



**City Council and Successor Agency  
to the Brea Redevelopment  
Agency Agenda**  
Study Session - 6:45 p.m.  
General Session - 7:00 p.m.

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Tuesday, August 19, 2025, 7:00 PM  
COUNCIL CHAMBERS  
1 Civic Center Circle  
Brea, California 92821

**\*\* Revised \*\***

**Blair Stewart, Mayor**

**Cecilia Hupp, Mayor Pro Tem**

**Christine Marick, Council Member   Marty Simonoff, Council Member   Steven Vargas, Council Member**

This agenda contains a brief general description of each item Council will consider. The City Clerk has on file copies of written documentation relating to each item of business on this Agenda available for public inspection. Contact the City Clerk's Office at (714) 990-7756 or view the Agenda and related materials on the City's website at [www.cityofbrea.gov](http://www.cityofbrea.gov). Materials related to an item on this agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 1 Civic Center Circle, Brea, CA during normal business hours. Such documents may also be available on the City's website subject to staff's ability to post documents before the meeting.

### **Procedures for Addressing the Council**

The Council encourages interested people to address this legislative body by making a brief presentation on a public hearing item when the Mayor calls the item or address other items under Matters from the Audience. State law generally prohibits the City Council from responding to or acting upon matters not listed on this agenda.

The Council encourages free expression of all points of view. To allow all persons the opportunity to speak, please keep your remarks brief. If others have already expressed your position, you may simply indicate that you agree with a previous speaker. If appropriate, a spokesperson may present the views of your entire group. Council rules prohibit clapping, booing or shouts of approval or disagreement from the audience. Please silence all cell phones and other electronic equipment while the Council is in session. Thank you.

Written comments may be submitted in advance of the meeting by emailing [cityclerksgroup@cityofbrea.gov](mailto:cityclerksgroup@cityofbrea.gov). Written comments received by 3 p.m. on the day of the meeting will be provided to the Council, will be made available to the public at the meeting, and will be included in the official record of the meeting.

### **Special Accommodations**

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at (714) 990-7757. Notification 48 hours prior to the meeting will enable City staff to make reasonable arrangements to ensure accessibility. (28 CFR 35.102.35.104 ADA Title II)

### **Important Notice**

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## **1. STUDY SESSION - EXECUTIVE CONFERENCE ROOM 3RD FLOOR - 6:45 P.M.**

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1.A. Call to Order/Roll Call

1.B. Public Comment

1.C. Clarify Regular Meeting Topics

1.D. Designate Voting Delegate and Alternate for the League of California Cities Annual Conference and Expo, October 8-10, 2025, Long Beach Convention Center

1.E. Council Member Reports/Requests

1.F. Study Session Adjournment

## **2. GENERAL SESSION - COUNCIL CHAMBERS PLAZA LEVEL - 7:00 P.M.**

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2.A. Call to Order/Roll Call

2.B. Pledge of Allegiance: Boy Scout Troop 707

2.C. Invocation: Pastor Rick Darden, Friends Community Church

2.D. Presentation: Business of the Quarter

2.E. Report - Prior Study Session

2.F. Community Announcements

2.G. Matters from the Audience

2.H. Response to Public Inquiries

## **3. PUBLIC HEARING**

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This portion of the meeting is for matters that legally require an opportunity for public input. Audience participation is encouraged and is limited to 5 minutes per speaker.

3.A. Appeal of the Planning Commission Decision to Approve the DJT4 Parcel Delivery Facility (Amazon)- Environmental Impact Report No. 2023-01, Vesting Tentative Parcel Map No. 2022-193, and Plan Review No. 2022-09

— Staff recommends that the City Council deny the appeals by David Maxey and CARE CA and uphold the Planning Commission's decision by taking the following actions:

— 1. Adopt Resolution No. 2025-054, denying appeals and certifying EIR No. 2023-01, State Clearinghouse No. 2023070241, which analyzed the environmental impacts resulting from construction and operation of the Project, and which was prepared pursuant to CEQA Guidelines Sections 15132 (Contents of Final EIR) and 15090 (Certification of the Final EIR);

— 2. Adopt Resolution No. 2025-055, denying appeals and approving PR No. 2022-09 to allow the demolition of an existing 637,503 square-foot office building, surface parking, and associated landscape area, and the construction of an industrial warehousing development consisting of a 181,500 square-foot parcel delivery facility, including surface parking and associated landscape areas, based on the findings and conclusions in the resolution, and subject to the recommended conditions of approval; and

— 3. Adopt Resolution No. 2025-056, denying appeals and approving TPM No. 2022-193 to reconfigure and merge three existing lots into one lot to accommodate the Project, based on the findings and conclusions in the resolution, and subject to the recommended conditions of approval.

## **4. ADMINISTRATIVE ITEMS**

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This agenda category is for City Council consideration of a wide variety of topics related to the City's operations. Public comments regarding items in this section should be presented during "Matters from the Audience."

4.A. Mercury Senior Apartments Project: Approval of a Density Bonus, Environmental Impact Report Addendum, financial requests, and associated agreements

- 1. Approve an Affordable Housing Agreement, including Notice of Affordability Restrictions, with Brea Mercury LP for the Mercury Senior Apartments Project;
- 2. Approve a Loan Agreement with Brea Mercury LP, which includes a loan of \$2,331,800 from the City's Housing Trust Fund (270) and up to \$659,311 in deferred development impact fees for the development of said affordable project;
- 3. Adopt Resolution No. 2025-057 approving the following: a. Density Bonus (DB) No. 2025-01, a request to utilize the Density Bonus parking standards and two Density Bonus waivers of development standards to allow for reduction in required minimum common open space and bicycle parking, subject to conditions of approval provided as Exhibit A of the said resolution; b. Addendum to the Final Environmental Impact Report (FEIR) for the Mercury Lane Project (EIR SCH No. 2018121032 Addendum No. 1) pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15164;
- 4. Approve an Affordable Housing and Regulatory Agreement and Declaration of Restrictive Covenants (Density Bonus Agreement) with Brea Mercury LP;
- 5. Find the Affordable Housing Agreement, Loan Agreement, and Density Bonus Agreement exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3);
- 6. Amend the Fiscal Year 2025-27 Operating Budget to appropriate \$2,331,800 in the City's Housing Trust Fund (270) for a loan payment to the development of said affordable housing project;
- 7. Approve the deferral of development impact fees for said affordable housing project in an amount not-to-exceed \$659,311, as stated in the Loan Agreement; and
- 8. Authorize the City Manager or designee to: a. Execute the Affordable Housing Agreement, including Notice of Affordability Restrictions, with Brea Mercury LP; b. Execute the Loan Agreement with Brea Mercury LP; c. Execute the Density Bonus Agreement with Brea Mercury LP; and d. Administratively make non-monetary revisions to the three above-mentioned agreements and related documents as necessary or appropriate.

4.B. Brea Construction Code Tri-Annual Code Update

- 1. Introduce by title only and waive further reading of Ordinance 1264, "an Ordinance of the City Council of the City of Brea adopting by reference the 2025 Edition of the California Administrative, Building, Residential, Mechanical, Plumbing, Electrical, Green Building Standards, Energy, Historical Building, and Existing Building Codes, The 2024 Edition of the International Property Maintenance Code, and the 2024 Edition of the International Swimming Pool and Spa Code, together with appendices, amendments, deletions and penalties, amending Title 15 of the Brea City Code, and approving a CEQA Exemption Determination", adopting by reference and amending, Codes comprising the 2025 Edition of the California Building Standards Code, and related "model" codes (collectively "California Code(s)" sometimes herein); and
- 2. Schedule a public hearing for September 16, 2025 to consider adoption of the Ordinance No. 1264. The adoption of the 2025 California Codes will have little or no impact on the General Fund.

#### 4.C. 2025 Fire Code and Wildland Urban Interface Ordinance Introduction

- 1. Introduce by title only and waive further reading of Ordinance No. 1265, "An Ordinance of the City Council of the City of Brea adopting by reference and amending the 2025 California Wildland – Urban Interface Code and the California Fire Code and portions of the 2024 International Fire Code, as the City of Brea Fire Code, together with certain amendments, additions, deletions and exceptions, amending Title 16 (Fire Safety) of the Brea City Code, and approving a CEQA exemption determination," adopting by reference and amending the 2025 California Fire Code (CFC) and 2025 California Wildland Urban Interface Code (CWUIC); and
- 2. Schedule a public hearing for September 16, 2025 to consider adoption of the Ordinance No. 1265. The direct fiscal impact of the recommended Code adoption is minimal and limited to staff training costs and Code book purchases estimated at \$3,000.

### 5. CONSENT CALENDAR

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The City Council/Successor Agency approves all Consent Calendar matters with one motion unless Council/Agency or Staff requests further discussion of a particular item. Items of concern regarding Consent Calendar matters should be presented during "Matters from the Audience."

#### 5.A. July 15, 2025 City Council Regular Meeting Minutes

- 1. Approve.

#### 5.B. Accept a State of California Cannabis Tax Fund Grant Program (CTFGP) in the Amount of \$230,902.82

- 1. Adopt Resolution No. 2025-058 accepting a State of California Cannabis Tax Fund Grant Program (CTFGP) Award for the education, prevention, and enforcement of laws related to driving under the influence of alcohol and other drugs, including cannabis, in the amount of \$230,902.82, for the one-year grant program which begins July 1, 2025 and ends June 30, 2026. This would result in a net increase to the Traffic fleet budget (General Fund) of \$9,100 per year.
- 2. Authorize the Chief of Police to execute the Grant Agreement. There is no fiscal impact to the General Fund.

#### 5.C. Desktop and Mobile Computer, and Peripheral Replacements

- 1. Authorize the City's Procurement & Contracts Administrator to issue a Purchase Order to Intelli-Tech in the amount of \$86,269.88, for the purchase of laptops for the first phase of citywide computer replacements. Funding for these devices has already been appropriated in the current fiscal year's budget.

#### 5.D. Resolution Approving the City's Participation in the National Opioid Bankruptcy Settlements with Purdue Pharma L.P., the Sackler Family, and Any Future National Opioid Settlements

- 1. Adopt Resolution No. 2025-059 authorizing the City Manager to execute participation forms and related documents to join the national opioid bankruptcy settlements with Purdue Pharma L.P. and the Sackler Family; and
- 2. Authorize participation in any future national opioid settlements deemed appropriate by the City Manager. Adoption of the resolution creates no negative fiscal impact to the City of Brea.

5.E. Authorization to Enter into a Service Agreement with SMART Compliance for a Recycling Tracking and Recordkeeping Software for CalRecycle SB 1383 Compliance

- 1. Approve a Service Agreement with SMART 1383, as a result of a competitive selection process for an SB 1383 compliance reporting and record keeping software five-year subscription purchase and implementation in an amount not to exceed \$100,000; and
- 2. Authorize the City Manager, or designee, to execute and administer the agreement and documentation necessary to procure SB 1383 compliance and reporting software system. Utilization of the grant funds will sustain the SMART 1383 software and any potential customization charges. There is no fiscal impact to the General Fund.

5.F. Award Contract with International Line Builders, Inc. dba ILB Electric for the Integrated Crime Center (ICC) Citywide Camera Network, CIP 7719

- 1. Approve the Plans and Specifications; and
- 2. Receive bids; and
- 3. Award Contract to the lowest responsive and responsible bidder, International Line Builders, Inc., dba ILB Electric, in the amount of \$1,223,382.00; and
- 4. Authorize the City Engineer to issue Change Orders up to a "not to exceed" amount of 10% of the Contract Price. The BSCC grant will reimburse these costs incurred through December 2026.

5.G. Award Contract with US Builders and Consultants, Inc. for Briarwood Lift Station Rehabilitation, CIP 7631

- 1. Approve the Plans and Specifications; and
- 2. Receive bids; and
- 3. Award Contract to the lowest responsive and responsible bidder, US Builders and Consultants, Inc., in the amount of \$571,400.00; and
- 4. Authorize the City Engineer to issue Change Orders up to a "not to exceed" amount of 10% of the Contract Price. Funds within the approved budget are from the Sewer Fund (Fund 430). There is no fiscal impact to the General Fund from this Project.

5.H. City's Network Switches Replacements

- 1. Authorize the City's Procurement & Contracts Administrator to issue a Purchase Order for network switches, management software, and professional services for implementation in the amount of \$321,496 to VectorUSA.
- 2. Authorize the City Manager to execute the Professional Services Agreement with VectorUSA. Funding for this project has already been appropriated in the current fiscal year's budget.

5.I. Agreement with HdL Companies for Sales, Business License, and Other Tax Reporting Services and HdL Coren & Cone for property tax auditing services and statistical reporting

- 1. Approve a five (5) year agreement with Hinderliter, del Llamas & Associates DBA HdL Companies for Sales Tax, Business License Tax, and other tax reporting services, and with HdL Coren & Cone for property tax auditing and statistical reporting. Both agreements include the option to renew for up to two (2) additional one-year terms.
- 2. Authorize the City Manager to execute the agreements with HdL Companies and HdL Coren & Cone, including any future extensions.
- 3. Approve and adopt Resolution No. 2025-060 authorizing HdL Companies to act on behalf of the City in matters before the California Department of Tax and Fee Administration (CDTFA), including access to confidential taxpayer information as necessary to perform the contracted services.

5.J. Agreement with Fuscoe Engineering, Inc. for NPDES Stormwater Management Services

- 1. Approve the Professional Services Agreement with Fuscoe Engineering, Inc. for NPDES Stormwater Management Services; and
- 2. Authorize the City Manager to approve up to three (3) additional one-year extensions. Funds are available from the NPDES account, utilizing Storm Water Fees (Fund 410).

5.K. Cooperative Agreement with City of Fullerton and City of La Habra for the Palm Street Paving Improvements, CIP 7334

- 1. Approve a Cooperative Agreement with the City of Fullerton and City of La Habra for the Palm Street Paving Improvements Project; and
- 2. Authorize the City Manager to execute any non-monetary contract amendments and ancillary documents subsequently required to implement the Cooperative Agreement. The Project is in the Fiscal Year 2025-27 CIP Budget. Funding sources include Gas Tax (Fund 220) and Measure M (Fund 260).

5.L. Acceptance of donation from Bridge Energy in the amount of \$14,000 and authorize purchase of ballistic shields

- 1. Accept a donation from Bridge Energy to the Police Department in the amount of \$14,000.
- 2. Authorize the City Manager to purchase two (2) ballistic shields for the Police Department. Funding for these items will be fully covered by the donation from Bridge Energy and will have no impact on the City's budget.

5.M. Monthly Report of Investments for the City of Brea for Period Ended July 31, 2025

- 1. Receive and file.

5.N. July Outgoing Payment Log and City Disbursement Registers for July 11, 2025 , July 18, 2025, July 25, 2025, August 1, 2025, and August 8, 2025

- 1. Receive and file.

## **6. CITY/SUCCESSOR AGENCY - CONSENT**

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6.A. Monthly Report of Investments for the Successor Agency to the Brea Redevelopment Agency for Period Ended July 31, 2025

- 1. Receive and file.

## **7. ADMINISTRATIVE ANNOUNCEMENTS**

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- 7.A. City Manager
- 7.B. City Attorney
- 7.C. Council Requests

## **8. COUNCIL ANNOUNCEMENTS**

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- 8.A. Council Announcements

## **9. ADJOURNMENT**

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- 9.A. Meeting Adjournment

*Date Posted: August 14, 2025*