TILT UP SCREEN WALL WITH 16'-0" HIGH PILASTER.
5. 5'-6"X5'-6"X4" THICK CONCRETE EXTERIOR LANDING PAD TYP. AT ALL EXTERIOR MAN DOORS TO LANDSCAPED AREAS. FINISH TO BE MEDIUM BROOM FINISH. PROVIDE WALK TO PUBLIC WAY OR DRIVE WAY AS REQ. BY CITY INSPECTOR.
6. PROPOSE TRANSORMER LOCATION.
7. 8'-0" HIGH METAL GATES W/ KNOX-BOX PER FIRE DEPARTMENT STANDARDS PER DRIVEWAY. CONTRACTOR TO DESIGN & DETAIL GATES. DRAWINGS AND CALCULATIONS PRIOR TO FABRICATION. PROVIDE CONDUIT FOR FUTURE.
8. CONCRETE RAMP.
9. BIKE RACK TYPICAL.
10. FIRE HYDRANT W/ CONC. FILLED STEEL GUARD POST
11. EXTERIOR CONCRETE STAIR.
12. 12'W X 14H' OVERHEAD DOOR @ DRIVE THRU.
13. ALL LANDSCAPE AREAS INDICATED BY SHADING
14. CONC. FILLED GUARD POST "6 DIA. U.N.O. 42" H,
15. ENHANCED HARDSCAPE - PAVING FINISH A (VEHICULAR)
    1. SEE CIVIL PLANS WHERE CONCRETE CURBS OCCUR. BANDS TO BE SEPARATED FROM CURB WITH EXPANSION JOINT.
    2. PERIMETER BAND WITH TOLLED JOINTS"
    3. INTERIOR ACCENT PAVING
    3.1. PROVIDE TOOLED CONTROL JOINTS AT 48" O.C, AT 45 DEGREES EACH DIRECTION.
    3.2. CENTER OVERALL PATTERN WITHIN PERIMETER BAND
    SUCH THAT THERE ARE NOT SMALL TRIANGLE PIECES WITH SIDES LESS THAN 3" LONG.
16. TRASH COMPACTOR PROVIDED BY OWNER
17. PRE-CAST CONC. WHEEL STOP.
18. TRUNCATED DOME.
19. GRADE LEVEL EXIT DOOR CONNECTED TO PATH OF TRAVEL
20. 8'-0" HIGH BLACK PAINTED METAL TUBULAR FENCE
21. ACCESSIBLE ENTRY SIGN.
22. ACCESSIBLE PARKING STALL SIGN
23. TRASH ENCLOSURE
24. ENHANCED CONCRETE PAVING
25. PAINTING STRIPS
26. EMPLOYEE PATIO BREAK AREA
27. 10'-0" HIGH CONCRETE TILT UP SCREEN WALL

SITE PLAN GENERAL NOTES

1. ALL LIGHTING SHALL CONFORM WITH MUNICIPAL STANDARDS.
2. SEE CIVIL AND STRUCTURAL FOR SITE CONCRETE.
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SITE PLAN GENERAL NOTES

- CONCRETE PAVING - RE: CIVIL DRAWINGS THICKNESS
- STANDARD PARKING STALL 9' X 18'
- ACCESSIBLE PARKING STALL, 9'X18'+5'W ACCESSIBLE AISLE
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- EV PARKING
- CLEAN AIR/VANPOOL/EV (PROVIDE CONDUIT FOR FUTURE EV CHARGING) STALL (9' X 18')
- EV AMBULATORY PARKING STALL (10' X 18")
- LIGHT STANDARD
- 26' WIDE FIRE LANE. PROVIDE RED CURBS AND SIGNAGE PER FIRE DEPT REQUIREMENT

OFFICIAL USE ONLY

HPA architecture

hpa, inc.
18831 bardeen avenue, - ste. #100
irvine, ca
92612
tel: 949•863•1770
fax: 949•863•0851
email: hpa@hparchs.com

LICENSED ARCHITECT
YONG J. NAM
C-29451
3-31-23
RENEWAL DATE
STATE OF CALIFORNIA

Owner:

Goodman

Project:

Goodman Commerce Center

Consultants:

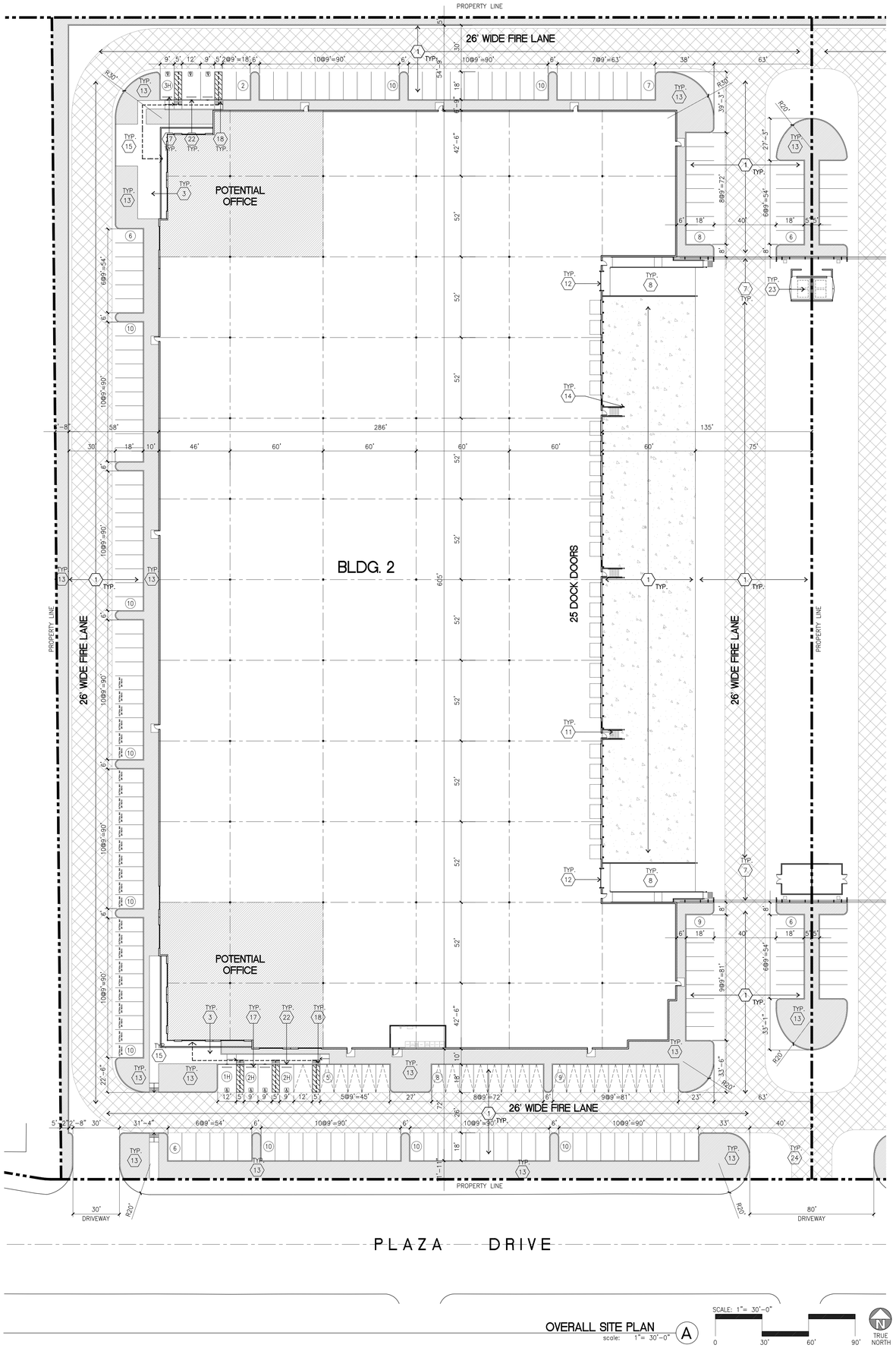
CIVIL
STRUCTURAL
MECHANICAL
PLUMBING
ELECTRICAL
LANDSCAPE
FIRE PROTECTION
SOILS ENGINEER

Title: OVERALL SITE PLAN

Project Number: 21196
Drawn by: AW
Date: 07/01/22
Revision:

Sheet:

1-DAB-A1.1



OVERALL SITE PLAN
scale: 1"= 30'-0"

SCALE: 1"= 30'-0"
0 30' 60' 90'
TRUE NORTH

PROPERTY OWNER

GLC CYPRESS LLC
18201 VON KARMAN AVE., STE 1170
IRVINE, CA 92612
949-407-0118
BLAIR.DAHL@GOODMAN.COM

ADDRESS OF THE PROPERTY

5757 PLAZA DRIVE, CYPRESS, CA

ASSESSOR'S PARCEL NUMBER

241-101-26

LEGAL DESCRIPTION

PARCEL 3, IN THE CITY OF CYPRESS, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS SHOWN ON LOT LINE ADJUSTMENT NO. LL 2000-03 RECORDED AUGUST 30, 2000 AS INSTRUMENT NO. 20000453704, OF OFFICIAL RECORDS.
APN: 241-101-26

ZONING ORDINANCE FOR CITY

MCDONNELL SP I

APPLICANT

GLC CYPRESS LLC
18201 VON KARMAN AVE., STE 1170
IRVINE, CA 92612
949-407-0118
BLAIR.DAHL@GOODMAN.COM

APPLICANT'S REPRESENTATIVE

HPA INC.
18831 BARDEEN AVE, STE#100
IRVINE, CA 92612
TEL. NO.: (949) 862-2161
CONTACT: ANDY WIYANTO

PROJECT DATA

	BLDG.1	BLDG.2	TOTAL
SITE AREA			
In s.f.	447,173	364,548	811,721 s.f.
In acres	10.27	8.37	18.63 ac
BUILDING AREA			
Office 1st Floor	5,000	5,000	10,000 s.f.
Office 2nd Floor	5,000	5,000	10,000 s.f.
Warehouse	194,909	175,359	370,268 s.f.
TOTAL	204,909	185,359	390,268 s.f.
COVERAGE	45.8%	50.8%	48.1%
AUTO PARKING REQUIRED			
Office: 1/250 s.f.	40	40	80 stalls
Whse: 1/1,000 s.f.	195	175	370 stalls
TOTAL	235	215	450 stalls
AUTO PARKING PROVIDED			
Standard (9' x 18')	204	125	329 stalls
ADA Standard (9' x 18')	5	5	10 stalls
ADA VAN (12' x 18')	2	2	4 stalls
Clean Air Van Pool / EV (9'x18')	32	26	58 stalls
Future EV Charging Std. (9'x18')	24	20	44 stalls
ADA EV Charging Std. (9'x18')	1	1	2 stalls
ADA EV Charging Van (12'x18')	1	1	2 stalls
ADA EV Charging Ambulatory (10'x18')	1	0	1 stalls
	270	180	450 stalls

ZONING ORDINANCE FOR CITY
Zoning Designation -Mc Donnell Center(PC-3)

MAXIMUM BUILDING HEIGHT ALLOWED
Height - 99'

MAXIMUM FLOOR AREA RATIO
FAR - 70%

SETBACKS

Building	Landscape
Front - 30'	10'
Rear - 5'	5'

SITE PLAN KEYNOTES

1. HEAVY BROOM FINISH CONCRETE PAVEMENT
2. FUTURE POLE SIGN TBD.
3. CONCRETE WALKWAY, MEDIUM BROOM FINISH
4. 14'-6" HIGH CONCRETE TILT UP SCREEN WALL WITH 16'-0" HIGH PILASTER.
5. 5'-6"X5'-6"X4" THICK CONCRETE EXTERIOR LANDING PAD TYP. AT ALL EXTERIOR MAN DOORS TO LANDSCAPED AREAS. FINISH TO BE MEDIUM BROOM FINISH. PROVIDE WALK TO PUBLIC WAY OR DRIVE WAY AS REQ. BY CITY INSPECTOR.
6. PROPOSE TRANSORMER LOCATION.
7. 8'-0" HIGH METAL GATES W/ KNOX-BOX PER FIRE DEPARTMENT STANDARDS PER DRIVEWAY. CONTRACTOR TO DESIGN & DETAIL GATES, DRAWINGS AND CALCULATIONS PRIOR TO FABRICATION. PROVIDE CONDUIT FOR FUTURE.
8. CONCRETE RAMP.
9. BIKE RACK TYPICAL.
10. FIRE HYDRANT W/ CONC. FILLED STEEL GUARD POST
11. EXTERIOR CONCRETE STAIR.
12. 12'W X 14H' OVERHEAD DOOR @ DRIVE THRU.
13. ALL LANDSCAPE AREAS INDICATED BY SHADING
14. CONC. FILLED GUARD POST "6 DIA. U.N.O. 42" H,
15. ENHANCED HARDSCAPE - PAVING FINISH A (VEHICULAR)
    1. SEE CIVIL PLANS WHERE CONCRETE CURBS OCCUR. BANDS TO BE SEPARATED FROM CURB WITH EXPANSION JOINT.
    2. PERIMETER BAND WITH TOLLED JOINTS"
    3. INTERIOR ACCENT PAVING
    3.1. PROVIDE TOOLED CONTROL JOINTS AT 48" O.C, AT 45 DEGREES EACH DIRECTION.
    3.2. CENTER OVERALL PATTERN WITHIN PERIMETER BAND SUCH THAT THERE ARE NOT SMALL TRIANGLE PIECES WITH SIDES LESS THAN 3" LONG.
16. TRASH COMPACTOR PROVIDED BY OWNER
17. PRE-CAST CONC. WHEEL STOP.
18. TRUNCATED DOME.
19. GRADE LEVEL EXIT DOOR CONNECTED TO PATH OF TRAVEL
20. 8'-0" HIGH BLACK PAINTED METAL TUBULAR FENCE
21. ACCESSIBLE ENTRY SIGN.
22. ACCESSIBLE PARKING STALL SIGN
23. TRASH ENCLOSURE
24. ENHANCED CONCRETE PAVING
25. PAINTING STRIPS
26. EMPLOYEE PATIO BREAK AREA
27. 10'-0" HIGH CONCRETE TILT UP SCREEN WALL

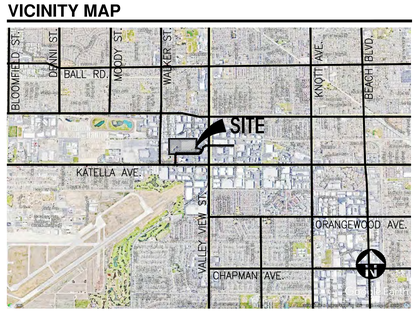
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- LIGHT STANDARD
- 26' WIDE FIRE LANE. PROVIDE RED CURBS AND SIGNAGE PER FIRE DEPT REQUIREMENT

VICINITY MAP



OFFICIAL USE ONLY

HPA architecture
hpa, inc.
18831 bardeen avenue, - ste. #100
irvine, ca
92612
tel: 949•863•1770
fax: 949•863•0851
email: hpa@hparchs.com

LICENSED ARCHITECT
YONG NAM
C-29451
3-31-23
RENEWAL DATE
STATE OF CALIFORNIA

Owner:
Goodman

Project:
Goodman Commerce Center

Consultants:
CIVIL
STRUCTURAL
MECHANICAL
PLUMBING
ELECTRICAL
LANDSCAPE
FIRE PROTECTION
SOILS ENGINEER

Title: OVERALL SITE PLAN

Project Number:	21196
Drawn by:	AW
Date:	07/01/22
Revision:	

Sheet:
2-DAB-A1.1



NORTH ELEVATION



WEST ELEVATION



PLAZA DRIVE ELEVATION - SOUTH ELEVATION



EAST ELEVATION

JOB NO. 21196.00

HPA architecture

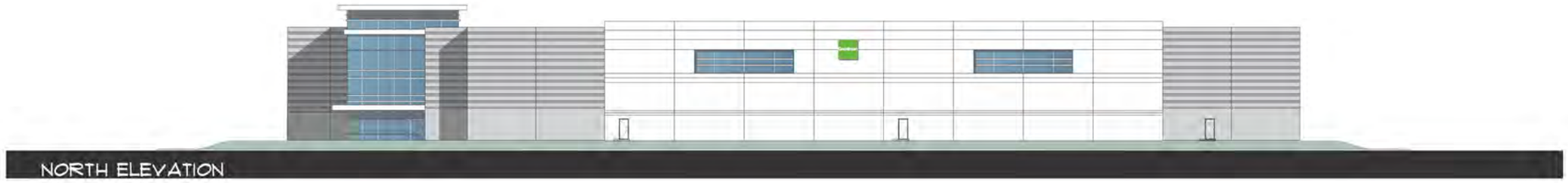
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BUILDING 1 ELEVATIONS - 36' CLEAR

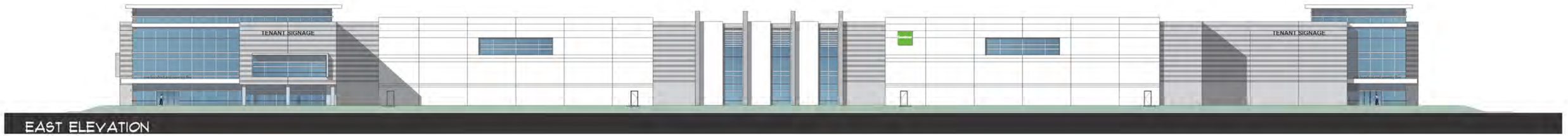
PLAZA DRIVE

CYPRESS, CALIFORNIA

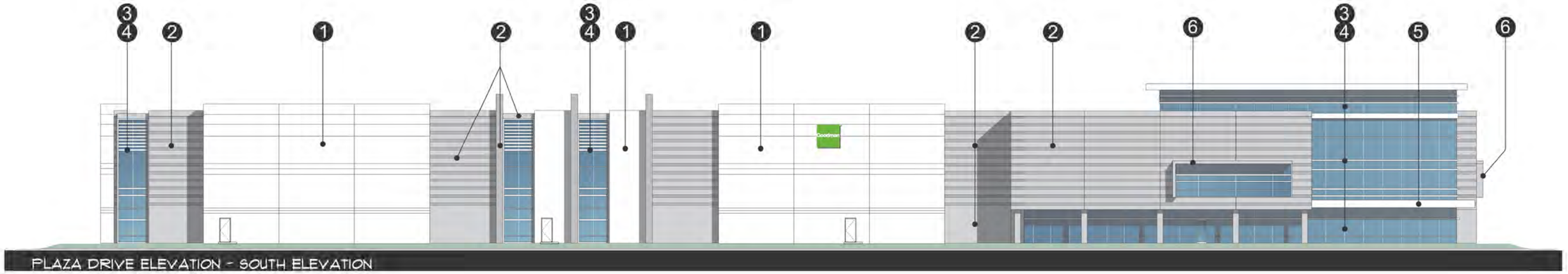
Goodman



NORTH ELEVATION



EAST ELEVATION



PLAZA DRIVE ELEVATION - SOUTH ELEVATION

1 Sherwin Williams
SW 7005
Pure White

2 Sherwin Williams
SW 7071
Gray Screen

3 Clear Anodized
MULLIONS

4 Blue Reflective
GLAZING

5 Sherwin Williams
Acrylic Latex Systems
High Gloss/High performance
in color: SW 7005 Pure White
@ Metal CANOPY

6 Sherwin Williams
Pro-Industrial, Waterbased
B53-1150 Semi-Gloss
SW 7071 Gray Screen
@ metal L-Frame Surround Canopy

JOB NO. 21196.00

HPA architecture

11.15.2021

BUILDING 1 ELEVATIONS & MATERIAL BOARD - 36' CLEAR

PLAZA DRIVE

CYPRESS, CALIFORNIA

Goodman

CITY OF CYPRESS

CITY COUNCIL REPORT

City Council Regular **2.**

FROM: Alisha Farnell, City Clerk

DATE: 03/13/2023

SUBJECT: **Receive and File Public Comments Submitted for the March 13, 2023 City Council Meeting**

RECOMMENDATION

Receive and file submitted public comments.

BUDGET IMPACT

None.

LEGAL REVIEW

None required.

APPROVED BY: Peter Grant, City Manager

CITY OF CYPRESS

CITY COUNCIL REPORT

City Council Regular **4.**

FROM: Douglas Dancs, Director of Public Works

DATE: 03/13/2023

SUBJECT: Approve a Task Order for Design Services for Electric Vehicle Charging Stations at City Facilities, Project 321

RECOMMENDATION

Approve a Task Order to BOA Architecture for $61,500 for design services and authorize a contingency of $6,200.

DISCUSSION

The FY 2022-23 Capital Improvement Program (CIP) includes a project to install new electric vehicle (EV) charging stations at City Hall, the Senior Center, and the Community Center. With the exception of Lexington Park, EV charging stations are currently not available at any city facility. This project will install 25 charging stations at City Hall, 14 at the Community Center, and eight at the Senior Center. The EV charging stations will include a limited number of fast chargers and ADA-accessible stations.

BOA Architecture is the city's current on-call architect. Public Works negotiated the scope of work, fee, and project schedule for a task order to provide design plans, specifications, and a cost estimate. The plans are expected to be complete by July 2023. Due to engineering staff vacancies and shortages, the overall project schedule has been adjusted and the construction phase is now anticipated to begin in Fiscal Year 2023-24.

BUDGET IMPACT

The estimated design cost, including contingency, is $67,700 and sufficient Pandemic Recovery Plan set-asides are available in the City Capital Projects fund budget. The construction phase of the project will be incorporated into the first year of the upcoming Seven Year CIP and re-budgeted in FY 2023-24.

LEGAL REVIEW

None required.

APPROVED BY: Peter Grant, City Manager

Attachments

Task Order

BOA Architecture
Government Services

1511 Cota Avenue
Long Beach, CA 90813
Telephone: 562-912-7900
Telephone: 310-832-2681
www.boaarchitecture.com

Daniel Co, Assistant City Engineer
City of Cypress, Public Works Dept.

Feb. 28, 2023

Re: Fee Proposal for Architectural & Engineering Services to Design the EV Charging Stations at 3 City Facilities.

Based on our recent 2-13-23 site meeting with you, we are pleased to submit our Scope of Work and Fee Proposal for architectural and electrical engineering services. At the City Hall, Senior Center, and Community Center, we will re-design a portion of your parking lot to incorporate EV chargers and bring in new sufficient electrical power. See attached sketch for location and amount of EV chargers. Our goal is to produce PSE (Plans, Specs., Estimates) for public bidding to general contractors. Our scope is outlined below and our itemized fee spreadsheet that is attached.

Scope of Work for all 3 locations

1. Provide site visit for actual measurements, photos, ascertain functional programming, and goals. Confirm scope of work.
2. Project coordination by email/phone/virtual meeting throughout the Design Phase.
3. Provide architectural design services and Electrical Engineering to Redesign parking lot and site for New EV Charging stations.
4. Provide ADA compliance for EV Stalls.
5. Refine and revise drawings upon comments from City.
6. Provide cost estimate.
7. Provide technical specification.
8. Submit to Client. Submittal at Schematic Design, 60% Construction Doc., 90% Construction Doc., 100% Construction Doc.
9. Provide architectural and electrical drawings sufficient to secure approval from City Building-Safety Dept.
10. Provide project management and coordination with our electrical engineer, you, and City agencies.
11. Provide limited Construction Support. RFI's, submittals, construction site meetings, etc. limited to number of hours stated.

City Hall at 5275 Orange Ave.

1. Provide Architectural Design and Electrical engineering for 25 Charging Stations: 11 dual chargers, 1 single charger, 1 van accessible ADA, 1 standard ADA.
2. Provide Electrical Engineering and Coordinate with energy provider to locate new electrical transformer at the west side of parking lot.

Community Center at 5700 Orange Ave.

1. Provide Architectural Design and Electrical engineering for 14 Charging stations: 6 dual chargers, 1 van accessible ADA, 1 Standard ADA.
2. Provide Electrical Engineering and Coordinate with energy provider to locate existing electrical transformer at the west side of parking lot.

BOA Architecture
Government Services

1511 Cota Avenue
Long Beach, CA 90813
Telephone: 562-912-7900
Telephone: 310-832-2681
www.boaarchitecture.com

Senior Center at 9031 Gridlay St.

1. Provide Architectural Design and Electrical engineering for 8 Charging Stations: 3 dual chargers, 1 van accessible ADA, 1 standard ADA, New Transformer at abandoned mechanical equipment location (assumed).
2. Provide Electrical Engineering to use electrical service to add new subpanel for EV chargers.

Items Not Included

a. Land Survey of Civil engineering, Mechanical engineering, and Structural engineering
b. Mechanical Engineering

We have assumed that the City of Cypress will provide all available and accurate drawings of their existing facilities, especially electrical drawings as needed by BOA.

BOA Architecture can begin work immediately upon your Notice to Proceed. Thank you for the opportunity to submit our fee proposal. We are excited about the chance to work with you again and gain EV charging stations for city staff and visitors.

BOA Architecture



Edward Lok Ng, Architect, LEED AP, President

FIXED FEE PROPOSAL

ARCHITECTURAL & ENGINEERING SERVICES: CITY OF CYPRESS
New EV Stations at 3 Different Building Locations

date: Feb. 28, 2023 — Construction Cost EST. to be determined
prepared by: BOA, Edward Lok Ng, Architect — prepared for: City of Cypress, Daniel Co

	PERSON	HRS	UNIT	RATE	COST	TOTAL
PRE-DESIGN						
kick-off meeting to verify scope of work,obtain as-built dwgs.	PM-ARCH	4	hrs	150	600	
project management, confirm scope of work & mobilization	PM-ARCH	4	hrs	150	600	
site assessment, as-built measurements & photos.	SR. DESN	16	hrs	110	1,760	
CADD	SR. DESN	24	hrs	110	2,640	
						5,600
ARCHITECTURAL SCHEMATIC DESIGN						
preliminary design; floor plans	PM-ARCH	12	hrs	150	1,800	
CADD	SR. DESN	20	hrs	110	2,200	
construction cost estimate	PM-ARCH	6	hrs	150	900	
meeting or coordination with Client and sub-consultant	PM-ARCH	6	hrs	150	900	
						5,800
ENGINEERING and EXPENSES						
structural engineering	ENGINEER				2,000	
mechanical engineering	ENGINEER				0	
electrical engineering	ENGINEER				30,000	
expenses for blueprints, photocopies, mailing/delivery, misc.	ENGINEER				40	
						32,040
ARCHITECTURAL CONSTRUCTION DOCUMENTS						
CADD	SR. DESN	70	hrs	110	7,700	
construction cost estimate	PM-ARCH	10	hrs	150	1,500	
specifications-	PM-ARCH	10	hrs	150	1500	
building-safety dept. submittal and corrections	SR. DESN	20	hrs	110	2,200	
meeting or coordination with staff, engineer,Client	PM-ARCH	10	hrs	150	1,500	
						14,400
CONSTRUCTION SUPPORT						
RFI's and submittals	PM-ARCH	12	hrs	150	1,800	
record drawings	SR. DESN	6	hrs	110	660	
meetings	PM-ARCH	8	hrs	150	1,200	
						3,660

TOTAL DESIGN FIXED FEE **$61,500**

NOTES AND RESTRICTIONS

1. Client will be responsible for procurement of an asbestos/environmental report if required.
2. BOA will provide photocopies and blueprints for Client meeting & submittals
3. The Owner will provide accurate as-built dwgs.

CITY OF CYPRESS

CITY COUNCIL REPORT

City Council Regular **5.**

FROM: Douglas Dancs, Director of Public Works

DATE: 03/13/2023

SUBJECT: **Accept the Oak Knoll Park Parking Lot Resurfacing, Project 332**

RECOMMENDATION

1. Accept the Oak Knoll Park Parking Lot Resurfacing, Project 332, in the amount of $58,799.50 and approve the final payment of $2,550.00 to JB Bostick Company; and

2. Authorize the City Engineer to file a Notice of Completion with County Recorder.

DISCUSSION

In October, the City Council awarded a contract to JB Bostick Co. to resurface the south parking lot at Oak Knoll Park. The contractor removed and replaced damaged asphalt concrete, resurfaced the entire parking lot, and installed new striping and signage. The work began in December 2022 and was completed in January 2023.

Public Works will release the Labor and Materials Bond and the Faithful Performance Bond upon expiration of the required lien period.

BUDGET IMPACT

The original estimated cost of construction and inspection was $79,200, and final project costs total $58,799.50. Sufficient amounts are budgeted in the Recreation and Park District's General Fund for this project.

LEGAL REVIEW

None required.

APPROVED BY: Peter Grant, City Manager

Attachments

Cost Table

PROJECT COST TABLE

Oak Knoll South Parking Lot Seal Coat
Project 332

Item Description	Original Amount	Actual Expenditures	Difference
Construction			
Construction	$ 53,000.00	$ 51,000.00	$ 2,000.00
Construction Contingency	$ 7,950.00	$ -	$ 7,950.00
Sub-total Construction	$ 60,950.00	$ 51,000.00	$ 9,950.00
Construction Management & Inspection			
Inspection	$ 16,550.00	$ 7,799.50	$ 8,750.50
Inspection Contingency	$ 1,700.00	$ -	$ 1,700.00
Sub-total Construction	$ 18,250.00	$ 7,799.50	$ 10,450.50
Total Project	**$ 79,200.00**	**$ 58,799.50**	**$ 20,400.50**

CITY OF CYPRESS

CITY COUNCIL REPORT

City Council Regular **6.**

FROM: Matt Burton, Director of Finance and Administrative Services

DATE: 03/13/2023

SUBJECT: Approve Register of Warrants, Transfers, and Wires Issued for the Period of February 11, 2023 through February 24, 2023

RECOMMENDATION

Approve the attached payment register summarized below for the period of February 11, 2023 through February 24, 2023:

- Electronic Funds Transfers 12659 through 12768
- Warrants 61724 through 61849
- Payroll Transfers W1496

DISCUSSION

Payments to vendors for goods and services received and/or rendered are initiated and approved by the requesting department in accordance with proper purchasing guidelines. Processing of these payments occurs centrally in the City's Finance Department with payments issued bi-weekly. A register listing of these payments is then presented to the City Council for approval. This register also includes any Electronic Funds Transfers (EFT), outgoing payroll transfers or wires issued since the previous register was presented to the City Council. Voided Payments (if any) are also identified.

All payments are processed on the City's financial management software system. This system generates a payment batch register, sorted by warrant number (or EFT/Wire number), and presents the invoice amount and a description of the payment issued.

BUDGET IMPACT

Total warrants, transfers, and wires issued (net of any voided payments) during the period of February 11, 2023 through February 24, 2023 are $2,136,554.48.

LEGAL REVIEW

None required.

APPROVED BY: Peter Grant, City Manager

Attachments

Payment Register for the Period 02-11-23 through 02-24-23

City of Cypress
Payment Register
02/11/23-02/24/23

EFT/ Warrant Number	Vendor	Payment Amount	Description	Invoice	Invoice Amount
12659	1480 - ARCO BUSINESS SOLUTIONS	$ 15,283.52	Fuel/Police 1/3-2/2	NP63760247(C)	$ 15,283.52
12660	1480 - ARCO BUSINESS SOLUTIONS	$ 2,348.80	Fuel/Maint 1/3-2/2	NP63760247(A)	$ 2,348.80
12661	1480 - ARCO BUSINESS SOLUTIONS	$ 94.03	Fuel/Admin 1/3-2/2	NP63760247	$ 94.03
12662	1480 - ARCO BUSINESS SOLUTIONS	$ 82.44	Fuel/CRPD 1/3-2/2	NP63760247(B)	$ 82.44
12663	100505 - CITY OF CYPRESS-WORKERS COMP	$ 1,982.75	W/C Claims/Prof Svcs/#25992-26056	Reimb 2/17/23	$ 1,982.75
12664	100505 - CITY OF CYPRESS-WORKERS COMP	$ 22,229.12	W/C Claims/Medical/#25992-26056	Reimb(A) 2/17/23	$ 22,229.12
12665	100505 - CITY OF CYPRESS-WORKERS COMP	$ 6,737.20	W/C Claims/Perm Disability/#25992-26056	Reimb(B) 2/17/23	$ 6,737.20
12666	100505 - CITY OF CYPRESS-WORKERS COMP	$ 98.88	W/C Claims/Temporary Disability/#25992-26056	Reimb(C) 2/17/23	$ 98.88
12667	2195 - INFINITY ENERGY	$ 367.00	Refund/Permit #BS-22-1723	Rfd 2/17/23	$ 367.00
12668	120801 - MISSION SQUARE - ICMA RETIREMENT TRUST - RHS	$ 11,061.25	Monthly Retiree Health Savings 2/23	2/23	$ 11,061.25
12669	120801 - MISSION SQUARE - ICMA RETIREMENT TRUST - RHS	$ 1,200.00	Deferred Comp/Exec Mgmt 2/23	401a-2/23	$ 1,200.00
12670	2200 - AMMIRATO, JILL	$ 500.40	Refund/Permit #BS-23-107	Rfd 2/17/23	$ 500.40
12671	1178 - UNION BANK	$ (10.00)	Credit/Food/Starbucks/Council Reorganization 12/15	0429 2/7/23	$ (10.00)
12672	1178 - UNION BANK	$ (32.34)	Credit/Sales Tax/Staff Run Shirts 9/27	0429(A) 2/7/23	$ (32.34)
12673	1178 - UNION BANK	$ 50.00	Food/Starbucks/Council Reorganization 12/12	0429(B) 2/7/23	$ 50.00
12674	1178 - UNION BANK	$ 500.00	Reg/2023 Newly Elected Officials Orientation/AH-M & FM 1/12	0429(C) 2/7/23	$ 500.00
12675	1178 - UNION BANK	$ 57.22	Supplies/City Hall Breakroom 12/19	0429(D) 2/7/23	$ 57.22
12676	1178 - UNION BANK	$ (200.30)	Credit/Fraudulent Charge/SS 9/22	0429(E) 2/7/23	$ (200.30)
12677	1178 - UNION BANK	$ (200.00)	Credit/Fraudulent Charge/SS 9/22	0429(F) 2/7/23	$ (200.00)
12678	1178 - UNION BANK	$ (200.00)	Credit/Fraudulent Charge/SS 9/22	0429(G) 2/7/23	$ (200.00)
12679	1178 - UNION BANK	$ (200.00)	Credit/Fraudulent Charge/SS 9/22	0429(H) 2/7/23	$ (200.00)

City of Cypress
Payment Register
02/11/23-02/24/23

EFT/ Warrant Number	Vendor	Payment Amount	Description	Invoice	Invoice Amount
12680	1178 - UNION BANK	$ (14.00)	Credit/Fraudulent Charge/SS 9/22	0429(I) 2/7/23	$ (14.00)
12681	1178 - UNION BANK	$ (14.00)	Credit/Fraudulent Charge/SS 9/22	0429(J) 2/7/23	$ (14.00)
12682	1178 - UNION BANK	$ 49.00	Sub/OC Business Journal Online/PG 12/19/22-12/20/23	0429(K) 2/7/23	$ 49.00
12683	1178 - UNION BANK	$ 87.00	Sub/Mailchimp Email Distribution/Admin 12/22	0429(L) 2/7/23	$ 87.00
12684	1178 - UNION BANK	$ 22.77	Pens(2)/Admin 1/3	0429(M) 2/7/23	$ 22.77
12685	1178 - UNION BANK	$ 19.99	Sub/Dropbox/Shared Access Storage 1/8-2/8	0429(N) 2/7/23	$ 19.99
12686	1178 - UNION BANK	$ 9.00	Food/Council Meeting 1/12	0429(O) 2/7/23	$ 9.00
12687	1178 - UNION BANK	$ 197.73	Dinner/Rubio's/Council Meeting 1/9	0429(P) 2/7/23	$ 197.73
12688	1178 - UNION BANK	$ 19.75	Office Supplies/Admin 1/11	0429(Q) 2/7/23	$ 19.75
12689	1178 - UNION BANK	$ 42.88	Food/Teens/Youth Action Committee 12/15	0547 2/7/23	$ 42.88
12690	1178 - UNION BANK	$ 70.00	Reg/Women In Leisure Winter Social/AT & LM 1/13	0547(A) 2/7/23	$ 70.00
12691	1178 - UNION BANK	$ (64.61)	Credit/Snowflake Projectors(2)/Holiday Sing 10/27	1313 2/7/23	$ (64.61)
12692	1178 - UNION BANK	$ 44.99	Food/Sr Center 12/13	1313(A) 2/7/23	$ 44.99
12693	1178 - UNION BANK	$ 41.63	Clorox Wipes(5 Canisters)/Facility Operations/Sr Center 12/20	1313(B) 2/7/23	$ 41.63
12694	1178 - UNION BANK	$ 94.37	Holiday Inflatables(2)/Holiday Sing 12/29	1313(C) 2/7/23	$ 94.37
12695	1178 - UNION BANK	$ 430.81	Christmas Trees(2)/Holiday Sing 12/28	1313(D) 2/7/23	$ 430.81
12696	1178 - UNION BANK	$ 64.62	Decor/Holiday Sing 12/22	1313(E) 2/7/23	$ 64.62
12697	1178 - UNION BANK	$ 150.72	PD Kerosene(4 Btls)/DUI Checkpoint Heater 12/13	1586 2/7/23	$ 150.72
12698	1178 - UNION BANK	$ 186.96	PD Wheel(1)/Tire(1)/Radar Trailer/Unit #682	1586(A) 2/7/23	$ 186.96
12699	1178 - UNION BANK	$ 9.99	Food/Playground/Kids Night Out 12/16	1857 2/7/23	$ 9.99
12700	1178 - UNION BANK	$ 20.98	Food/Playground/Kids Night Out 12/16	1857(A) 2/7/23	$ 20.98

City of Cypress
Payment Register
02/11/23-02/24/23

EFT/ Warrant Number	Vendor	Payment Amount	Description	Invoice	Invoice Amount
12701	1178 - UNION BANK	$ 83.72			
			PD Dog Food(1 Bag)/Bono 1/11	2173 2/7/23	$ 83.72
12702	1178 - UNION BANK	$ (387.90)			
			Credit/PD Hard Drives(2) 12/23	2886 2/7/23	$ (387.90)
12703	1178 - UNION BANK	$ (594.67)			
			Credit/PD Hard Drives(2) 1/3	2886(A) 2/7/23	$ (594.67)
12704	1178 - UNION BANK	$ 98.34			
			Wire Channels(4)/Cable Jacks(10)/Wall Plates(6)/Eng Remodel 12/13	2886(B) 2/7/23	$ 98.34
12705	1178 - UNION BANK	$ 11.48			
			Brackets(2)/Wall Plates(2)/Ports(6)/Eng Remodel 12/13	2886(C) 2/7/23	$ 11.48
12706	1178 - UNION BANK	$ 639.67			
			PD Hard Drives(2)/MAV 12/16	2886(D) 2/7/23	$ 639.67
12707	1178 - UNION BANK	$ 526.79			
			PD Hard Drives(2)/MAV 12/19	2886(E) 2/7/23	$ 526.79
12708	1178 - UNION BANK	$ 47.27			
			Webcam(1)/Headset(1)/Print Shop 12/19	2886(F) 2/7/23	$ 47.27
12709	1178 - UNION BANK	$ 63.04			
			Display Cables(8)/IT 12/27	2886(G) 2/7/23	$ 63.04
12710	1178 - UNION BANK	$ 20.17			
			Reg/Domain Name/CypressRec.com 1/12/23-1/11/24	2886(H) 2/7/23	$ 20.17
12711	1178 - UNION BANK	$ 36.00			
			W/C Stamps(60) 12/14	3874 2/7/23	$ 36.00
12712	1178 - UNION BANK	$ 125.00			
			W/C Reg/Dispatch Customer Service Training/VW 1/20	3874(A) 2/7/23	$ 125.00
12713	1178 - UNION BANK	$ 125.00			
			W/C Reg/Dispatch Wellness/VW 1/27	3874(B) 2/7/23	$ 125.00
12714	1178 - UNION BANK	$ 8.70			
			W/C Sub/Business Analytics/Reporting Software 12/7-1/6	3874(C) 2/7/23	$ 8.70
12715	1178 - UNION BANK	$ 20.57			
			W/C Data Storage/Amazon Cloud 12/22	3874(D) 2/7/23	$ 20.57
12716	1178 - UNION BANK	$ 36.96			
			W/C Paper Towels(2.4K) 1/6	3874(E) 2/7/23	$ 36.96
12717	1178 - UNION BANK	$ 125.00			
			W/C Dues/CA CLETS User Group 2023	3874(F) 2/7/23	$ 125.00
12718	1178 - UNION BANK	$ 130.00			
			PD Dues/FBI National Academy Assoc/CR 2023	4051 2/7/23	$ 130.00
12719	1178 - UNION BANK	$ 50.00			
			Dues/City Engineers Assoc of OC/NM 2023	4519 2/7/23	$ 50.00
12720	1178 - UNION BANK	$ 50.00			
			Dues/OC Traffic Engineering Council/NM & DC 2023	4519(A) 2/7/23	$ 50.00
12721	1178 - UNION BANK	$ 50.00			
			Reg/OC Traffic Engineering Council Meeting/NM & DC 1/26	4519(B) 2/7/23	$ 50.00

City of Cypress
Payment Register
02/11/23-02/24/23

EFT/ Warrant Number	Vendor	Payment Amount	Description	Invoice	Invoice Amount
12722	1178 - UNION BANK	$ 2.42	Movie Rental(1)/Sr Center 1/4	4522 2/7/23	$ 2.42
12723	1178 - UNION BANK	$ 10.00	Svc/Box/Staff Document Review/Engineering 12/29-1/28	4595 2/7/23	$ 10.00
12724	1178 - UNION BANK	$ 25.09	Food/Retirement Party/SM 12/14	4729 2/7/23	$ 25.09
12725	1178 - UNION BANK	$ 13.97	Food/Retirement Party/SM 12/14	4729(A) 2/7/23	$ 13.97
12726	1178 - UNION BANK	$ 6.47	Food/Retirement Party/SM 12/15	4729(B) 2/7/23	$ 6.47
12727	1178 - UNION BANK	$ 11.78	Food/Teens/Youth Action Committee 12/15	4729(C) 2/7/23	$ 11.78
12728	1178 - UNION BANK	$ 120.50	Breakfast Meeting(7)/Executive Team 12/13	5395 2/7/23	$ 120.50
12729	1178 - UNION BANK	$ 73.10	Books(5)/Five Dysfunctions of A Team 1/3	5395(A) 2/7/23	$ 73.10
12730	1178 - UNION BANK	$ 80.91	Food/Team Building/City Departments(5) 1/10	5395(B) 2/7/23	$ 80.91
12731	1178 - UNION BANK	$ 1.99	PD Sub/OneDrive/Photo Storage 12/22	5911 2/7/23	$ 1.99
12732	1178 - UNION BANK	$ 13.64	PD Bottled Water(24)/Ice(1 Bag)/Firearms Training 12/14	6278 2/7/23	$ 13.64
12733	1178 - UNION BANK	$ 66.78	PD Rifle Cases(2)/Trainees NTicorat & BReyes 12/21	6278(A) 2/7/23	$ 66.78
12734	1178 - UNION BANK	$ 190.00	PD Dues/International Association of Chiefs of Police/ML 2023	7634 2/7/23	$ 190.00
12735	1178 - UNION BANK	$ (39.55)	PD Credit/Hotel/Emergency Vehicle Operators/JM 10/16-10/21	8179 2/7/23	$ (39.55)
12736	1178 - UNION BANK	$ 465.00	PD Reg/OCSD Supervisory Course/TM 1/23-2/3	8179(A) 2/7/23	$ 465.00
12737	1178 - UNION BANK	$ 178.00	PD Reg/Field Training Officer/TF & NG 11/14-11/18	8179(B) 2/7/23	$ 178.00
12738	1178 - UNION BANK	$ 300.00	PD Reg/CA Assoc of Property & Evidence/CB 4/3-4/7	8179(C) 2/7/23	$ 300.00
12739	1178 - UNION BANK	$ 300.00	PD Reg/CA Assoc of Property & Evidence/JP 4/3-4/7	8179(D) 2/7/23	$ 300.00
12740	1178 - UNION BANK	$ 100.00	PD Reg/OCSD Arrest & Control/CS 12/19-12/23	8179(E) 2/7/23	$ 100.00
12741	1178 - UNION BANK	$ 268.80	PD Airfare/Supervisory Leadership/JO 1/19-1/21	8179(F) 2/7/23	$ 268.80
12742	1178 - UNION BANK	$ 49.51	PD Anti-Fatigue Mat(1)/Records 12/14	8886 2/7/23	$ 49.51

City of Cypress
Payment Register
02/11/23-02/24/23

EFT/ Warrant Number	Vendor	Payment Amount	Description	Invoice	Invoice Amount
12743	1178 - UNION BANK	$ 405.32			
			PD Batteries(440) 1/3	8886(A) 2/7/23	$ 405.32
12744	1178 - UNION BANK	$ 14.54			
			PD Battery Charger(1)/SIU Camera 1/3	8886(B) 2/7/23	$ 14.54
12745	1178 - UNION BANK	$ 22.30			
			PD Paperclips(2K) 1/3	8886(C) 2/7/23	$ 22.30
12746	1178 - UNION BANK	$ 125.00			
			PD Dues/CA CLETS Users Group/NB 2023	8886(D) 2/7/23	$ 125.00
12747	1178 - UNION BANK	$ 408.67			
			PD Barcode Printer Ribbons(24) 1/18	8886(E) 2/7/23	$ 408.67
12748	1178 - UNION BANK	$ 122.92			
			PD Biohazard Labels(1K) 1/17	8886(F) 2/7/23	$ 122.92
12749	1178 - UNION BANK	$ 83.19			
			PD Evidence Bags(60) 1/11	8886(G) 2/7/23	$ 83.19
12750	1178 - UNION BANK	$ 465.95			
			PD Evidence Boxes(120)/Evidence Tubes(16) 1/20	8886(H) 2/7/23	$ 465.95
12751	1178 - UNION BANK	$ 42.98			
			PD Gun Box Keys(2)/Unit #620 1/17	8886(I) 2/7/23	$ 42.98
12752	1178 - UNION BANK	$ 110.45			
			PD Lock(1)/Key(1)/Storage Room Gun Locker 1/17	8886(J) 2/7/23	$ 110.45
12753	1178 - UNION BANK	$ 150.00			
			Sub/Property Data/Code Enforcement & Planning 12/22	9183 2/7/23	$ 150.00
12754	1178 - UNION BANK	$ 100.00			
			PD Sub/Massage Parlor Database Access 1/5-7/4	9480 2/7/23	$ 100.00
12755	1178 - UNION BANK	$ 71.91			
			PD Dog Food(1 Bag)/Kubo 1/13	4268 02/7/23	$ 71.91
12756	1178 - UNION BANK	$ 1,800.00			
			Svc/Quickbase/Bldg/Public Works 1/23	4595(A) 02/7/23	$ 1,800.00
12757	2192 - CAMEO ESCROW	$ 812,031.45			
			Property Acquisition/5121 Myra Ave	2/21/23	$ 812,031.45
12758	2170 - US BANK	$ 18.31			
			Calendar(1)/HR 1/27	2873 2/24/23	$ 18.31
12759	2170 - US BANK	$ 142.85			
			Expansion File Folders(20)/HR 2/8	2873(A) 2/24/23	$ 142.85
12760	1269 - LANCE, SOLL & LUNGHARD, LLP-LSL	$ 2,908.00			
			Svc/Financial Audit/City FYE 6/30/22	54174	$ 2,908.00
12761	1269 - LANCE, SOLL & LUNGHARD, LLP-LSL	$ 3,074.00			
			Svc/Financial Audit/CRPD FYE 6/30/22	54174(A)	$ 3,074.00
12762	1269 - LANCE, SOLL & LUNGHARD, LLP-LSL	$ 3,000.00			
			Svc/Single Audit/City FYE 6/30/22	54174(B)	$ 3,000.00
12763	2170 - US BANK	$ 125.00			
			Dues/CA Society of Municipal Finance Officers/MB 2023	3071 2/24/23	$ 125.00

City of Cypress
Payment Register
02/11/23-02/24/23

EFT/ Warrant Number	Vendor	Payment Amount	Description	Invoice	Invoice Amount
12764	2170 - US BANK	$ 532.86			
			Hotel/Parking/LOCC New Council Members Conf/BP 2/1-2/3	6842 2/24/23	$ 532.86
12765	2170 - US BANK	$ 24.20			
			Parking/Dinner/LOCC New Council Members Conf/DB 2/1	6859 2/24/23	$ 24.20
12766	2170 - US BANK	$ 90.20			
			Duplicate Charge/Refunded/DB 2/3	6859(A) 2/24/23	$ 90.20
12767	2170 - US BANK	$ 532.86			
			Hotel/Parking/LOCC New Council Members Conf/DB 2/1-2/3	6859(B) 2/24/23	$ 532.86
12768	2170 - US BANK	$ 16.30			
			Erroneous Charge/Reimbursed/DB 2/9	6859(C) 2/24/23	$ 16.30
61724	1258 - ACME WORKPLACE SAFETY PRODUCTS	$ 33.65			
			Supplies/First Aid/Maint Yard 1/25	5427	$ 33.65
61725	636 - ADAMS, KARA	$ 12.00			
			Meal/Public Records Act & Redacting 2/7	Reimb 2/17/23	$ 12.00
61726	1570 - ADVANTAGE MAILING, LLC	$ 4,842.88			
			Svc/Print/City & Rec Newsletter 2/23	179873	$ 4,842.88
61727	270 - AITHAL, DARSHINI	$ 1,389.05			
			Instruct/Chair Yoga 1/3-1/31	1/31/23	$ 136.50
			Instruct/Flow Yoga 1/2-1/30	1/30/23	$ 128.70
			Instruct/Yoga 1/9-2/13	2/13/23	$ 1,123.85
61728	100723 - ALESHIRE & WYNDER, LLP	$ 23,953.09			
			Legal Svc/CA Aware 12/22	72997	$ 6,807.50
			Legal Svc/Council Matters 12/22	72986	$ 330.00
			Legal Svc/Engineering 12/22	72989	$ 1,425.00
			Legal Svc/Finance 12/22	72990	$ 250.00
			Legal Svc/General Admin 12/22	72985	$ 3,298.07
			Legal Svc/Makkouk 12/22	72993	$ 654.50
			Legal Svc/Planning 12/22	72988	$ 1,270.00
			Legal Svc/Police 12/22	72991	$ 2,937.50
			Legal Svc/Refuse 12/22	72992	$ 45.00
			Lit Svc/Chaney 12/22	72995	$ 487.62
			Lit Svc/CVRA Challenge 12/22	72994	$ 1,507.50
			Lit Svc/Estrada 12/22	72996	$ 4,370.40
			Lit Svc/General Admin 12/22	72987	$ 322.50
			Lit Svc/Youngsma 12/22	72998	$ 247.50
61729	122455 - ALL AMERICAN SIGN CO, INC	$ 65.60			
			Update Banner(1)/Egg Hunt 2/6	53492	$ 65.60
61730	105442 - ALL CITY MANAGEMENT SERVICE INC	$ 14,682.86			
			Crossing Guard Svcs(27 Hrs)/Orange & Grindlay 1/8-1/21	82773(A)	$ 650.43
			Crossing Guard Svcs(582.5 Hrs) 1/8-1/21	82773	$ 14,032.43

City of Cypress
Payment Register
02/11/23-02/24/23

EFT/ Warrant Number	Vendor	Payment Amount	Description	Invoice	Invoice Amount
61731	109240 - AMERICAN ASPHALT SOUTH	$ 17,219.10			
			Retention/Svc/Street Rehab	2022-1000 RETN	$ 17,219.10
61732	110130 - ANDERSEN'S DOOR SERVICE, INC	$ 272.50			
			Repair/PD Ramp Gate 1/18	7328	$ 272.50
61733	1200 - ANNEALTA GROUP	$ 1,356.25			
			Svc/Planning Project Manager/Citrus Square 10/22	2595	$ 1,356.25
61734	1836 - ANS ALLIED NETWORK SOLUTIONS	$ 2,497.50			
			Software Licenses(37)/Acrobat Pro DC 2/14/23-2/13/24	0233988IN	$ 2,497.50
61735	1619 - ARDURRA GROUP, INC-ANDERSON PENNA PARTNERS	$ 8,020.00			
			Inspect/Concrete Rehab 1/23	133014	$ 740.00
			Inspect/OCSD Sewer Rehab/Permit #PW-21-159 1/23	133009	$ 340.00
			Inspect/Parking Lot Sealing/Oak Knoll Park 1/23	133011	$ 1,360.00
			Inspect/Various Non-CIP Engineering Permits 1/23	133005	$ 2,380.00
			Svc/City Engineer 1/23	133027	$ 3,200.00
61736	2196 - ARROYO, PAOLA	$ 91.03			
			Meal/Public Records Act & Redacting 2/7	Reimb 2/17/23	$ 12.00
			Reimb/Uniform Shirt 11/30 & 12/5	Reimb(A) 2/17/23	$ 79.03
61737	100087 - ASBURY ENVIRONMENTAL SVCS	$ 95.00			
			Svc/Used Oil Disposal(350 Gls) 1/30	I500-00900102	$ 95.00
61738	110860 - AT&T	$ 824.23			
			Svc/Internet Access 1/23	19444062	$ 824.23
61739	110860 - AT&T	$ 1,841.53			
			2481347232-Admin Phone Svc 2/23	2/23	$ 4.77
			W/C Svc/Priority Radio Line 2/5-3/4	1734493178020523	$ 1,836.76
61740	110860 - AT&T	$ 3,673.73			
			9391033694-PW Phone Svc 1/23	1/23(H)	$ 167.43
			9391033695-Civic Center Phone Svc 1/23	1/23(I)	$ 27.49
			9391033698-PW Phone Svc 1/23	1/23(J)	$ 27.56
			Phone Svc/Multi-Line 1/13-2/12	1/13/23-2/12/23	$ 3,451.25
61741	252 - AUTO ZONE, INC	$ 151.40			
			Lift Support(1)/Wiper Fluid(6 Gls) 2/8	5521813118	$ 45.82
			Replace/Air Flow Sensors/Unit #167	5521811420	$ 105.58
61742	1822 - BENEFITS COORDINATORS CORPORATION BCC	$ 1,569.09			
			Insurance/Vision Claims/City & Dist & West Comm 1/23	B07YWS	$ 1,569.09
61743	2197 - BHAGAT, NISHA	$ 12.00			
			Meal/Public Records Act & Redacting 2/7	Reimb 2/17/23	$ 12.00
61744	705 - BOA ARCHITECTURE	$ 9,560.00			
			Design/City Hall Restroom Improvements 1/23	22-2987-2	$ 9,560.00
61745	2143 - BUCHALTER, A PROFESSIONAL CORPORATION	$ 27,931.74			
			Lit Svc/CVRA Challenge 12/22	1186017	$ 27,931.74
61746	100028 - BURTON, MATT	$ 23.57			
			Executive Mgmt Wellness Program July 2021 - December 2022	Reimb 2/17/23	$ 23.57

City of Cypress
Payment Register
02/11/23-02/24/23

EFT/ Warrant Number	Vendor	Payment Amount	Description	Invoice	Invoice Amount
61747	866 - C3 OFFICE SOLUTIONS	$ 23.27			
			W/C Copier Svc/Supplies 1/23	INV156711	$ 23.27
61748	103141 - CA FORENSIC PHLEBOTOMY, INC	$ 946.80			
			PD Blood/Alcohol Tests(8) 1/23	2172	$ 946.80
61749	2137 - CALIFORNIA SAFETY AGENCY RECON INDUSTRIES INC	$ 1,550.00			
			Svc/Restroom & Tennis Court Lockup 1/23	3604-146	$ 1,550.00
61750	103016 - CAMERON WELDING CO	$ 79.56			
			Cylinder Charges 1/23	09267503	$ 79.56
61751	110782 - CARRILLO, MARY K	$ 12.00			
			Meal/Public Records Act & Redacting 2/7	Reimb 2/17/23	$ 12.00
61752	1998 - CEJA, SAUL	$ 12.00			
			Meal/Tactical Emergency Casualty Care 1/19	Reimb 2/17/23	$ 12.00
61753	123012 - CHARLES ABBOTT ASSOCIATES	$ 3,262.50			
			Svc/NPDES/WQMP Review 12/22	65249	$ 3,262.50
61754	2090 - CHARTER COMMUNICATIONS HOLDINGS LLC SPECTRUM	$ 2,018.37			
			Svc/Cable/Council Chambers 2/10-3/9	2/10/22-3/9/22	$ 123.67
			W/C CAD/RMS Ethernet Services 2/3-3/5	0026082020523	$ 1,379.70
			W/C Svc/Internet 1/31-2/28	0307955013123	$ 515.00
61755	1595 - CHUCK THOMAS INVESTIGATIONS	$ 7,515.97			
			PD Svc/IA Investigation/IA#2022-0090 12/6-12/28	CT22-80.2	$ 4,057.47
			PD Svc/IA Investigation/IA#2022-0090 8/17-11/28	CT22-80.1	$ 3,458.50
61756	2035 - COMMUNICATIONS LAB BARRIOS & ASSOCIATES, LLC	$ 5,000.00			
			Svc/Recreation Strategic Communication Support 12/22	2301-334	$ 5,000.00
61757	1439 - CORODATA MEDIA STORAGE, INC	$ 141.77			
			Offsite Data Storage 1/23	DS1304487	$ 141.77
61758	115003 - COUNTY OF ORANGE	$ 89,614.13			
			Svc/Animal Care 10/1/22-12/31/22	AC2390042	$ 89,614.13
61759	710 - COUNTY OF ORANGE SHERIFF'S DEPARTMENT/OCSD	$ 22,095.00			
			PD Svc/OCSD Comm Charges/800 MHz 1/1/23-3/31/23	SC13705	$ 22,095.00
61760	107980 - CYPRESS COLLEGE-NOCCCD	$ 300.00			
			Refund/Facility Deposit/Contract #6618	Rfd 2/17/23	$ 300.00
61761	1083 - DAVID VOLZ DESIGN LANDSCAPE ARCHITECTS, INC	$ 300.00			
			Design/Cerritos Ave Median Restoration 12/22	422430	$ 300.00
61762	100707 - DEPT OF JUSTICE ACCT OFFICE CASHIER UNIT	$ 258.00			
			Svc/Fingerprints(1)/City 1/23	634758	$ 32.00
			Svc/Fingerprints(1)/Recreation 1/23	634758(A)	$ 32.00
			Svc/Fingerprints(1)/Recreation Contractor 1/23	634758(C)	$ 32.00
			Svc/Fingerprints(4)/PD 1/23	634758(B)	$ 162.00
61763	1158 - DIRECTV	$ 183.99			
			W/C Svc/Satellite TV 1/25-2/24	006762204X230126	$ 183.99
61764	129120 - EMPLOYMENT DEVELOPMENT DEPT	$ 422.00			
			Unemployment Insurance/City 10/1/22-12/31/22	10/1/22-12/31/22	$ 422.00

City of Cypress
Payment Register
02/11/23-02/24/23

EFT/ Warrant Number	Vendor	Payment Amount	Description	Invoice	Invoice Amount
61765	1488 - ENTERPRISE HOLDINGS INC	$ 2,284.86			
			PD Rental Car(1) 11/27-12/27	32055155	$ 783.44
			PD Rental Car(1) 12/1-12/31	32055155(A)	$ 770.24
			PD Rental Car(1) 12/3-1/2	32055155(B)	$ 731.18
61766	2185 - ENVIRO SAFETY PRODUCTS, PUBLIC SAFETY CENTER	$ 358.92			
			PD Exam Gloves(3K) 1/27	6123365	$ 358.92
61767	1169 - EVER AFTER EVENT PRODUCTIONS, LLC	$ 4,933.50			
			Instruct/Dance 1/18-3/21	3/21/23	$ 4,933.50
61768	104530 - EXPERIAN	$ 77.96			
			PD Credit Reports 1/23	CD2310003638	$ 77.96
61769	798 - FORENSIC NURSE SPECIALISTS, INC	$ 2,000.00			
			PD Assault Exams(2)/DR #23-00311 1/30 & 1/31	5364	$ 2,000.00
61770	1115 - FRONTIER	$ 2,184.78			
			W/C Phone Svc/5627955413 2/23	2/23	$ 2,184.78
61771	112012 - GALLS-QUARTERMASTER	$ 90.41			
			W/C Uniform/CManiaci 1/17	023260312	$ 90.41
61772	129619 - GENERAL BINDING CORP-GBC	$ 99.78			
			Laminating Film(2 Rls) 1/23	4726153719	$ 99.78
61773	119018 - GOLDEN STATE WATER COMPANY	$ 5,092.20			
			Svc/Civic Center 1/23	1/23(F)	$ 424.77
			Svc/Lexington Park 1/23	1/23(G)	$ 1,033.30
			Svc/Parks Landscaping 1/23	1/23(C)	$ 29.98
			Svc/Parkway Maint 1/23	1/23(I)	$ 2,240.87
			Svc/Sr Center 1/23	1/23(H)	$ 455.64
			Svc/Stanton Channel Berm 1/23	1/23(D)	$ 907.64
61774	123002 - GRAINGER	$ 148.61			
			Computer Mouse(1)/JG 2/8	9600651252	$ 15.37
			Credit/Replace/Tow Hitch(1)/Unit #154	9590887700	$ (58.47)
			Replace/Hitch Draw Bar(1)/Unit #154	9590477171	$ 133.24
			Replace/Tow Hitch(1)/Unit #154	9588362971	$ 58.47
61775	103008 - HARTZOG & CRABILL	$ 3,430.00			
			Svc/Monitor Traffic Signals 1/23	23-0069	$ 3,430.00
61776	109117 - INSTANT SIGNS CYPRESS LLC	$ 191.19			
			Vinyl Numbers(10)/Letters(10) 2/6	3076	$ 191.19
61777	102993 - ITERIS, INC	$ 6,370.00			
			Design/Traffic Signal Flashing Beacon/Denni & Newman 9/22	149926	$ 6,370.00
61778	2039 - KELLY SPICERS INC KELLY SPICER STORES	$ 842.04			
			Specialty Paper(.5 Rm) 2/1	11203888	$ 842.04
61779	37 - KIDZ LOVE SOCCER-NORTH AMER YOUTH ACTIVITIES, LLC	$ 1,928.55			
			Instruct/Soccer 1/21-3/11	3/11/23	$ 1,928.55
61780	2198 - LAW OFFICES OF GENE J GOLDSMAN	$ 13,000.00			
			PW Claim Settlement/John Estrada	2/17/23	$ 13,000.00

City of Cypress
Payment Register
02/11/23-02/24/23

EFT/ Warrant Number	Vendor	Payment Amount	Description	Invoice	Invoice Amount
61781	112006 - LEAGUE OF CALIF CITIES	$ 16,971.00			
			Dues/League of CA Cities/City 2023	643274	$ 16,971.00
61782	336 - LEXISNEXIS RISK DATA MANAGEMENT, INC	$ 300.00			
			PD Svc/Database 1/23	1538745-20230131	$ 300.00
61783	109220 - MANHATTAN STITCHING CO, INC/BRENDAN SCREEN PRIN	$ 64.65			
			PD Uniform/PArroyo 1/31	92857	$ 64.65
61784	111271 - MAR-CO EQUIPMENT CO	$ 325.76			
			Sweeper Filters(2)/Plug Wires(1 Set)/Bolts(2)/Nozzles(3) 1/31	191345	$ 325.76
61785	1061 - MARTINEZ, DIANA	$ 120.00			
			Meal/Institute of Criminal Investigation Course 1/9-1/20	Reimb 2/17/23	$ 120.00
61786	200 - MELLANA, THOMAS	$ 120.00			
			Meals/Supervisory Course 1/23-2/3	Reimb 2/17/23	$ 120.00
61787	80 - MORRIS, LETICIA	$ 417.30			
			Instruct/Zumba 1/7-1/28	1/28/23	$ 273.00
			Instruct/Zumba Gold 1/5-1/26	1/26/23	$ 144.30
61788	1356 - MOTOPORT	$ 412.11			
			PD Motor Boots(1 Pr)/MM 1/31	151161	$ 412.11
61789	115211 - NATIONAL EMBLEM	$ 962.53			
			PD Uniform Shoulder Patches(400) 2/10	400604	$ 962.53
61790	125848 - NATIONAL SAFETY COMPLIANCE INC	$ 150.00			
			Annual Admin Fee/Random Drug & Alcohol Testing 1/1/22-1/31/23	92779	$ 150.00
61791	116455 - O H CASEY INC	$ 340.00			
			Svc/Porta-Pottie(1)/Tennis Courts 1/20-2/16	0001928957	$ 340.00
61792	672 - O'REILLY AUTO PARTS	$ 389.36			
			Battery Charger(1)/Oil Filters(4) 2/8	3078-387518	$ 85.74
			Oil Filter(1) 2/6	3078-386353	$ 7.12
			Oil Filters(4)/Air Filters(2)/Fuel Filters(4) 2/1	3078-385400	$ 264.19
			Replace/Floor Mat/Unit #154	3078-385933	$ 32.31
61793	122610 - OC CHIEFS OF POLICE AND SHERIFF ASSOC	$ 200.00			
			PD Reg/OC Chiefs of Police and Sheriff's Assoc Conf/ML 4/4-4/7	PD Reg 4/4-4/7	$ 200.00
61794	1601 - ONYX PAVING COMPANY INC	$ 38,341.57			
			Retention/Construct/Street Rehab	22-007-R.1	$ 38,341.57
61795	1140 - ORTIZ, JESSE	$ 247.86			
			Reimb/Supervisory Leadership Institute 1/18-1/21	Reimb 2/17/23	$ 247.86
61796	2099 - PANELLA, NATHAN	$ 12.00			
			Meal/Tactical Emergency Casualty Care 1/19	Reimb 2/17/23	$ 12.00
61797	465 - PATOPOFF, CHRIS	$ 12.00			
			Meal/Homeless Liaison Officer 1/25	Reimb 2/17/23	$ 12.00
61798	194 - PAUL, BROCK	$ 24.00			
			Meals/Officer Involved Shooting for Field Supervisor 1/31-2/1	Reimb 2/17/23	$ 24.00
61799	492 - PAUL'S CAR WASH & LUBE CENTER-FIRESTONE HAND WASH	$ 338.68			
			Svc/Car Wash/PD(32) 1/23	2154	$ 338.68

City of Cypress
Payment Register
02/11/23-02/24/23

EFT/ Warrant Number	Vendor	Payment Amount	Description	Invoice	Invoice Amount
61800	736 - PEOPLESPACE INTERIOR OFFICE SOLUTIONS, INC	$ 660.00			
			Svc/Engineering Office Furniture/Addl Trip Charge 12/15	INV69695	$ 660.00
61801	871 - PEREZ, DIANA	$ 400.40			
			Instruct/Learn & Grow 1/11-2/8	2/8/23	$ 400.40
61802	112121 - PRESENTATION FOLDER INC-LETTERPRESS TRADE	$ 377.13			
			Embossed Certificate Holders(600)/Print Shop 2/9	147107	$ 377.13
61803	1391 - REED, SEBASTIAN	$ 24.00			
			Meals/Officer Involved Shooting for Field Supervisor 1/31-2/1	Reimb 2/17/23	$ 24.00
61804	130231 - RSG, INC ROSENOW SPEVACEK GROUP INC	$ 3,231.25			
			Consult/Affordable Housing/Citrus Square Senior Community 1/23	I009857	$ 3,231.25
61805	109096 - S.C. SIGNS & SUPPLIES, LLC	$ 590.47			
			Reflective Markers(30)/Street Sign(1) 1/19	234133	$ 590.47
61806	111301 - S.C. YAMAMOTO, INC	$ 29,254.39			
			Svc/Landscape/Citywide 1/23	1421792	$ 14,820.00
			Svc/Landscape/Right of Way & Berm 1/23	1421791	$ 14,434.39
61807	106893 - SAFESHRED	$ 40.00			
			W/C Svc/Shredding 1/17	339145	$ 40.00
61808	730 - SIERRA INSTALLATIONS, INC	$ 1,680.00			
			Update Banners(40)/Holiday	23013	$ 840.00
			Update Banners(40)/Shop Cypress	23014	$ 840.00
61809	1999 - SIRIGOS, ARTEMIOS	$ 36.00			
			Meals/Standard Field Sobriety Testing 1/25-1/27	Reimb 2/17/23	$ 36.00
61810	165 - SKYLINE SAFETY & SUPPLY-PATRICIA SONTAG	$ 878.57			
			Disposable Gloves(2K)/Safety Gloves(24 Pr) 2/7	7346	$ 764.41
			Safety Glasses(144) 2/2	7363	$ 114.16
61811	119051 - SMART & FINAL (REC & PARKS)	$ 138.28			
			Food/Playground/Kids Night Out 1/19	3565620021801	$ 30.47
			Food/Sr Center 1/13	3565620007101	$ 59.35
			Supplies/Sr Center 1/13	3565620007101A	$ 48.46
61812	108459 - SMART & FINAL-POLICE ACCT	$ 395.13			
			PD Evidence Bags(800) 1/11	015401(A)	$ 85.10
			PD Hot Cups(600) 1/12	010501	$ 70.98
			PD Hot Cups(600) 1/27	008401	$ 56.47
			PD Supplies/Breakroom 1/11	015401	$ 119.52
			PD Supplies/Breakroom 1/27	014701	$ 63.06
61813	119016 - SO CAL EDISON	$ 104,698.08			
			700351486618 Svc/Willow Park 1/23	1/23(C)	$ 584.48
			700370018870 - Svc/Traffic Signal 1/23	1/23(A)	$ 68.27
			700428641933 Svc/Mackay Park 1/23	1/23(B)	$ 130.21
			Svc/Citywide 12/14-1/11	12/14/22-1/11/23	$ 103,915.12
61814	543 - SORVILLO, BRYAN	$ 532.00			
			Instruct/Private Tennis Lessons 1/2-3/24	1/23	$ 532.00

City of Cypress
Payment Register
02/11/23-02/24/23

EFT/ Warrant Number	Vendor	Payment Amount	Description	Invoice	Invoice Amount
61815	125888 - SPARKLETTS	$ 51.48			
			Comm Center Bottled Water 1/23	4104724 1/23	$ 14.04
			Print Shop Bottled Water 1/23	4105217 1/23	$ 7.80
			W/C Bottled Water 1/23	4089647 1/23	$ 29.64
61816	108964 - STAPLES CREDIT PLAN-WEST COMM	$ 219.42			
			W/C Binders(2)/Tabbed Dividers(1 Set)/Misc 1/3	34348	$ 65.25
			W/C Calendar(1) 1/5	320315159	$ 35.33
			W/C Copy Paper(10 Rms) 1/4	3202344411	$ 69.92
			W/C Labeler Tape(2 Rls) 12/22	3196984181	$ 48.92
61817	119024 - STATE COMP INSURANCE FUND	$ 1,968.29			
			W/C Workers Comp Insurance 1/30-2/28	1000857037	$ 2,072.66
			W/C Workers Comp Insurance Adjustment 5/30/21-5/30/22	1001321872	$ (104.37)
61818	122963 - STERICYCLE INC	$ 43.58			
			PD Med Waste Removal 1/23	3006335574	$ 43.58
61819	1330 - SUPERIOR PROPERTY SERVICES, INC-SUPERIOR GRAFFITI	$ 6,776.00			
			Svc/Graffiti Removal/Streets & Parks 1/23	17710	$ 6,776.00
61820	1133 - GRANICUS SWAGIT PRODUCTIONS, LLC	$ 695.00			
			Svc/Video Stream/Council Meetings 1/23	SW001703SI	$ 695.00
61821	1137 - TAOIPU, PATRICK	$ 71.50			
			Instruct/Intermediate Hula/Late Registration 1/10-3/21	3/21/23(B)	$ 71.50
61822	851 - THE UPS STORE, #5882	$ 160.00			
			Svc/Fingerprints(1)/Rec Contractors 1/23	2/1/2023(B)	$ 20.00
			Svc/Fingerprints(1)/Recreation 1/23	2/1/2023	$ 20.00
			Svc/Fingerprints(6)/Rec Volunteers 1/23	2/1/2023(A)	$ 120.00
61823	105052 - TOPAZ ALARM CORP.	$ 105.00			
			Monitor Pumps 2/23	140767	$ 105.00
61824	1994 - TRUTH BE TOLD POLYGRAPH, LLC YOLANDA GELLIS	$ 820.00			
			PD Svc/Polygraphs(4) 1/23	CYPD-2023/01	$ 820.00
61825	128063 - U S ARMOR CORPORATION	$ 649.30			
			PD Ballistic Vest(1)/SRamsey 1/30	40528	$ 649.30
61826	127207 - UNDERGROUND SVS ALERT OF SO CA	$ 160.50			
			Svc/DigAlert Tickets 1/23	120230217	$ 160.50
61827	1139 - UNIFIRST CORP	$ 418.81			
			Uniforms/Mats/Towels/Rags 1/23	1/23	$ 418.81
61828	1242 - UNIFORM DEPOT, INC-MR UNIFORM	$ 820.12			
			PD Uniform/Aide BRosete	6996	$ 36.14
			PD Uniform/RACES Volunteer LPearlman	6997	$ 59.62
			PD Uniform/Trainee BReyes	6995	$ 93.02
			PD Uniform/Volunteer GMolina	6999	$ 237.18
			PD Uniform/Volunteer RHatlen	6998	$ 282.58
			PD Uniform/Volunteer WSchoemann	7001	$ 111.58

City of Cypress
Payment Register
02/11/23-02/24/23

EFT/ Warrant Number	Vendor	Payment Amount	Description	Invoice	Invoice Amount
61829	100308 - UNITED MAINTENANCE SYSTEMS	$ 19,367.00			
			Svc/Janitorial/Citywide 1/23	15412	$ 5,286.50
			Svc/Janitorial/Lexington Park Restrooms 1/23	15413(A)	$ 1,155.00
			Svc/Janitorial/Park & Rec Facilities 1/23	15414	$ 7,980.00
			Svc/Janitorial/Park Restrooms(7) 1/23	15413	$ 4,945.50
61830	1992 - VOORHEES, RONDA	$ 1,188.84			
			Instruct/Art & Piano 2/1-2/23	2/23/23	$ 1,188.84
61831	1993 - WATANABE , BRYCE I	$ 1,374.75			
			Instruct/Karate 1/9-2/8	2/8/23	$ 1,374.75
61832	128320 - WEST-LITE SUPPLY CO INC	$ 1,613.23			
			Specialty Light Bulbs(40) 1/31	79383C	$ 1,613.23
61833	1962 - WEX HEALTH INC-WEX	$ 90.00			
			Admin Fee/FSA 1/23	0001675862IN	$ 90.00
61834	101980 - WORTHINGTON FORD	$ 222.86			
			Fuel Filter(1)/Handle Covers(3)/Relays(2) 2/9	5164287	$ 222.86
61835	2098 - ZEPEDA, MARC	$ 12.00			
			Meal/Tactical Emergency Casualty Care 1/19	Reimb 2/17/23	$ 12.00
61836	0 - ALAN, SARA	$ 150.00			
			Refund/Facility Deposit/Contract #6830	Rfd 2/17/23	$ 150.00
61837	0 - BURN, PATRICK	$ 50.00			
			Refund/Karate 2/13-3/15	Rfd 2/17/23	$ 50.00
61838	0 - KNIGHTS OF COLUMBUS	$ 50.00			
			Refund/Temporary Use Permit	Rfd 2/17/23	$ 50.00
61839	0 - LOS ALAMITOS RACE COURSE	$ 50.00			
			Refund/Temporary Use Permit	Rfd 2/17/23	$ 50.00
61840	0 - OGUYNN, REGINALD	$ 300.00			
			Refund/Facility Deposit/Contract #6754	Rfd 2/17/23	$ 300.00
61841	0 - PACIFIC PICTURES	$ 24.29			
			Refund/Film Permit #2010-03	Rfd 2/17/23	$ 24.29
61842	0 - REYNOLDS, JOE	$ 116.00			
			Refund/Citation #CP467072	Rfd 2/17/23	$ 116.00
61843	0 - SAEZ, WILLIAM	$ 300.00			
			Refund/Facility Deposit/Contract #6874	Rfd 2/17/23	$ 300.00
61844	0 - SOORIYAARACHCHI, KENDRA	$ 40.00			
			Refund/Citation #CP471118	Rfd 2/17/23	$ 40.00
61845	0 - VAZQUEZ, JOSE	$ 500.00			
			Refund/Recycling Deposit/6373 Bataan St	Rfd 2/17/23	$ 500.00
61846	0 - WARMINTON RESIDENTIAL CALIFORNIA	$ 229.24			
			Refund/Plans Entitlement Documents/8732 Walker St	Rfd 2/17/23	$ 229.24
61847	0 - YUAN, PONG LIN	$ 300.00			
			Refund/Facility Deposit/Contract #6927	Rfd 2/17/23	$ 300.00

City of Cypress
Payment Register
02/11/23-02/24/23

EFT/ Warrant Number	Vendor	Payment Amount	Description	Invoice	Invoice Amount
61848	110400 - OC TRAINING MANAGERS ASSOC-OCTMA	$ 100.00			
			PD Dues/OC Training Managers Assoc/PD 2022	PD Dues 2022	$ 100.00
61849	2099 - PANELLA, NATHAN	$ 12.00			
			Meal/Patrol Rifle Course 7/8	Reimb 7/22/22	$ 12.00
59625	110400 - OC TRAINING MANAGERS ASSOC-OCTMA	$ (100.00)			
			PD Dues/OC Training Managers Assoc/PD 2022	PD Dues 2022	$ (100.00)
60123	2099 - PANELLA, NATHAN	$ (12.00)			
			Meal/Patrol Rifle Course 7/8	Reimb 7/22/22	$ (12.00)
Total EFTs		$ 893,143.36			$ 893,143.36
Total Warrants		538,507.69			538,507.69
Transfer to Payroll (W1496)		704,903.43	Payroll 02/03/23-02/17/23		704,903.43
Grand Totals		$ 2,136,554.48			$ 2,136,554.48

CITY OF CYPRESS

CITY COUNCIL REPORT

City Council Regular **7.**

FROM: Alisha Farnell, City Clerk

DATE: 03/13/2023

SUBJECT: **Approve Revisions to the Boards, Commissions and Committees Policy Manual**

RECOMMENDATION

Adopt a Resolution approving the ninth revision to the Boards, Commissions and Committees Policy Manual.

DISCUSSION

The Boards, Commissions and Committees Policy Manual outlines the procedures governing the City's appointed advisory boards and their members. The manual may be amended by City Council resolutions as needed. The last revision to the Boards, Commissions and Committees Policy Manual occurred in 2022 to update eligibility requirements for appointed officials in accordance with State law and restore the commission recruitment schedule to the month of April following prior adjustments made during the pandemic.

The recommended Policy Manual further clarifies commissioner eligibility requirements, annual recruitment in April, and makes a final adjustment to term lengths to provide consistent opportunities for residents to apply to serve on an advisory body each year. The term adjustments will result in the City Council appointing four to five commissioners each year. The current irregular recruitment cycle suppresses interest in years with a low number of vacancies and makes it difficult for residents to plan to apply to serve on a commission. If terms are not adjusted in 2023, only three residents will be appointed to serve on a an advisory body in 2024 and 2025.

Recommended terms for 2023 appointments are:
Recreation and Community Services Commission
One seat - July 1, 2023 through June 30, 2024 (1 year)
One seat - July 1, 2023 through June 30, 2025 (2 years)
One seat - July 1, 2023 through June 30, 2027 (4 years)

Senior Citizens Commission
One seat - July 1, 2023 through June 30, 2024 (1 year)

One seat - July 1, 2023 through June 30, 2025 (2 years)
One seat - July 1, 2023 through June 30, 2027 (4 years)

Traffic Commission (No changes)
Two seats - July 1, 2023 through June 30, 2027 (4 years)

Youth Action Committee (No changes)
All seats - one school calendar year

BUDGET IMPACT

None.

LEGAL REVIEW

The City Attorney has reviewed the attached Resolution.

APPROVED BY: Peter Grant, City Manager

Attachments

Resolution
Boards, Commissions, and Committees Policy Manual
Boards, Commissions, and Committees Policy Manual (Redline Version)

RESOLUTION NO.

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 THE NINTH REVISION TO THE BOARDS, COMMISSIONS AND COMMITTEES POLICY MANUAL

WHEREAS, at the City Council meeting of April 8, 2002, the City Council adopted Ordinance No. 1022 to reorganize and centrally codify the existing system related to all boards, commissions and committees within the City of Cypress; and

WHEREAS, as part of Ordinance No. 1022, Chapter 2, Article IV, Section 2-100, establishes procedures governing the City's advisory boards through a "Boards, Commissions and Committees Policy Manual," which is to be adopted by Resolution of the City Council; and

WHEREAS, the original "Boards, Commissions and Committees Policy Manual" was adopted by the City Council on April 22, 2002, per Resolution No. 5553; and

WHEREAS, the Second Revision of the manual was adopted on April 14, 2003, per Resolution No. 5648 to address a voter approved Charter Amendment to fill unscheduled vacancies on an advisory group for the unexpired term of said office in order to preserve continuity of the advisory group; and

WHEREAS, the Third Revision of the manual was adopted on June 12, 2006, per Resolution No. 5956 to remove reference to the Non-Conforming Uses Hearing Board due to the establishment of a Zoning Administrator to perform the same functions; and

WHEREAS, the Fourth Revision of the manual was adopted on July 9, 2007, per Resolution No. 6040 to remove reference to the Cable Television Commission due to the sunsetting of this Commission as of June 30, 2007 per approval of Ordinance No. 1086 adopted on November 27, 2006; and

WHEREAS, the Fifth Revision of the manual was adopted on June 13, 2016, per Resolution No. 6567 to reflect the reformatting and clarification of procedures and requirements of advisory board members; and

WHEREAS, the Sixth Revision of the manual was adopted on March 25, 2019, per Resolution No. 6722 to reflect the title change of the Youth Standing Committee to Youth Action Committee and address the importance of attendance at commission meetings by agendizing commissioner absences for City Council approval; and

WHEREAS, the Seventh Revision of the manual was adopted on January 25, 2021, per Resolution No. 6827 to reflect changes to commission recruitment related to

the COVID-19 pandemic, suspension of the 2020 recruitment process, and staggering term lengths to provide annual opportunities for residents to apply for an advisory body position; and

WHEREAS, the Eighth Revision of the manual was adopted on February 28, 2022, per Resolution No. 6879 to remove commission recruitment changes implemented in the Seventh Revision of the manual related to the COVID-19 pandemic and update eligibility requirements in accordance with Government Code Section 1020.

WHEREAS, the Ninth Revision of the "Boards, Commissions and Committees Policy Manual" clarifies the commission recruitment timeframe and eligibility requirements updated in the Eighth Revision of the manual and staggers term lengths to provide regular annual opportunities for residents to apply for an advisory body position.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Cypress, and acting as ex-officio governing Board of Directors of the Cypress Recreation and Park District, does hereby adopt the Ninth Revision of the "Boards, Commissions and Committees Policy Manual" as attached herein.

PASSED AND ADOPTED by the City Council of the City of Cypress, and acting as ex-officio governing Board of Directors of the Cypress Recreation and Park District, at a regular meeting held on the 13th day of March, 2023.

_____
MAYOR OF THE CITY OF CYPRESS

ATTEST:

_____
CITY CLERK OF THE CITY OF CYPRESS

STATE OF CALIFORNIA }
COUNTY OF ORANGE } SS

I, ALISHA FARNELL, City Clerk of the City of Cypress, DO HEREBY CERTIFY that the foregoing Resolution was duly adopted at a regular meeting of the said City Council held on the 13th day of March, 2023, by the following roll call vote:

AYES: COUNCIL MEMBERS:
NOES: COUNCIL MEMBERS:
ABSENT: COUNCIL MEMBERS:

CITY CLERK OF THE CITY OF CYPRESS

CITY OF CYPRESS

BOARDS, COMMISSIONS, AND COMMITTEES POLICY MANUAL

EIGHTH EDITION

Revised March 13, 2023

TABLE OF CONTENTS

INTRODUCTION **3**
RECRUITMENT PROCESS **3**
ELIGIBILITY REQUIREMENTS **4**
COMPOSITION **4**
TERM LENGTHS AND TERM LIMITS **5**
GENERAL BOARD, COMMISSION AND COMMITTEE DUTIES **5**
ADVISORY BODY ROLE AND RELATIONSHIPS **6**
OPERATIONS AND PROCEDURES **7**
STATUTORY REQUIREMENTS **8**
REMOVAL FROM OFFICE **9**
MEETING ATTENDANCE **10**
COMPENSATION **10**
DEFINITIONS OF BOARDS, COMMISSIONS AND COMMITTEES **10**
ADDITIONAL RESOURCES **11**

INTRODUCTION

Thank you for your interest in serving as a member of a City Council advisory body. This manual has been prepared to help you understand the important role advisory bodies play in Cypress.

Boards, commission and committees advise and make recommendations to the City Council to assist them in addressing community needs and concerns. Members of these advisory bodies are appointed by the City Council.

It is important members understand their duties and role, attend and be prepared for meetings, and contribute to the community. City staff provides technical and administrative support to the City Council's advisory groups.

Board, commission and committee members are public officials of a legislative body and are required to comply with all applicable Federal, State and local laws and procedures.

RECRUITMENT PROCESS

The City Council conducts an annual recruitment process to fill vacancies on its advisory boards, commissions or committees. The City Council makes every effort to give representation on a board, commission or committee from a diverse cross-section of residents. Interested residents may apply for appointment to more than one advisory body, but may only be appointed to serve on one advisory body at a time.

The annual recruitment period begins the first Monday in April and all interested residents must submit a completed application to the City Clerk's Office no later than 5:00 p.m. on the last Friday in April. Applications will be available on the City's website or from the City Clerk's office at the start of the recruitment period.

Current board, commission and committee members whose term expires during the year are not automatically reappointed and must submit a new application to be considered for reappointment.

The City Council will conduct interviews to evaluate applicants and appointments will be made in June. Appointments to fill vacancies of unexpired terms will be made for the unexpired term of the position.

During the recruitment process, the City Council may create a list of alternates to be used to fill any vacancies that occur prior to the next recruitment.

ELIGIBILITY REQUIREMENTS

Residency

Applicants must be a Cypress resident and 18 years or older. An exception is made for members of a youth appointed body who attend a high school serving Cypress.

Public Employment Conflicts

Applicants shall not hold any full or part-time office or employment with the City and shall not serve on more than one City appointed board, commission, or committee at a time. An exception to part-time employment may be made for Youth Action Committee members.

Nepotism

Applicants shall not be directly related by blood or marriage to a City Council Member.

Oath of Office

Newly appointed advisory board members are required to take an Oath of Office administered by the City Clerk's office. Upon completion of the Oath, the member may participate in meetings and vote.

COMPOSITION

The board, commission and committee members are appointed by the City Council as terms expire and/or as vacancies occur. They are composed as follows:

Recreation and Community Services Commission – seven members

Senior Citizens Commission – seven members

Traffic Commission – five members

Reporting to the Recreation and Community Services Commission

Youth Action Committee – a minimum of seven members

TERM LENGTHS AND TERM LIMITS

Term Lengths

As part of the 2023 recruitment, term lengths for a number of commission vacancies must be adjusted for predictable and balanced annual opportunities for residents interested in serving on a commission. The City Council will appoint residents to serve the following terms:

Recreation and Community Services Commission

- One seat – July 1, 2023 through June 30, 2024 (one year)
- One seat – July 1, 2023 through June 30, 2025 (two years)
- One seat – July 1, 2023 through June 30, 2027 (four years)

Senior Citizens Commission

- One seat – July 1, 2023 through June 30, 2024 (one year)
- One seat – July 1, 2023 through June 30, 2025 (two years)
- One seat – July 1, 2023 through June 30, 2027 (four years)

Traffic Commission

- Two seats – July 1, 2023 through June 30, 2027 (four years)

Youth Action Committee

- All seats – one school calendar year

Term Limits

Board, commission and committee members serve until successors are appointed by the City Council. No member shall serve more than two consecutive full and/or partial terms on the same board, commission, or committee, with the exception of the Youth Action Committee.

All members' terms expire on June 30 of the appropriate year. In the event an incumbent is removed or otherwise vacates their office, their successor shall be appointed for the remaining unexpired term.

Youth Action Committee appointments are made for a one-year term, and there is no limit of service. Members must be in, or entering, 12th grade at the time of appointment.

GENERAL BOARD, COMMISSION AND COMMITTEE DUTIES

Boards, commissions, and committees review and make recommendations to the City Council on matters pertaining to their specific areas of designation.

The general duty of all boards, commissions and committees is to act in an advisory capacity to the City Council (or designated reporting body).

The specific duties of each advisory group are:

Recreation and Community Services Commission

The Recreation and Community Services Commission provides recommendations and advice to the City Council on policies, projects, and other matters pertaining to parks, recreation and community services facilities and programs. Commissioners may also be called upon to help promote parks, recreation, and community services facilities and programs.

Senior Citizens Commission

The Senior Citizens Commission provides recommendations and advice to the City Council on policies, projects, and other matters pertaining to senior citizens programs and services, and the senior center facilities. Commissioners may also be called upon to help promote the senior citizens programs and services, and the senior center facilities.

Traffic Commission

The Traffic Commission receives input from the public involving traffic matters and provides recommendations to the City Council on ways of improving traffic conditions and enforcement.

Youth Action Committee

The Youth Action Committee advises the Recreation and Community Services Commission on the needs of young people and promotes the involvement and contribution of young people in municipal government, civic and recreational activities.

ADVISORY BODY ROLE AND RELATIONSHIPS

Relationships with the City Council

Board, commission and committee members are appointed by, and responsible to, the City Council. Members advise and make recommendations to the City Council and may be delegated other powers by the City Council, but the City Council is the ultimate authority for all policy decisions. Unless representing a position taken by an advisory body at a properly agendized public meeting, board and commission members speaking at a public meeting are required to clearly state they are representing their own opinion and not speaking for the body to which they were appointed.

Any communication with the City Council related to advisory body business should be in writing and represent recommendations made by a majority of the group at a public meeting. The written communication should originate from the advisory group chair, be copied to the group's staff liaison and submitted to the City Manager's office.

Relationships with City Staff

The City Manager may assign staff to provide support to a board, commission or committee. Staff responsibilities include facilitating meetings and preparing meeting agendas and minutes.

Advisory members shall not direct staff or determine the priority of staff work. Agenda items for advisory board meetings are determined by the City Council or staff.

Relationships with Other Board, Commission or Committee Members

In order to operate effectively, it is important that advisory groups cooperate and respect each other. One way to develop this rapport is for members to ensure meetings proceed in an orderly manner. The chairperson is responsible for managing the meeting and allocating reasonable time for discussion and deliberation of each item. It is important members prepare for presentations made to the board, commission or committee, and thoroughly review agenda materials before the meeting.

Boards, commission and committees should be aware members bring different experiences and styles to the meetings and represent different perspectives. It is important members respect each other, staff and members of the public. It is also important to remain objective when considering advisory board issues.

Relationships with the Public

Members are encouraged to seek out and become aware of public opinion relating to their board, commission or committee. Public input at meetings should be welcomed.

Members should conduct themselves at public meetings in a professional and impartial manner that respects their role and responsibilities, and represents Cypress in the best light possible. Members should be considerate of all interests, attitudes, and differences of opinion.

Meeting Decorum

The chairperson is responsible for running the meeting and ensuring an effective deliberative process. It is important that meetings start on time. Members should wait to be recognized by the chairperson before speaking and keep remarks to the issue at hand. Full attention should be given when others speak with active listening to public concerns. Courteous and professional behavior is required of all members; the ability to treat your

fellow advisory board members, staff, and the public with respect is an important part of your service.

OPERATIONS AND PROCEDURES

A chairperson and vice chairperson shall be elected annually for each advisory board. A quorum of the group is required to conduct business. A majority vote of the members present and voting is required to carry a motion.

All commissions and standing committees shall meet regularly, as needed, in a location within the City. *Robert's Rules of Order – Newly Revised* covers the parliamentary procedures of all board, commission and committee meetings.

STATUTORY REQUIREMENTS

The Brown Act

The Ralph M. Brown Act provides that all meetings of a legislative body, which includes the City Council, boards, commissions, and committees, shall be open and public with all persons permitted to attend. A meeting is defined as "a quorum of the advisory body discussing or deliberating on subject matter related to the legislative body." The Brown Act prohibits a quorum from meeting privately or without notice. Serial meetings, where a quorum of the members uses any direct communication, personal intermediaries or technological devices to develop a collective concurrence as to action to be taken, are also prohibited since this exchange can occur outside the public meeting process.

All meetings must be properly noticed under the Brown Act. The agenda for regular meetings must be posted in a location accessible to the public at least 72 hours prior to the meeting. Agendas for special meetings must be posted at least 24 hours prior to the meeting. Regular minutes of such meetings shall be maintained and available for public inspection.

Ethics Training (AB 1234)

In order to meet the requirements of State law (AB 1234), all appointed advisory members who are eligible to receive a stipend for their service are required to receive no less than two hours of training in general ethics principles and ethics laws every two years. Newly appointed advisory members must complete the required ethics training within 90 days of appointment. On-site training is provided by the City on an annual basis. Advisory members who are unable to attend this training must complete the training online through the Fair Political Practices Commission prior to their next scheduled advisory board meeting; members who fail to complete the training will not be allowed to attend commission meetings until completed and are subject to dismissal from the advisory body.

The Youth Action Committee and ad hoc committee members are not required to participate in ethics training since they do not receive compensation for their service.

Conflict of Interest (Form 700)

All members of established boards, commissions and committees are required to file annual Statements of Economic Interest (Form 700) with the City Clerk upon assuming or leaving office. State law requires that designated individuals who make or participate in making governmental decisions that could affect their personal economic interests file the Form 700. Members who fail to file the Form 700 as requested are subject to an administrative fine and dismissal from the advisory body.

The Youth Action Committee members are not required to file an annual Statement of Economic Interest (Form 700).

REMOVAL FROM OFFICE

The City Council may, at its sole and absolute discretion, remove a member from office at any time (as specified in the Cypress Charter Section 802). The reasons for removal may include, but are not limited to:

1. The City Council determines that it would be in the best interest of the City to remove a member.

2. A member has incurred four absences from regular meetings during any 12-month period. A member arriving more than 30 minutes after the start of a meeting shall be deemed absent.

3. A member has failed to complete the mandatory ethics training (AB 1234).

4. A member has failed to file their Statement of Economic Interests (Form 700).

5. A member has violated the Oath of Office.

6. A member has been convicted of a crime of moral turpitude.

7. A member ceases to be a resident of Cypress.

Resignation

Advisory members may resign at any time. The Municipal Code requires “the office of an appointed commissioner or board member shall be immediately and automatically rendered vacant upon the member’s filing of nomination papers designating such person a candidate for the office of the City Council.” (Section 2-2.22.1)

Filling Vacancies

In the event an incumbent is removed or otherwise vacates their office, their successor shall be appointed for the remaining unexpired term.

An existing member of an advisory body who desires to seek a vacant seat on another advisory body must resign from the current advisory body in order to be considered for appointment unless their term expires in the same year as the vacancy to be filled.

MEETING ATTENDANCE

Advisory board members are expected to attend and participate in all meetings. A member is subject to removal from office by the City Council should the member incur four absences from regular meetings during any 12-month period. A member arriving more than 30 minutes after the start of a meeting shall be considered absent and not eligible to receive compensation for that meeting.

In an effort to address the importance of attendance at commission meetings, commissioner absences may be agendized for City Council review and approval.

COMPENSATION

Meeting Allowance

Compensation amounts for all boards, commissions and committees is as follows:

- $50 for attending a regularly scheduled board, commission or committee meeting (maximum payment of one per month).

- Youth Action Committee members do not receive any compensation.

Travel and Other Expenses

All travel and other expenses must be pre-approved by the designated staff liaison. State law (AB 1234) requires officials seeking reimbursement to file an expense report, as well as make an oral report at their advisory board meeting on the meeting or conference attended.

DEFINITIONS OF BOARDS, COMMISSIONS AND COMMITTEES

The City Council establishes advisory boards, commissions, and committees by Ordinance or Resolution. The following serves as definitions of the various advisory groups.

- Ad Hoc Committee. Sometimes referred to as a Task Force, is a committee appointed for a specific limited time, purpose or project.

- Board. A standing body which may be tasked with defined advisory or investigatory powers as stated in an establishing ordinance.

- Commission. An appointed body that serves at the City Council's pleasure in an advisory capacity to provide citizen input and recommendations related specifically to their assignment.

- Committee. May be an ad hoc or standing body, tasked with more narrow duties, including to provide support to discrete community projects or events, or to advise the City Council on solutions to specified problems or issues.

ADDITIONAL RESOURCES

City Website
www.cypressca.org

Municipal Code
http://qcode.us/codes/cypress/

City Charter
www.cypressca.org/home/showpublisheddocument/126/637594432647230000

California Codes
http://leginfo.legislature.ca.gov/faces/codes.xhtml

Fair Political Practices Commission
www.fppc.ca.gov

Robert's Rules of Order
www.robertsrules.com

CITY OF CYPRESS

BOARDS, COMMISSIONS, AND COMMITTEES POLICY MANUAL

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Revised ~~February 28~~March 13, ~~2022~~2023

TABLE OF CONTENTS

INTRODUCTION 3
RECRUITMENT PROCESS 3
ELIGIBILITY REQUIREMENTS 4
COMPOSITION 4
TERM LENGTHS AND TERM LIMITS 5
GENERAL BOARD, COMMISSION AND COMMITTEE DUTIES 5
ADVISORY BODY ROLE AND RELATIONSHIPS 6
OPERATIONS AND PROCEDURES 7
STATUTORY REQUIREMENTS 8
REMOVAL FROM OFFICE 9
MEETING ATTENDANCE 10
COMPENSATION 10
DEFINITIONS OF BOARDS, COMMISSIONS AND COMMITTEES 10
ADDITIONAL RESOURCES 11

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Applicants must be a Cypress resident and 18 years or older. An exception is made for members of a youth appointed body who attend a high school serving Cypress.

Public Employment Conflicts

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Oath of Office

Newly appointed advisory board members are required to take an Oath of Office administered by the City Clerk's office. Upon completion of the Oath, the member may participate in meetings and vote.

COMPOSITION

The board, commission and committee members are appointed by the City Council as terms expire and/or as vacancies occur. They are composed as follows:

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Youth Action Committee – a minimum of seven members

TERM LENGTHS AND TERM LIMITS

Term Lengths

As part of the 2023 recruitment, term lengths for a number of commission vacancies must be adjusted for predictable and balanced annual opportunities for residents interested in serving on a commission. The City Council will appoint residents to serve the following terms:

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- Two seats – July 1, 2023 through June 30, 2027 (~~–~~four years)

Youth Action Committee~~–~~

- All seats – one ~~one~~ school calendar year

Term Limits

Board, commission and committee members serve until successors are appointed by the City Council. No member shall serve more than two consecutive full and/or partial terms on the same board, commission, or committee, with the exception of the Youth Action Committee.

All members' terms expire on June 30 of the appropriate year. In the event an incumbent is removed or otherwise vacates their office, their successor shall be appointed for the remaining unexpired term.

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GENERAL BOARD, COMMISSION AND COMMITTEE DUTIES

Boards, commissions, and committees review and make recommendations to the City Council on matters pertaining to their specific areas of designation.

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The Brown Act

The Ralph M. Brown Act provides that all meetings of a legislative body, which includes the City Council, boards, commissions, and committees, shall be open and public with all persons permitted to attend. A meeting is defined as "a quorum of the advisory body discussing or deliberating on subject matter related to the legislative body." The Brown Act prohibits a quorum from meeting privately or without notice. Serial meetings, where a quorum of the members uses any direct communication, personal intermediaries or technological devices to develop a collective concurrence as to action to be taken, are also prohibited since this exchange can occur outside the public meeting process.

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The Youth Action Committee and ad hoc committee members are not required to participate in ethics training since they do not receive compensation for their service.

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REMOVAL FROM OFFICE

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1. The City Council determines that it would be in the best interest of the City to remove a member.

2. A member has incurred four absences from regular meetings during any 12-month period. A member arriving more than 30 minutes after the start of a meeting shall be deemed absent.

3. A member has failed to complete the mandatory ethics training (AB 1234).

4. A member has failed to file their Statement of Economic Interests (Form 700).

5. A member has violated the Oath of Office.

6. A member has been convicted of a crime of moral turpitude.

7. A member ceases to be a resident of Cypress.

Resignation

Advisory members may resign at any time. The Municipal Code requires “the office of an appointed commissioner or board member shall be immediately and automatically rendered vacant upon the member’s filing of nomination papers designating such person a candidate for the office of the City Council.” (Section 2-2.22.1)

Filling Vacancies

In the event an incumbent is removed or otherwise vacates their office, their successor shall be appointed for the remaining unexpired term.

An existing member of an advisory body who desires to seek a vacant seat on another advisory body must resign from the current advisory body in order to be considered for appointment unless their term expires in the same year as the vacancy to be filled.

MEETING ATTENDANCE

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In an effort to address the importance of attendance at commission meetings, commissioner absences may be agendized for City Council review and approval.

COMPENSATION

Meeting Allowance

Compensation amounts for all boards, commissions and committees is as follows:

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- Youth Action Committee members do not receive any compensation.

Travel and Other Expenses

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DEFINITIONS OF BOARDS, COMMISSIONS AND COMMITTEES

The City Council establishes advisory boards, commissions, and committees by Ordinance or Resolution. The following serves as definitions of the various advisory groups.

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- Board. A standing body which may be tasked with defined advisory or investigatory powers as stated in an establishing ordinance.

- Commission. An appointed body that serves at the City Council's pleasure in an advisory capacity to provide citizen input and recommendations related specifically to their assignment.

- Committee. May be an ad hoc or standing body, tasked with more narrow duties, including to provide support to discrete community projects or events, or to advise the City Council on solutions to specified problems or issues.

ADDITIONAL RESOURCES

City Website
www.cypressca.org

Municipal Code
http://qcode.us/codes/cypress/

City Charter
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California Codes
http://leginfo.legislature.ca.gov/faces/codes.xhtml

Fair Political Practices Commission
www.fppc.ca.gov

Robert's Rules of Order
www.robertsrules.com

CITY OF CYPRESS

CITY COUNCIL REPORT

City Council Regular **8.**

FROM: Peter Grant, City Manager

DATE: 03/13/2023

SUBJECT: Approve Updates to City Council Meeting Agenda Structure and Discuss Meeting Location and Cablecast/Streaming

---

RECOMMENDATION

Approve updates to City Council meeting agenda structure.

DISCUSSION

At its February 13 meeting, the City Council held a workshop to review its meeting agenda structure. The City Clerk led a presentation (attached) of the results of a best practices assessment of the City Council meeting structure and virtual public participation. The attached recommendations are intended to produce an agenda that is easy to read and understand; promotes efficient and effective meetings; encourages public participation; is transparent; and is easy for the Mayor and City Clerk to administer.

All the recommendations are based on a survey of the other 33 cities in Orange County. The survey was conducted before the Governor lifted California's pandemic state of emergency (and related virtual public meeting rules) and it found that only 15 of 34 Orange County cities (44%) allow virtual public participation at city council meetings. The number of cities permitting virtual public participation at city council meetings is anticipated to decrease with the end of the state of emergency. All the workshop recommendations were drawn from other Orange County cities' city council meeting agendas.

Summary of the Workshop Recommendation

The workshop recommendations are attached (along with options that capture City Council input from the workshop). In summary, the recommendations:

- Streamline the agenda by moving routine, recurring public participation, invocation and Americans with Disabilities Act (ADA) advisements to the end of the agenda
- Make the *Consent Calendar* the first order of business
- Add *Items Removed From the Consent Calendar* to the agenda after *New Business*
- Clarify the title of *Council Member Reports and Remarks* to *Council Member Reports from City-Affilitated Boards and Committees, and Remarks*

- Add *Council Member Items for Future Consideration* to the agenda after *Council Member Reports from City-Affilitated Boards and Committees, and Remarks*
- Establish more focused and orderly Oral Communications/Public Hearings

Consent Calendar and Items Removed from the Consent Calendar

The Consent Calendar serves to expedite meetings and reserve time for matters that need to be discussed. Items on the Consent Calendar are generally non-controversial and do not require much, if any, discussion. The Consent Calendar allows the City Council to group such items together under a single heading and decide them at one time. The City Council has a procedure for removing an item from the Consent Calendar for separate discussion. This enables the item to be considered and voted upon separately if discussion is needed or if a Council Member needs to disqualify themselves because of a conflict of interest. Adding *Items Removed from the Consent Calendar* to the agenda makes it easier for the Mayor and City Clerk to track those items during the meeting and provides department directors the opportunity to review the agenda report and prepare a brief presentation/answer questions from the City Council.

Oral Communications

Several adjustments to oral communications are recommended to enhance City Council meeting participation and encourage residents to engage with, rather than "talk at," Council Members. Currently, each oral communication period operates differently and speakers sometimes express frustration with awkward Brown Act rules that prohibit Council Members from engaging on items that do not appear on the meeting agenda. The recommended oral communications periods have distinct titles: (1) *Oral Communications on Closed Session / Workshop Items* (limited to 30 minutes and three minutes per speaker); (2) *Oral Communications on Agenda Items* (three minutes per speaker, no limit on total time); (3) *Public Hearings* (three minutes per speaker, no limit on total time); and (4) *Oral Communications on Items Not on the Agenda* (three minutes per speaker, no limit on total time). In-person participation during *Oral Communications on Closed Session / Workshop Items* is recommended because the City Council does not take action in workshops and (infrequent) action in Closed Session is reported/approved during a General Session. This recommendation also protects the city from user errors/technology failures that have enabled outsiders to eavesdrop during other cities' Closed Sessions. In-person participation during *Oral Communications on Items Not on the Agenda* is recommended to maintain the meeting's focus on City Council business and to encourage communication with the City Council in a setting when Council Members can engage with residents. To further this goal, each oral communication period includes the following statement: *Members of the public are encouraged to communicate with the City Council via email at adm@cypressca.org or by calling 714-229-6699.* In-person and virtual participation is recommended for *Oral Communications on Agenda Items* and *Public Hearings*. It is also recommended that the public continue to have the option to submit comments via email to cityclerk@cypressca.org. Comments submitted by 3:00 p.m. on the day of the meeting are added to the City Council agenda as a Consent Calendar item. During the February 13 workshop, the City Council expressed a preference for in-person and virtual participation during *Oral Communications on Items Not on the Agenda*. The *City Council Workshop Preference* is distinguished from the *Workshop Recommendation* on the attached agenda template and a motion to approve the agenda structure update should indicate if the motion is for the *City Council Workshop Preference* or the *Workshop Recommendation.* Statistics from 21 Cypress City Council meetings leading into the pandemic and 26 meetings after the City Council returned to in-person meetings are attached.

Next Steps

Updates to the City Council agenda structure must be reflected in the Municipal Code. If the City Council approves the agenda structure update, changes to the Municipal Code will appear as a Consent Calendar item at an upcoming meeting and the updated agenda structure will be in effect 30 days after the Municipal Code update.

Meeting Location and Cablecast/Streaming

City Council meetings sometimes include a Workshop (many cities refer to this portion of a meeting as a study session), which provides the City Council the opportunity to take a deep dive into an important or complicated issue. The City Council does not take action in Workshops, rather this portion of the meeting is a classroom-style brainstorming session where Council Members and department directors engage in discussions designed to create synergy and stimulate questions and dialogue. To foster this environment, the City Council holds Workshops in conference rooms rather than the Council Chambers, because the Council Chambers was designed to create distance between Council Members and its advisors/the public, and physically places Council Members above everyone else in the room.

Workshops are open to the public and, since the pandemic, may be attended virtually. Workshop audio is synched to any presentations and is available from the City Clerk's office, but is not posted on the website because of technological limitations. Requests for Workshop recordings or presentations are exceedingly rare. While the city does not track such requests, the City Clerk's office cannot recall more than a handful of requests from Council Members and a single resident since 2018.

Past City Councils placed such a high value on the teamwork and collaboration generated by Workshops that the city has a longstanding practice to hold Workshops in a conference room setting and not cablecast/stream them. The only city meeting room with the technology required to cablecast/stream is the Council Chambers and the cost to outfit a city conference room with the appropriate technology is exceedingly high when considering how infrequently the City Council holds Workshops. In 2022, the City Council only held one Workshop that was not part of the Budget development process. The City Council also conducts confidential Closed Sessions in the same room as Workshops and the cablecast/streaming technology would present an information security risk.

If any action arises from Workshop discussion, the item comes before the City Council for consideration in a General Session, which is held in the Council Chambers and cablecast/streamed. The Budget development process is an excellent example: typically, the City Council is briefed in Workshops that focus on different aspects of the city's financial condition, policies, and the proposed Budget and Capital Improvement Plan. Many of the Workshop sessions are accompanied by New Business items considered in General Session (the Mid-Year Budget and Capital Improvement Plan Updates are recent examples). Budget-related Workshops begin in February and culminate in June when the City Council receives thorough presentations from the Finance Director and Public Works Directors in General Session and considers the annual Budget and Capital Improvement Plan as New Business items.

The city's executive team believes Workshops are of great value to Cypress and that the more causal, back-and-forth exchanges between Council Members and department directors result in better recommendations to the City Council later in General Session. Changing the location of Workshops or cablecasting/streaming them is likely to degrade this powerful

teamwork environment. Accordingly, it is recommended that the City Council maintain its existing approach to Workshops. One option for the City Council to consider is directing the City Manager to evaluate the technology and cost required to post Workshop audio recordings to the website. However, given the low level of interest in Workshop recordings, the return on this expense is likely to be very low.

BUDGET IMPACT

None.

LEGAL REVIEW

The City Attorney participated in developing the agenda structure update.

APPROVED BY: Peter Grant, City Manager

Attachments

Workshop PPT
Meeting Data
Agenda Template

City of CYPRESS



Review of City Council Meeting Agenda Structure

Prior Agenda Updates

- 2016 - significant adjustments to implement new agenda management, streaming and video archive system (*Agenda Quick*)
- Spring 2020 - significant modifications in response to the pandemic
- Summer 2021 - refined to current version
- Early 2023 – recommendations under review

Guiding Principals

- Easy to read and understand
- Promotes efficient and effective meetings
- Encourages public participation
- Transparent
- Easy for Mayor and City Clerk to administer

Best Practices Review

- Surveyed agenda from all 34 OC cities
- Every city has a different agenda format!
- Only 15 of 34 cities (44%) permit virtual participation
- All recommended changes are drawn from other OC city agendas

AGENDA
REGULAR MEETING
CYPRESS CITY COUNCIL
DATE
TIME - Closed Session / Workshop
TIME - Open Session

www.cypressca.org

Council Chambers
5275 Orange Avenue
Cypress, California

Interested in speaking to the City Council? Information about participating in the City Council meeting appears at the end of the agenda.

CALL TO ORDER
TIME
Executive Board Room

ROLL CALL
Cypress City Council, also acting as the Ex-Officio Governing Board of Directors of the Cypress Recreation and Park District

ORAL COMMUNICATIONS ON CLOSED SESSION / WORKSHOP ITEMS
(Limited to 30 minutes and three minutes per speaker. The City Council may adjust the time allotted per speaker.)

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CLOSED SESSION / WORKSHOP

RECONVENE
TIME
Council Chambers

ROLL CALL
Cypress City Council, also acting as the Ex-Officio Governing Board of Directors of the Cypress Recreation and Park District

PLEDGE OF ALLEGIANCE

INVOCATION

REPORT OF CLOSED SESSION / WORKSHOP
City Manager/City Attorney

PRESENTATIONS

ORAL COMMUNICATIONS ON AGENDA ITEMS
(Three minutes per speaker. The City Council may adjust the time allotted per speaker.)

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CONSENT CALENDAR
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PUBLIC HEARINGS
(Three minutes per speaker)

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NEW BUSINESS

ITEMS REMOVED FROM THE CONSENT CALENDAR

ITEMS FROM COUNCIL MEMBERS

ORAL COMMUNICATIONS ON ITEMS NOT ON THE AGENDA
(Three minutes per speaker. The City Council may adjust the time allotted per speaker.)

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COUNCIL MEMBER REPORTS FROM CITY-AFFILIATED BOARDS AND COMMITTEES, AND REMARKS

COUNCIL MEMBER ITEMS FOR FUTURE CONSIDERATION

CITY MANAGER REMARKS

ADJOURNMENT
The next meeting will be an adjourned Regular Meeting, to be held on Monday, MONTH DAY, YEAR, 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 and the City's website not less than 72 hours prior to the meeting. Dated this DAY of MONTH, YEAR.

_____
Alisha Farnell, City Clerk

PUBLIC PARTICIPATION
Members of the public can participate in the City Council meeting in the following ways:

1. Attend In-Person. First-come, first-served seating is available in the Council Chambers. All attendees must be free of any symptoms associated with contagious illnesses.

2. Attend Virtually via Webinar.
   Follow this link: https://attendee.gotowebinar.com/register/6682541831096695382.
   Advance registration is recommended.

   The public may address the City Council virtually during Oral Communications on Agenda Items/Public Hearings. Virtual participants must click the 'hand raise' button prior to the end of the first in-person speaker to indicate they wish to address the City Council. Upon clicking the 'hand raise' button, please unmute your microphone and wait for the Mayor/City Clerk to call on you.

    = Hand Raise  = Unmute

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The City Council does not endorse the content of the invocation and does not endorse the invocational speaker's particular faith, belief and/or religious denomination. The City Council has an established neutral policy for selecting and scheduling invocational speakers that is available from the City Clerk.

AMERICANS WITH DISABILITIES ACT
In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, you should contact the City Clerk at (714) 229-6685 at least 72 hours prior to the meeting to enable the City to make reasonable arrangements to assure accessibility to this meeting.

Recommendation

- Discuss and provide direction regarding updating the City Council meeting agenda format

<u>Next Steps</u>

- City Council consideration of revised meeting agenda format in General Session on February 27
- New format in place in April (if approved)

Oral Communications Summary

Oral Communications	Current	Recommended	Type
Closed Session/Workshop	3 min/speaker	3 min/speaker	In-person comments only; Must address agenda item
First Period → Items on the Agenda	30 min. and 3 min/speaker	3 min/speaker	In-person and virtual comments; Must address agenda item
Public Hearings	5 min/speaker	3 min/speaker	In-person and virtual comments; Must address public hearing item
Second Period → Items Not on the Agenda	5 min/speaker	3 min/speaker	In-person comments only; Must address city business

	1st OC	In Person	Virtual	30 Min Cap?	2nd OC	In Person	Virtual	Spoke in Both	Mtg Length
2/11/2019	0	0	N/A		0	0	N/A	0	00:55
2/25/2019	2	2	N/A		0	0	N/A	0	00:29
3/25/2019	12	12	N/A	Yes	1	1	N/A	1	01:57
4/8/2019	1	1	N/A		0	0	N/A	0	00:46
4/22/2019	4	4	N/A		0	0	N/A	0	00:59
5/13/2019	1	1	N/A		0	0	N/A	0	00:59
5/28/2019	2	2	N/A		0	0	N/A	0	00:51
6/10/2019	2	2	N/A		0	0	N/A	0	00:56
6/24/2019	1	1	N/A		0	0	N/A	0	00:45
7/8/2019	3	3	N/A		0	0	N/A	0	02:23
8/26/2019	1	1	N/A		0	0	N/A	0	00:29
9/9/2019	0	0	N/A		0	0	N/A	0	00:40
10/14/2019	1	1	N/A		0	0	N/A	0	00:44
10/28/2019	4	4	N/A		3	3	N/A	2	01:27
11/12/2019	6	6	N/A		0	0	N/A	0	01:32
11/25/2019	0	0	N/A		0	0	N/A	0	01:42
12/9/2019	3	3	N/A		1	1	N/A	0	01:42
1/13/2020	12	12	N/A	Yes	6	6	N/A	0	01:31
1/27/2020	4	4	N/A		2	2	N/A	2	01:33
2/10/2020	7	7	N/A		2	2	N/A	1	00:57
2/24/2020	1	1	N/A		0	0	N/A	0	00:59
Average	**3.2**				**0.7**			**0.3**	**1:09**

	1st OC	In Person	Virtual	30 Min Cap?	2nd OC	In Person	Virtual	Spoke in Both	Mtg Length
6/28/2021	9	9	0		3	3	0	2	01:13
7/12/2021	5	2	3		1	1	0	0	02:19
8/23/2021	10	10	0		1	1	0	0	01:46
9/13/2021	3	3	0		0	0	0	0	02:02
9/27/2021	2	2	0		0	0	0	0	00:52
10/11/2021	7	2	5		3	1	2	3	01:08
10/25/2021	0	0	0		1	0	1	0	01:22
11/8/2021	2	2	0		0	0	0	0	00:42
11/22/2021	6	3	2		1	0	1	0	01:38
12/13/2021	0	0	0		0	0	0	0	00:37
1/10/2022	8	3	5		4	0	4	4	02:40
1/24/2022	7	3	4		9	8	1	3	03:12
2/14/2022	10	10	0	Yes	5	3	2	0	03:28
2/28/2022	10	9	1		6	5	1	1	03:04
3/14/2022	6	5	1		5	3	2	4	01:29
3/28/2022	12	11	1	Yes	2	0	2	0	01:48
4/11/2022	12	12	0	Yes	9	6	3	0	02:55
4/25/2022	13	12	1	Yes	3	2	1	3	02:28
5/9/2022	12	11	1	Yes	5	3	2	2	02:09
5/23/2022	8	5	3		8	7	1	3	02:02
6/13/2022	11	9	2	Yes	4	2	2	1	03:21
6/27/2022	9	6	3		6	2	4	3	04:05
7/11/2022	19	14	5	Yes	9	2	7	6	04:08
8/22/2022	10	10	0	Yes	16	9	7	5	03:45
9/12/2022	5	4	1		1	1	0	0	02:32
9/26/2022	11	11	0	Yes	9	5	4	1	03:21
Average	**8.0**	**6.5**	**1.5**		**4.3**	**2.5**	**1.8**	**1.6**	**2:18**

	Pre-Pandemic	Post-Pandemic
Average Meeting Length	1:09:00	2:18:00
Shortest Meeting	0:29:00	0:37:00
Longest Meeting	1:42:00	4:08:00
General Session:		
First Oral Communications	3.2 Speakers	8.0 Speakers
% of total	*82%*	*18%*
Second Oral Communications	0.7 Speakers	4.3 Speakers
% of total	*65%*	*35%*
Spoke during 1st & 2nd	0.3 Speakers	1.6 Speakers
Virtual vs. In-Person:		
First Oral Communications (In-Person)	N/A	6.5 Speakers
% of total		82%
First Oral Communications (Virtual)	N/A	1.5 Speakers
% of total		*18%*
Second Oral Communications (In-Person)	N/A	2.5 Speakers
% of total		*58%*
Second Oral Communications (Virtual)	N/A	1.8 Speakers
% of total		*42%*

Over the 26 post-pandemic meetings, 34 people spoke 97 times during the second (final) Oral Communications period:

- 18 people spoke once
- 16 people spoke multiple times and averaged 4.9 appearances
- The 10 most frequent speakers appeared 63 times (65% of all speakers)
- The seven most prolific speakers (those who spoke five or more times) averaged 7.3 appearances and accounted 53% of all speakers

Oral Communications and meeting length significantly increased beginning in February 2022, which correlates to the California Voting Rights Act community forums. From February to October 2022, General Session First Oral Communications increased 62%, General Session Second Oral Communications increased 223%, and meetings were 1h 42m longer.

AGENDA
REGULAR MEETING
CYPRESS CITY COUNCIL
DATE
TIME - Closed Session / Workshop
TIME - General Session

www.cypressca.org

Council Chambers
5275 Orange Avenue
Cypress, California

Interested in speaking to the City Council? Information about participating in the City Council meeting appears at the end of the agenda.

CALL TO ORDER
TIME
Executive Board Room

ROLL CALL
Cypress City Council, also acting as the Ex-Officio Governing Board of Directors of the Cypress Recreation and Park District

ORAL COMMUNICATIONS ON CLOSED SESSION / WORKSHOP ITEMS
(Limited to 30 minutes and three minutes per speaker. The City Council may adjust the time allotted per speaker.)

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CLOSED SESSION / WORKSHOP

RECONVENE
TIME
Council Chambers

ROLL CALL
Cypress City Council, also acting as the Ex-Officio Governing Board of Directors of the Cypress Recreation and Park District

PLEDGE OF ALLEGIANCE

INVOCATION

REPORT OF CLOSED SESSION / WORKSHOP
City Manager/City Attorney

PRESENTATIONS

ORAL COMMUNICATIONS ON AGENDA ITEMS
(Three minutes per speaker. The City Council may adjust the time allotted per speaker.)

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NEW BUSINESS

ITEMS REMOVED FROM THE CONSENT CALENDAR

ITEMS FROM COUNCIL MEMBERS

ORAL COMMUNICATIONS ON ITEMS NOT ON THE AGENDA
(Three minutes per speaker. The City Council may adjust the time allotted per speaker.)

WORKSHOP RECOMMENDATION
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CITY COUNCIL WORKSHOP PREFERENCE
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COUNCIL MEMBER REPORTS FROM CITY-AFFILIATED BOARDS AND COMMITTEES, AND REMARKS

COUNCIL MEMBER ITEMS FOR FUTURE CONSIDERATION

CITY MANAGER REMARKS

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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 and the City's website not less than 72 hours prior to the meeting. Dated this DAY of MONTH, YEAR.

_____
Alisha Farnell, City Clerk

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CITY COUNCIL WORKSHOP PREFERENCE

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CITY OF CYPRESS

CITY COUNCIL REPORT

City Council Regular **9.**

FROM: Peter Grant, City Manager

DATE: 03/13/2023

SUBJECT: **Receive an Update from the City Manager and Provide Direction Regarding the Civility, Conduct, Ethics and Governance Policy**

RECOMMENDATION

Receive an update on the Civility, Conduct, Ethics and Governance Policy and provide direction.

DISCUSSION

The City Manager will provide a verbal update on the Civility, Conduct, Ethics and Governance Policy.

BUDGET IMPACT

None.

LEGAL REVIEW

None.

APPROVED BY: Peter Grant, City Manager

Attachments

2023 CCEG Policy

CITY OF CYPRESS

CIVILITY, CONDUCT, ETHICS AND GOVERNANCE POLICY

Adopted February 13, 2023

City Council

Anne Hertz-Mallari, Mayor
Scott Minikus, Mayor Pro Tem
David Burke, Council Member
Frances Marquez, Council Member
Bonnie Peat, Council Member

Civility, Conduct. Ethics and Governance Policy

SIGNATURE PAGE

We have reviewed and agree to follow the Civility, Conduct, Ethics and Governance Policy in order to support a positive and productive working relationship among the Cypress City Council, City Manager, City staff, and the community. We shall review the Policy annually.

Anne Hertz-Mallari, Mayor

Scott Minikus, Mayor Pro Tem

David Burke, Council Member *

Frances Marquez, Council Member

Bonnie Peat, Council Member

Peter Grant, City Manager

* My signature on this document does not constitute a waiver of any rights, privileges, or benefits, that were conferred upon my election to the Cypress City Council.

Civility, Conduct. Ethics and Governance Policy

CONTENTS

SIGNATURE PAGE 2
PURPOSE 4
MISSION STATEMENT 6
VISION STATEMENT 6
CORE VALUES/GUIDING PRINCIPLES 6
CIVILITY & CONDUCT PROTOCOLS 7
GOVERNANCE PROTOCOLS 8
CODE OF ETHICS 10
ENFORCEMENT OF THE POLICY FOR COUNCIL MEMBERS 11
ADDRESSING THE CITY COUNCIL IN A PUBLIC MEETING 12
ENFORCEMENT OF THE POLICY FOR MEMBERS OF THE PUBLIC 14

Civility, Conduct. Ethics and Governance Policy

PURPOSE

The City of Cypress is committed to the democratic process, individual rights of expression, robust debate, and tolerance for disparate views. Adopting a civility, conduct, ethics and governance policy that establishes rules of decorum and principles of civility applicable to all public meetings and in all interactions in the workplace helps ensure that civic engagement and local democracy continue to flourish in Cypress.

The Civility, Conduct, Ethics and Governance Policy (the Policy) is intended to promote mutual respect, civility, and orderly conduct among elected and appointed City officials, City staff, and our community. The Policy is not intended to deprive any person of his/her right to freedom of expression, but to promote, to the extent possible and reasonable, open dialogue and positive communications while discouraging intimidating, demeaning, volatile, hostile or aggressive actions.

In order to safeguard participatory democracy in Cypress, all elected officials, appointed officials and City employees are expected to adhere to the standards of conduct established in the Policy.

The Policy is a framework for effective governance and involves ongoing discussions and agreements about unity of purpose, roles, responsibilities, norms and protocols that enable the City Council and City Management team to continue to perform its responsibilities in a way that best benefits Cypress.

The City Council and City Management must function together as a governance leadership team to effectively serve our community. Agreed-upon behaviors and operating protocols support consistent behaviors and actions among team members. The Policy ensures a positive, productive working relationship among Council Members, the City Manager, City staff, and our community. The Policy is developed for, and by, the governance team and may be modified as needed.

The Policy shall be:

- Signed by Council Members and posted on the City website.
- Signed by Commissioners.
- Provided to candidates for election to the City Council and reviewed in City Council candidate orientations.
- Provided to applicants for appointment to commissions.
- Reviewed by the City Council annually for self-evaluation, discussion, and revision (if appropriate) as a new business item.
- Reviewed by the City Council for self-evaluation, discussion, and revision (if appropriate) as a new business item within 60 days of new member joining the City Council or the appointment of a new City Manager or City Attorney.

Civility, Conduct. Ethics and Governance Policy

For the purposes of this Policy, "Mayor" refers to the chair of any public meeting or meeting of a City Council authorized Commission, Board or Subcommittee and "City Council" also refers to all Commissions, Board or Subcommittees.

Civility, Conduct. Ethics and Governance Policy

MISSION STATEMENT

The City of Cypress, in partnership with the community, sustains and enhances our safe, attractive and quality environment in which to live, work and play.

VISION STATEMENT

Cypress, an engaged and diverse community, will honor the past and embrace sustainable growth for families and businesses to prosper.

CORE VALUES/GUIDING PRINCIPLES

The City of Cypress values…
Integrity
Accountability
Transparency
Fiscal prudence
Teamwork
Responsiveness to the community

Civility, Conduct. Ethics and Governance Policy

CIVILITY & CONDUCT PROTOCOLS

In interactions with each other, City staff and the community, Council Members will:

C1. Be respectful; especially when there is disagreement.

C2. Be honest and truthful.

C3. Treat each other and everyone with courtesy and refrain from behavior that is contrary to this Policy or derogatory comments; and refrain from inciting such behavior or derogatory comments.

C4. Make our community feel welcome; and strive to make people feel heard by listening carefully, asking clarifying questions, and seeking to understand.

C5. Role model good leadership by being professional, demonstrating effective leadership for our community, and adhering to this Policy.

C6. Confront challenging topics directly and resolve conflicts directly.

C7. Keep an open mind; be willing to change views with new information, data, etc.

C8. Be accountable and responsible for their actions and words, even when it is uncomfortable to do so. This includes apologizing when a Council Member's behavior falls short of the Policy's aspirational standards.

C9. Be open to constructive feedback.

C10. Present problems in a way that promotes discussion and resolution.

C11. Credit others' contributions to moving our community's interests forward.

C12. Treat City staff professionally and refrain from publicly criticizing employees.

C13. Assume good intentions and not pre-judge others.

C14. Debate the facts of the situation and avoid personalities and personal attacks.

C15. Endeavor to resolve interpersonal issues between Council Members outside of a City Council meeting and not permit interpersonal issues to impact the governance team.

C16. Explain disagreement in a way that focuses on the merits of an issue and recognizes that reasonable people of differing interests/good intentions can disagree on what is best for our community.

C17. Act in a manner that reflects the belief that Council Members, City staff and others who serve the City are on the same team in service to our community, even though we have different roles.

C18. Fact-check information with colleagues, the City Manager, the City Attorney and others.

C19. Make themselves available for one-on-one conversations about the values in this Policy.

GOVERNANCE PROTOCOLS

To promote a positive governance team culture, Council Members will:

G1. Prepare for and engage in meetings.

G2. Debate the merits of decisions with fellow Council Members.

G3. Make decisions based on their sense of our community's best interests. Remain mindful of the nonpartisan nature of city, county, school and judicial offices provided for in California's Constitution.

G4. Work collaboratively to improve Cypress' quality of life and promote our community's best interests.

G5. Consider the larger picture and gather community input to make the best decision.

G6. Consider the short-, medium-, and long-term effects of decisions.

G7. Be prepared to make unpopular decisions when our community's best interests requires it.

G8. Attempt to build consensus through dialogue. When this is not possible, the majority vote shall prevail and the majority shall show respect for the opinion of the minority.

G9. Be fair, impartial, and unbiased when voting on quasi-judicial actions and provide fair and equal treatment for all persons and matters.

G10. Explain the official positions of the City to the best of their ability when authorized to do so.

G11. Be clear in stating personal views and make it clear that those views may not represent the City's position.

G12. Do not commit the City to an action/position without City Council or City Manager approval.

G13. Preserve order and decorum during meetings.

G14. Keep comments clear, concise, and on-topic to maximize opportunities for all to express themselves.

G15. Alert the City Manager or City Attorney in advance when planning to ask questions about an agenda item so City staff can be prepared to provide the most complete answer to inform the City Council and our community.

G16. Act on the understanding that Council Members are part of a group decision-making process and that the City Manager and City Attorney take direction from City Council collective action.

G17. Speak directly to the City Manager in a timely manner about concerns about City operations, City staff analyses, or City staff performance.

G18. Support the City Manager's efforts to implement City Council policy decisions through the City's administrative service.

G19. Understand that City staff's role is to provide objective information and analysis to inform the decision-making process within the resources that they have available, even if this information and analysis do not support the decision an individual Council Member believes is best.

G20. Work through the City Manager on matters that involve another public agency or City contractor.

G21. Participate in regular educational activities to enhance understanding of a wide variety of issues; including completing all State or City-required training in timely manner.

G22. Use the Strategic Planning process to propose new programs and policies.

G23. Place clear and realistic demands on City staff resources and time.

G24. Read their City emails at least three times per week.

G25. Read all weekly reports before the next one is distributed.

G26. Respond to notices and event RSVP deadlines. If no response is received, City staff will assume that the Council Member will not attend.

G27. Respond to inquiries and requests for feedback/review by the established deadline.

G28. Start and end meetings on time, work from an agenda, and be present, attentive, and prepared.

G29. Attend, and actively participate in, all meetings of organizations, boards and committees to which a Council Member is appointed by the City Council. If a Council Member cannot attend a meeting, they shall immediately alert the alternative representative, Mayor and City Manager.

G30. Adhere to the Brown Act, maintain confidentiality, and only disclose confidential information when a majority vote of the City Council has authorized such disclosure.

G31. Refrain from texting and the use of social media during public meetings, except in the case of urgent need or emergency.

G32. Use the speaker sequencing system to inform the Mayor of their wish to speak and wait to be acknowledged before speaking.

Civility, Conduct. Ethics and Governance Policy

CODE OF ETHICS

The following principles shall constitute the Cypress Code of Ethics, applicable to all members of the City Council. Council Members entering office shall sign a statement affirming they read and understood the Code of Ethics. In addition, this Code of Ethics shall be periodically reviewed and updated by the City Council:

E1. Act in the public interest: Recognizing that stewardship of the public interest must be their primary concern, Council Members will work for the common good of the community and not for any private or personal interest, and they will assure fair and equal treatment of all persons, claims and transactions coming before the City Council.

E2. Comply with the law: Council Members shall comply with the laws of the nation, the State of California and the City of Cypress in the performance of their public duties. These laws include, but are not limited to: the United States and California Constitutions; the Charter; the Municipal Code; laws pertaining to conflicts of interest, election campaigns, financial disclosures, employer responsibilities, and open processes of government. Council Members shall also comply with all applicable City policies and procedures.

E3. Conduct of Council Members: The professional and personal conduct of Council Members must be above reproach and should avoid even the appearance of impropriety. Council Members shall refrain from abusive conduct, personal charges or verbal attacks upon the character of other members of the City Council, City staff or public.

E4. Respect for process: Council Members shall perform their duties in accordance with the processes and rules of order established by the City Council governing the deliberation of public policy issues, meaningful involvement of the public, and implementation of policy decisions of the City Council by City staff.

E5. Incompatible employment: No Council Member, City employee or other public official shall engage in or accept private employment, or render services for private interests, when such employment or service is incompatible with the proper discharge of his/her official duties or would tend to impair his/her independence of judgment or action in the performance of his/her official duties.

E6. Use of public property: No Council Member or City employee shall request or permit the use of City owned vehicles, equipment, materials or property for personal convenience or profit, except when such services are available to the public generally, and in the same manner as available to the public, or are provided as City policy for the use of such official in the conduct of official business. No official shall use the time of any City employee during working hours for personal purposes.

E7. Contracts with City: Council Members, City employees, or public officials shall not have a financial interest in any business transaction, or contract with the

City, or in the sale of real estate, materials, supplies or services to the City, except as permitted in the conflict of interest statutes of the state.

E8. Disclosure of interest in legislation: A Council Member who has a financial or other private interest in any legislation shall disclose on the records of the City Council or other appropriate authority the nature and extent of such interest.

E9. Conflict of interest: In order to assure their independence and impartiality on behalf of the common good, Council Members shall not use their official positions to influence government decisions in which they have a material financial interest. In accordance with the law, Council Members shall disclose investments, interests in real property, sources of income and gifts; and abstain from participating in deliberations and decision-making where conflicts, as determined under applicable laws, may exist. Council Members should endeavor to consult with the City Attorney before any Council meeting to allow an evaluation by the City Attorney of any potential conflict.

E10. Confidential information: Council Members shall respect the confidentiality of information concerning the property, personnel or affairs of the City. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial or other private interests.

E11. Advocacy: When representing the City while serving on or appearing before other government agencies or in court, Council Members shall represent the official policies or positions of the City Council to the best of their ability when designated as delegates for this purpose. When representing the City while serving on or appearing before other government agencies or in court, Council Members shall advocate policies that are in the best interest of the City over their own personal interests. When presenting their individual opinions and positions, Council Members shall explicitly state they do not represent the City Council or the City, and shall not allow the inference that they do.

E12. Positive workplace environment: Council Members shall support a positive and constructive workplace environment for City employees and for citizens and businesses dealing with the City. Council Members shall recognize their special role in dealings with City employees and not provide direction to City staff in violation of the City Charter.

ENFORCEMENT OF THE POLICY FOR COUNCIL MEMBERS

The Policy establishes guiding principles for appropriate conduct and behavior and sets forth the expectations of Council Members. The Policy establishes a process and procedure that:

- Allows the community, Council Members, and City staff to report Policy violations or other misconduct.

- Provides guidelines to evaluate Policy violations or other misconduct and implement appropriate disciplinary action.

The City Council may discipline Council Members who violate the Charter, the Municipal Code, the Policy, or engage in other misconduct. In determining the sanction imposed, the following factors may be considered:

- Nature of the violation.
- Prior violations by the same individual.
- Other factors which bear upon the seriousness of the violation.

At the discretion of the City Council, sanctions may be imposed for violating the Charter, the Municipal Code, the Policy, or engaging in other misconduct. These sanctions may be applied individually or in combination. They include, but are not limited to:

Admonishment
A warning to the City Council about a particular action/behavior that violates City policy.

Direction to Correct
Direction to an individual Council Member to correct the result of a particular action/behavior that violates law or City policy.

Informal Reprimand
Reprimand to an individual Council Member when a particular action/behavior (or set of actions/behaviors) violates law or City policy, but is considered by the City Council to be not sufficiently serious to require censure.

Revocation of Special Privileges
Revocation of a Council Member's committee assignments, regional boards and commissions, and community-generated board/committee appointments; suspension of official travel, conference participation, access to a City credit card, City Council salary, stipends, and ceremonial titles.

Censure
An official City Council reprimand of a Council Member. The Municipal Code establishes the censure process.

ADDRESSING THE CITY COUNCIL IN A PUBLIC MEETING

Oral Communications are an opportunity for the City Council to hear from the public and is not the time for a dialogue between the City Council and the public. Council Members make take note of comments or questions for follow-up, and at the conclusion of Oral Communications, and upon recognition by the Mayor, may pose those questions to City

staff. If the Mayor perceives, or is alerted by another Council Member, of a substantial factual issue with a member of the public's comments, the Mayor may ask the City Manager or City Attorney for an immediate clarification at the end of the speaker's comments.

Generally, if a matter presented during Oral Communications requires follow-up, it shall be referred to the City Manager, and if the City Council determines that action is required, the item may be placed on a future agenda following established processes.

To ensure the highest standard of respect and integrity during public meetings, attendees should:

P1. Address all comments to the City Council as a whole and not to any individual member.

P2. Treat everyone courteously.

P3. Listen to City officials and other community members respectfully.

P4. Exercise self-control and avoid threats and personal attacks against anyone.

P5. Give open-minded consideration to all viewpoints.

P6. Focus on issues and avoid personalizing debate.

P7. Embrace respectful disagreement and dissent as democratic rights that are inherent components of an inclusive public process and tools for forging sound decisions and allow all members of the public to speak without intimidation or interruption.

P8. Not engage in disorderly or boisterous conduct that disturbs, disrupts, or otherwise impedes the orderly conduct of the meeting.

P9. Obey any lawful order of the Mayor to enforce this Policy.

P10. Honor efforts by the Mayor to focus discussion on current agenda items.

P11. Show respect for facilities that host public meetings, by avoiding acts that may damage the facility or its equipment/furniture and not bring food or beverages (other than water) to public meetings.

ENFORCEMENT OF THE POLICY FOR MEMBERS OF THE PUBLIC

The Mayor shall be responsible for maintaining the decorum and civility at public meetings and enforcing this Policy in a uniform and even-handed manner. The Mayor may intervene to ensure that Council Members do not interrupt members of the public while speaking.

In the event that any member of the public breaches this Policy in a manner that disturbs, disrupts, or otherwise impedes the orderly conduct of a public meeting, the Mayor shall order that person to cease the offending conduct.

If any member of the public continues to breach the Policy in a manner that disturbs, disrupts, or otherwise impedes the orderly conduct of a public meeting following an order from the Mayor to cease the offending conduct, the Mayor may order that person to leave the public meeting and may engage the efforts of law enforcement as necessary to carry out the order.

If a member of the public acts abusively towards a City employee outside of a public meeting but in the workplace, the City will issue an oral warning. If a member of the public does not improve his/her behavior in response to a warning, the City will require the abusive individual to leave the premises.

The above-described remedies for compliance with this Policy are not exclusive and shall not preclude the application or use of other remedies provided by State law or the Municipal Code.