



AGENDA

REGULAR MEETING CYPRESS CITY COUNCIL

**March 10, 2025
6:00 P.M. - General Session**

www.cypressca.org

**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

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 David Burke
Mayor Pro Tem Leo Medrano
Council Member Kyle Chang
Council Member Scott Minikus
Council Member Bonnie Peat

INVOCATION SeaCoast Grace Church

PLEDGE OF ALLEGIANCE

ORAL COMMUNICATIONS ON AGENDA ITEMS (Three minutes per speaker. The City Council may adjust the time allotted per speaker.)

The public may address the City Council on agenda items prior to any action taken. Although Council Members may provide brief responses, the City Council may not engage in a discussion with members of the public during the meeting. Please complete a Speaker's Card to address the City Council in-person. Please follow the instructions at the end of the agenda and wait for the Mayor/City Clerk to call on you to address the City Council virtually. Speakers providing in-person comments will be called first. Members of the public are encouraged to communicate with the City Council via email at adm@cypressca.org or by calling 714-229-6699.

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. Council Members voting no or abstaining on a Consent Calendar item may do so without removing the item from the Consent Calendar.

1. Approve Minutes - Meetings of January 27, February 10 and February 22, 2025

Prepared by: Alisha Farnell, City Clerk

Recommendation: Approve as submitted.

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

3. Second Reading and Adoption of an Ordinance Amending the Lincoln Avenue Specific Plan to Implement the 2021-2029 Housing Element

Prepared by: Alicia Velasco, Planning Director

Recommendation: Approve the second reading and adopt an Ordinance, by title only and waive further reading, amending the Lincoln Avenue Specific Plan to implement the 2021-2029 Housing Element.

4. Amend the Salary Range for Accounting Supervisor and Add the Classification to Mid-Management Group

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

Recommendation:

1. Adopt a Resolution, amending Resolution No. 6967, establishing salary ranges for Mid-Management employees; and

2. Adopt a Resolution, amending Resolution No. 6968, establishing salary ranges for Confidential employees.

5. Adopt Resolutions Establishing Benefits for Executive Management and Mid-Management Employees

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

Recommendation:

1. Adopt a Resolution establishing the Executive Management Schedule of Benefits; and

2. Adopt a Resolution establishing the Mid-Management Schedule of Benefits.

6. Authorize a Temporary Overhire Position in the Finance Department

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

Recommendation:

1. Authorize the overhire position of Assistant Director of Finance and Administrative Services/Finance Manager; and
2. Approve a \$115,000 transfer of personnel appropriations from the Public Works department to the Finance department.

NEW BUSINESS

7. Consider City Council Norms and Civility Principles

Prepared by: Peter Grant, City Manager

Recommendation: Consider a Resolution regarding City Council norms and civility principles.

ITEMS REMOVED FROM CONSENT CALENDAR

ITEMS FROM CITY COUNCIL MEMBERS

8. Receive a Presentation from the Police Chief Regarding E-bikes

Agendized by: Kyle Chang, Council Member

Recommendation: Receive a presentation from the Police Chief regarding e-bikes.

9. Propose Strategic Plan Objectives for Consideration at the City Council's Next Strategic Plan Workshop

Agendized by: David Burke, Mayor

Recommendation: Propose Strategic Plan objectives for consideration at the City Council's next Strategic Plan workshop.

10. Consider Holding March 24 and May 12 Workshops Related to the Consideration of the City's Annual Budget and Capital Improvement Plan in the Council Chambers

Agendized by: David Burke, Mayor

Recommendation: Consider holding March 24 and May 12 workshops related to the consideration of the city's Annual Budget and Capital Improvement Plan in the Council Chambers.

ORAL COMMUNICATIONS (Three minutes per speaker. The City Council may adjust the time allotted per speaker.)

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 nor take action on items that are not on the agenda. Please complete a Speaker's Card to address the City Council in-person. Members of the public are encouraged to communicate with the City Council via email at adm@cypressca.org or by calling 714-229-6699.

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, March 24, 2025, beginning at 5:30 p.m. in the Executive Board Room.

Council Members and the public should promptly exit the Council Chambers and proceed through the Civic Center to the parking lot.

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 City website not less than 72 hours prior to the meeting. Dated this 6th day of March, 2025.

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. 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/6625706992598336597>. Advanced registration is recommended.

The public may address the City Council virtually during Oral Communications on Agenda Items and 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

3. 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 the day of the meeting will be added to the meeting record.
4. Watch the Meeting. The City Council meeting can be viewed on Spectrum Cable Channel 36 or on the City's website at www.cypressca.org/watchlive.
5. Listen to the Meeting. Listen-only teleconferencing is available by calling (213) 929-4212 and entering Access Code 166-180-157. No registration or audio pin is necessary.

INVOCATION POLICY

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



CITY OF CYPRESS
CITY COUNCIL REPORT

City Council Regular

1.

FROM: Alisha Farnell, City Clerk

DATE: 03/10/2025

SUBJECT: Approve Minutes - Meetings of January 27, February 10 and February 22, 2025

RECOMMENDATION

Approve as submitted.

BUDGET IMPACT

None.

LEGAL REVIEW

None required.

APPROVED BY: Peter Grant, City Manager

Attachments

January 27, 2025 Regular Meeting Minutes

February 10, 2025 Regular Meeting Minutes

February 22, 2025 Special Meeting Minutes

REGULAR MEETING
CYPRESS CITY COUNCIL
JANUARY 27, 2025
5:15 P.M. – Closed Session
6:00 P.M. – General Session

A regular meeting of the Cypress City Council was called to order at 5:15 p.m. by Mayor Burke in the Council Chambers, 5275 Orange Avenue, Cypress, California.

ROLL CALL

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

Mayor David Burke
Mayor Pro Tem Leo Medrano
Council Member Kyle Chang
Council Member Scott Minikus
Council Member Bonnie Peat

STAFF PRESENT

City Manager Peter Grant
City Attorney Fred Galante
Director of Finance and Administrative Services Matt Burton
Director of Recreation and Community Services Jeff Draper
Planning Director Alicia Velasco
Chief of Police Mark Lauderback
Acting Director of Public Works Nick Mangkalakiri
City Clerk Alisha Farnell
Assistant City Engineer Daniel Co
Police Captain Scott Ausmus
Human Resources Manager Regina Nguyen
Business Development Manager Christopher Wong
Maintenance Superintendent Jose Guerra
Senior Management Analyst Kirsten Graham
Senior Management Analyst Jason Machado
Deputy City Clerk Christina Dizol
Admin Services Technician II Pat Hough

ORAL COMMUNICATION ON CLOSED SESSION / WORKSHOP ITEMS

None.

CLOSED SESSION

The City Attorney announced the following closed session items:

THREAT TO PUBLIC SERVICES OR FACILITIES

Pursuant to Government Code Section 54957

Consultation with: Cypress Police Department, Chief of Police

Mayor Burke recessed the meeting at 5:17 p.m.

RECONVENE

Mayor Burke reconvened the meeting at 6:00 p.m.

ROLL CALL

Mayor David Burke

Mayor Pro Tem Leo Medrano

Council Member Kyle Chang

Council Member Scott Minikus

Council Member Bonnie Peat

STAFF PRESENT

City Manager Peter Grant

City Attorney Fred Galante

Director of Finance and Administrative Services Matt Burton

Director of Recreation and Community Services Jeff Draper

Planning Director Alicia Velasco

Chief of Police Mark Lauderback

Acting Director of Public Works Nick Mangkalakiri

City Clerk Alisha Farnell

Deputy City Clerk Christina Dizol

INVOCATION Pastor Nader Hanna, King of The Nations Church, led the Invocation.

PLEDGE OF ALLEGIANCE Council Member Chang led the Pledge of Allegiance.

REPORT OF CLOSED SESSION / WORKSHOP

The City Attorney stated that the City Council met in Closed Session and held a discussion on the item listed on the Closed Session agenda, Threat to Public Services or Facilities in consultation with the Cypress Police Department, Chief of Police. He stated the Council received a briefing and no further reportable action was taken.

PRESENTATIONS

Howard Kummerman from Cypress College Foundation provided an update on the 50th Annual Americana Awards and introduced Cypress Citizen of the Year Rob Johnson.

ORAL COMMUNICATIONS ON AGENDA ITEMS

Harumi Lucak, Cypress, spoke regarding Agenda Item No. 9.

Paul Kokkinos, Cypress, spoke regarding Agenda Item No. 9.

Pearl Boelter, Cypress, spoke regarding Agenda Item No. 9.

Bob Youngsma, Cypress, spoke regarding Agenda Item No. 9.

Marylin Reames, Cypress, spoke regarding Agenda Item No. 9.

Ed Kraemer, Cypress, spoke regarding Agenda Item No. 9.

Glenn Button, Cypress, spoke regarding Agenda Item No. 9.

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.

Council Member Minikus stated that Agenda Item No. 8, the Warrant Register, includes electronic fund transfer No. 16054 for \$308.53 and electronic fund transfer No. 16281 for \$308.53 as reimbursement for medical coverage he is entitled to receive as a CalPERS annuitant. He indicated that in voting for any motion to approve the Warrants Register, he would not be voting on electronic fund transfers No. 16054 and No. 16281 for the reason disclosed.

Council Member Chang requested to pull Agenda Item No. 3.

A motion was made by Mayor Burke, and seconded by Mayor Pro Tem Medrano, to approve Consent Calendar items No. 1 through 2 and 4 through 8.

The motion was unanimously carried by the following roll call vote:

AYES: 5 COUNCIL MEMBERS: Chang, Minikus, Peat, Medrano and Burke
NOES: 0 COUNCIL MEMBERS: None
ABSENT: 0 COUNCIL MEMBERS: None

Item No. 1: Introduce and/or Adopt All Ordinances and Resolutions Presented for Consideration by Title Only and to Waive Further Reading

Item No. 2: Receive an Update on the Strategic Plan Six-Month Objectives

Recommendation: Receive an update on the Strategic Plan six-month objectives.

Item No. 4: Approve an Affordable Housing and Density Bonus Agreement with 8561 Belmont, LLC

Recommendation:

1. Approve an Affordable Housing and Density Bonus Agreement with 8561 Belmont, LLC; and
2. Authorize the City Manager to make minor modifications to the Agreement as needed.

Item No. 5: Approve Plans and Specifications and Award a Contract for Traffic Signal Improvements at Valley View Street and Plaza Drive, Project 353

Recommendation:

1. Approve plans and specifications for traffic signal Improvements at Valley View Street and Plaza Drive, Project 353; and
2. Award a contract to Yunex LLC for \$79,875 and authorize a contingency of \$12,000.

Item No. 6: Approve Contract Services Agreements and Task Order for On-Call Pavement Management Support and Design Services

Recommendation:

1. Approve contract services agreements for on-call pavement management support and design services with Bucknam Infrastructure Group, Inc. and GMU Geotechnical, Inc.;
2. Approve a Task Order to Bucknam Infrastructure Group, Inc. to prepare a Pavement Management Plan for \$36,985, and authorize a contingency of \$5,500.

Item No. 7: Receive and File the Investment Reports for the Months Ended October 31, 2024, November 30, 2024, and December 31, 2024

Recommendation: Receive and file the attached investment reports.

Item No. 8: Receive and File Register of Warrants, Transfers, and Wires Issued for the Period of October 12, 2024 through January 10, 2025

Recommendation: Receive and file the attached payment register summarized below for the period of October 12, 2024 through January 10, 2025:

- Electronic Funds Transfers 16031 through 16532
- Warrants 66430 through 67015
- Payroll Transfers W1540 through W1547

NEW BUSINESS

None.

ITEMS REMOVED FROM CONSENT CALENDAR

Item No. 3: Adopt the 2025 Federal and State Legislative Platform

Council Member Chang commented on this item.

City Council discussion ensued.

The City Attorney provided information regarding California Environmental Quality Act requirements.

City Council discussion continued.

A motion was made by Council Member Minikus, and seconded by Council Member Peat, to adopt the 2025 Federal and State Legislative Platform.

The motion was unanimously carried by the following roll call vote:

AYES: 5 COUNCIL MEMBERS: Chang, Minikus, Peat, Medrano and Burke
NOES: 0 COUNCIL MEMBERS: None
ABSENT: 0 COUNCIL MEMBERS: None

ITEMS FROM CITY COUNCIL MEMBERS

Item No. 9: Update the Policy for Council Members to Add Items to the City Council Agenda

Mayor Burke provided a report on this item.

City Council discussion ensued.

A motion was made by Council Member Peat, and seconded by Council Member Minikus, to continue the item to a future meeting.

A substitute motion was made by Mayor Burke, and seconded by Council Member Chang, to approve the policy as proposed.

The substitute motion was carried by the following roll call vote:

AYES: 4 COUNCIL MEMBERS: Chang, Minikus, Medrano and Burke
NOES: 1 COUNCIL MEMBERS: Peat

ABSENT: 0 COUNCIL MEMBERS: None

ORAL COMMUNICATIONS

Paul Kokkinos, Cypress, spoke regarding Agenda Item No. 9.

Bob Youngsma, Cypress, spoke regarding Agenda Item No. 9.

COUNCIL MEMBER REPORTS FROM CITY-AFFILIATED BOARDS AND COMMITTEES AND REMARKS

Council Member Minikus:

Attended the Orange County Sanitation District Board meeting and orientation. Provided a reminder on the upcoming election for the State Senate. Spoke in recognition of International Holocaust Remembrance Day.

Council Member Peat:

Attended the Orange County Sanitation District orientation. Attended the Cypress Chamber of Commerce Student Mentoring Breakfast. Thanked the Public Works department for their response to striping changes on Walker and Cerritos. Spoke with a business owner regarding support for small local businesses in the city. Attended Veteran Recognition Subcommittee meeting with Council Member Minikus.

Council Member Chang:

Attended Bridges at Kraemer Place Community Advisory Board meeting. Attended the Library Advisory Board meeting. Met with a youth nonprofit organization.

Mayor Pro Tem Medrano:

Attended Cypress Chamber of Commerce Student Mentoring Breakfast. Attended the Orange County Mosquito and Vector Control District meeting. Announced office hours at GoodFellows Coffee shop. Met with Board Members from the Cypress Community Festival. Spoke about the upcoming Commission recruitment and encouraged people to attend a Commission meeting.

Mayor Burke:

Attended Orange County Fire Authority Board meeting and provided an update on the newly elected Chair and Vice Chair. Stated he looks forward to serving on the OCFA Board.

COUNCIL MEMBER ITEMS FOR FUTURE CONSIDERATION

Council Member Chang requested to agendize a presentation regarding E-bike regulations and educational efforts during the March 10 City Council meeting. Mayor Pro Tem Medrano supported the item.

CITY MANAGER REMARKS

The City Attorney spoke regarding the current fires in Los Angeles County and encouraged people to review their insurance policies.

Council Member Minikus stated Stretch LAB will be hosting a grand opening event this weekend.

ADJOURNMENT

Mayor Burke adjourned the Regular Meeting at 7:47 p.m. to a Regular Meeting, to be held on Monday, February 10, 2025, beginning at 5:30 p.m. in the Council Chambers.

MAYOR OF THE CITY OF CYPRESS

ATTEST:

CITY CLERK OF THE CITY OF CYPRESS

REGULAR MEETING
CYPRESS CITY COUNCIL
FEBRUARY 10, 2025
5:00 P.M. – Workshop
6:00 P.M. – General Session

A regular meeting of the Cypress City Council was called to order at 5:00 p.m. by Mayor Burke in the Executive Board Room, 5275 Orange Avenue, Cypress, California.

ROLL CALL

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

Mayor David Burke
Mayor Pro Tem Leo Medrano
Council Member Kyle Chang
Council Member Scott Minikus - Absent
Council Member Bonnie Peat

STAFF PRESENT

City Manager Peter Grant
City Attorney Fred Galante
Director of Finance and Administrative Services Matt Burton
Director of Recreation and Community Services Jeff Draper
Chief of Police Mark Lauderback
Acting Director of Public Works Nick Mangkalakiri
City Clerk Alisha Farnell
Recreation Manager Ian Kokot
Assistant City Engineer Daniel Co
Senior Management Analyst Kirsten Graham

ORAL COMMUNICATION ON CLOSED SESSION / WORKSHOP ITEMS

David Rose, Cypress, spoke regarding political booths at the Cypress Community Festival.

WORKSHOP SESSION

Dialogue with Cypress Community Festival Association

The Director of Recreation and Community Services provided a presentation on this item.

City Council held a discussion with the Community Festival Association and no action was taken.

Mayor Burke recessed the meeting at 5:56 p.m.

RECONVENE

Mayor Burke reconvened the meeting in the Council Chambers at 6:05 p.m.

ROLL CALL

Mayor David Burke
Mayor Pro Tem Leo Medrano
Council Member Kyle Chang
Council Member Scott Minikus - Absent
Council Member Bonnie Peat

STAFF PRESENT

City Manager Peter Grant
City Attorney Fred Galante
Director of Finance and Administrative Services Matt Burton
Director of Recreation and Community Services Jeff Draper
Planning Director Alicia Velasco
Chief of Police Mark Lauderback
Acting Director of Public Works Nick Mangkalakiri
City Clerk Alisha Farnell
Police Captain Scott Ausmus
Business Development Manager Christopher Wong
Recreation Manager Ian Kokot
Deputy City Clerk Christina Dizol

INVOCATION Pastor Nader Hanna, King of The Nations Church, led the Invocation.

PLEDGE OF ALLEGIANCE Council Member Peat led the Pledge of Allegiance.

REPORT OF CLOSED SESSION / WORKSHOP

The City Attorney reported that the City Council held a Workshop Session to conduct a dialogue with the Cypress Community Festival Association on how to improve coordination between the City and Community Festival, promote volunteer and community engagement, and ensure the Community Festivals longevity.

PRESENTATIONS

The City Council recognized Cypress resident and U.S. Army Veteran Paul Boggs.

The City Council recognized the graduates from the Level Up! Digital Marketing Program.

ORAL COMMUNICATIONS ON AGENDA ITEMS

Beth Culver, Cypress, spoke regarding Agenda Item No. 3.

Bob Youngsma, Cypress, spoke regarding Agenda Item No. 8 & Veteran Recognition Presentation.

Ed Kraemer, Cypress, spoke regarding Agenda Items No. 5, 6, and 8.

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.

Mayor Burke asked questions regarding Agenda Item No. 3.

Council Member Chang asked questions regarding Agenda Item No. 8.

A motion was made by Mayor Burke, and seconded by Mayor Pro Tem Medrano, to approve Consent Calendar items No. 1 through 8.

The motion was unanimously carried by the following roll call vote:

AYES: 4 COUNCIL MEMBERS: Chang, Peat, Medrano and Burke
NOES: 0 COUNCIL MEMBERS: None
ABSENT: 1 COUNCIL MEMBERS: Minikus

Item No. 1: Approve Minutes - Meetings of December 9, 2024 and January 13, 2025

Recommendation: Approve as submitted.

Item No. 2: Introduce and/or Adopt All Ordinances and Resolutions Presented for Consideration by Title Only and to Waive Further Reading

Recommendation: Receive an update on the Strategic Plan six-month objectives.

Item No. 3: Receive and File the Fiscal Year 2024-25 Mid-Year Budget Report and Approve Budget Adjustments

Recommendation:

1. Receive and file the FY 2024-25 Mid-Year Budget Report; and
2. Approve mid-year Budget adjustments:

City

- a. Increase appropriations in the General Fund by \$50,900
- b. Increase appropriations in the Capital Project Fund by \$43,500
- c. Increase appropriations in the Central Services Fund by \$20,800
- d. Transfer \$1,500,000 from the General Fund to the Infrastructure Fund
- e. Transfer \$1,500,000 from the General Fund to the Employee Benefits Fund for Pension Trust Investment
- f. Approve the receipt of \$616,580 from the Park District as partial payment on the outstanding Repayment Agreement and Promissory Note for the construction of Lexington Park

Recreation and Park District

- g. Increase appropriations in the General Fund by \$44,200
- h. Increase appropriations in the Central Services Fund by \$15,000
- i. Transfer \$15,000 from the General Fund to the Central Services Fund
- j. Transfer \$616,580 from the Park Development Fund to the General Fund
- k. Approve a \$616,580 payment to the City's Infrastructure fund to apply against the outstanding Repayment Agreement and Promissory Note for the construction of Lexington Park.

Item No. 4: Adopt the FY 2025-26 Budget Calendar

Recommendation: Adopt the Fiscal Year 2025-26 budget calendar.

Item No. 5: Approve an Agreement with Townsend Public Affairs for Myra Avenue Pump Station No. 1 Grant Opportunities

Recommendation:

1. Approve a Contract Services Agreement with Townsend Public Affairs to explore funding opportunities related to Myra Avenue Pump Station No. 1, in an amount not to exceed \$20,000; and
2. Appropriate \$20,000 in the General Fund.

Item No. 6: Approve the Dedication Plaque for Arnold Cypress Park

Recommendation: Approve the dedication plaque for Arnold Cypress Park.

Item No. 7: Approve Plans and Specifications and Award Contracts for Sewer System Improvements, Project 385

Recommendation:

1. Approve Plans and Specifications for Sewer System Improvements, Project 385; and

2. Award a contract to Sancon Technologies Inc. for \$244,460, and authorize a contingency of \$36,700; and
3. Approve a Task Order for Construction Management and Inspection Services to FCG Consultants Inc., for \$33,211.52 and authorize a contingency of \$5,000; and
4. Appropriate \$193,578 in the Sewer Fund for the Sewer System Improvements, Project 385.

Item No. 8: Approve an Agreement for Alarm Permit and False Alarm Management Services

Recommendation: Approve a contract to Alarm Program Systems, LLC for Alarm Permit and False Alarm Management Services.

NEW BUSINESS

None.

ITEMS REMOVED FROM CONSENT CALENDAR

None.

ORAL COMMUNICATIONS

Beth Culver, Cypress, spoke regarding transparency, City Council actions, and Mayor's statement.

Bob Youngsma, Cypress, spoke regarding Veterans plaque and City Council actions at prior meeting.

Amy Behen, Cypress, spoke regarding Cypress Girl's Softball League Opening Day.

Marilyn Reames, Cypress, spoke regarding negative public comments.

COUNCIL MEMBER REPORTS FROM CITY-AFFILIATED BOARDS AND COMMITTEES AND REMARKS

Council Member Peat:

Participated in Eagle Scout Interviews. Attended the Orange County Sanitation Board meeting. Attended the Boys and Girls Club of Orange County EDDY award ceremony.

Council Member Chang:

Attended the League of California Cities Mayors and Council Members Academy.

Mayor Pro Tem Medrano:

Attended the League of California Cities Mayors and Council Members Academy. Announced office hours at Goodfellows Coffee. Will attend the ribbon-cutting ceremony for The Original Rainbow Cone.

Mayor Burke:

Participated in St. Irenaeus Human Trafficking Solidarity Walk. Attended the grand opening event at Stretch Lab. Announced he will be conducting a city-wide listening tour, town hall meeting and ice cream social in the future. Announced he will be attending the Senior Center Valentines Day lunch and encouraged people to stop by.

COUNCIL MEMBER ITEMS FOR FUTURE CONSIDERATION

Council Member Peat requested to agendize a Resolution recognizing Women's Club member Kathi McGraw at the February 24 City Council meeting. Mayor Burke supported the item.

Mayor Burke requested to agendize a discussion to consider creating an Ad Hoc Subcommittee to review current playground equipment and shade structures at the February 24 City Council meeting. Council Member Chang supported the item.

Mayor Burke requested to agendize a discussion at the March 10 City Council meeting regarding Council Members suggesting items to be discussed at Strategic Planning workshop. Council Member Chang supported the item.

CITY MANAGER REMARKS

The City Manager reminded everyone that City administrative offices will be closed on President's Day.

ADJOURNMENT

Mayor Burke adjourned the Regular Meeting at 7:04 p.m. to a Regular Meeting, to be held on Monday, February 24, 2025, beginning at 5:30 p.m. in the Council Chambers.

MAYOR OF THE CITY OF CYPRESS

ATTEST:

CITY CLERK OF THE CITY OF CYPRESS

SPECIAL MEETING
CYPRESS CITY COUNCIL
FEBRUARY 22, 2025
9:00 A.M.

A special meeting of the Cypress City Council was called to order at 9:00 a.m. by Mayor Burke at the Residence Inn by Marriott, 4931 Katella Avenue, Cypress, California.

ROLL CALL

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

Mayor David Burke
Mayor Pro Tem Leo Medrano
Council Member Kyle Chang
Council Member Scott Minikus
Council Member Bonnie Peat

STAFF PRESENT

City Manager Peter Grant
City Attorney Fred Galante

ORAL COMMUNICATIONS ON WORKSHOP ITEMS

None.

WORKSHOP SESSION

The City Council participated in a facilitator-led Team Building Workshop, including:

- Opening Discussion - Set Purpose and Goal for Team Building
- Consider How Governing Bodies Operate
- Consider the Role of Conflict
- Governing At-Large
- Working Together with the Management Team

No action was taken.

ADJOURNMENT

Mayor Burke adjourned the meeting at 2:03 p.m. to an adjourned Regular Meeting, to be held on Monday, February 24, 2025, beginning at 5:30 p.m. in the Executive Board Room.

MAYOR OF THE CITY OF CYPRESS

ATTEST:

CITY CLERK OF THE CITY OF CYPRESS



CITY OF CYPRESS

CITY COUNCIL REPORT

City Council Regular

3.

FROM: Alicia Velasco, Planning Director

DATE: 03/10/2025

SUBJECT: Second Reading and Adoption of an Ordinance Amending the Lincoln Avenue Specific Plan to Implement the 2021-2029 Housing Element

RECOMMENDATION

Approve the second reading and adopt an Ordinance, by title only and waive further reading, amending the Lincoln Avenue Specific Plan to implement the 2021-2029 Housing Element.

DISCUSSION

On February 24, the City Council conducted a public hearing and first reading of an ordinance amending the Lincoln Avenue Specific Plan to implement the 2021-2029 Housing Element update. The amendments permit residential development across the specific plan area, establish residential objective design standards, eliminate discretionary permits for projects which meet the requirements, and permits a maximum height of 50 feet for residential uses.

It is recommended that the City Council approve the second reading and adopt the attached ordinance. Once approved, the ordinance will become effective in 30 days.

BUDGET IMPACT

None.

LEGAL REVIEW

None required.

APPROVED BY: Peter Grant, City Manager

Attachments

Ordinance

ORDINANCE NO. 2025-XX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CYPRESS, CALIFORNIA, AMENDING SELECTED PROVISIONS OF THE LINCOLN AVENUE SPECIFIC PLAN RELATED TO MULTI-FAMILY HOUSING DEVELOPMENT AND DESIGN STANDARDS, AND MULTI-FAMILY PERMITTING PROCEDURES IN SUPPORT OF HOUSING ELEMENT IMPLEMENTATION.

WHEREAS, the City's 2021-2029 Housing Element was certified by the California Department of Housing and Community Development on September 9, 2022; and

WHEREAS, the 2021-2029 Housing Element commits the City to implementing programs and policies to remove constraints to housing development in the City, including amendments to the Lincoln Avenue Specific Plan and the Zoning Ordinance to modify standards and procedures related to housing development; and

WHEREAS, the 2021-2029 Housing Element includes a State-mandated sites inventory that assigns zoning to facilitate the addition of 3,936 housing units, plus required buffer units in the City of Cypress over the next eight years pursuant to the City's Regional Housing Needs Assessment (RHNA) obligation. The sites inventory includes modifications to the Lincoln Avenue Specific Plan to accommodate a total of approximately 1,643 units within the specific plan area; and

WHEREAS, the City Council desires to update the City's regulations to be consistent with State law and the City's Housing Element; and

WHEREAS, the City Council finds that the Ordinance is consistent with the goals, policies, and objectives of the General Plan. Housing Element Goal HOU-5 is to "mitigate any potential governmental constraints to housing production and affordability". The Ordinance furthers this goal by ensuring that the Lincoln Avenue Specific Plan and the City's zoning regulations are consistent with State laws intended to facilitate and incentivize the development of multi-family housing, including affordable housing and accessory dwelling units. Housing Element Goal HOU-4 is to "ensure the provision of adequate and appropriate housing sites through appropriate land use, zoning, and specific plan designations to accommodate the City's share of regional housing needs. The Ordinance furthers this goal by modifying the Lincoln Avenue Specific Plan to allow for expanded residential development to meeting the City's RHNA; and

WHEREAS, on February 24, 2025, the City Council held a duly noticed public hearing and considered testimony on the Ordinance.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CYPRESS DOES ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby specifically finds that all the facts set forth in the above Recitals are true and correct and are incorporated herein as findings of the City Council.

SECTION 2. CEQA The Housing Element Implementation Final PEIR (SCH No. 2023040560, referenced as "PEIR") was prepared for the 6th Cycle Housing Element Implementation (also referred to as the "Project") in compliance with the California Environmental Quality Act ("CEQA") as set forth in the Public Resources Code Section 21000 et seq., Title 14, Division 6, Chapter 3 of the California Code of Regulations ("CEQA Guidelines"). On July 8, 2024, the City Council adopted Resolution No. 6983, to certify the PEIR as complete and adequate, inclusive of all required findings, a statement of overriding considerations, and a mitigation monitoring reporting program. The City Council hereby finds that the proposed amendments to the Land Use Element of the City of Cypress General Plan and the Lincoln Avenue Specific Plan are consistent with the project description within the PEIR, thus the potential environmental effects of these proposed actions have already been evaluated. Furthermore, there are no new significant environmental effects, changes in circumstances, or new information of substantial importance not previously examined or discussed which would require revisions to the PEIR; therefore, the City Council hereby finds that no further documentation is necessary.

SECTION 3. The Lincoln Avenue Specific Plan, Section 4.0 (Development Criteria) is repealed and replaced in its entirety with a new Section 4.0 (Development Criteria), attached as "Exhibit A".

SECTION 4: The Lincoln Avenue Specific Plan, Section 5.1 (Purpose) shall be amended to read as follows (additions in **bold underline**; deletions in **~~bold strikethrough~~**):

5.1 Purpose

The purpose of these design guidelines is to provide design concepts and policies for quality development throughout the Specific Plan area. The design guidelines contained herein are applicable whenever any of the following occur:

- ❖ Any new **nonresidential** development for which a building permit is required.
- ❖ Any addition to or enlargement of an existing **nonresidential** structure or use.
- ❖ Any change of use or reuse where City approval is required and established after a vacancy of 6 months or more.

In the event that proposed modifications affect more than 60 percent of any facade visible from a public parking area or public right-of-way, the applicant shall be required to comply with all portions of the design guidelines for the entire facade and all landscaping, parking, and signs on the site. An applicant changing only a portion of an existing building facade (e.g., door, awning, window, etc.) need only comply with the guidelines and standards related to the portion changed and to directly related

portions. In addition, activities not required to apply for a building permit, such as, repairs, are encouraged to follow the guidelines to the greatest degree possible.

Residential development shall not be subject to the design guidelines of this Section. Residential development within the Specific Plan area shall comply with the applicable requirements of Section 3.17.310 (Objective standards for multi-family dwellings) of the Zoning Ordinance, except as otherwise (a) required or permitted by State law or (b) provided under this Specific Plan.

SECTION 5: The Lincoln Avenue Specific Plan, Section 7.1.1 (Design Review Procedures) shall be amended to read as follows: (additions in **bold underline**; deletions in **~~bold strikethrough~~**):

Within the Lincoln Avenue Corridor Specific Plan boundaries, all new development and remodels shall be subject to the City of Cypress Design Review procedures, as described in Section 35 of the City Zoning Ordinance. The Design Review Committee will review planned improvements to ensure compatibility with the guidelines and standards of the Specific Plan.

For residential development, the scope of Design Review is limited to compliance with the applicable objective development standards provided in this Specific Plan and the Zoning Ordinance, including Section 3.17.310 (Objective standards for multi-family dwellings).

SECTION 6: The Lincoln Avenue Specific Plan, Section 7.3.1 (Development Incentives) shall be amended to read as follows: (additions in **bold underline**; deletions in **~~bold strikethrough~~**):

7.3.1 Development Incentives for Lot Consolidation

The existence of small, substandard lots throughout the Specific Plan area is often a hindrance to efficient contemporary development. Small lots have difficulty providing ample parking, circulation areas, areas of significant landscaping and other amenities. In order to encourage the consolidation of smaller lots into larger development sites, the City will offer development incentives to projects that include lot consolidation. The incentives provided shall be in proportion to the number and size of lots. Consistent with the goal of this Specific Plan to enhance the visual image and economic vitality of the Lincoln Avenue Corridor, the City will consider offering development incentives for developments that provide amenities beyond those required, including the provision of pedestrian archways, colonnades, and vehicular archways. Applications for Provision of development incentives will be considered finalized in conjunction with the discretionary or ministerial review required for the project. through the Conditional Use Permit process.

Development incentives offered by the City ~~may~~ **will** include one or a combination of the following:

- ❖ No fee processing
- ❖ **Priority project review**
- ❖ **Priority placement on agendas**
- ❖ **Increase in compact parking spaces by 15%**
- ❖ **For lot consolidation projects only which qualify for a density bonus pursuant to state law, park fee waivers for the affordable units**
- ~~❖ **Reduction of parking or landscaping requirements**~~
- ❖ Left-turn ingress/egress
- ~~❖ **Redevelopment Agency assistance**~~
- ❖ Street furnishing amenities
- ~~❖ **Density bonus**~~
- ~~❖ **Increased floor area ratio and lot coverage**~~

SECTION 7: The Lincoln Avenue Specific Plan, Section 7.3.4 (Redevelopment) shall be deleted in its entirety and subsequent sections renumbered accordingly.

SECTION 8. Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance, or the application thereof to any person or circumstances, is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or application, and to this end the provisions of this ordinance are declared to be severable. The City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, parts or portions thereof be declared invalid or unconstitutional.

SECTION 9. Effective date. This Ordinance shall become effective thirty (30) days from its adoption.

SECTION 10. Certification. The Mayor shall sign and the City Clerk shall certify to the passage of this Ordinance and shall cause the same to be published and posted pursuant to the provisions of law in that regard.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Cypress
at a regular meeting held on the ____ day of _____, 2025.

ATTEST: MAYOR OF THE CITY OF CYPRESS

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 Ordinance was duly adopted at a regular meeting of said City Council held on the _____ day of _____, 2025, by the following roll call vote:

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

CITY CLERK OF THE CITY OF CYPRESS

EXHIBIT A
SECTION 4.0 DEVELOPMENT STANDARDS
LINCOLN AVENUE SPECIFIC PLAN

4.0 DEVELOPMENT CRITERIA

~~(Including Specific Plan Amendment No. 2009-01, Effective 12/9/2009 and
Specific Plan Amendment No. 2016-01, Effective 12/28/2016)~~March 2025

4.0 DEVELOPMENT CRITERIA

This chapter establishes the land use districts within the Lincoln Avenue Specific Plan area and the development standards that apply within each district. Together, the land use districts and the development criteria provide the development provisions for the Specific Plan area. The development criteria, together with the design guidelines (following chapter) implement the goals of the Specific Plan. They are consistent with the goals and policies of the General Plan and, in most cases, with the requirements of the Zoning Ordinance.

4.1 General Provisions

Relationship to Zoning Ordinance

The land use regulations and development standards contained herein constitute the primary zoning provisions for the Lincoln Avenue Specific Plan area. These regulations are in addition to the current Zoning Ordinance provisions of the City of Cypress Municipal Code. Where there is a conflict between the regulations of the Zoning Ordinance and this Specific Plan, the regulations provided herein shall prevail. Where direction is not provided in this Specific Plan, the provisions of the Zoning Ordinance shall prevail.

The development standards contained herein are minimum requirements. In reviewing individual projects requiring discretionary approval, the City Council may impose more restrictive standards or conditions as it deems necessary to accomplish the goals and objectives of this Specific Plan.

Interpretation

The Director of Community Development shall have the responsibility to interpret the provisions of this Specific Plan.

If an issue or situation arises that is not sufficiently provided for or is not clearly understandable, those regulations of the Cypress Zoning Ordinance that are most applicable shall be used by the Director as guidelines to resolve the unclear issue or situation. This provision shall not be used to permit uses or procedures not specifically authorized by this Specific Plan or the Zoning Ordinance.

Definitions

Words, phrases and terms not specifically defined herein shall have the same definition as provided for in the Cypress Zoning Ordinance. When used in this Specific Plan, the term "Director" shall mean the Director of Community Development or an appointed representative.

Development Review

To ensure compliance with all applicable policies, land use provisions, development criteria and design guidelines contained in this Specific Plan area, projects will be reviewed in compliance with Section 7.1 of the Lincoln Avenue Specific Plan. The Specific Plan provides regulatory and policy direction for the approval of discretionary permits in addition to the requirements set forth in the Zoning Ordinance.

Installation of Public Improvements

Project developers are responsible for providing adjacent public improvements (e.g., curbs, gutters, sidewalks, street lighting, parkway landscaping, street trees, and other similar items) in compliance with Section 7.2 of the Lincoln Avenue Specific Plan and the standards of the City at the time of development.

Amendments

This Specific Plan, including the Land Use Map, may be amended in compliance with Section 7.1.3 of the Lincoln Avenue Specific Plan.

Violations

Any persons, firm, or corporation, whether a principal, agent, employee, or otherwise, violating any provisions of these regulations shall be subject to the penalties and provisions of the Cypress Municipal Code.

4.2 Specific Plan Land Uses

The Specific Plan components articulate a vision for the Lincoln Avenue Corridor as an attractive, high quality, pedestrian friendly, mixed use activity center. As stated in the Land Use Element of the Cypress General Plan, the Specific Plan is intended to provide development flexibility within the Lincoln Avenue Corridor and provide economic inducements for revitalization. The Specific Plan provides incentives for the development of uses and design features to facilitate upgrading of the area. The development of larger scale uses, such as furniture, appliance and retail outlets, theaters and entertainment is encouraged, as are groupings of complementary uses, such as restaurants and specialty retail. Multi-family residential is encouraged as a means of stimulating commercial activity on the corridor.

Development of the Lincoln Avenue Corridor will have a mixed use character. Commercial and residential land uses are intended to be integrated. Master planning and lot consolidation are encouraged to achieve larger and better integrated

development projects. Design guidelines and development standards provided in the Specific Plan promote pedestrian orientation and linkages within and between uses, including plazas and covered entry spaces; and shared parking with satellite parking facilities serving multiple uses.

The Lincoln Avenue Specific Plan area is comprised of eight land use districts and two overlay zones, as indicated on Exhibit 3, *Lincoln Avenue Specific Plan Land Use Map*. Central to the vision for the Lincoln Avenue Corridor is the creation of mixed use categories that accommodate both commercial and multi-family uses. The land use districts include Commercial Mixed Use, Residential Mixed Use, Residential (30 DU/Acre), Campus Village and Downtown. Industrial Light, Public/Semi-Public and Mobile Home Park land use districts are also included in the Plan. The Plan also provides for a Quasi Public Overlay in the Commercial Mixed Use category. A Commercial Preservation Overlay is provided at ~~major the~~ **intersections of Lincoln Avenue and Valley View Street** in the Lincoln Specific Plan area. Each planning area is distinguished by variations in type and intensity of land use, and/or development standards; yet linked by common streetscape design elements and similar mixed use characteristics.

Table 2 lists the maximum and anticipated average floor area ratios for each district. Average development intensities within the area are anticipated to demonstrate a floor area ratio (FAR) of 0.5:1, consistent with the General Plan, Table LU-4 "Land Use Policy Implications." ~~Floor area ratio bonuses of up to 1:1 may be allowed within the Campus Village and Commercial Mixed Use districts in order to encourage mixed use development containing multi-family residential over ground floor commercial subject to the requirements specified in Table 2. Residential development and the residential component of a mixed-use site are excluded from FAR requirements and are subject to the minimum and maximum density standards specified in Table 2.~~

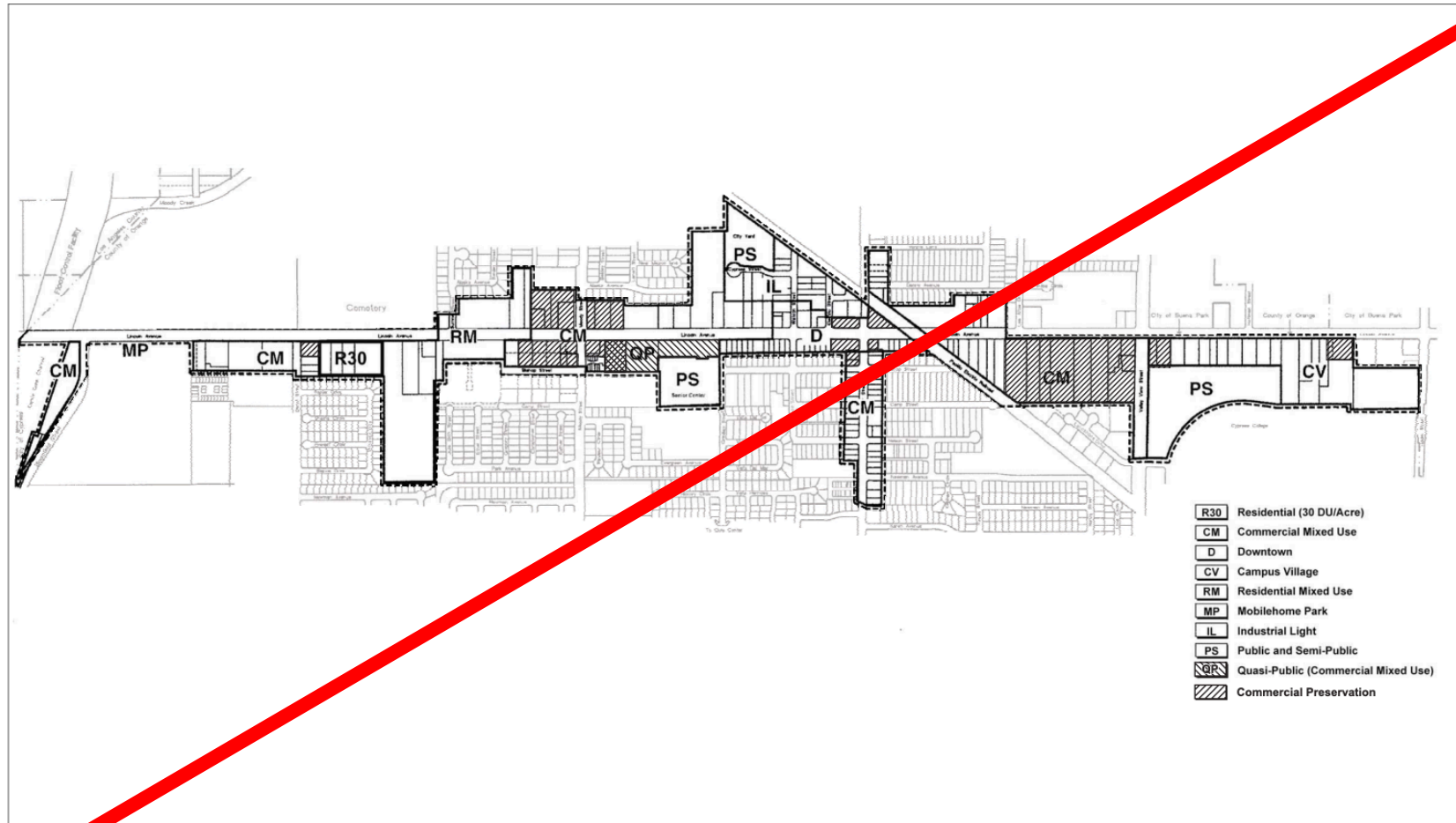
4.3 Land Use Character

The general character of each of the eight land use districts and two overlay zones is described below:

Campus Village

Campus Village, located east of Valley View Street and bounded by the City limits, is envisioned as a high density activity center, linking to and encompassing portions of Cypress College. The Campus Village District is primarily commercial while also allowing for residential mixed use and high density residential. Primary permitted land uses within this district included entertainment, cultural, retail, restaurant, multi-family, and other uses oriented toward a college student population. Regional commercial uses may occur if the consolidation of parcels is feasible, and the use is compatible with the adjacent area. Special design

treatments and development standards distinguish Campus Village as a focal point along the Corridor.



NOT TO SCALE



12-28-2016
Lincoln Avenue Specific Plan Land Use Map

Exhibit 3

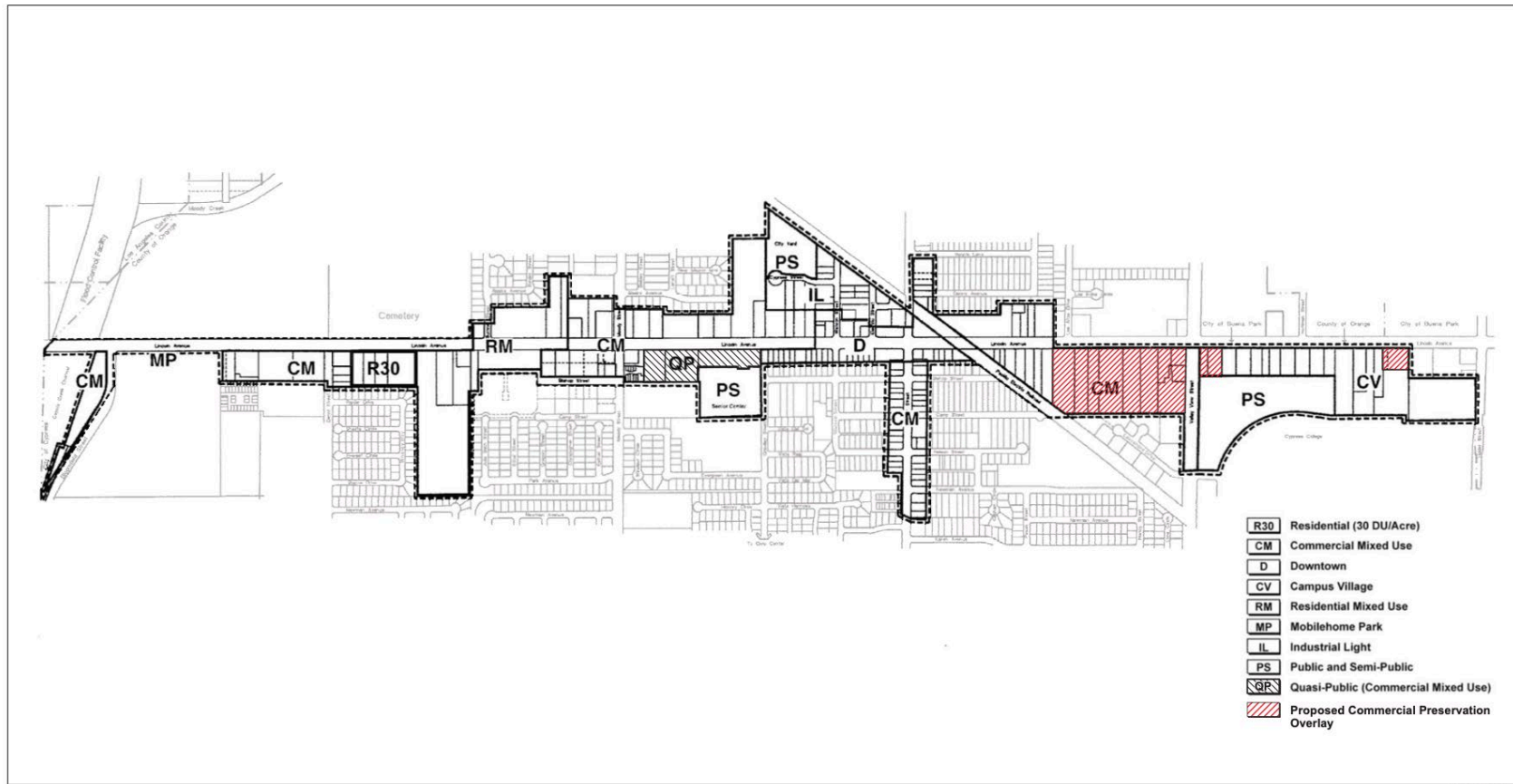


FIGURE 2.3



NO SCALE
SOURCE: RBF
E:\CCP1602\GMIND\Proposed SPLU.cdr (8/31/2016)

2025 Lincoln Avenue Specific Plan Amendment
Proposed Specific Plan Land Uses

Commercial Mixed Use

Commercial Mixed Use is a medium density category, located on the north and south sides of Lincoln Avenue, west of Valley View Street, and extending to the westerly project limits. This designation also encompasses portions of Walker Street that have been identified within the City General Plan for inclusion in the Lincoln Avenue Corridor Specific Plan. The commercial Mixed Use District offers the widest range of commercial uses. Both community serving retail and multifamily residential uses are accommodated. Primary permitted land uses include retail, restaurant, office, personal services, and multi-family residential uses.

Residential Mixed Use

The residential mixed use district is primarily for residential development (medium density, high density or mixed use), while also allowing for limited commercial development. The planning area encompasses segments of the corridor west of Moody Street and east of Denni Street. Other uses permitted in this district include various neighborhood serving uses such as beauty shops, gift shops and general retail. Conditional uses include grocery stores, furniture sales, theaters and video stores.

Residential (30 DU/Acre)

The residential district encompasses three designated parcels (totaling 4.8 acres) located on the south side of Lincoln Avenue, east of Denni Street. These sites are intended for exclusively high density residential development (20-30 dwelling units per acre) by right. (Specific Plan Amendment No. 2009-02)

Downtown

Downtown is a medium density commercial mixed use district, located at Walker Street and Lincoln Avenue. This district emphasizes a historically envisioned Downtown for Cypress and establishes an intimate feel in the Downtown. The Downtown district is primarily a commercial category with more limited uses due to small lot sizes. Primary land uses within the Downtown are similar to the Commercial Mixed Use planning area. Many of the special design treatments and development standards of the Campus Village are repeated within the Downtown to distinguish it as a focal point along the Corridor. Key design factors focusing on pedestrian access includes enhanced pavement areas, landscaping and a clock tower as a focal point near the intersection of Walker Street and Lincoln Avenue.

Industrial Light

The Industrial Light District is bounded by Walker Street, Grindlay Street and the Southern Pacific Rail line, and is immediately south and southeast of the existing City Yard. Allowable land uses for the Industrial Light District are those listed in the Cypress Zoning Code for the ML Industrial Light Zone which allows for light industrial and complementary service commercial businesses, **and the residential uses permitted in the Residential Mixed Use District, as outlined in Table 1.** Pedestrian linkages between this planning area and the adjacent Commercial Mixed Use Area fronting Lincoln Avenue are strongly encouraged.

Public and Semi-Public

Public and Semi-Public locations within the planning area includes the City Yard, the Senior Center west of Grindlay Street and property east of Valley View Street, adjacent to Cypress College and the Campus Village District. Allowable land uses for the Public and Semi-Public District are per the Cypress Zoning Code for the Public and Semi-Public zone which allows for public uses.

Mobile Home Park

The Mobile Home Park District is situated at the southeast corner of Lincoln Avenue and Bloomfield Street. Allowable land uses for Mobile Home Park are per the Cypress Zoning Code for the Mobile Home Park zone which is intended exclusively for mobile home parks.

Quasi Public Overlay

This overlay is associated with a commercial mixed use area located adjacent to the existing Senior Center and fronting onto Lincoln Avenue. Allowable land uses for the Quasi Public Overlay of the commercial mixed use category are those listed in the Public and Semi-Public zone in addition to those listed in the commercial mixed use category.

Commercial Preservation Overlay

This overlay is associated with **the** commercial mixed use ~~and downtown~~ areas located adjacent to **the** intersections ~~of along~~ Lincoln Avenue **and Valley View Street** in the planning area. Parcels within this overlay zone are restricted to commercial uses only. Residential uses are not permitted within this overlay zone. (Specific Plan Amendment No. 2016-01)

4.4 Land Use Matrix

A detailed list of permitted and conditionally permitted uses has been identified for the Commercial Mixed Use, Downtown, Campus Village and Residential Mixed Use Districts within the Lincoln Avenue Corridor Specific Plan. These land uses are presented in Table 1, Permitted Land Use Matrix. Within the matrix, permitted land uses are noted by "P" and conditionally permitted uses are noted by "C". Exceptions to specific land use types are noted as footnotes to the matrix.

Table 1
PERMITTED LAND USE MATRIX

Use	Commercial Mixed Use	Downtown	Campus Village	Residential Mixed Use	Residential (30 DU/Acre)
Acupuncture Clinic	P	P	P	P	X
Ambulance Substation	C	X	X	X	X
Antique Sales	P	P	P	C	X
Appliance Store - Large	P	P	C ¹	X ¹	X
Appliance Store - Small	P	P	P ²	C ²	X
Arcade	C	C	C	X	X
Artist Studio	P	P	P	P	X
Auction House	C	C	C	X	X
Automobile Rental Agency (with vehicle on site) ³	C	C	C	X	X
Automobile Rental Agency (office with no vehicles on site)	P	P	P	P	X
Automobile Repair Garage ⁴	C	X	X	X	X
Automobile Service Station	C	X	X	X	X
Automobile/Truck Sales, new and used (no vehicles on site)	P	P	P	P	X
Automobile/Truck Sales, New and Used (vehicles on site)	C	X	X	X	X
Automobile Painting	C	X	X	X	X
Automobile Parts and Supply Store	P	P	C	X	X
Bakery, Retail	P	P	P	C	X
Bar	C	C	C	X	X
Barber or Beauty Shop	P	P	P	P	X
Bicycle Shop	P	P	P	P	X
Billiard Hall	C	C	C	X	X
Bingo Game Operations (Non-profit organizations)	X	X	X	X	X
Book Store	P	P	P	P	X
Bowling Alley	C	C	C	X	X
Candy/Confectionary Store	P	P	P	P	X

Use	Commercial Mixed Use	Downtown	Campus Village	Residential Mixed Use	Residential (30 DU/Acre)
Car Wash	C	X	X	X	X
Catering Service	C	C	C	C	X
Check Cashing Service	X	X	X	X	X
Church, Convent, Monastery, or other religious institution	X	X	X	X	X
Clothing Sales and Rental	P	P	P ⁵	P ⁵	X
Club or Lodge	C	C	C	C	X
Coin Shop	P	P	P	P	X
Community Care Facility	P	P	P	P	P
Convalescent Home or Hospital	C	C	C	C	X
Dairy Products Store, Drive-in	C	C	C	X	X
Dance or Karate Studio	P	P	P	C	X
Day Care Center	C	C	C	C	X
Department Store	P	P	C	C	X
Drug Store	P	P	P	C	X
Dry Cleaning Plant or Laundry Service ⁶	C	X	X	X	X
Dry Cleaning Service (may include retail plant) ⁶	P	P	P	C	X
Educational Institution, public or private	X	X	C	C	X
Emergency Shelter	P ¹⁰	X	X	X	X
Financial Institution	P	P	P ⁷	P ⁷	X
Florist Shop	P	P	P	P	X
Fortune Telling Business	X	X	X	X	X
Furniture Sales, Rentals, or Repairs	P	P	P	C	X
Garden Supply Store	P	P	P	C	X
Gift Shop	P	P	P	P	X
Grocery Store, Retail	P	P	P	C	X
Hardware Store	P	P	P	C	X
Health Club	P	P	P	C	X
Hobby Supply Shop	P	P	P	P	X

Use	Commercial Mixed Use	Downtown	Campus Village	Residential Mixed Use	Residential (30 DU/Acre)
Hotel or Motel ⁴	C	C	C	X	X
Interior Decorating or Drapery Shop	P	P	P	P	X
Janitorial Service and Supplies	P	P	P	X	X
Jewelry Sales	P	P	P	P	X
Laundromat	P	P	P	C	X
Library	C	C	C	C	X
Liquor Store ⁴	C	C	C	X	X
Massage Parlor	X	X	X	X	X
Medical/Dental Office or Clinic	P	P	P	P	X
Mini-Market	C	C	C	X	X
Mortuary	C	C	C	X	X
Motorcycle Sales and Service	C	C	C	X	X
Museum	C	C	C	C	X
Nursery School - see Day Care Center	C	C	C	C	X
Nursery	C	C	C	X	X
Office Equipment/Supply Store	P	P	P	P	X
Parking Garage, Private	C	C	C	C	X
Pawn Shop	X	X	X	X	X
Pet Shop	P	P	P	C	X
Pharmacy	P	P	P	C	X
Photocopy Business	P	P	P	P	X
Photographic Studio	P	P	P	P	X
Playland Associated with a Restaurant	C	C	C	X	X
Pool Sales, Service and Supplies	C	C	C	C	X
Post Office Branch	C	C	C	X	X
Printing and Publishing	C	C	C	X	X
Professional Office	P	P	P	P	X
Public Storage Facility (Mini-warehouse)	C	C	C	X	X
Public Utility Service Office	P	P	P	P	X

Use	Commercial Mixed Use	Downtown	Campus Village	Residential Mixed Use	Residential (30 DU/Acre)
Public Utility Substation, Reservoir, or Pumping Plant, not including office	X	X	X	X	X
Recording Studio	C	C	C	X	X
Recreation Facility, public or private	C	C	C	C	X
Recreational Vehicle Sales, Service, and Storage	C	X	X	X	X
Residential: Mixed Use High Density	C/X ¹¹	~~C/X¹¹~~	C/X ¹¹	C	X
Residential: High Density	~~P¹³~~ C/X ¹¹	~~P¹³~~ X	~~P¹³~~ C/X ¹¹	P ¹³	P ¹³
Residential: Supportive Housing	<u>P¹⁴/X¹¹</u>	<u>P¹⁴</u>	<u>P¹⁴/X¹¹</u>	<u>P¹⁴</u>	<u>P¹⁴</u>
Residential: Transitional Housing	<u>P¹⁵/X¹¹</u>	<u>P¹⁵</u>	<u>P¹⁵/X¹¹</u>	<u>P¹⁵</u>	<u>P¹⁵</u>
~~Residential: Medium Density (Small Lot Single Family)~~	~~X~~	~~X~~	~~X~~	~~C~~	~~X~~
Restaurant, Drive-through, Fast Food, or with Outdoor Seating - see also "Playland"	C	C	C	X	X
Restaurant, Sit-down	P	P	P	C	X
Restaurant, With Alcohol Sales ⁴	C	C	C	C	X
Retail Sales, General	P	P	P ⁴	P	X
Reverse Vending Machine and Storage	X	X	X	X	X
Satellite Dish Antenna ⁴	C	C	C	C	X
Shoe Repair/Sales	P	P	P	P	X
Sign Painting Shop (within enclosed building - no spray booth)	C	C	C	X	X
Single-Room Occupancy Housing ⁸	C/X ¹¹	X	C/X ¹¹	X	X
Skateboard Park	C	C	C	X	X
Skating Rink	C	C	C	X	X
Sporting Goods Store, with firearms ⁹	C	C	C	X	X
Sporting Goods Store, no firearms	P	P	P ⁵	P ⁵	X
Stamp Shop	P	P	P	P	X
Stationary Sales	P	P	P	P	X
Stone, Rock, and Monument Yard	X	X	X	X	X
Tailor Shop	P	P	P	P	X

Use	Commercial Mixed Use	Downtown	Campus Village	Residential Mixed Use	Residential (30 DU/Acre)
Tanning Salon	X	X	X	X	X
Tattoo Parlor	X	X	X	X	X
Taxidermist	X	X	X	X	X
Telegraph Office	P	P	P	C	X
Television Repair Shop	P	P	P ⁵	C	X
Temporary Storage Facility ¹⁰	C	C	C	X	X
Temporary Use (see Section 35, Division 10)	P	P	P	P	P
Theater, Entertainment	C	C	C	C	X
Theater, Movie	C	C	C	C	X
Thrift Store ¹²	X	X	C	X	X
Tobacco Shop	P	P	P	P	X
Toy Store	P	P	P	P	X
Travel Agency	P	P	P	P	X
Truck and Trailer Sales, Rentals, and Service	C	X	X	X	X
Upholstery Shop	C	X	X	X	X
Variety Shop	P	P	P	P	X
Vehicular Storage Yard	X	X	X	X	X
Veterinarian Services, including Small Animal Hospital	P	P	P	C	X
Video Store	P	P	P	C	X

Use	Commercial Mixed Use	Downtown	Campus Village	Residential Mixed Use	Residential (30 DU/Acre)
KEY AND FOOTNOTES					
Key: X = not permitted P = permitted C = conditional use permit required Footnotes: 1 - large appliance stores greater than 5,000 square feet 2 - small appliance stores up to 5,000 square feet 3 - subject to adequate parking for both rental vehicles and required parking spaces for on-site uses 4 - subject to additional special use standards in the Cypress Zoning Code 5 - 5,000 sq. feet or less is permitted; for over 5,000 sq. feet, conditional use permit is required 6 - subject to Air Quality Management District (AQMD) permit requirements 7 - 2,500 square feet or less is permitted; for over 2,500 square feet, conditional use permit is required 8 - subject to additional single-room occupancy standards in the Cypress Zoning Code 9 - subject to additional standards and review by Cypress Police Department 10 - subject to additional standards in the Cypress Zoning Code 11 – residential uses are not permitted on parcels within the Commercial Preservation Overlay Zone) (Specific Plan Amendment 2016-01) 12 – subject to the following standards: a. Project site shall be greater than 1.2 acres b. Lease space shall be minimum of 12,000 square feet c. Thrift stores shall not be located within one half mile from another thrift store d. All drop off/donation areas shall be enclosed <u>13 – subject to Cypress Zoning Code Section 3.17.310 (Objective standards for multi-family dwellings)</u> <u>14 – subject to Cypress Zoning Code Section 3.17.280 (Supportive housing)</u> <u>15 – subject to Cypress Zoning Code Section 3.17.290 (Transitional housing)</u>					

4.5 Development Standards

This section establishes standards and regulations for development in all land use districts within the Specific Plan area. Any standards or regulations not specifically covered by this Specific Plan are subject to the regulations of the City of Cypress Zoning Ordinance. Unless otherwise specifically approved in this Specific Plan, all off-site improvements are subject to the City's policies and standards in effect at the time of approval of development plans.

4.5.1 Development Standards Matrix

Development standards for each land use district (zone) of the Lincoln Avenue Corridor Specific Plan are summarized in Table 2, *Development Standards Matrix*. In instances where these development standards conflict with the Zoning Ordinance, the Specific Plan will prevail. In instances where these development standards remain silent, the Zoning Ordinance will prevail.

4.5.2 Setbacks

Setbacks shall conform to the development standards of the Lincoln Avenue Corridor Specific Plan. Any structures, garden walls, planters, shrubs, trees, columns, signage and archways located within the setback shall be designed to maintain safe lines of sight for pedestrian and vehicular traffic. Monument signs may be located adjacent to the Lincoln Avenue right-of-way in the landscape setback if they conform to the Zoning Ordinance requirements. All setbacks will be measured from the public right-of-way of Lincoln Avenue or intersecting public streets. Setback areas should be fully landscaped in a manner complimentary to the pedestrian area, as well as the on-site architecture and landscape design components.

4.5.3 Landscape Setback Area

A proposed ten-foot wide landscape setback parallels the entire length of Lincoln Avenue immediately adjacent to the right-of-way on both sides of the street. Development within the landscape setback area shall be implemented according to the ~~guidelines~~ standards below.

Table 2
DEVELOPMENT STANDARDS MATRIX

General Requirements	Campus Village [44]	Commercial Mixed Use [44]	Residential Mixed Use	Downtown	Industrial Light	Public & Semi-Public [44]	Mobile Home Park	R30 [9]
Minimum Lot Area (square feet)	20,000	10,000	10,000	10,000	10,000	43,560	871,200	10,000
Minimum Lot Frontage (feet)	300	150	150	100	100	200	250	100
Maximum Floor Area Ratio (FAR)	0.5:1 [1]	0.5:1 [1]	0.5:1 [1]	0.5:1 [1]	0.5:1 [1]	0.5:1	0.5:1	N/A
~~Maximum FAR with Density Bonus~~	~~1:1 [1]~~	~~1:1 [2]~~						~~N/A~~
Maximum Building Height (feet)	50/30 [10]	50/30 [10]	50	50/35	50/35	50/30 [10]	35	50
Minimum Building Façade located within Landscape Setback Area (%) [23]	25%		N/A	50%				N/A
Maximum Lot Coverage (%)	—	—	—	— 60%	— 60%	40%	75%	—
Minimum Front Setback (feet)	2 [24]	10	10	2 [2]	10	30	6 [35]	10
Maximum Front Setback (feet)	— 10 [6]	—	—	10	—	—	—	—
Minimum Side Setback (feet)	5	5	5	5	5	—	5	5
Minimum Side Setback Adjacent to a Residential Zone (feet)	20	20	20	20	20/100 [4]	25	20	—
Minimum Rear Setback (feet)	5	5	5	5	0	25	3	5
Minimum Rear Setback Adjacent to a Residential Zone (feet)	20	20	20	20	20/100 [4]	—	20	—
Maximum ~~Residential Density (Dwelling units (D.U.)~~ ~~Per acre (net))~~ ~~Mobile Home Park~~ ~~Residential Mixed Use High Density~~ ~~Residential High Density~~ ~~Residential Medium Density~~	30 ±	30 ±	30 D.U. [7]* 30 D.U. [7]*	30 ±	30		7	30 D.U. [7]*
Minimum Residential Density (dwelling units per acre (net)) Dwelling Unit Size for High Density Residential ~~Residential Mixed Use High Density~~ ~~Residential High Density~~ ~~Residential Medium Density~~	20 ±	20 ±	20 ±	20 ±	20			20
Minimum Private – Open Space (square	200	200	200 S.F./Unit	200	200			200 S.F./Unit

General Requirements	Campus Village [44]	Commercial Mixed Use [44]	Residential Mixed Use	Downtown	Industrial Light	Public & Semi-Public [44]	Mobile Home Park	R30-[9]
feet per residential unit) [58]								
Setback between Parking Area and Property Line	10 feet landscape, with 3-foot decorative screen wall located at rear of setback line	10 feet landscaped, with 3-foot decorative screen wall located at rear of setback line	10 feet landscaped, with 3-foot decorative screen wall located at rear of setback line	10 feet landscaped, with 3-foot decorative screen wall located at rear of setback line	10 feet landscaped, with 3-foot decorative screen wall located at rear of setback line			10 feet landscaped, with 3-foot decorative screen wall located at rear of setback line
Minimum Distance between Buildings on Same Parcel (feet) for Non-Residential Uses [9]	*	*	*	*	*	*	N/A	N/A
Minimum Distance between Buildings on Same Parcel (feet) for Residential Uses [9]	*	*	*	*	N/A	*	*	*

* Refer to the City of Cypress Zoning Ordinance.

- [4] ~~Within the Campus Village, a floor area ratio bonus allowing a maximum FAR of 1:1 can be achieved only by development projects that contain: [1] a minimum lot area of one acre (net); and [2] a mixed use character consisting of at least two of the following uses: mixed use high density residential, retail, restaurant, cultural/entertainment.~~
- [2] ~~Within the Commercial Mixed Use district, a floor area ratio bonus permitting a maximum FAR of 1:1 can be achieved only by development projects that contain: [1] a minimum lot size of one acre (net); and [2] a mixed use character consisting of mixed use high density residential with commercial.~~
- [1] ~~This requirement does not apply to residential development or the residential component of a mixed-use project.~~
- [23] ~~Landscape Setback Area is the 10' area measured from the Lincoln Avenue public right-of-way. In no instances shall any building be located closer than 24" from the Lincoln Avenue public right-of-way. In the Downtown and Campus Village Districts, buildings may encroach into the landscape setback area, but no closer than 2' from the Lincoln Avenue right-of-way. Such encroachments shall be consistent with Subsection 4.5.3 (Landscape Setback Area), Section 5 (Design Guidelines), and/or Zoning Ordinance Section 3.17.310 (Objective standards for multi-family developments. In no instance shall parking encroach into the landscape setback area.~~
- [4] ~~Buildings may encroach into the 10' Landscape Setback Area, but no closer than 24" from the rear of the Lincoln Avenue public right-of-way. Such encroachments shall be consistent with the Design Guidelines, Section 5.0 of the Specific Plan. In no instance shall parking encroach into the 10' Landscape Setback Area.~~
- [35] At mobile home parks, an 8' decorative wall shall be provided at the rear of the front setback line, across the full length of the property where it fronts on Lincoln Avenue.
- [4] Minimum rear and side setback adjacent to a residential zone is 20 feet for residential uses and 100 feet for all other uses.

~~[6] Within the Campus Village District, the maximum 10' front building setback has been eliminated (Amended 11-13-2006).~~

~~[7] Minimum 20 DU/Acre (Amended 10-26-2009).~~

~~[58] Includes private open space or shared open space. A minimum linear dimension of 50 feet shall be required for shared open space (Amended 10-26-2009).~~

~~[9] Amended 10-26-2009.~~

~~[10] Maximum non-residential and residential building heights are 50 feet and 30 feet, respectively. (Specific Plan Amendment 2016-01).~~

~~[11] Amended 12/28/2016. (Specific Plan Amendment 2016-01)~~

A. ❖ ~~General Downtown and Campus Village Guidelines.~~

- 1.** ~~Within the Downtown and Campus Village districts,~~ **b** Buildings may be located within the 10-foot landscape setback area to strengthen the relationship between the building and pedestrian way, as specified in Table 2 (Development Standards Matrix). ~~However, in no instance shall any building be located closer than 2 feet to the right-of-way.~~
- 2.** When ~~ever~~ a building extends more than 4 feet into the landscape setback, the required row of street trees should be omitted and replaced with **one of the following:**
 - a.** 5 gallon wall vines attached to the building facade and spaced at 6 feet on center. The remaining landscape setback between the right-of-way and building facade shall be planted with a groundcover consistent with the Streetscape Plant Palette identified in Section 6.2.1; ~~or,~~
 - b.** ~~Alternately, within the Campus Village and Downtown districts,~~ **d** ~~Decorative paving may be installed in lieu of groundcover bed and wall vines within the remaining landscape setback area.~~ In such instances, the developer will be required to install a colonnade along at least 75 percent of the building facade parallel to Lincoln Avenue. Refer also to Section 7.3 regarding development incentives and potential funding mechanisms.

B. ❖ ~~General Guidelines— All Districts.~~

- 1.** Parking areas located adjacent to landscape setbacks shall contain a low garden wall situated at the rear of the setback area. (Refer to "Garden Walls" in this section for requirements.) In these areas, the garden wall shall be foreplanted with a groundcover bed and a single row of 24-inch box street trees consistent with the Streetscape Plant Palette identified in Section 6.2.1 and spaced at 24 feet on center. In no instance shall parking areas encroach into the landscape setback.
- 2.** Landscape setbacks that are bordered by buildings shall be planted with a groundcover bed and 24-inch box street trees consistent with the Streetscape Plant Palette identified in Section 6.2.1 and spaced at 24 feet on center. In addition, a hedge row of 5 gallon shrubs selected from the streetscape landscape palette shall be planted at the rear of the landscape setback.

3. Building materials for pedestrian archways, vehicular archways and garden walls located within the landscape setback should be constructed of concrete (with a sandblast finish), stucco, cut stone, metal (flat enamel color or natural satin finish) or wood (smooth finish with opaque stain). Colors should be light earth tones. Key elements (wall caps, rafters, beams and bollards plus column shaft, base, and capital) should appear to be monolithic units with no visible attachment to one another (i.e., dowels, pins, bolts, plates, etc.).

4.5.4 Circulation Plan

The Circulation Plan includes the three primary modes of travel within Lincoln Avenue Corridor Specific Plan area:

- ❖ Vehicular Circulation
- ❖ Mass Transit
- ❖ Pedestrian Circulation

Vehicular Circulation

Vehicular access to the Specific Plan area is from Lincoln Avenue and the major arterials which bisect the corridor including; Moody Street, Grindlay Street, Walker Street and Valley View Street.

Lincoln Avenue is a major east-west arterial, currently configured with four travel lanes divided by a raised landscaped median. Typical intersections along Lincoln Avenue operate below capacity. The General Plan indicates there is an average of 23,000 trips per day, with a capacity for 37,500 trips (LOS E). Lincoln Avenue is also a designated truck route.

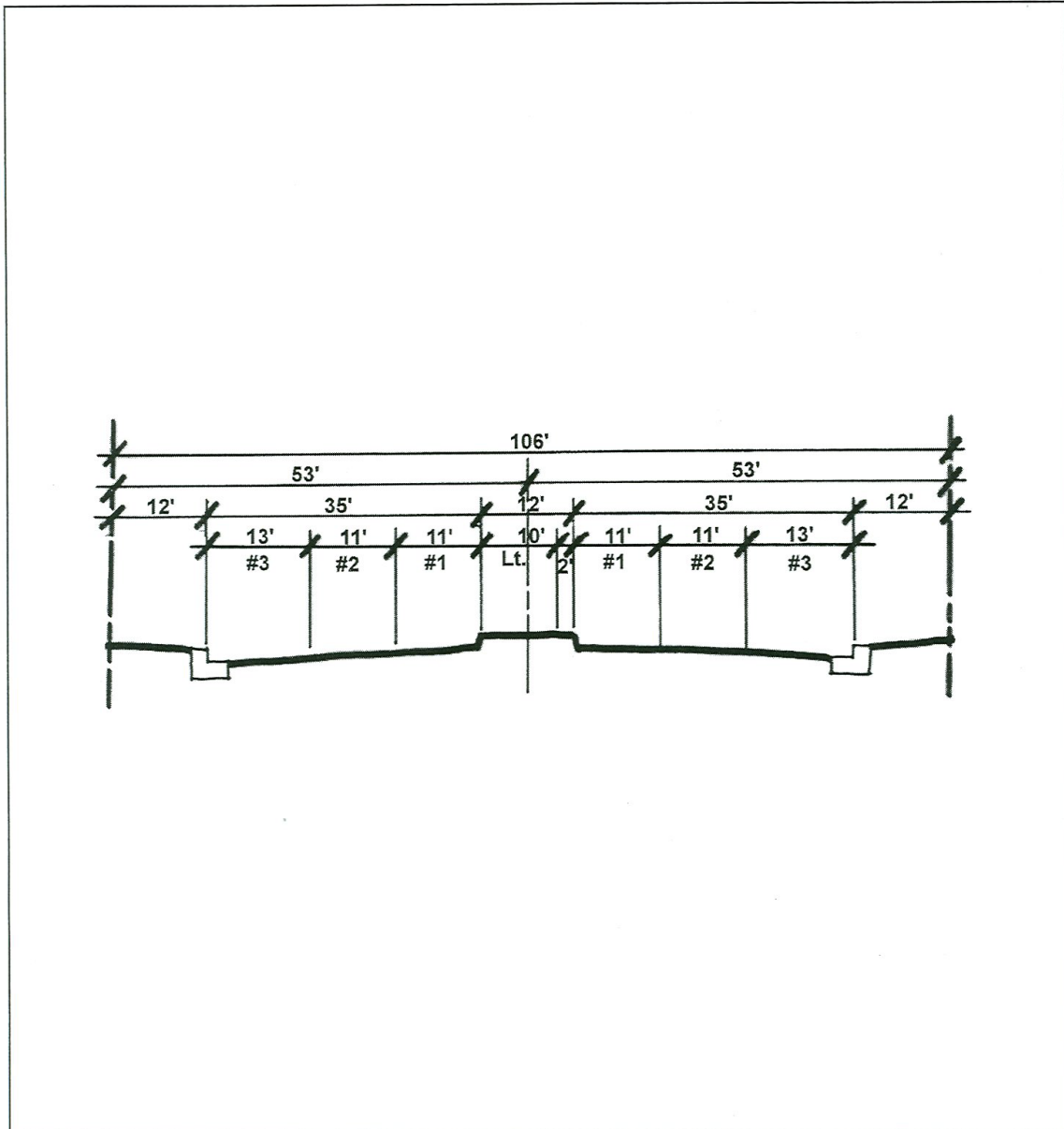
In November, 1997 the Cypress City Council adopted a modification to the Lincoln Avenue cross-section. The modification maintains a 106' foot right of way for a six lane divided roadway, but eliminates a five foot bike lane along each side of the roadway and reduced the width of the center median. Deletion of the bike lanes allow for an extensive streetscape enhancement of Lincoln Avenue wherein the parkways are maintained at a width of twelve (12) feet and no additional right of way is required from adjacent properties. The ultimate cross-section for Lincoln Avenue is depicted in Exhibit 4, *Lincoln Avenue Cross-Section*.

Access Drives

Driveway entry throats and vehicular circulation aisles shall be identified by usage/need, as determined by the City. Parcels shall be permitted one curb cut

per every 150 feet of street frontage, but in no instance shall exceed two curb cuts per street frontage. Curb cuts shall be located a minimum distance of 150 feet from a curb cut located on an adjacent parcel. The Director may modify this requirement for narrow lots.

Dimensions of access drives shall be as required by Section 25 (Off-Street Parking and Loading) of the City of Cypress Zoning Ordinance. In addition, driveways that provide access to parking lots with 100 spaces or more shall



CITY OF CYPRESS
LINCOLN AVENUE SPECIFIC PLAN
Lincoln Avenue Cross-Section

provide a landscaped median a minimum of 6 feet wide and 20 feet long. Additional improvements may also be required through the discretionary approval process.

Shared Access Incentive

~~Where possible, adjoining developments are encouraged to provide joint use access driveways in order to reduce the number of driveways along Lincoln Avenue. This will reduce the opportunities for turning movements and increase traffic safety.~~

~~In order to encourage the provision of shared access, the City may offer an incentive in the form of a reduced parking requirement of up to 10 percent. An incentive parking reduction may be allowed through the approval of a Conditional Use Permit in compliance with the requirements of the Zoning Ordinance.~~

Lot Consolidation Incentive

~~The existence of small, substandard lots throughout the Specific Plan area is often a hindrance to efficient contemporary development. Small lots have difficulty providing ample parking, circulation areas, areas of significant landscaping and other amenities. In order to encourage the consolidation of smaller lots into larger development sites, the City may provide incentives as outlined in Section 7.3.1 of this Specific Plan. The incentives provided shall be in proportion to the number and size of lots that are consolidated.~~

Public Transit

The Orange County Transportation Authority (OCTA) retains the rights to the Southern Pacific rail line, which bisects the Lincoln Avenue Corridor, as a potential future urban rail line. Although OCTA currently has no plans to move forward with an urban rail line through Cypress, OCTA has initiated pilot open space programs along the rail line right of way. The potential exists for a pilot program site in Cypress which may be linked to the project area.

If in the future OCTA should initiate plans for a rail line through the Lincoln Avenue Corridor, potential train station sites may include areas in proximity to the Campus Village and Downtown districts. These locations are excellent linkages to the pedestrian oriented uses and provide enhanced multi modal options to access the planning area.

The current mass transit system which is expected to remain most active in the coming years is the OCTA bus service along Lincoln Avenue. Service is expected to continue at its current level.

Pedestrian Circulation and Incentive

The Specific Plan is intended to encourage pedestrian activity along Lincoln Avenue with various amenities and design features to enhance pedestrian access and circulation. Clear, safe and convenient pedestrian connections shall be provided between building entries and parking areas, site access locations, adjacent bus stops and public sidewalks.

In order to encourage the provision of amenities within private development sites, the City may offer development incentives as outlined in Section 7.3.1 of this Specific Plan. The following pedestrian amenities are strongly encouraged.

- ❖ Pedestrian courtyards and plazas
- ❖ Benches and trash receptacles
- ❖ Shade trees and other enhanced landscaping
- ❖ Pedestrian level lighting
- ❖ Water features
- ❖ Outdoor dining areas

4.5.5 Parking and Shared Access

A. ~~Parking shall be regulated by the City of Cypress Zoning Ordinance as well as by the following guidelines.~~ Off-street parking shall be provided consistent with Section **25-14 (Off-street parking and loading)** and Subsection **2.05.050 (Residential off-street parking requirements)** of the City of Cypress Zoning Ordinance.

B. Shared Access and Parking waivers

- 1. Parking reductions and shared parking arrangements shall be reviewed and permitted,** as specified in **the Subsection 3.14.070 (Shared parking) of the** Zoning Ordinance, ~~shall be permitted subject to review and approval by the City Council. To obtain a parking waiver, the applicant shall clearly demonstrate that adequate parking and circulation will be available on site. Shared parking arrangements are strongly encouraged and shall be permitted through a Conditional Use Permit, provided the applicant clearly demonstrates that adequate parking will be available..~~

- 2. Shared Access Incentive.** Where possible, adjoining developments are encouraged to provide joint use access driveways in order to reduce the number of driveways along Lincoln Avenue. This will reduce the opportunities for turning movements and increase traffic safety. In order to encourage the provision of shared access, the City may offer an incentive in the form of a reduced parking requirement of up to 10 percent. An incentive parking reduction shall be reviewed in conjunction with the other discretionary action(s) required for the development.
- C. Landscaping.** Parking shall be designed to minimize the visibility of large paved areas through generous plantings of trees and shrubs. Parking areas shall be landscaped in accordance with Section **13 (Landscaping)**~~25.17~~ of the City of Cypress Zoning Ordinance.
- D. Bicycle parking.** At least one designated bicycle parking area shall be provided for each project. Bicycle parking areas shall be located adjacent to the pedestrian walkway area and contain bicycle racks.

4.5.6 Loading and Storage Areas

The location, number and size of loading spaces required shall be specified by the City through the review of project applications.

Loading areas shall be designed to accommodate complete backing and maneuvering on the site, without impacting the pedestrian walkway area or a public street. All loading and storage areas within clear view from public street and/or open space areas shall be effectively screened whenever possible. Screening shall be with walls and landscaping aesthetically compatible with the site architecture, pedestrian walkway area and landscape setback area.

4.5.7 Refuse Collection and Storage

Outdoor refuse enclosures shall be provided in compliance with the standards provided in Subsection 3.11.120 7.9 of the City of Cypress Zoning Ordinance. ~~The colors and materials used shall be visually compatible with the site's architectural character. Enclosures shall be of sufficient height to completely screen the bins within and should include a painted steel gate to screen all refuse containers from adjacent parcels and the pedestrian walkway areas.~~

4.5.8 Environmental Controls

Any permitted industrial uses shall be performed or carried out entirely within a building or a screened portion of the site so that the enclosed operations and uses do not cause or produce a nuisance or visual distraction or health and safety hazard to adjacent sites or public rights-of-way.

All planned night uses shall take into consideration the site's proximity to nearby residential land uses and arrange proposed site elements and activities to minimize the potential impact of noise and light glare onto nearby residential areas.

4.5.9 Utilities and Mechanical Devices

Exterior on-site utilities including, but not limited to, irrigation and drainage systems, gas lines, water lines and electrical, telephone and communications wires and equipment, shall be installed and maintained underground, appropriately screened from public view, or located in the rear portion of development parcels where they will not be visible from the pedestrian walkway area.

All exterior mechanical equipment, including HVAC, electrical components, storage tanks, and satellite dishes shall be screened from off-site view. Screening elements shall be fully integrated into the architectural character of the site. Roof mounted equipment shall not extend above the parapet and no equipment shall be visible within a horizontal line of sight from adjacent parcels or public rights-of-way.

On-site transformers should not be placed within the building setback, nor where visible from the pedestrian walkway area. Transformers should be screened with screen walls and/or landscaping or located in underground vaults.

4.5.10 Grading and Drainage

Storm water from roof downspouts should not drain into landscape areas. Grades should be designed to minimize warping and abrupt changes. Design efforts should attempt to achieve grades between 1.0 and 2.5 percent whenever possible. Berming is permitted in perimeter parking lot landscape areas.

4.5.11 Height of Unoccupiable Structures

Unoccupiable structures (ground mounted flag poles, towers, etc.) shall not exceed 40 feet in height.

4.5.12 Legal Nonconforming Uses, Structures, Parcels, Signs

All legal uses, structures, parcels and signs in place prior to adoption of the Lincoln Avenue Specific Plan which do not conform shall be deemed nonconforming, and shall be permitted to remain in place subject to the following provisions.

Nonconforming Status

An existing use shall be deemed a "legal nonconforming use" if prior to its establishment, the required permits were obtained (e.g., a Building Permit, Conditional Use Permit, etc.). Structures and uses not having acquired the proper permits shall be considered "illegal" and shall not be afforded the provisions of this section.

Intent and Purpose

This section is established to limit the number and extent of nonconforming

uses within the specific plan area by prohibiting or limiting their enlargement, their re-establishment after abandonment, and the alteration or restoration after destruction of the structure they occupy. While permitting the use and maintenance of existing nonconforming structures, this section is also established to limit the number and extent of nonconforming structures by prohibiting their being moved, altered or enlarged in a manner that would increase the discrepancy between existing conditions and the standards prescribed in this specific plan, and by prohibiting their restoration after destruction.

Continuation and Maintenance

A use lawfully occupying a structure or site that does not conform with the use regulations or the site development standards of this specific plan which is a legal nonconforming use may be continued, except as otherwise provided in this section. A structure that lawfully occupies a site and that does not conform with the development standards for front yards, side yards, rear yards, height, coverage or distances between structures stipulated in this specific plan may be continued, except as otherwise provided in this section. Routine maintenance and repairs may be performed on a structure or site when the use or structure is legal nonconforming.

Nonconforming Statue Tied to Property

Restrictions and conditions affecting nonconforming uses and structures shall apply to existing uses, buildings and structures and shall not be affected by ownership changes.

Revocation of Privileges

Whenever the use, maintenance or continuation of nonconforming conditions or use is granted through the means of Conditional Use Permits, Variances, Design Review, Extensions, Expansions or other approved changes, the same may be revoked by the Planning Agency whenever the Agency finds: 1) that the term or conditions of the approval are being violated; or 2) that the condition or use of the property constitutes a public nuisance; or 3) that the health, safety or general welfare of the surrounding property owners or residents is being threatened by the continuation of said nonconforming use or condition. The revocation process may be initiated by order of the Planning Agency. The property owner shall be notified of the commencement of the revocation process pursuant to Section 25, Division 2 (Notice and Conduct of Public Hearings) of the City of Cypress Zoning Code.

Exceptions – Public Utility Facilities and Uses

Nothing in this section pertaining to nonconforming uses and structures shall be construed or applied so as to require the termination, removal or so as to prevent the modernization, replacement, repair, maintenance, alteration or rebuilding of public service and public utility buildings, structures, uses, equipment and facilities; provided that there is no change or increase of those areas to be used.



CITY OF CYPRESS

CITY COUNCIL REPORT

City Council Regular

4.

FROM: Matt Burton, Director of Finance and Administrative Services

DATE: 03/10/2025

SUBJECT: Amend the Salary Range for Accounting Supervisor and Add the Classification to Mid-Management Group

RECOMMENDATION

1. Adopt a Resolution, amending Resolution No. 6967, establishing salary ranges for Mid-Management employees; and
2. Adopt a Resolution, amending Resolution No. 6968, establishing salary ranges for Confidential employees.

DISCUSSION

In July 2023, the City Council approved the job classification of Accounting Supervisor in the Finance department to provide additional oversight of the city's day-to-day accounting operations, which in recent years have been significantly impacted by new accounting pronouncements. The job market for accountants is especially competitive and finding quality candidates has proven very difficult.

After two unsuccessful recruitments, it is recommended that the Accounting Supervisor position salary range be increased and that the position transfer to the Mid-Management group. The higher salary and a stronger benefit package (including a cafeteria allowance for health benefits) should enable the city to attract a larger pool of more experienced candidates.

Resolution No. 6967, which establishes salary ranges for Mid-Management employees, has been updated to include the recommended salary and Resolution No. 6968, which establishes salary ranges for Confidential employees, has been updated to remove the Accounting Supervisor classification. The Accounting Supervisor classification is unrepresented; therefore, the meet and confer process is not required.

BUDGET IMPACT

The recommendation will result in additional annual costs of approximately \$31,000 at the top of the salary range. Sufficient funds are available in the FY 2024-25 Budget and future budgets will include the recommended salary and benefit adjustments.

LEGAL REVIEW

None required.

APPROVED BY: Peter Grant, City Manager

Attachments

Resolution - Mid Management Salaries

Resolution - Confidential Salaries

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, AMENDING
RESOLUTION NO. 6967 ESTABLISHING SALARY RANGES FOR
MID-MANAGEMENT POSITIONS

WHEREAS, the Personnel Rules and Regulations of the City of Cypress require salary range adjustments be approved by Resolution of the City Council, and acting as ex-officio governing Board of Directors of the Cypress Recreation and Park District; and

WHEREAS, the classification of Accounting Supervisor is added to the Mid-Management Group from the Confidential Group.

BE IT RESOLVED BY THE CITY COUNCIL of the City of Cypress, and acting as ex-officio Board of Directors of the Cypress Recreation and Park District, that Resolution No. 6909 be amended and that the salary ranges for positions classified as Mid-Management be approved as follows:

A. **Monthly Salary Ranges effective March 4, 2025.**

POSITION

MONTHLY SALARY RANGE

City Engineer	\$11,925 – \$15,739
Asst. Dir. of Finance & Admin. Services/Finance Manager	\$11,925 – \$15,739
Assistant City Engineer	\$10,803 – \$14,185
Information Technology Manager	\$10,803 – \$14,185
Business Development Manager	\$10,016 – \$13,580
City Clerk	\$10,016 – \$13,580
Human Resources Manager	\$10,016 – \$13,580
Maintenance Superintendent	\$9,736 – \$12,656
Recreation and Community Services Manager	\$9,736 – \$12,656
Accounting Supervisor	\$8,430 – \$11,345
Network Administrator	\$8,430 – \$11,345
Senior Planner	\$7,671 – \$10,324
Senior Management Analyst	\$7,332 – \$9,803
Maintenance Supervisor	\$6,753 – \$8,781
Police Support Services Supervisor	\$6,753 – \$8,781
Recreation Supervisor	\$6,753 – \$8,781

- B. **Monthly Salary Ranges effective July 4, 2025.** Monthly salary ranges will be adjusted between three percent and three and one-half percent (3% - 3.5%), based on the May CPI-U.

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 10th day of March, 2025.

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 10th day of March, 2025, by the following roll call vote:

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

CITY CLERK OF THE CITY OF CYPRESS

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 AMENDING
RESOLUTION NO. 6968 ESTABLISHING SALARY RANGES AND
BENEFITS FOR CONFIDENTIAL POSITIONS

WHEREAS, the Personnel Rules and Regulations of the City of Cypress require adjustments to salary ranges and benefits be approved by Resolution of the City Council, and acting as ex-officio governing Board of Directors of the Cypress Recreation and Park District; and

WHEREAS, the classification of Accounting Supervisor is being removed from the Confidential Group and added to the Mid-Management Group.

BE IT RESOLVED BY THE CITY COUNCIL of the City of Cypress, and acting as ex-officio Board of Directors of the Cypress Recreation and Park District, that Resolution No. 6968 be amended and that the salary ranges and benefits for positions classified as Confidential be approved as follows:

- A. **Monthly Salary Ranges effective July 5, 2024.** Monthly salary ranges were adjusted by three and one-half percent (3.5%) and are as follows:

POSITION

MONTHLY/HOURLY PAY RANGE

	A	A1	B	B1	C	C1	D	D1	E
Human Resources Analyst	\$7,332 \$42.3000	\$7,514 \$43.3500	\$7,697 \$44.4057	\$7,888 \$45.5076	\$8,079 \$46.6096	\$8,283 \$47.7865	\$8,485 \$48.9519	\$8,698 \$50.1807	\$8,909 \$51.3980
Management Analyst	\$7,332 \$42.3000	\$7,514 \$43.3500	\$7,697 \$44.4057	\$7,888 \$45.5076	\$8,079 \$46.6096	\$8,283 \$47.7865	\$8,485 \$48.9519	\$8,698 \$50.1807	\$8,909 \$51.3980
Executive Assistant	\$6,113 \$35.2673	\$6,264 \$36.1384	\$6,416 \$37.0153	\$6,577 \$37.9442	\$6,737 \$38.8673	\$6,908 \$39.8538	\$7,077 \$40.8288	\$7,254 \$41.8500	\$7,429 \$42.8596
Payroll Coordinator	\$6,113 \$35.2673	\$6,264 \$36.1384	\$6,416 \$37.0153	\$6,577 \$37.9442	\$6,737 \$38.8673	\$6,908 \$39.8538	\$7,077 \$40.8288	\$7,254 \$41.8500	\$7,429 \$42.8596
Recording Secretary/ Deputy City Clerk	\$5,947 \$34.3096	\$6,098 \$35.1807	\$6,245 \$36.0288	\$6,404 \$36.9461	\$6,561 \$37.8519	\$6,723 \$38.7865	\$6,890 \$39.7500	\$7,061 \$40.7365	\$7,233 \$41.7288

- B. **Monthly Salary Ranges effective July 4, 2025.** Monthly salary ranges will be adjusted between three percent and three and one-half percent (3% - 3.5%), based on the May CPI-U.
- C. Other Benefits – Confidential employees shall be provided other benefits as provided to the Cypress City Employees’ Association.
- D. Auto Allowance – The City Manager shall have the authority to provide individual Confidential employees with a monthly auto allowance of up to \$75 if a position is required to routinely drive a personal vehicle during the course of their regular duties.

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 10th day of March, 2025.

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 10th day of March, 2025, 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

CITY COUNCIL REPORT

City Council Regular

5.

FROM: Matt Burton, Director of Finance and Administrative Services

DATE: 03/10/2025

SUBJECT: Adopt Resolutions Establishing Benefits for Executive Management and Mid-Management Employees

RECOMMENDATION

1. Adopt a Resolution establishing the Executive Management Schedule of Benefits; and
2. Adopt a Resolution establishing the Mid-Management Schedule of Benefits.

SUMMARY

This recommendation separates the Schedule of Benefits for Executive Management and Mid-Management employees from one Resolution into two Resolutions. There are no changes/increases to any employee's compensation or benefits package. The change is recommended to ensure the city is fully compliant with CalPERS regulations and guidance.

DISCUSSION

The city has two groups of unrepresented management employees: Executive Management and Mid-Management. The Executive Management group consists of five department directors and the Mid-Management group consists of 20 managers and supervisors. Benefits for both Executive Managers and Mid-Managers are currently established by one Schedule of Benefits even though the benefits provided to the two groups differ slightly. The Schedule of Benefits is updated (at least) annually to reflect changes in health benefits and other recommended adjustments. The City Council approved the current Schedule of Benefits on September 9, 2024.

To comply with evolving CalPERS guidelines, and at the advice of the city's special counsel for labor/human resources, it is recommended that the city establish one Schedule of Benefits for Executive Management positions and another for Mid-Management positions. Maintaining two Schedules of Benefits more clearly define each group's rules, policies and benefits, and ensures that the city's benefit language meets with CalPERS audit requirements.

There are no changes to the benefits, no additional cost to the city, and no compensation increases (of any kind) for employees as a result of this recommendation. The updates to the Schedules of Benefits are limited to removing language pertaining to the employee group being transitioned to the separate Schedule of Benefits and language clean-up recommended by the labor/human resources special counsel. The recommended Schedules of Benefits are attached.

BUDGET IMPACT

None.

LEGAL REVIEW

The City's labor attorney assisted with drafting the language in the updated Schedules of Benefits.

APPROVED BY: Peter Grant, City Manager

Attachments

Resolution - Executive Management Schedule of Benefits
Resolution - Mid Management Schedule of Benefits
Exhibit A - Executive Management
Exhibit A - Mid Management
Exhibit A - Executive Management Redline Version
Exhibit A - Mid Management 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 AMENDING
RESOLUTION NO. 6987 ESTABLISHING BENEFITS FOR
EXECUTIVE MANAGEMENT EMPLOYEES.

WHEREAS, the City Council establishes benefits for management employees through adoption of a Resolution specifying benefits to be received; and

WHEREAS, management positions shall be provided health and life insurance coverage and leave benefits provided to other employee bargaining units in the City; and

WHEREAS, benefits for Executive Management and Mid-Management employees are established and outlined in a Schedule of Benefits; and

WHEREAS, the Executive Management and Mid-Management are two separate groups with differences in benefits; and

WHEREAS, to distinguish the differences in benefits, it is recommended that a Schedule of Benefits be established for Executive Management and a separate Schedule of Benefits be established for Mid-Management.

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, HEREBY DOES RESOLVE, DETERMINE and ORDER, that Resolution No. 6987 be amended as indicated below:

SECTION 1. That the Executive Schedule of Benefits shown in Exhibit A shall apply to all employees classified as Executive Management.

SECTION 2. That Exhibit A for Executive Management shall reflect other language clarification changes.

SECTION 3. This Resolution shall be effective on March 10, 2025, and all resolutions and parts of resolutions in conflict herewith are hereby rescinded.

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 10th day of March, 2025.

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 10th day of March, 2025, by the following roll call vote:

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

CITY CLERK OF THE CITY OF CYPRESS

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 AMENDING
RESOLUTION NO. 6987 ESTABLISHING BENEFITS FOR
MID-MANAGEMENT EMPLOYEES.

WHEREAS, the City Council establishes benefits for management employees through adoption of a Resolution specifying benefits to be received; and

WHEREAS, management positions shall be provided health and life insurance coverage and leave benefits provided to other employee bargaining units in the City; and

WHEREAS, benefits for Executive Management and Mid-Management employees are established and outlined in a Schedule of Benefits; and

WHEREAS, the Executive Management and Mid-Management are two separate groups with differences in benefits; and

WHEREAS, to distinguish the differences in benefits, it is recommended that a Schedule of Benefits be established for Executive Management and a separate Schedule of Benefits be established for Mid-Management.

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, HEREBY DOES RESOLVE, DETERMINE and ORDER, that Resolution No. 6987 be amended as indicated below:

SECTION 1. That the Mid-Management Schedule of Benefits shown in Exhibit A shall apply to all employees classified as Mid-Management.

SECTION 2. That Exhibit A for Executive Management shall reflect other language clarification changes.

SECTION 3. This Resolution shall be effective on March 10, 2025, and all resolutions and parts of resolutions in conflict herewith are hereby rescinded.

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 10th day of March, 2025.

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 10th day of March, 2025, by the following roll call vote:

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

CITY CLERK OF THE CITY OF CYPRESS

EXHIBIT 'A'

CITY OF CYPRESS SCHEDULE OF BENEFITS EXECUTIVE MANAGEMENT EMPLOYEES

PART I - HOLIDAYS

Section 1. Recognized Holidays.

A. For pay purposes, the following holidays are recognized as municipal holidays for regular employees. Said employees shall receive these holidays off with pay: New Year's Day, Martin Luther King Jr. Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, the Friday following Thanksgiving Day, Christmas Eve Day and Christmas Day.

B. Beginning the first pay period of the payroll year, current employees shall be credited with one floating holiday (9 hours). Employees hired after the beginning of the payroll year, but before September 1, will be credited with the floating holiday. Floating holiday must be taken as paid time off in the credited payroll year. There shall be no cash payment for unused floating holiday.

C. When any holiday, recognized by the City, falls on a Sunday, the following Monday shall be considered the holiday; when any day, recognized by the City as a holiday, falls on a Saturday, the preceding Friday shall be considered the holiday.

Section 2. Holidays Falling During Approved Leaves of Absence Without Pay. Any employee on an approved leave of absence without pay, having the holiday fall during the period of such leave of absence without pay, shall be eligible for such holiday pay only in those instances where said employee has worked either the day before or the day immediately following said holiday.

PART II - VACATION

Section 1. Eligibility. All regular, full-time employees, having completed a minimum of six months continuous service with the City, and annually, thereafter, shall be eligible for a paid vacation at the employee's then current rate of pay. Recognizing that it is preferred that the full vacation be taken at one time, the employee may, nevertheless, request a modification of this preference. Upon approval of the City Manager, appropriate modifications may be allowed.

Section 2. Vacation Accrual.

Employees shall accrue vacation leave by the following formula:

<u>Hours/Month</u>	<u>Year of Employment</u>	<u>Annual Amount (Hours)</u>
10.0000	1st – 6th year	(120 hours)
10.6667	7th year	(128 hours)
11.3334	8th year	(136 hours)
12.0000	9th year	(144 hours)
12.6667	10th year	(152 hours)
13.3334	11th year	(160 hours), and each month thereafter.

Section 3. Maximum Accrual.

A. Employees may accumulate unused vacation to a maximum of 360 hours. The accrual of vacation hours shall cease when an employee's accumulated vacation is at the maximum. However, the value of vacation hours earned in excess of the maximum accrual will be contributed towards the employee's Retiree Health Savings Plan. Additional vacation hours shall begin accruing when the employee's vacation balance falls below the maximum.

B. For purposes of this Article, the term "anniversary date of employment" is the date an employee began accruing vacation with the City.

Section 4. Use of Vacation.

An employee who has completed five years or more of continuous service and who has taken 40 cumulative hours of vacation in the current payroll year may elect to be paid for up to a maximum of 80 hours of accrued vacation in the following calendar year. To request payment of up to 80 hours, the employee must submit an irrevocable election form to Human Resources by December 15 of the prior calendar year for the requested payment in the subsequent December's special payroll. For example, if an employee submits a payout request of 80 hours prior to December 15, 2024 and is deemed eligible to receive a payout, the employee will be paid for 80 hours in December 2025.

Section 5. Vacation Payment at Termination.

A. Employees terminating employment shall be paid in a lump sum for all accrued vacation leave.

B. When termination is caused by the death of the employee, said payment for unused vacation shall be paid to the beneficiary designated by the employee. Such designation shall be in writing, signed by the employee and filed with the Human Resources Office. In the event an employee has not designated a beneficiary, the payment shall be made to the estate of the employee.

Section 6. Holidays Falling During Vacation Leave. In the event one or more municipal holidays fall within an annual vacation leave, such holiday shall not be charged as vacation leave and the vacation leave shall be extended accordingly.

Section 7. Vacation Earned During Leave of Absence. No vacation leave shall be earned during any leave of absence without pay for each 30-day period of such leave. Vacation leave shall be earned on a prorated basis during a leave of absence on partial pay status.

Section 8. Vacation - Miscellaneous. Employees shall not work for the City during their vacation and, thereby, receive double compensation from the City.

PART III - SICK LEAVE

Section 1. General Sick Leave Provisions.

A. Sick leave shall be requested only in cases of actual personal sickness or disability, medical or dental treatment, or as authorized by the City Manager or the Personnel Officer under the provisions of the Federal Family Medical Leave Act and/or the California Family Rights Act, California Labor Code Section 233 (use of sick leave) or the Healthy Workplace Healthy Family Act of 2014. Sick leave with pay shall not be allowed unless the employee has met and complied with these provisions and the City Manager has approved such payment.

Section 2. Eligibility. All employees covered by this Agreement shall be eligible to accrue sick leave.

Section 3. Accrual. Sick leave shall be accrued at the rate of eight hours per calendar month for each calendar month that an employee has worked regularly scheduled hours and/or has been on authorized leave which provides for full pay, for at least 15 working days in that month. Sick leave shall be earned on a prorated basis during a leave of absence on partial pay status.

Section 4. Accumulation and Payment Plan.

A. Accrued sick leave may be accumulated without limit.

B. Payment of accumulated sick leave shall be granted by the Personnel Officer on an annual basis to all regular employees who have a minimum of 120 hours of accumulated sick leave on record on December 1st, and opt to receive payment of up to 48 hours of sick leave, during the subsequent December's special payroll at a rate of 50% of current salary. Employees must have a minimum balance of 120 hours after the payment of sick leave to be eligible for the payout.

C. Payment of accumulated sick leave shall be granted by the Personnel Officer on an annual basis to all employees who have a minimum of 240 hours of accumulated sick leave on record on December 1st, and opt to receive payment of up to 48 hours of sick leave, during the subsequent December's special payroll, at a rate of 100% of current salary. Employees must have a minimum balance of 120 hours after payment of sick leave to be eligible for the payout.

D. Employees wishing to cash out sick leave as described in Section 4. (B) and (C) above, must submit an irrevocable election form to Human Resources by December 15 for payment on the subsequent December's special payroll. For example, if an employee submits a payout request for the maximum 48 hours prior to December 15, 2024, payment will be issued in December 2025 (if eligible).

E. In accordance with the annual conversion policy set forth in Section 4. (B), (C) and (D) above, employees shall have the option of depositing their sick leave payment in a City deferred compensation program instead of receiving payment in cash. All deposits made into the deferred compensation program shall be made in accordance with any and all regulations governing the deferred compensation program.

F. Upon death, retirement, separation or termination of an employee covered by this Agreement, with a minimum of 60 days or 480 hours of sick leave accumulation, said employee is entitled to receive 50% compensation for that accumulated sick leave.

G. Upon death, retirement, separation or termination of an employee covered by this Agreement, with a minimum of five years of service and with between 240 hours and 480 hours of sick leave accumulation, said employee is entitled to receive payment for the difference between that amount of sick leave and 240 hours at 50% compensation.

H. If the Chief of Police was promoted and was previously a member of the Cypress Police Management Association (PMA), upon service retirement or termination, he/she will be entitled to receive payment of accumulated sick leave hours earned prior to promotion to Chief of Police, consistent with the terms of the PMA Memorandum of Understanding in effect at the time of promotion. Accumulated sick leave hours will be documented at the time of promotion and shall be paid to the Chief of Police at the highest hourly rate within the PMA upon separation from employment. Sick leave hours accumulated as Chief of Police will be paid in accordance with the

sections above. If the Chief of Police is terminated for misconduct, he/she is ineligible for this payment.

I. In accordance with the payment plan set forth in Section 4 (F) and (G) above, upon separation, termination or retirement of an employee covered by this Agreement, said employee shall have the option of depositing their sick leave payment in a City deferred compensation program, instead of receiving payment in cash. All deposits made into the deferred compensation program shall be made in accordance with any and all regulations governing the deferred compensation program.

Section 5. Use.

A. Sick leave may be requested and approved by the City Manager. Payment for approved sick leave shall be authorized until the employee's accumulated total of sick leave hours has been exhausted and at such time the employee shall receive no further payment for sick leave. An employee shall have his/her accumulated sick leave balance reduced by an amount equal to the number of hours of sick leave for which he/she receives payment.

B. Sick leave shall not be granted for disability arising from any sickness or injury purposely self-inflicted or caused by an employee's own willful misconduct.

Section 6. Sick Leave During Vacation. An employee who becomes ill while on vacation may have such period of illness charged to his/her accumulated sick leave. The employee may request an extension of vacation due to illness, subject to the approval of the City Manager.

Section 7. Extended Sick Leave. In the event of an employee's continuing illness which results in depletion of sick leave accumulation, the employee may request, in writing, to the City Manager, a leave of absence without pay for the purpose of recovering from an illness, provided:

1. The employee has used all of his/her accumulated sick leave.
2. The employee presents to the City Manager, a written estimate of the time needed for recovery signed by the employee's physician.
3. Prior to resuming his/her duties, the employee may be required to take a medical examination at the City's expense and provide a medical release to return to work from the employee's physician as prescribed by the City Manager. The employment record and the results of such examination shall be considered by the City Manager in determining the employee's fitness to return to work.

Section 8. Federal Medical Leave Act and the California Family Rights Act

The City shall comply with the Federal Medical Leave Act of 1993 (FMLA) and the California Family Rights Act (CFRA) of 1991. Where there are differences between similar provisions of the Acts, the City shall comply with the provision which gives the employee the greater rights.

Section 9. On-the-job Injury. Employees who are disabled by injury or illness arising out of and in the course of their duties for the City, shall be entitled, regardless of his/her period of service with the City, to a leave of absence for the period of such disability, but not exceeding one (1) year, or until such earlier date as he/she is retired on permanent disability pension. Employees are eligible for up to four months of salary continuation in lieu of temporary disability payments. During the first five working days of such disability, the City shall pay 100% of the salary in lieu of temporary disability payments. Thereafter, the employee shall receive 80% of salary in lieu of temporary disability

payments. Any payments made pursuant to this Section shall not be charged to sick leave; provided, however, no sick leave or vacation benefits shall accrue during the period of such disability.

Section 10. Off-the-job Injury. An employee injured outside of his/her service with the City may apply for benefits under the disability insurance plan provided by the City.

Section 11. California Labor Code Section 233

Pursuant to California Labor Code Section 233, employees may use a total of 48 hours of their accrued and available sick leave for the following reasons:

1. To attend to the illness of their child, parent, spouse, registered domestic partner, parent-in-law, grandparent, grandchild, sibling or designated person.
2. To obtain any relief of services related to being a victim of domestic violence, sexual assault, or stalking including the following with appropriate certification of the need for such services:
 - a. A temporary restraining order or restraining order.
 - b. Other injunctive relief to help ensure the health, safety or welfare of themselves or their children.
 - c. To seek medical attention for injuries caused by domestic violence, sexual assault, or stalking.
 - d. To obtain services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence, sexual assault, or stalking.
 - e. To obtain psychological counseling related to an experience of domestic violence, sexual assault, or stalking.
 - f. To participate in safety planning and take other action to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.

ARTICLE IV - HEALTH, DENTAL, VISION, LIFE AND DISABILITY INSURANCE

Section 1. Health Insurance Plan.

A. For the employees covered by the terms of this Agreement, the City and the employees shall contribute the sums listed below per month per employee toward health insurance:

MEDICAL RATE PROVISIONS AND SCHEDULE

Health Insurance Benefit: The City shall provide health insurance coverage for the employee and any dependents which may include medical, dental and vision insurance plans. Effective January 1, 2025, the maximum contribution amount will increase from \$2,359.27 to \$2,557.07 per month. Annual increases to the City's monthly contributions shall be based upon the average cost of all area HMO plans offered through the PERS Health Plan (2024 \$2,191.06/ 2025 \$2,393.86) plus the DPO Dental Family rate (2024 \$142.40/ 2025 \$137.40) and the Family Vision rate (2024/2025 \$25.81). Employees shall maintain the PERS Health Plan minimally at the employee-only coverage level, unless the employee demonstrates proof of other group coverage. Coverage under dental and vision plans shall be optional.

If the City's contribution exceeds the total premium cost of health plans chosen by the employee, the difference may be contributed toward additional/dependent coverage, including additional life insurance, or paid as additional compensation.

If the total premium cost of health plans chosen by the employee exceeds the City's contribution, the employee shall pay, through payroll deduction, the difference between the total cost and the City's contribution. The employee's exercise of the option to use the difference toward additional/dependent health coverage or receive the additional cash as compensation is subject to the conditions controlling enrollment periods and eligibility established by the respective plans or carriers.

B. Retiree Health Savings Plan. The City will contribute \$185 per month for each employee participating in the Retiree Health Savings Plan.

C. Retiree Health Savings Program. Full-time employees who promote to a management classification, and have previously opted to grandfather into the Supplemental Health Care Benefit Program, may elect to remain in the program in lieu of mandatory enrollment in the Retiree Health Savings Plan.

D. 401(a) Retirement Savings Plan. The City will contribute \$200 per month.

Section 2. Life Insurance Plan.

The City shall pay 100% of the premium for a term life insurance policy for each eligible employee which shall be based upon a formula equal to one times the employee's annual salary rounded up to the nearest thousand dollars up to \$300,000.

Section 3. Disability Insurance Plan. The City shall provide a short-term and long-term disability insurance plan for all employees covered by this agreement. The City shall pay 100% of the premium.

Section 4. Executive Wellness Program. Employees may request reimbursement for a maximum of \$1,000 on an annual basis for eligible wellness program expenses as determined by the Personnel Officer.

PART V – RETIREMENT

Section 1. The City shall make contributions for employees to the California Public Employees Retirement System (CalPERS) plan known as 2% at 55 for "Classic" Miscellaneous members and 3% at 50 for "Classic" Safety members. "Classic" Miscellaneous employees hired prior to June 30, 2010 shall contribute 3% of salary towards their CalPERS retirement plan.

Section 2. Employees hired after June 30, 2010, if determined to be "Classic" Miscellaneous members, shall contribute 6% of salary towards their CalPERS retirement plan.

Section 3. The Chief of Police, if determined to be a "Classic" Safety member, shall contribute 12% of salary towards his/her CalPERS retirement plan.

Section 4. Employees hired after January 1, 2013 and are new to CalPERS, or have had a six month or more break in service, are considered "PEPRA" members and are subject to all laws, statutes, rules and regulations of the Public Employees' Pension Reform Act (PEPRA).

Section 5. The City's CalPERS contract shall provide the Survivor's Continuance Benefit to employees.

Section 6. The City's CalPERS contract shall provide for the 1959 Survivor's Benefit (Level 3). The City shall make the employees' contribution in the amount of \$2.00 per month.

Section 7. The City's CalPERS contract shall provide for the "Single Highest Year Compensation" benefit for eligible employees. The City shall pay for the entire cost of this benefit.

PART VI - AUTO ALLOWANCE

A monthly auto allowance will be provided in the amount of \$500. The Chief of Police has the option of being provided a City vehicle in lieu of the auto allowance.

PART VII – TECHNOLOGY ALLOWANCE

A \$100 monthly technology allowance will be provided to purchase and maintain personal technology devices (i.e. cell phone, computer, tablet) and/or services (i.e. internet, cell phone service) to perform the duties of their position.

PART VIII – UNIFORM ALLOWANCE

The Police Chief shall receive a Uniform Allowance of \$850 per year.

PART IX – SPECIAL PAY PROVISION

Section 1. Executive Manager Lead Assignment. The City may designate any Executive Management employee to the Executive Manager Lead Assignment. The employee so assigned will lead and supervise over other managers. An employee who is routinely and consistently assigned to the Executive Manager Lead Assignment shall receive special assignment pay equal to 5% over base pay for such duties. The City Manager may remove an employee from the assignment at the City Manager's discretion.

Section 2. Management Performance Recognition Program. The City Manager may recognize the outstanding performance of Executive Management employees. Based upon criteria and the sole discretion of the City Manager, employees will be eligible to receive a one-time payment up to 5% of base salary within a 12-month period. Such amounts shall be payable in conjunction with an employee's performance review.

Section 3. Severance. Employees are entitled to four months' base salary if terminated without cause.

"Cause" for termination shall include, but not limited to the following: persistent, habitual or willful neglect of duty; insubordination; corrupt or willful misconduct; willful malfeasance or conviction of an illegal act amounting to an act of moral turpitude; willful destruction or misuse of City property; habitual intoxication while on duty, whether by alcohol, prescription or non-prescription drugs; inexcusable absence without an authorized leave of absence; theft or attempted theft; financial mismanagement; material dishonesty; willful violation of Federal or State discrimination and harassment laws while acting in the course and scope of employment; willful and unlawful retaliation against any City officer or employee; engaging in conduct tending to bring embarrassment or disrepute to the City.

Severance pay is contingent upon the following conditions:

- a) The employee must execute a comprehensive waiver and release of all claims against the City, its officials, employees, and agents, in a form approved by the City Attorney.

- b) The waiver and release must become effective and irrevocable. This includes the expiration of any applicable revocation period required by law, such as the 7-day revocation period for employees age 40 and over under the Age Discrimination in Employment Act.
- c) The employee must comply with all post-employment obligations outlined in the severance agreement, including but not limited to return of City property.
- d) Severance pay will be provided only for involuntary terminations without cause. It does not apply to voluntary resignations or terminations for cause.
- e) Severance pay shall be subject to all applicable taxes and withholdings required by law.
- f) Employees will be advised in writing to consult with an attorney before signing the severance agreement.

EXHIBIT 'A'

CITY OF CYPRESS SCHEDULE OF BENEFITS MID-MANAGEMENT EMPLOYEES

PART I - HOLIDAYS

Section 1. Recognized Holidays.

A. For pay purposes, the following holidays are recognized as municipal holidays for regular employees. Said employees shall receive these holidays off with pay: New Year's Day, Martin Luther King Jr. Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, the Friday following Thanksgiving Day, Christmas Eve Day and Christmas Day.

B. Beginning the first pay period of the payroll year, current employees shall be credited with one floating holiday (9 hours). Employees hired after the beginning of the payroll year, but before September 1, will be credited with the floating holiday. Floating holiday may be taken subject to approval of the employee's supervisor after consideration of the department workload and other staffing considerations such as, but not limited to, leave schedules of other employees already approved, sick leave and position vacancies. Floating holiday must be taken as paid time off in the credited payroll year. There shall be no cash payment for unused floating holiday.

C. When any holiday, recognized by the City, falls on a Sunday, the following Monday shall be considered the holiday; when any day, recognized by the City as a holiday, falls on a Saturday, the preceding Friday shall be considered the holiday.

D. Religious holidays requested off shall be done so in writing to the employee's supervisor. If approved, such time shall be charged against accumulated vacation or floating holiday leave.

Section 2. Holidays Falling During Approved Leaves of Absence Without Pay. Any employee on an approved leave of absence without pay, having the holiday fall during the period of such leave of absence without pay, shall be eligible for such holiday pay only in those instances where said employee has worked either the day before or the day immediately following said holiday.

PART II - VACATION

Section 1. Eligibility. All regular, full-time employees, having completed a minimum of six months continuous service with the City, and annually, thereafter, shall be eligible for a paid vacation at the employee's then current rate of pay. Recognizing that it is preferred that the full vacation be taken at one time, the employee may, nevertheless, request a modification of this preference. Upon approval of the City Manager, appropriate modifications may be allowed.

Section 2. Vacation Accrual.

Employees shall accrue vacation leave by the following formula:

<u>Hours/Month</u>	<u>Year of Employment</u>	<u>Annual Amount (Hours)</u>
6.6670	1st year	(80 hours)
7.3334	2nd year	(88 hours)
8.0000	3rd year	(96 hours)
8.6667	4th year	(104 hours)

9.3334	5th year	(112 hours)
10.0000	6th year	(120 hours)
10.6667	7th year	(128 hours)
11.3334	8th year	(136 hours)
12.0000	9th year	(144 hours)
12.6667	10th year	(152 hours)
13.3334	11th year	(160 hours), and each month thereafter.

Section 3. Maximum Accrual.

A. Employees may accumulate unused vacation to a maximum of the amount accrued in the 24 months immediately preceding the employee's anniversary date of employment with a maximum of 320 hours. The accrual of vacation hours shall cease when an employee's accumulated vacation is at the maximum provided in this Section. However, the value of vacation hours earned in excess of the maximum accrual will be contributed towards the employee's Retiree Health Savings Plan. Additional vacation hours shall begin accruing when the employee's vacation balance falls below the maximum.

B. For purposes of this Article, the term "anniversary date of employment" is the date an employee began accruing vacation with the City.

Section 4. Use of Vacation.

A. The time at which an employee's vacation is to occur shall be determined by the employee's supervisor with due regard for the wishes of the employee and particular regard for the needs of the service.

B. An employee who has completed five years or more of continuous service and who has taken 40 cumulative hours of vacation in the current payroll year may elect to be paid for up to a maximum of 80 hours of accrued vacation in the following calendar year. To request payment of up to 80 hours, the employee must submit an irrevocable election form to Human Resources by December 15 of the prior calendar year for the requested payment in the subsequent December's special payroll. For example, if an employee submits a payout request of 80 hours prior to December 15, 2024 and is deemed eligible to receive a payout, the employee will be paid for 80 hours in December 2025.

Section 5. Vacation Payment at Termination.

A. Employees terminating employment shall be paid in a lump sum for all accrued vacation leave.

B. When termination is caused by the death of the employee, said payment for unused vacation shall be paid to the beneficiary designated by the employee. Such designation shall be in writing, signed by the employee and filed with the Human Resources Office. In the event an employee has not designated a beneficiary, the payment shall be made to the estate of the employee.

Section 6. Holidays Falling During Vacation Leave. In the event one or more municipal holidays fall within an annual vacation leave, such holiday shall not be charged as vacation leave and the vacation leave shall be extended accordingly.

Section 7. Vacation Earned During Leave of Absence. No vacation leave shall be earned during any leave of absence without pay for each 30-day period of such leave. Vacation leave shall be earned on a prorated basis during a leave of absence on partial pay status.

Section 8. Vacation - Miscellaneous. Employees shall not work for the City during their vacation and, thereby, receive double compensation from the City.

PART III - SICK LEAVE

Section 1. General Sick Leave Provisions.

A. Sick leave shall be requested only in cases of actual personal sickness or disability, medical or dental treatment, or as authorized by the City Manager or the Personnel Officer under the provisions of the Federal Family Medical Leave Act and/or the California Family Rights Act, California Labor Code Section 233 (use of sick leave) or the Healthy Workplace Healthy Family Act of 2014. The employee requesting sick leave shall notify his/her immediate supervisor prior to the time set for reporting to work. Sick leave with pay shall not be allowed unless the employee has met and complied with these provisions and the department head or the City Manager has approved such payment.

Section 2. Eligibility. All employees covered by this Agreement shall be eligible to accrue sick leave.

Section 3. Accrual. Sick leave shall be accrued at the rate of eight hours per calendar month for each calendar month that an employee has worked regularly scheduled hours and/or has been on authorized leave which provides for full pay, for at least 15 working days in that month. Sick leave shall be earned on a prorated basis during a leave of absence on partial pay status.

Section 4. Accumulation and Payment Plan.

A. Accrued sick leave may be accumulated without limit.

B. Payment of accumulated sick leave shall be granted by the Personnel Officer on an annual basis to all regular employees who have a minimum of 120 hours of accumulated sick leave on record on December 1st, and opt to receive payment of up to 48 hours of sick leave, during the subsequent December's special payroll at a rate of 50% of current salary. Employees must have a minimum balance of 120 hours after the payment of sick leave to be eligible for the payout.

C. Payment of accumulated sick leave shall be granted by the Personnel Officer on an annual basis to all employees who have a minimum of 240 hours of accumulated sick leave on record on December 1st, and opt to receive payment of up to 48 hours of sick leave, during the subsequent December's special payroll, at a rate of 100% of current salary. Employees must have a minimum balance of 120 hours after payment of sick leave to be eligible for the payout.

D. Employees wishing to cash out sick leave as described in Section 4. (B) and (C) above, must submit an irrevocable election form to Human Resources by December 15 for payment on the subsequent December's special payroll. For example, if an employee submits a payout request for the maximum 48 hours prior to December 15, 2024, payment will be issued in December 2025 (if eligible).

E. In accordance with the annual conversion policy set forth in Section 4. (B), (C) and (D) above, employees shall have the option of depositing their sick leave payment in a City deferred compensation program instead of receiving payment in cash. All deposits made into the deferred compensation program shall be made in accordance with any and all regulations governing the deferred compensation program.

F. Upon death, retirement, separation or termination of an employee covered by this Agreement, with a minimum of 60 days or 480 hours of sick leave accumulation, said employee is entitled to receive 50% compensation for that accumulated sick leave.

G. Upon death, retirement, separation or termination of an employee covered by this Agreement, with a minimum of five years of service and with between 240 hours and 480 hours of sick leave accumulation, said employee is entitled to receive payment for the difference between that amount of sick leave and 240 hours at 50% compensation.

H. In accordance with the payment plan set forth in Section 4 (F) and (G) above, upon separation, termination or retirement of an employee covered by this Agreement, said employee shall have the option of depositing their sick leave payment in a City deferred compensation program, instead of receiving payment in cash. All deposits made into the deferred compensation program shall be made in accordance with any and all regulations governing the deferred compensation program.

Section 5. Use.

A. Sick leave may be requested and used as approved by the department head or the City Manager. Payment for approved sick leave shall be authorized until the employee's accumulated total of sick leave hours has been exhausted and at such time the employee shall receive no further payment for sick leave. An employee shall have his/her accumulated sick leave balance reduced by an amount equal to the number of hours of sick leave for which he/she receives payment.

B. Sick leave shall not be granted for disability arising from any sickness or injury purposely self-inflicted or caused by an employee's own willful misconduct.

Section 6. Sick Leave During Vacation. An employee who becomes ill while on vacation may have such period of illness charged to his/her accumulated sick leave provided that: immediately upon return to duty, the employee submits to his/her department head a written request for sick leave and a written statement signed by his/her physician that includes the dates of illness; and the department head recommends and the City Manager approves granting of such sick leave. The employee may request an extension of vacation due to illness, subject to the approval of the department head and City Manager.

Section 7. Extended Sick Leave. In the event of an employee's continuing illness which results in depletion of sick leave accumulation, the employee may request, in writing, to his/her department head and City Manager, a leave of absence without pay for the purpose of recovering from an illness, provided:

1. The employee has used all of his/her accumulated sick leave.
2. The employee presents to his/her department head for referral to and consideration by the City Manager, a written estimate of the time needed for recovery signed by the employee's physician.
3. Prior to resuming his/her duties, the employee may be required to take a medical examination at the City's expense and provide a medical release to return to work from the employee's physician as prescribed by the City Manager. The employment record and the results of such examination shall be considered by the City Manager in determining the employee's fitness to return to work.

Section 8. Federal Medical Leave Act and the California Family Rights Act

The City shall comply with the Federal Medical Leave Act of 1993 (FMLA) and the California Family Rights Act (CFRA) of 1991. Where there are differences between similar provisions of the Acts, the City shall comply with the provision which gives the employee the greater rights.

Section 9. On-the-job Injury. Employees who are disabled by injury or illness arising out of and in the course of their duties for the City, shall be entitled, regardless of his/her period of service with the City, to a leave of absence for the period of such disability, but not exceeding one (1) year, or until such earlier date as he/she is retired on permanent disability pension. Employees are eligible for up to four months of salary continuation in lieu of temporary disability payments. During the first five working days of such disability, the City shall pay 100% of the salary in lieu of temporary disability payments. Thereafter, the employee shall receive 80% of salary in lieu of temporary disability payments. Any payments made pursuant to this Section shall not be charged to sick leave; provided, however, no sick leave or vacation benefits shall accrue during the period of such disability.

Section 10. Off-the-job Injury. An employee injured outside of his/her service with the City may apply for benefits under the disability insurance plan provided by the City.

Section 11. California Labor Code Section 233

Pursuant to California Labor Code Section 233, employees may use a total of 48 hours of their accrued and available sick leave for the following reasons:

1. To attend to the illness of their child, parent, spouse, registered domestic partner, parent-in-law, grandparent, grandchild, sibling or designated person.
2. To obtain any relief of services related to being a victim of domestic violence, sexual assault, or stalking including the following with appropriate certification of the need for such services:
 - a. A temporary restraining order or restraining order.
 - b. Other injunctive relief to help ensure the health, safety or welfare of themselves or their children.
 - c. To seek medical attention for injuries caused by domestic violence, sexual assault, or stalking.
 - d. To obtain services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence, sexual assault, or stalking.
 - e. To obtain psychological counseling related to an experience of domestic violence, sexual assault, or stalking.
 - f. To participate in safety planning and take other action to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.

ARTICLE IV - HEALTH, DENTAL, VISION, LIFE AND DISABILITY INSURANCE

Section 1. Health Insurance Plan.

A. For the employees covered by the terms of this Agreement, the City and the employees shall contribute the sums listed below per month per employee toward health insurance:

MEDICAL RATE PROVISIONS AND SCHEDULE

Health Insurance Benefit: The City shall provide health insurance coverage for the employee and any dependents which may include medical, dental and vision insurance plans.

Effective January 1, 2025, the maximum contribution amount will increase from \$2,359.27 to \$2,557.07 per month. Annual increases to the City's monthly contributions shall be based upon the average cost of all area HMO plans offered through the PERS Health Plan (2024 \$2,191.06/ 2025 \$2,393.86) plus the DPO Dental Family rate (2024 \$142.40/ 2025 \$137.40) and the Family Vision rate (2024/2025 \$25.81). Employees shall maintain the PERS Health Plan minimally at the employee-only coverage level, unless the employee demonstrates proof of other group coverage. Coverage under dental and vision plans shall be optional.

If the City's contribution exceeds the total premium cost of health plans chosen by the employee, the difference may be contributed toward additional/dependent coverage, including additional life insurance, or paid as additional compensation.

If the total premium cost of health plans chosen by the employee exceeds the City's contribution, the employee shall pay, through payroll deduction, the difference between the total cost and the City's contribution. The employee's exercise of the option to use the difference toward additional/dependent health coverage or receive the additional cash as compensation is subject to the conditions controlling enrollment periods and eligibility established by the respective plans or carriers.

B. Retiree Health Savings Plan. The City will contribute \$185 per month.

Section 2. Life Insurance Plan.

The City shall pay 100% of the premium for a term life insurance policy for each eligible employee of \$50,000.

Section 3. Disability Insurance Plan. The City shall provide a short-term and long-term disability insurance plan for all employees covered by this agreement. The City shall pay 100% of the premium.

PART V – RETIREMENT

Section 1. The City shall make contributions for employees to the California Public Employees Retirement System (CalPERS) plan known as 2% at 55 for "Classic" Miscellaneous members and 3% at 50 for "Classic" Safety members. "Classic" Miscellaneous employees hired prior to June 30, 2010 shall contribute 3% of salary towards their CalPERS retirement plan.

Section 2. Employees hired after June 30, 2010, if determined to be "Classic" Miscellaneous members, shall contribute 6% of salary towards their CalPERS retirement plan.

Section 3. Employees hired after January 1, 2013 and are new to CalPERS, or have had a six month or more break in service, are considered "PEPRA" members and are subject to all laws, statutes, rules and regulations of the Public Employees' Pension Reform Act (PEPRA).

Section 4. The City's CalPERS contract shall provide the Survivor's Continuance Benefit to employees.

Section 5. The City's CalPERS contract shall provide for the 1959 Survivor's Benefit (Level 3). The City shall make the employees' contribution in the amount of \$2.00 per month.

Section 6. The City's CalPERS contract shall provide for the "Single Highest Year Compensation" benefit for eligible employees. The City shall pay for the entire cost of this benefit.

PART VI - AUTO ALLOWANCE

A monthly auto allowance will be provided in the amount of \$300 for the City Clerk and \$200 for all other Mid-Management employees.

PART VII – TECHNOLOGY ALLOWANCE

A \$75 monthly technology allowance will be provided to purchase and maintain personal technology devices (i.e. cell phone, computer, tablet) and/or services (i.e. internet, cell phone service) to perform the duties of their position.

PART VIII – UNIFORM ALLOWANCE

The classification of Police Support Services Supervisor shall receive a Uniform Allowance of \$600 per year.

The classification of Maintenance Supervisor shall receive a Boot/Safety Shoe Allowance of \$250 per year. To be eligible for reimbursement, the employee must submit a receipt from the purchase of boots/safety shoes to Human Resources.

PART IX – SPECIAL PAY PROVISION

Section 1. Acting Pay. The City Manager may temporarily grant up to a 5% increase for an acting assignment for those positions who assume acting duties. The increase must fall within the range of the higher position but not exceed the top of the position's range.

Section 2. Management Performance Recognition Program. The City Manager may recognize the outstanding performance of Mid-Management employees. Based upon criteria and the sole discretion of the City Manager, employees will be eligible to receive a one-time payment up to 5% of base salary within a 12-month period. Such amounts shall be payable in conjunction with an employee's performance review.

Section 3. Temporary Succession Planning Pay. The City Manager may grant temporary pay to employees training for potential advancement to a higher-level position. The temporary pay would not exceed 5% of the employee's current rate of pay. Such assignment would be limited to a maximum of six months. This form of pay differs from Acting Pay in that the position is filled with an incumbent and the employee being trained is not assuming all of the responsibilities associated with the position.

Section 4. Severance. The City Clerk is entitled to six months' base salary if terminated without cause.

"Cause" for termination shall include, but not limited to the following: persistent, habitual or willful neglect of duty; insubordination; corrupt or willful misconduct; willful malfeasance or conviction of an illegal act amounting to an act of moral turpitude; willful destruction or misuse of City property; habitual intoxication while on duty, whether by alcohol, prescription or non-prescription drugs; inexcusable absence without an authorized leave of absence; theft or attempted theft; financial mismanagement; material dishonesty; willful violation of Federal or State discrimination and harassment laws while acting in the course and scope of employment; willful and unlawful retaliation against any City officer or employee; engaging in conduct tending to bring embarrassment or disrepute to the City.

The severance pay for the City Clerk is contingent upon the following conditions:

- a) The employee must execute a comprehensive waiver and release of all claims against the City, its officials, employees, and agents, in a form approved by the City Attorney.
- b) The waiver and release must become effective and irrevocable. This includes the expiration of any applicable revocation period required by law, such as the 7-day revocation period for employees age 40 and over under the Age Discrimination in Employment Act.
- c) The employee must comply with all post-employment obligations outlined in the severance agreement, including but not limited to return of City property.
- d) Severance pay will be provided only for involuntary terminations without cause. It does not apply to voluntary resignations or terminations for cause.
- e) Severance pay shall be subject to all applicable taxes and withholdings required by law.
- f) Employees will be advised in writing to consult with an attorney before signing the severance agreement.

EXHIBIT 'A'

CITY OF CYPRESS SCHEDULE OF BENEFITS EXECUTIVE ~~AND MID~~-MANAGEMENT EMPLOYEES

PART I - HOLIDAYS

Section 1. Recognized Holidays.

A. For pay purposes, the following holidays are recognized as municipal holidays for regular employees. Said employees shall receive these holidays off with pay: New Year's Day, Martin Luther King Jr. Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, the Friday following Thanksgiving Day, Christmas Eve Day and Christmas Day.

B. Beginning the first pay period of the payroll year, current employees shall be credited with one floating holiday (9 hours). Employees hired after the beginning of the payroll year, but before September 1, will be credited with the floating holiday. ~~Floating holiday may be taken subject to approval of the employee's supervisor after consideration of the department workload and other staffing considerations such as, but not limited to, leave schedules of other employees already approved, sick leave and position vacancies.~~ Floating holiday must be taken as paid time off in the credited payroll year. There shall be no cash payment for unused floating holiday.

C. When any holiday, recognized by the City, falls on a Sunday, the following Monday shall be considered the holiday; when any day, recognized by the City as a holiday, falls on a Saturday, the preceding Friday shall be considered the holiday.

~~D. Religious holidays requested off shall be done so in writing to the employee's supervisor. If approved, such time shall be charged against accumulated vacation or floating holiday leave.~~

Section 2. Holidays Falling During Approved Leaves of Absence Without Pay. Any employee on an approved leave of absence without pay, having the holiday fall during the period of such leave of absence without pay, shall be eligible for such holiday pay only in those instances where said employee has worked either the day before or the day immediately following said holiday.

PART II - VACATION

Section 1. Eligibility. All regular, full-time employees, having completed a minimum of six months continuous service with the City, and annually, thereafter, shall be eligible for a paid vacation at the employee's then current rate of pay. Recognizing that it is preferred that the full vacation be taken at one time, the employee may, nevertheless, request a modification of this preference. Upon approval of the City Manager, appropriate modifications may be allowed.

Section 2. Vacation Accrual.

~~Executive Management~~ Employees shall accrue vacation leave by the following formula:

<u>Hours/Month</u>	<u>Year of Employment</u>	<u>Annual Amount (Hours)</u>
10.0000	1st – 6th year	(120 hours)
10.6667	7th year	(128 hours)
11.3334	8th year	(136 hours)
12.0000	9th year	(144 hours)

12.6667	10th year	(152 hours)
13.3334	11th year	(160 hours), and each month thereafter.

~~Mid-Management employees shall accrue vacation leave by the following formula:~~

<u>Hours/Month</u>	<u>Year of Employment</u>	<u>Annual Amount (Hours)</u>
6.6670	1st year	(80 hours)
7.3334	2nd year	(88 hours)
8.0000	3rd year	(96 hours)
8.6667	4th year	(104 hours)
9.3334	5th year	(112 hours)
10.0000	6th year	(120 hours)
10.6667	7th year	(128 hours)
11.3334	8th year	(136 hours)
12.0000	9th year	(144 hours)
12.6667	10th year	(152 hours)
13.3334	11th year	(160 hours), and each month thereafter.

Section 3. Maximum Accrual.

A. ~~Executive Management e~~Employees may accumulate unused vacation to a maximum of 360 hours. ~~Mid-Management employees may accumulate unused vacation to a maximum of the amount accrued in the 24 months immediately preceding the employee's anniversary date of employment with a maximum of 320 hours.~~ The accrual of vacation hours shall cease when an employee's accumulated vacation is at the maximum ~~provided in this Section~~. However, the value of vacation hours earned in excess of the maximum accrual will be contributed towards the employee's Retiree Health Savings Plan. Additional vacation hours shall begin accruing when the employee's vacation balance falls below the maximum.

B. For purposes of this Article, the term "anniversary date of employment" is the date an employee began accruing vacation with the City.

Section 4. Use of Vacation.

~~A. The time at which an employee's vacation is to occur shall be determined by the employee's supervisor with due regard for the wishes of the employee and particular regard for the needs of the service.~~

~~B.~~ An employee who has completed five years or more of continuous service and who has taken 40 cumulative hours of vacation in the current payroll year may elect to be paid for up to a maximum of 80 hours of accrued vacation in the following calendar year. To request payment of up to 80 hours, the employee must submit an irrevocable election form to Human Resources by December 15 of the prior calendar year for the requested payment in the subsequent December's special payroll. For example, if an employee submits a payout request of 80 hours prior to December 15, 2024 and is deemed eligible to receive a payout, the employee will be paid for 80 hours in December 2025.

Section 5. Vacation Payment at Termination.

A. Employees terminating employment shall be paid in a lump sum for all accrued vacation leave.

B. When termination is caused by the death of the employee, said payment for unused vacation shall be paid to the beneficiary designated by the employee. Such designation shall be in writing, signed by the employee and filed with the Human Resources Office. In the event an employee has not designated a beneficiary, the payment shall be made to the estate of the employee.

Section 6. Holidays Falling During Vacation Leave. In the event one or more municipal holidays fall within an annual vacation leave, such holiday shall not be charged as vacation leave and the vacation leave shall be extended accordingly.

Section 7. Vacation Earned During Leave of Absence. No vacation leave shall be earned during any leave of absence without pay for each 30-day period of such leave. Vacation leave shall be earned on a prorated basis during a leave of absence on partial pay status.

Section 8. Vacation - Miscellaneous. Employees shall not work for the City during their vacation and, thereby, receive double compensation from the City.

PART III - SICK LEAVE

Section 1. General Sick Leave Provisions.

A. Sick leave shall be requested only in cases of actual personal sickness or disability, medical or dental treatment, or as authorized by the City Manager or the Personnel Officer under the provisions of the Federal Family Medical Leave Act and/or the California Family Rights Act, California Labor Code Section 233 (use of sick leave) or the Healthy Workplace Healthy Family Act of 2014. ~~The employee requesting sick leave shall notify his/her immediate supervisor prior to the time set for reporting to work.~~ Sick leave with pay shall not be allowed unless the employee has met and complied with these provisions and ~~the department head or~~ the City Manager has approved such payment.

Section 2. Eligibility. All employees covered by this Agreement shall be eligible to accrue sick leave.

Section 3. Accrual. Sick leave shall be accrued at the rate of eight hours per calendar month for each calendar month that an employee has worked regularly scheduled hours and/or has been on authorized leave which provides for full pay, for at least 15 working days in that month. Sick leave shall be earned on a prorated basis during a leave of absence on partial pay status.

Section 4. Accumulation and Payment Plan.

A. Accrued sick leave may be accumulated without limit.

B. Payment of accumulated sick leave shall be granted by the Personnel Officer on an annual basis to all regular employees who have a minimum of 120 hours of accumulated sick leave on record on December 1st, and opt to receive payment of up to 48 hours of sick leave, during the subsequent December's special payroll at a rate of 50% of current salary. Employees must have a minimum balance of 120 hours after the payment of sick leave to be eligible for the payout.

C. Payment of accumulated sick leave shall be granted by the Personnel Officer on an annual basis to all employees who have a minimum of 240 hours of accumulated sick leave on record on December 1st, and opt to receive payment of up to 48 hours of sick leave, during the subsequent December's special payroll, at a rate of 100% of current salary. Employees must have a minimum balance of 120 hours after payment of sick leave to be eligible for the payout.

D. Employees wishing to cash out sick leave as described in Section 4. (B) and (C) above, must submit an irrevocable election form to Human Resources by December 15 for payment on the subsequent December's special payroll. For example, if an employee submits a payout request for the maximum 48 hours prior to December 15, 2024, payment will be issued in December 2025 (if eligible).

E. In accordance with the annual conversion policy set forth in Section 4. (B), (C) and (D) above, employees shall have the option of depositing their sick leave payment in a City deferred compensation program instead of receiving payment in cash. All deposits made into the deferred compensation program shall be made in accordance with any and all regulations governing the deferred compensation program.

F. Upon death, retirement, separation or termination of an employee covered by this Agreement, with a minimum of 60 days or 480 hours of sick leave accumulation, said employee is entitled to receive 50% compensation for that accumulated sick leave.

G. Upon death, retirement, separation or termination of an employee covered by this Agreement, with a minimum of five years of service and with between 240 hours and 480 hours of sick leave accumulation, said employee is entitled to receive payment for the difference between that amount of sick leave and 240 hours at 50% compensation.

H. If the Chief of Police was promoted and was previously a member of the Cypress Police Management Association (PMA), upon service retirement or termination, he/she will be entitled to receive payment of accumulated sick leave hours earned prior to promotion to Chief of Police, consistent with the terms of the PMA Memorandum of Understanding in effect at the time of promotion. Accumulated sick leave hours will be documented at the time of promotion and shall be paid to the Chief of Police at the highest hourly rate within the PMA upon separation from employment. Sick leave hours accumulated as Chief of Police will be paid in accordance with the sections above. If the Chief of Police is terminated for misconduct, he/she is ineligible for this payment.

I. In accordance with the payment plan set forth in Section 4 (F) and (G) above, upon separation, termination or retirement of an employee covered by this Agreement, said employee shall have the option of depositing their sick leave payment in a City deferred compensation program, instead of receiving payment in cash. All deposits made into the deferred compensation program shall be made in accordance with any and all regulations governing the deferred compensation program.

Section 5. Use.

A. Sick leave may be requested and ~~used as~~ approved by ~~the department head or~~ the City Manager. Payment for approved sick leave shall be authorized until the employee's accumulated total of sick leave hours has been exhausted and at such time the employee shall receive no further payment for sick leave. An employee shall have his/her accumulated sick leave balance reduced by an amount equal to the number of hours of sick leave for which he/she receives payment.

B. Sick leave shall not be granted for disability arising from any sickness or injury purposely self-inflicted or caused by an employee's own willful misconduct.

Section 6. Sick Leave During Vacation. An employee who becomes ill while on vacation may have such period of illness charged to his/her accumulated sick leave ~~provided that: immediately upon return to duty, the employee submits to his/her department head a written request for sick leave and a written statement signed by his/her physician that includes the dates of illness; and the~~

~~department head recommends and the City Manager approves granting of such sick leave.~~ The employee may request an extension of vacation due to illness, subject to the approval of the ~~department head and~~ City Manager.

Section 7. Extended Sick Leave. In the event of an employee's continuing illness which results in depletion of sick leave accumulation, the employee may request, in writing, to ~~his/her department head and the~~ City Manager, a leave of absence without pay for the purpose of recovering from an illness, provided:

1. The employee has used all of his/~~her~~ accumulated sick leave.
2. The employee presents to ~~his/her department head for referral to and consideration by~~ the City Manager, a written estimate of the time needed for recovery signed by the employee's physician.
3. Prior to resuming his/her duties, the employee may be required to take a medical examination at the City's expense and provide a medical release to return to work from the employee's physician as prescribed by the City Manager. The employment record and the results of such examination shall be considered by the City Manager in determining the employee's fitness to return to work.

Section 8. Federal Medical Leave Act and the California Family Rights Act

The City shall comply with the Federal Medical Leave Act of 1993 (FMLA) and the California Family Rights Act (CFRA) of 1991. Where there are differences between similar provisions of the Acts, the City shall comply with the provision which gives the employee the greater rights.

Section 9. On-the-job Injury. Employees who are disabled by injury or illness arising out of and in the course of their duties for the City, shall be entitled, regardless of his/her period of service with the City, to a leave of absence for the period of such disability, but not exceeding one (1) year, or until such earlier date as he/she is retired on permanent disability pension. Employees are eligible for up to four months of salary continuation in lieu of temporary disability payments. During the first five working days of such disability, the City shall pay 100% of the salary in lieu of temporary disability payments. Thereafter, the employee shall receive 80% of salary in lieu of temporary disability payments. Any payments made pursuant to this Section shall not be charged to sick leave; provided, however, no sick leave or vacation benefits shall accrue during the period of such disability.

Section 10. Off-the-job Injury. An employee injured outside of his/her service with the City may apply for benefits under the disability insurance plan provided by the City.

Section 11. California Labor Code Section 233

Pursuant to California Labor Code Section 233, employees may use a total of 48 hours of their accrued and available sick leave for the following reasons:

1. To attend to the illness of their child, parent, spouse, registered domestic partner, parent-in-law, grandparent, grandchild, sibling or designated person.
2. To obtain any relief of services related to being a victim of domestic violence, sexual assault, or stalking including the following with appropriate certification of the need for such services:
 - a. A temporary restraining order or restraining order.
 - b. Other injunctive relief to help ensure the health, safety or welfare of themselves or their children.

- c. To seek medical attention for injuries caused by domestic violence, sexual assault, or stalking.
- d. To obtain services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence, sexual assault, or stalking.
- e. To obtain psychological counseling related to an experience of domestic violence, sexual assault, or stalking.
- f. To participate in safety planning and take other action to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.

ARTICLE IV - HEALTH, DENTAL, VISION, LIFE AND DISABILITY INSURANCE

Section 1. Health Insurance Plan.

A. For the employees covered by the terms of this Agreement, the City and the employees shall contribute the sums listed below per month per employee toward health insurance:

MEDICAL RATE PROVISIONS AND SCHEDULE

Health Insurance Benefit: The City shall provide health insurance coverage for the employee and any dependents which may include medical, dental and vision insurance plans. Effective January 1, 2025, the maximum contribution amount will increase from \$2,359.27 to \$2,557.07 per month ~~for Executive Management and Mid-Management employees~~. Annual increases to the City's monthly contributions shall be based upon the average cost of all area HMO plans offered through the PERS Health Plan (2024 \$2,191.06/ 2025 \$2,393.86) plus the DPO Dental Family rate (2024 \$142.40/ 2025 \$137.40) and the Family Vision rate (2024/2025 \$25.81). Employees shall maintain the PERS Health Plan minimally at the employee-only coverage level, unless the employee demonstrates proof of other group coverage. Coverage under dental and vision plans shall be optional.

If the City's contribution exceeds the total premium cost of health plans chosen by the employee, the difference may be contributed toward additional/dependent coverage, including additional life insurance, or paid as additional compensation.

If the total premium cost of health plans chosen by the employee exceeds the City's contribution, the employee shall pay, through payroll deduction, the difference between the total cost and the City's contribution. The employee's exercise of the option to use the difference toward additional/dependent health coverage or receive the additional cash as compensation is subject to the conditions controlling enrollment periods and eligibility established by the respective plans or carriers.

B. Retiree Health Savings Plan. The City will contribute \$185 per month for each employee participating in the Retiree Health Savings Plan.

C. Retiree Health Savings Program. Full-time employees who promote to a management classification, and have previously opted to grandfather into the Supplemental Health Care Benefit Program, may elect to remain in the program in lieu of mandatory enrollment in the Retiree Health Savings Plan.

D. 401(a) Retirement Savings Plan. The City will contribute \$200 per month ~~for Executive Management positions~~.

Section 2. Life Insurance Plan.

~~Executive Management.~~ The City shall pay 100% of the premium for a term life insurance policy for each eligible employee which shall be based upon a formula ~~equal to of~~ one times the employee's annual salary rounded up to the nearest thousand dollars up to \$300,000.

~~Mid-Management.~~ ~~The City shall pay 100% of the premium for a term life insurance policy for each eligible employee of \$50,000.~~

Section 3. Disability Insurance Plan. The City shall provide a short-term and long-term disability insurance plan for all employees covered by this agreement. The City shall pay 100% of the premium.

Section 4. Executive Wellness Program. ~~Executive Management e~~Employees may request reimbursement for a maximum of \$1,000 on an annual basis for eligible wellness program expenses as determined by the Personnel Officer.

PART V – RETIREMENT

Section 1. The City shall make contributions for employees to the California Public Employees Retirement System (CalPERS) plan known as 2% at 55 for “Classic” Miscellaneous members and 3% at 50 for “Classic” Safety members. “Classic” Miscellaneous employees hired prior to June 30, 2010 shall contribute 3% of salary towards their CalPERS retirement plan.

Section 2. Employees hired after June 30, 2010, if determined to be “Classic” Miscellaneous members, shall contribute 6% of salary towards their CalPERS retirement plan.

Section 3. The Chief of Police, if determined to be a “Classic” Safety member, shall contribute 12% of salary towards his/her CalPERS retirement plan.

Section 4. Employees hired after January 1, 2013 and are new to CalPERS, or have had a six month or more break in service, are considered “PEPRA” members and are subject to all laws, statutes, rules and regulations of the Public Employees’ Pension Reform Act (PEPRA).

Section 5. The City’s CalPERS contract shall provide the Survivor’s Continuance Benefit to employees.

Section 6. The City’s CalPERS contract shall provide for the 1959 Survivor’s Benefit (Level 3). The City shall make the employees’ contribution in the amount of \$2.00 per month.

Section 7. The City’s CalPERS contract shall provide for the “Single Highest Year Compensation” benefit for eligible employees. The City shall pay for the entire cost of this benefit.

PART VI - AUTO ALLOWANCE

A monthly auto allowance will be provided in the amount of \$500 ~~for Executive Management employees, \$300 for the City Clerk and \$200 for all other Mid-Management employees.~~ The Chief of Police has the option of being provided a City vehicle in lieu of the auto allowance.

PART VII – TECHNOLOGY ALLOWANCE

A \$100 monthly technology allowance will be provided ~~in the amount of \$100 for Executive Management employees and \$75 for Mid-Management employees~~ to purchase and maintain personal technology devices (i.e. cell phone, computer, tablet) and/or services (i.e. internet, cell phone service) to perform the duties of their position.

PART VIII – UNIFORM ALLOWANCE

The ~~classification of~~ Police Chief shall receive a Uniform Allowance of \$850 per year.

~~The classification of Police Support Services Supervisor shall receive a Uniform Allowance of \$600 per year.~~

~~————The classification of Maintenance Supervisor shall receive a Boot/Safety Shoe Allowance of \$250 per year. To be eligible for reimbursement, the employee must submit a receipt from the purchase of boots/safety shoes to Human Resources.~~

PART IX – SPECIAL PAY PROVISION

Section 1. ~~Assistant City Manager Designation. The City Manager may designate the title of Assistant City Manager and assign additional job duties at the higher responsibility to an employee in one the following Executive Management positions: Director of Public Works, Director of Finance and Administrative Services, Chief of Police, Planning Director or Director of Recreation and Community Services. The City Manager may authorize additional compensation of up to 5% over base pay for such duties. The duration of the assignment and additional compensation shall be at the sole discretion of the City Manager.~~Executive Manager Lead Assignment. The City may designate any Executive Management employee to the Executive Manager Lead Assignment. The employee so assigned will lead and supervise over other managers. An employee who is routinely and consistently assigned to the Executive Manager Lead Assignment shall receive special assignment pay equal to 5% over base pay for such duties. The City Manager may remove an employee from the assignment at the City Manager's discretion.

Section 2. ~~Acting Pay for Executive Management Positions. The City Manager may temporarily grant up to a 5% increase for an acting assignment for those positions who assume acting duties. The increase must fall within the range of the higher position but not exceed the top of the position's range.~~

Section 23. Management Performance Recognition Program. The City Manager may recognize the outstanding performance of Executive Management ~~and Mid-Management~~ employees. Based upon criteria and the sole discretion of the City Manager, employees will be eligible to receive a one-time payment up to 5% of base salary within a 12-month period. Such amounts shall be payable in conjunction with an employee's performance review.

~~————Section 4. Temporary Succession Planning Pay. The City Manager may grant temporary pay to management employees training for potential advancement to a higher level position. The temporary pay would not exceed 5% of the employee's current rate of pay. Such assignment would be limited to a maximum of six months. This form of pay differs from Acting Pay in that the position is filled with an incumbent and the employee being trained is not assuming all of the responsibilities associated with the position.~~

Section 35. Severance. ~~Executive Management e~~Employees are entitled to four months' base salary if terminated without cause. ~~The City Clerk is entitled to six months' base salary if terminated without cause.~~

"Cause" for termination shall include, but not limited to the following: persistent, habitual or willful neglect of duty; insubordination; corrupt or willful misconduct; willful malfeasance or conviction of an illegal act amounting to an act of moral turpitude; willful destruction or misuse of City property; habitual intoxication while on duty, whether by alcohol, prescription or non-prescription drugs; inexcusable absence without an authorized leave of absence; theft or attempted theft; financial mismanagement; material dishonesty; willful violation of Federal or State discrimination and harassment laws while acting in the course and scope of employment; willful and unlawful retaliation against any City officer or employee; engaging in conduct tending to bring embarrassment or disrepute to the City.

~~The s~~Severance pay ~~for Executive Management employees and the City Clerk~~ is contingent upon the following conditions:

- a) The employee must execute a comprehensive waiver and release of all claims against the City, its officials, employees, and agents, in a form approved by the City Attorney.
- b) The waiver and release must become effective and irrevocable. This includes the expiration of any applicable revocation period required by law, such as the 7-day revocation period for employees age 40 and over under the Age Discrimination in Employment Act.
- c) The employee must comply with all post-employment obligations outlined in the severance agreement, including but not limited to return of City property.
- d) Severance pay will be provided only for involuntary terminations without cause. It does not apply to voluntary resignations or terminations for cause.
- e) Severance pay shall be subject to all applicable taxes and withholdings required by law.
- f) Employees will be advised in writing to consult with an attorney before signing the severance agreement.

EXHIBIT 'A'

CITY OF CYPRESS SCHEDULE OF BENEFITS ~~EXECUTIVE AND~~ MID-MANAGEMENT EMPLOYEES

PART I - HOLIDAYS

Section 1. Recognized Holidays.

A. For pay purposes, the following holidays are recognized as municipal holidays for regular employees. Said employees shall receive these holidays off with pay: New Year's Day, Martin Luther King Jr. Day, Presidents' Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, the Friday following Thanksgiving Day, Christmas Eve Day and Christmas Day.

B. Beginning the first pay period of the payroll year, current employees shall be credited with one floating holiday (9 hours). Employees hired after the beginning of the payroll year, but before September 1, will be credited with the floating holiday. Floating holiday may be taken subject to approval of the employee's supervisor after consideration of the department workload and other staffing considerations such as, but not limited to, leave schedules of other employees already approved, sick leave and position vacancies. Floating holiday must be taken as paid time off in the credited payroll year. There shall be no cash payment for unused floating holiday.

C. When any holiday, recognized by the City, falls on a Sunday, the following Monday shall be considered the holiday; when any day, recognized by the City as a holiday, falls on a Saturday, the preceding Friday shall be considered the holiday.

D. Religious holidays requested off shall be done so in writing to the employee's supervisor. If approved, such time shall be charged against accumulated vacation or floating holiday leave.

Section 2. Holidays Falling During Approved Leaves of Absence Without Pay. Any employee on an approved leave of absence without pay, having the holiday fall during the period of such leave of absence without pay, shall be eligible for such holiday pay only in those instances where said employee has worked either the day before or the day immediately following said holiday.

PART II - VACATION

Section 1. Eligibility. All regular, full-time employees, having completed a minimum of six months continuous service with the City, and annually, thereafter, shall be eligible for a paid vacation at the employee's then current rate of pay. Recognizing that it is preferred that the full vacation be taken at one time, the employee may, nevertheless, request a modification of this preference. Upon approval of the City Manager, appropriate modifications may be allowed.

Section 2. Vacation Accrual.

~~Executive Management employees shall accrue vacation leave by the following formula:~~

<u>Hours/Month</u>	<u>Year of Employment</u>	<u>Annual Amount (Hours)</u>
10.0000	1st – 6th year	(120 hours)
10.6667	7th year	(128 hours)
11.3334	8th year	(136 hours)
12.0000	9th year	(144 hours)

~~12.6667 10th year (152 hours)~~
~~13.3334 11th year (160 hours), and each month thereafter.~~

~~Mid-Management e~~Employees shall accrue vacation leave by the following formula:

<u>Hours/Month</u>	<u>Year of Employment</u>	<u>Annual Amount (Hours)</u>
6.6670	1st year	(80 hours)
7.3334	2nd year	(88 hours)
8.0000	3rd year	(96 hours)
8.6667	4th year	(104 hours)
9.3334	5th year	(112 hours)
10.0000	6th year	(120 hours)
10.6667	7th year	(128 hours)
11.3334	8th year	(136 hours)
12.0000	9th year	(144 hours)
12.6667	10th year	(152 hours)
13.3334	11th year	(160 hours), and each month thereafter.

Section 3. Maximum Accrual.

A. ~~Executive Management employees may accumulate unused vacation to a maximum of 360 hours.~~ ~~Mid-Management e~~Employees may accumulate unused vacation to a maximum of the amount accrued in the 24 months immediately preceding the employee's anniversary date of employment with a maximum of 320 hours. The accrual of vacation hours shall cease when an employee's accumulated vacation is at the maximum provided in this Section. However, the value of vacation hours earned in excess of the maximum accrual will be contributed towards the employee's Retiree Health Savings Plan. Additional vacation hours shall begin accruing when the employee's vacation balance falls below the maximum.

B. For purposes of this Article, the term "anniversary date of employment" is the date an employee began accruing vacation with the City.

Section 4. Use of Vacation.

A. The time at which an employee's vacation is to occur shall be determined by the employee's supervisor with due regard for the wishes of the employee and particular regard for the needs of the service.

B. An employee who has completed five years or more of continuous service and who has taken 40 cumulative hours of vacation in the current payroll year may elect to be paid for up to a maximum of 80 hours of accrued vacation in the following calendar year. To request payment of up to 80 hours, the employee must submit an irrevocable election form to Human Resources by December 15 of the prior calendar year for the requested payment in the subsequent December's special payroll. For example, if an employee submits a payout request of 80 hours prior to December 15, 2024 and is deemed eligible to receive a payout, the employee will be paid for 80 hours in December 2025.

Section 5. Vacation Payment at Termination.

A. Employees terminating employment shall be paid in a lump sum for all accrued vacation leave.

B. When termination is caused by the death of the employee, said payment for unused vacation shall be paid to the beneficiary designated by the employee. Such designation shall be in writing, signed by the employee and filed with the Human Resources Office. In the event an employee has not designated a beneficiary, the payment shall be made to the estate of the employee.

Section 6. Holidays Falling During Vacation Leave. In the event one or more municipal holidays fall within an annual vacation leave, such holiday shall not be charged as vacation leave and the vacation leave shall be extended accordingly.

Section 7. Vacation Earned During Leave of Absence. No vacation leave shall be earned during any leave of absence without pay for each 30-day period of such leave. Vacation leave shall be earned on a prorated basis during a leave of absence on partial pay status.

Section 8. Vacation - Miscellaneous. Employees shall not work for the City during their vacation and, thereby, receive double compensation from the City.

PART III - SICK LEAVE

Section 1. General Sick Leave Provisions.

A. Sick leave shall be requested only in cases of actual personal sickness or disability, medical or dental treatment, or as authorized by the City Manager or the Personnel Officer under the provisions of the Federal Family Medical Leave Act and/or the California Family Rights Act, California Labor Code Section 233 (use of sick leave) or the Healthy Workplace Healthy Family Act of 2014. The employee requesting sick leave shall notify his/her immediate supervisor prior to the time set for reporting to work. Sick leave with pay shall not be allowed unless the employee has met and complied with these provisions and the department head or the City Manager has approved such payment.

Section 2. Eligibility. All employees covered by this Agreement shall be eligible to accrue sick leave.

Section 3. Accrual. Sick leave shall be accrued at the rate of eight hours per calendar month for each calendar month that an employee has worked regularly scheduled hours and/or has been on authorized leave which provides for full pay, for at least 15 working days in that month. Sick leave shall be earned on a prorated basis during a leave of absence on partial pay status.

Section 4. Accumulation and Payment Plan.

A. Accrued sick leave may be accumulated without limit.

B. Payment of accumulated sick leave shall be granted by the Personnel Officer on an annual basis to all regular employees who have a minimum of 120 hours of accumulated sick leave on record on December 1st, and opt to receive payment of up to 48 hours of sick leave, during the subsequent December's special payroll at a rate of 50% of current salary. Employees must have a minimum balance of 120 hours after the payment of sick leave to be eligible for the payout.

C. Payment of accumulated sick leave shall be granted by the Personnel Officer on an annual basis to all employees who have a minimum of 240 hours of accumulated sick leave on record on December 1st, and opt to receive payment of up to 48 hours of sick leave, during the subsequent December's special payroll, at a rate of 100% of current salary. Employees must have a minimum balance of 120 hours after payment of sick leave to be eligible for the payout.

D. Employees wishing to cash out sick leave as described in Section 4. (B) and (C) above, must submit an irrevocable election form to Human Resources by December 15 for payment on the subsequent December's special payroll. For example, if an employee submits a payout request for the maximum 48 hours prior to December 15, 2024, payment will be issued in December 2025 (if eligible).

E. In accordance with the annual conversion policy set forth in Section 4. (B), (C) and (D) above, employees shall have the option of depositing their sick leave payment in a City deferred compensation program instead of receiving payment in cash. All deposits made into the deferred compensation program shall be made in accordance with any and all regulations governing the deferred compensation program.

F. Upon death, retirement, separation or termination of an employee covered by this Agreement, with a minimum of 60 days or 480 hours of sick leave accumulation, said employee is entitled to receive 50% compensation for that accumulated sick leave.

G. Upon death, retirement, separation or termination of an employee covered by this Agreement, with a minimum of five years of service and with between 240 hours and 480 hours of sick leave accumulation, said employee is entitled to receive payment for the difference between that amount of sick leave and 240 hours at 50% compensation.

~~H. If the Chief of Police was promoted and was previously a member of the Cypress Police Management Association (PMA), upon service retirement or termination, he/she will be entitled to receive payment of accumulated sick leave hours earned prior to promotion to Chief of Police, consistent with the terms of the PMA Memorandum of Understanding in effect at the time of promotion. Accumulated sick leave hours will be documented at the time of promotion and shall be paid to the Chief of Police at the highest hourly rate within the PMA upon separation from employment. Sick leave hours accumulated as Chief of Police will be paid in accordance with the sections above. If the Chief of Police is terminated for misconduct, he/she is ineligible for this payment.~~

~~H.~~ In accordance with the payment plan set forth in Section 4 (F) and (G) above, upon separation, termination or retirement of an employee covered by this Agreement, said employee shall have the option of depositing their sick leave payment in a City deferred compensation program, instead of receiving payment in cash. All deposits made into the deferred compensation program shall be made in accordance with any and all regulations governing the deferred compensation program.

Section 5. Use.

A. Sick leave may be requested and used as approved by the department head or the City Manager. Payment for approved sick leave shall be authorized until the employee's accumulated total of sick leave hours has been exhausted and at such time the employee shall receive no further payment for sick leave. An employee shall have his/her accumulated sick leave balance reduced by an amount equal to the number of hours of sick leave for which he/she receives payment.

B. Sick leave shall not be granted for disability arising from any sickness or injury purposely self-inflicted or caused by an employee's own willful misconduct.

Section 6. Sick Leave During Vacation. An employee who becomes ill while on vacation may have such period of illness charged to his/her accumulated sick leave provided that: immediately upon return to duty, the employee submits to his/her department head a written request for sick leave and a written statement signed by his/her physician that includes the dates of illness; and the

department head recommends and the City Manager approves granting of such sick leave. The employee may request an extension of vacation due to illness, subject to the approval of the department head and City Manager.

Section 7. Extended Sick Leave. In the event of an employee's continuing illness which results in depletion of sick leave accumulation, the employee may request, in writing, to his/her department head and City Manager, a leave of absence without pay for the purpose of recovering from an illness, provided:

1. The employee has used all of his/her accumulated sick leave.
2. The employee presents to his/her department head for referral to and consideration by the City Manager, a written estimate of the time needed for recovery signed by the employee's physician.
3. Prior to resuming his/her duties, the employee may be required to take a medical examination at the City's expense and provide a medical release to return to work from the employee's physician as prescribed by the City Manager. The employment record and the results of such examination shall be considered by the City Manager in determining the employee's fitness to return to work.

Section 8. Federal Medical Leave Act and the California Family Rights Act

The City shall comply with the Federal Medical Leave Act of 1993 (FMLA) and the California Family Rights Act (CFRA) of 1991. Where there are differences between similar provisions of the Acts, the City shall comply with the provision which gives the employee the greater rights.

Section 9. On-the-job Injury. Employees who are disabled by injury or illness arising out of and in the course of their duties for the City, shall be entitled, regardless of his/her period of service with the City, to a leave of absence for the period of such disability, but not exceeding one (1) year, or until such earlier date as he/she is retired on permanent disability pension. Employees are eligible for up to four months of salary continuation in lieu of temporary disability payments. During the first five working days of such disability, the City shall pay 100% of the salary in lieu of temporary disability payments. Thereafter, the employee shall receive 80% of salary in lieu of temporary disability payments. Any payments made pursuant to this Section shall not be charged to sick leave; provided, however, no sick leave or vacation benefits shall accrue during the period of such disability.

Section 10. Off-the-job Injury. An employee injured outside of his/her service with the City may apply for benefits under the disability insurance plan provided by the City.

Section 11. California Labor Code Section 233

Pursuant to California Labor Code Section 233, employees may use a total of 48 hours of their accrued and available sick leave for the following reasons:

1. To attend to the illness of their child, parent, spouse, registered domestic partner, parent-in-law, grandparent, grandchild, sibling or designated person.
2. To obtain any relief of services related to being a victim of domestic violence, sexual assault, or stalking including the following with appropriate certification of the need for such services:
 - a. A temporary restraining order or restraining order.
 - b. Other injunctive relief to help ensure the health, safety or welfare of themselves or their children.

- c. To seek medical attention for injuries caused by domestic violence, sexual assault, or stalking.
- d. To obtain services from a domestic violence shelter, program, or rape crisis center as a result of domestic violence, sexual assault, or stalking.
- e. To obtain psychological counseling related to an experience of domestic violence, sexual assault, or stalking.
- f. To participate in safety planning and take other action to increase safety from future domestic violence, sexual assault, or stalking, including temporary or permanent relocation.

ARTICLE IV - HEALTH, DENTAL, VISION, LIFE AND DISABILITY INSURANCE

Section 1. Health Insurance Plan.

A. For the employees covered by the terms of this Agreement, the City and the employees shall contribute the sums listed below per month per employee toward health insurance:

MEDICAL RATE PROVISIONS AND SCHEDULE

Health Insurance Benefit: The City shall provide health insurance coverage for the employee and any dependents which may include medical, dental and vision insurance plans. Effective January 1, 2025, the maximum contribution amount will increase from \$2,359.27 to \$2,557.07 per month ~~for Executive Management and Mid-Management employees.~~ Annual increases to the City's monthly contributions shall be based upon the average cost of all area HMO plans offered through the PERS Health Plan (2024 \$2,191.06/ 2025 \$2,393.86) plus the DPO Dental Family rate (2024 \$142.40/ 2025 \$137.40) and the Family Vision rate (2024/2025 \$25.81). Employees shall maintain the PERS Health Plan minimally at the employee-only coverage level, unless the employee demonstrates proof of other group coverage. Coverage under dental and vision plans shall be optional.

If the City's contribution exceeds the total premium cost of health plans chosen by the employee, the difference may be contributed toward additional/dependent coverage, including additional life insurance, or paid as additional compensation.

If the total premium cost of health plans chosen by the employee exceeds the City's contribution, the employee shall pay, through payroll deduction, the difference between the total cost and the City's contribution. The employee's exercise of the option to use the difference toward additional/dependent health coverage or receive the additional cash as compensation is subject to the conditions controlling enrollment periods and eligibility established by the respective plans or carriers.

B. Retiree Health Savings Plan. The City will contribute \$185 per month ~~for each employee participating in the Retiree Health Savings Plan.~~

~~C. Retiree Health Savings Program. Full time employees who promote to a management classification, and have previously opted to grandfather into the Supplemental Health Care Benefit Program, may elect to remain in the program in lieu of mandatory enrollment in the Retiree Health Savings Plan.~~

~~D. 401(a) Retirement Savings Plan. The City will contribute \$200 per month for Executive Management positions.~~

Section 2. Life Insurance Plan.

~~Executive Management. The City shall pay 100% of the premium for a term life insurance policy for each eligible employee which shall be based upon a formula of one times the employee's annual salary rounded up to the nearest thousand dollars up to \$300,000.~~

~~Mid-Management.~~ The City shall pay 100% of the premium for a term life insurance policy for each eligible employee of \$50,000.

Section 3. Disability Insurance Plan. The City shall provide a short-term and long-term disability insurance plan for all employees covered by this agreement. The City shall pay 100% of the premium.

~~Section 4. Wellness Program. Executive Management employees may request reimbursement for a maximum of \$1,000 on an annual basis for eligible wellness program expenses as determined by the Personnel Officer.~~

PART V – RETIREMENT

Section 1. The City shall make contributions for employees to the California Public Employees Retirement System (CalPERS) plan known as 2% at 55 for “Classic” Miscellaneous members and 3% at 50 for “Classic” Safety members. “Classic” Miscellaneous employees hired prior to June 30, 2010 shall contribute 3% of salary towards their CalPERS retirement plan.

Section 2. Employees hired after June 30, 2010, if determined to be “Classic” Miscellaneous members, shall contribute 6% of salary towards their CalPERS retirement plan.

~~Section 3. The Chief of Police, if determined to be a “Classic” Safety member, shall contribute 12% of salary towards his/her CalPERS retirement plan.~~

Section 34. Employees hired after January 1, 2013 and are new to CalPERS, or have had a six month or more break in service, are considered “PEPRA” members and are subject to all laws, statutes, rules and regulations of the Public Employees’ Pension Reform Act (PEPRA).

Section 45. The City’s CalPERS contract shall provide the Survivor’s Continuance Benefit to employees.

Section 56. The City’s CalPERS contract shall provide for the 1959 Survivor’s Benefit (Level 3). The City shall make the employees’ contribution in the amount of \$2.00 per month.

Section 67. The City’s CalPERS contract shall provide for the “Single Highest Year Compensation” benefit for eligible employees. The City shall pay for the entire cost of this benefit.

PART VI - AUTO ALLOWANCE

A monthly auto allowance will be provided in the amount of ~~\$500 for Executive Management employees,~~ \$300 for the City Clerk and \$200 for all other Mid-Management employees. ~~The Chief of Police has the option of being provided a City vehicle in lieu of the auto allowance.~~

PART VII – TECHNOLOGY ALLOWANCE

A \$75 monthly technology allowance will be provided ~~in the amount of \$100 for Executive Management employees and \$75 for Mid-Management employees~~ to purchase and maintain personal technology devices (i.e. cell phone, computer, tablet) and/or services (i.e. internet, cell phone service) to perform the duties of their position.

PART VIII – UNIFORM ALLOWANCE

~~The classification of Police Chief shall receive a Uniform Allowance of \$850 per year.~~

The classification of Police Support Services Supervisor shall receive a Uniform Allowance of \$600 per year.

The classification of Maintenance Supervisor shall receive a Boot/Safety Shoe Allowance of \$250 per year. To be eligible for reimbursement, the employee must submit a receipt from the purchase of boots/safety shoes to Human Resources.

PART IX – SPECIAL PAY PROVISION

~~Section 1. Assistant City Manager Designation. The City Manager may designate the title of Assistant City Manager and assign additional job duties at the higher responsibility to an employee in one the following Executive Management positions: Director of Public Works, Director of Finance and Administrative Services, Chief of Police, Planning Director or Director of Recreation and Community Services. The City Manager may authorize additional compensation of up to 5% over base pay for such duties. The duration of the assignment and additional compensation shall be at the sole discretion of the City Manager.~~

Section 12. ~~Acting Pay for Executive Management Positions.~~ The City Manager may temporarily grant up to a 5% increase for an acting assignment for those positions who assume acting duties. The increase must fall within the range of the higher position but not exceed the top of the position's range.

Section 23. Management Performance Recognition Program. The City Manager may recognize the outstanding performance of ~~Executive Management and~~ Mid-Management employees. Based upon criteria and the sole discretion of the City Manager, employees will be eligible to receive a one-time payment up to 5% of base salary within a 12-month period. Such amounts shall be payable in conjunction with an employee's performance review.

Section 34. Temporary Succession Planning Pay. The City Manager may grant temporary pay to ~~management~~ employees training for potential advancement to a higher-level position. The temporary pay would not exceed 5% of the employee's current rate of pay. Such assignment would be limited to a maximum of six months. This form of pay differs from Acting Pay in that the position is filled with an incumbent and the employee being trained is not assuming all of the responsibilities associated with the position.

Section 45. Severance. ~~Executive Management employees are entitled to four months' base salary if terminated without cause.~~ The City Clerk is entitled to six months' base salary if terminated without cause.

"Cause" for termination shall include, but not limited to the following: persistent, habitual or willful neglect of duty; insubordination; corrupt or willful misconduct; willful malfeasance or conviction of an illegal act amounting to an act of moral turpitude; willful destruction or misuse of City

property; habitual intoxication while on duty, whether by alcohol, prescription or non-prescription drugs; inexcusable absence without an authorized leave of absence; theft or attempted theft; financial mismanagement; material dishonesty; willful violation of Federal or State discrimination and harassment laws while acting in the course and scope of employment; willful and unlawful retaliation against any City officer or employee; engaging in conduct tending to bring embarrassment or disrepute to the City.

The severance pay for ~~Executive Management employees and~~ the City Clerk is contingent upon the following conditions:

- a) The employee must execute a comprehensive waiver and release of all claims against the City, its officials, employees, and agents, in a form approved by the City Attorney.
- b) The waiver and release must become effective and irrevocable. This includes the expiration of any applicable revocation period required by law, such as the 7-day revocation period for employees age 40 and over under the Age Discrimination in Employment Act.
- c) The employee must comply with all post-employment obligations outlined in the severance agreement, including but not limited to return of City property.
- d) Severance pay will be provided only for involuntary terminations without cause. It does not apply to voluntary resignations or terminations for cause.
- e) Severance pay shall be subject to all applicable taxes and withholdings required by law.
- f) Employees will be advised in writing to consult with an attorney before signing the severance agreement.



CITY OF CYPRESS

CITY COUNCIL REPORT

City Council Regular

6.

FROM: Matt Burton, Director of Finance and Administrative Services

DATE: 03/10/2025

SUBJECT: Authorize a Temporary Overhire Position in the Finance Department

RECOMMENDATION

1. Authorize the overhire position of Assistant Director of Finance and Administrative Services/Finance Manager; and
2. Approve a \$115,000 transfer of personnel appropriations from the Public Works department to the Finance department.

DISCUSSION

As part of the city's succession planning, the City Council approved a FY 2024-25 Budget decision package that appropriated funding for an overhire management position to help ensure continuity of service to the community. The overhire also helps maintain a department's technical and leadership complement while providing the opportunity for knowledge transfer. Overhire positions as part of succession planning strategy are particularly important during tight labor markets. As the City Council is aware, cities face a variety of challenges associated with recruiting and retaining employees and competition between public agencies for qualified applicants is fierce.

Cypress' Finance Department is led by two senior management employees, the Director of Finance and Administrative Services and the Assistant Director of Finance and Administrative Services/Finance Manager. The employees in these positions have more than 60 years of governmental finance and accounting experience and there is a high likelihood that one, or both, will retire in the near future. Given the size of the city organization, there are no other in-house candidates to fill the positions.

To protect and promote the city's remarkable legacy of prudent financial management, it is recommended the City Council authorize a second Assistant Director. This position will help ensure that the department continues to operate effectively during the leadership transition. The Assistant Director classification is part of the unrepresented Mid-Management group.

Based on other executive and manager recruitments, filling the overhire Assistant Director

position will take three to six months. It is expected the overhire position will exist for six to 24 months, with the department returning to traditional staffing levels when the Director and/or incumbent Assistant Director retire. Should the overhire position exist beyond FY 2025-26, its cost will be built into the Budget and the staff resource will provide the capacity to take on special projects, including potential updates to purchasing rules and procedures, automation, and other efficiency-based process improvements.

BUDGET IMPACT

The FY 2024-25 Budget includes \$115,000 of funding for a management overhire as a placeholder in the Public Works budget. It is recommended that this one-time funding be transferred to the Finance department and unexpended amounts at June 30, 2025 be carried over to FY 2025-26. If the overhire position remains filled long enough to expend its appropriation prior to June 30, 2026, Finance department salary savings (if available) will be applied toward the overhire position prior to recommending the City Council approve a FY 2025-26 supplemental appropriation.

LEGAL REVIEW

None required.

APPROVED BY:

Peter Grant, City Manager



CITY OF CYPRESS

CITY COUNCIL REPORT

City Council Regular

7.

FROM: Peter Grant, City Manager

DATE: 03/10/2025

SUBJECT: Consider City Council Norms and Civility Principles

RECOMMENDATION

Consider a Resolution regarding City Council norms and civility principles.

DISCUSSION

The City Council's February 22 team building workshop included a facilitated discussion of City Council norms and civility principles. The resulting discussion was summarized by the facilitator for City Council consideration and potential adoption.

City Council Norms:

- Demonstrate teamwork
- Make decisions based on facts
- Listen to alternative opinions
- Govern from an at-large perspective
- Be transparent

Civility Principles:

- Be respectful
- Be courteous
- Refrain from personal attacks
- Encourage civility from your supporters
- Embrace dissent
- Respect outcomes
- Refrain from back channel communication
- Exercise self-control

During its team building workshop, the City Council indicated that, if adopted, 2025 norms and principals would replace the Civility, Conduct, Ethics and Governance Policy adopted on February 13, 2023.

BUDGET IMPACT

None.

LEGAL REVIEW

None required.

APPROVED BY:

Peter Grant, City Manager

Attachments

Resolution

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, RESCINDING THE
CIVILITY, CONDUCT, ETHICS AND GOVERNANCE POLICY AND
ADOPTING CITY COUNCIL NORMS AND CIVILITY PRINCIPLES

WHEREAS, the City Council discussed its desire to promote respect, civility, and orderly conduct among elected and appointed City officials, City staff, and our community at its February 22, 2025 team building workshop.

NOW, THEREFORE, BE IT RESOLVED 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 as follows:

1. The Civility, Conduct, Ethics and Governance Policy adopted by the City Council on February 13, 2023 is hereby rescinded.
2. The following City Council Norms and Civility Principles are hereby adopted:

City Council Norms:

Demonstrate teamwork
Make decisions based on facts
Listen to alternative opinions
Govern from an at-large perspective
Be transparent

Civility Principles:

Be respectful
Be courteous
Refrain from personal attacks
Encourage civility from your supporters
Embrace dissent
Respect outcomes
Refrain from back-channel communication
Exercise self-control

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 10th day of March, 2025.

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 ____ day of ____, 2025, 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

CITY COUNCIL REPORT

City Council Regular

8.

FROM: Kyle Chang, Council Member

DATE: 03/10/2025

SUBJECT: Receive a Presentation from the Police Chief Regarding E-bikes

RECOMMENDATION

Receive a presentation from the Police Chief regarding e-bikes.

DISCUSSION

At the February 10 City Council meeting, Council Member Chang requested an item related to e-bikes appear on a future City Council agenda. Council Member Chang and Mayor Pro Tem Medrano subsequently met with the Police Chief to discuss the issue. Following that meeting, Council Member Chang, Mayor Pro Tem Medrano and Chief Lauderback determined that the Police department should provide an informational/educational presentation to the City Council and community.

BUDGET IMPACT

None.

LEGAL REVIEW

None required.

APPROVED BY: Peter Grant, City Manager



CITY OF CYPRESS

CITY COUNCIL REPORT

City Council Regular

9.

FROM: David Burke, Mayor

DATE: 03/10/2025

SUBJECT: Propose Strategic Plan Objectives for Consideration at the City Council's Next Strategic Plan Workshop

RECOMMENDATION

Propose Strategic Plan objectives for consideration at the City Council's next Strategic Plan workshop.

DISCUSSION

At the February 10 City Council meeting, Mayor Burke requested Council Members propose Strategic Plan objectives for consideration at the City Council's next Strategic Plan workshop. The proposals do not require any action at the March 10 meeting. The City Manager will record them and provide the proposals to the City Council and the city's executive management team as part of the Strategic Plan workshop.

BUDGET IMPACT

None.

LEGAL REVIEW

Not applicable.

APPROVED BY: Peter Grant, City Manager



CITY OF CYPRESS

CITY COUNCIL REPORT

City Council Regular

10.

FROM: David Burke, Mayor

DATE: 03/10/2025

SUBJECT: Consider Holding March 24 and May 12 Workshops Related to the Consideration of the City's Annual Budget and Capital Improvement Plan in the Council Chambers

RECOMMENDATION

Consider holding March 24 and May 12 workshops related to the consideration of the city's Annual Budget and Capital Improvement Plan in the Council Chambers.

DISCUSSION

At the February 10 City Council meeting, Mayor Burke requested the City Council consider holding March 24 and May 12 workshops related to the consideration of the city's Annual Budget and Capital Improvement Plan in the Council Chambers.

BUDGET IMPACT

None.

LEGAL REVIEW

Not applicable.

APPROVED BY: Peter Grant, City Manager
