

**City Council and Successor Agency
to the Brea Redevelopment
Agency Agenda**

Closed Session - 5:30 p.m.
Study Session - 6:00 p.m.
General Session - 7:00 p.m.



Tuesday, November 7, 2023, 5:30 PM
COUNCIL CHAMBERS & EXECUTIVE CONFERENCE ROOM (3RD FLOOR)
1 Civic Center Circle
Brea, California 92821

Zoom/Teleconference - Moon Palace Resort, Main Street, Ocho Rios, Jamaica

Marty Simonoff, Mayor

Christine Marick, Mayor Pro Tem

Cecilia Hupp, Council Member

Blair Stewart, 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.net. 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 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.net. 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: CLOSED SESSION - EXECUTIVE CONFERENCE ROOM 3RD FLOOR - 5:30 p.m.

1 Civic Center Circle, Brea, California, 92821 - Executive Conference Room 3rd Floor and Moon Palace Resort, Main St., Ocho Rios, Jamaica

1A. CALL TO ORDER/ROLL CALL

1B. Public Comment

— Closed Session may convene to consider matters of purchase/sale of real property (G.C 54956.8), pending litigation [G.C. 54956.9(d)(1)], potential litigation [G.C 54956.9(d)(2)(3) or (4)], liability claims (G.C. 54961) or personnel items (G.C. 54957.6). Records not available for public inspection.

1C. Conference with City's Labor Negotiator Pursuant to Government Code §54957.6 Regarding the Brea Police Management Association (BPMA); Brea Fire Association (BFA); Brea Fire Management Association (BFMA) – Bill Gallardo, Negotiator

2: STUDY SESSION - EXECUTIVE CONFERENCE ROOM 3RD FLOOR - 6:00 p.m.

1 Civic Center Circle, Brea, California, 92821 - Executive Conference Room 3rd Floor

2A. CALL TO ORDER/ROLL CALL

2B. Public Comment

2C. Clarify Regular Meeting Topics

3: DISCUSSION ITEMS

3A. Arovista Park Modernization Update

3B. Appoint Proxy Holder and Nominate for the Office of Director at the Annual Meeting of Stockholders of Cal Domestic Water Company

3C. CalOptima Health Grant Award Acceptance

3D. Appointment to Orange County Mosquito and Vector Control District

4: COUNCIL MEMBER REPORTS/REQUESTS

Council Member Reports/Requests is an opportunity for Council Members to provide reports from outside Boards and Committees, and to request items for a future agenda.

No Items

5: GENERAL SESSION - COUNCIL CHAMBERS PLAZA LEVEL - 7:00 P.M.

1 Civic Center Circle, Brea, California, 92821 - Council Chambers, Plaza Level

5A. CALL TO ORDER/ROLL CALL

5B. Pledge of Allegiance: Boy Scout Troop 707

5C. Invocation: Cindy Outsterhout, The Cause Church

5D. Report - Prior Study Session

5E. Community Announcements

5F. Matters from the Audience

5G. Response to Public Inquiries

5H. Information Item: Republic Services

6: PUBLIC HEARING

There are no Public Hearing Items at this time.

No Items

7: ADMINISTRATIVE ITEMS

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."

- 7A. Waive Full Reading and Introduce Ordinance No. 1244 An Ordinance of the City of Brea Extending the Term of a Pipeline Franchise Granted to Crimson California Pipeline, L.P. and Approve CEQA Exemption Determination
- Waive full reading and introduce Ordinance No. 1244, an Ordinance of the City of Brea Extending the Term of a Pipeline Franchise Granted to Crimson California Pipeline, L.P by title only and approve a CEQA exemption determination; and
 - Appropriate any revenues received as part of this franchise in the Fiscal Year 2023-25 Operating Budget; and
 - Authorize the City Clerk to release the current faithful performance bond upon acceptance of the new faithful performance bond once notification is received from the Public Works Department
 - If the draft ordinance is adopted, the annual franchise fee is estimated at \$2,070 for Fiscal Year 2023-2024. Therefore, there will be a positive fiscal impact on the General Fund.

8: CONSENT CALENDAR

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."

8A. October 17, 2023 Regular Meeting Minutes

- Approve.

8B. Cooperative Agreement with Caltrans and Professional Services Agreement with Kimley-Horn for Project Initiation Document (PID) Phase of Imperial Highway (SR-90) at 57 Freeway Southbound On-Ramp Interchange Improvements Project (CIP 7306)

- 1. Approve a Cooperative Agreement with Caltrans for the Project Initiation Document (PID) phase of Imperial Highway/SR-57 Interchange Improvements Project, CIP No. 7306;
- 2. Authorize the Mayor to execute the Cooperative Agreement with Caltrans and authorize the City Manager to execute any non-monetary contract amendments and ancillary documents subsequently required for implementation of the Cooperative Agreement;
- 3. Award Professional Design Services Agreement to Kimley-Horn and Associates, Inc. for \$464,864 for Design Services for the Project Initiation Document (PID) phase of Imperial Highway/SR-57 Interchange Improvements Project, CIP No. 7306; and
- 4. Authorize the City Manager to execute the Professional Design Services Agreement with Kimley-Horn & Associates, Inc. and make Change Orders in a "not-to-exceed" amount of 10% of the Contract Amount for contingency work.
- There will be no impact on the General Fund.

8C. Traffic Improvements along Puente Street from Wardman Drive to Alta Mesa Drive

- 1. Approve the Improvement Plan for the Traffic Improvements along Puente Street from Wardman Drive to Alta Mesa Drive;
- 2. Find the project to be Categorically Exempt from further environmental review under the California Environmental Quality Act (CEQA), pursuant to Section 15301(c) of the State CEQA Guidelines;
- 3. Approve a budget transfer of \$75,000 from the Measure M Fund (Fund 260) from the Traffic Signal Controller Upgrade Project (CIP 7218) to the Traffic Calming Improvements Project (CIP 7219); and
- 4. Direct the City Engineer to implement said Improvements.
- There will be no impact on the General Fund.

8D. Annual Development Impact Fee Report for Fiscal Year Ended June 30, 2023

- Receive and file.
- There will be no impact on the General Fund.

- 8E. Orange County Transportation Authority Annual Measure M2 Expenditure Report
- Adopt the Resolution No. 2023-058 concerning the Orange County Transportation Authority Annual Measure M2 expenditure report.
 - There will be no impact on the General Fund.
- 8F. Cooperative Agreement with Orange County Transportation Authority for Regional Traffic Signal Synchronization Program
- 1. Approve a Cooperative Agreement with Orange County Transportation Authority (OCTA) for the Countywide Signal Synchronization Baseline Project of the Renewed Measure M Regional Traffic Signal Synchronization Program (RTSSP);
 - 2. Adopt Resolution No. 2023-059 authorizing the City Manager to execute the Cooperative Agreement and any non-monetary contract amendments and ancillary documents subsequently required for implementation of the Countywide Signal Synchronization Baseline Project in Brea.
 - There will be no impact on the General Fund.
- 8G. Resolution to Certify Funding and Affirm Commitment to Implement Projects in FY 2024-25 – FY 2029-30 OCTA Federal Transportation Improvement Program
- Adopt Resolution No. 2023-060 Certifying Resources and Affirming Commitment to 2025 Federal Transportation Improvement Program (FTIP).
 - There will be no impact on the General Fund.
- 8H. Approve a Resolution Authorizing Submittal of an Application for Senate Bill (SB) 1383 Local Assistance Grant Program through the Department of Resources, Recycling and Recovery (CalRecycle)
- 1. Staff recommends that City Council adopt the attached Resolution No. 2023-061 and authorize the Director of Public Works to execute all grant-related documents and administer the grant for which the City of Brea is eligible; and
 - 2. Appropriate any funds received as part of this grant application in the Fiscal Year 2023-25 Operating Budget.
 - There will be no impact on the General Fund.
- 8I. CalOptima Health Grant Award Acceptance
- 1. Accept CalOptima Health's Grant award in the amount of \$6,028,491.51;
 - 2. Authorize the City Manager, on behalf of the City Council of the City of Brea, to execute a forthcoming grant agreement with CalOptima Health; and
 - 3. Amend the City's Fiscal Year 2023-25 Operating Budget to appropriate \$6,028,491.51 in the City's Affordable Housing Trust Fund (270).
 - There will be no impact on the General Fund.
- 8J. Prohousing Designation Program Application Submission to the California Department of Housing and Community Development
- 1. Adopt a Resolution No. 2023-062 authorizing the submission of a Prohousing Designation Application to the California State Department of Housing and Community Development; and
 - 2. Authorize the City Manager, or his designee, to execute all documents and agreements necessary to participate in the Prohousing Designation Program.
 - There will be no impact on the General Fund.
- 8K. Part-Time Employment and Benefits Policy
- Approve Resolution No. 2023-063, amending the Part-Time Employment and Benefits Policy by revising the salary of any classification in a series due to compaction issues caused by increases in minimum wage and adding weekend shift differential pay to part-time employees in the classification of Maintenance Service Worker I/II.
 - If approved by the City Council, it is estimated that the change would result in approximately \$6,000 in additional funds from the General Fund per fiscal year.

- 8L. Budget Adjustments to the City Operating and Capital Improvement Program Budgets for Fiscal Year 2022-23
- 1. Adopt Resolution No. 2023-064 and 2023-065 appropriating funds to adjust the Fiscal Year 2022-23 City Operating and Capital Improvement Program Budgets; and
 - 2. Approve the use of State and Local Fiscal Recovery Funds (SLFRF) through the American Rescue Plan Act (ARPA) for Public Health
 - The City Operating Budget adjustments for all funds including the General Fund resulted in a decrease in budgeted revenues and transfers-in of \$1,669,956 and a decrease in budgeted expenditures and transfers-out of \$6,152,462 for a net increase in budgeted revenue and transfers-in of \$7,822,418.
- 8M. Purchase of Ambulances
- Authorize the City Manager or designee to issue a purchase order for \$905,525.82 to Republic EVS and approve a 10% contingency.
 - The total cost of the three ambulances is \$905,525.82. Funding for this purchase will come out the Paramedic and General Funds.
- 8N. Approve the use of National Opioid Settlement (NOS) Funds to Offset a Full-time Community Services Specialist Position in the Brea Resource Center, Reallocate a Full-time Community Services Specialist Position to the Special Events Division, and Amend the Position Allocation List for FY 2023-24 to Reflect the Changes
- 1. Approve the use of National Opioid Settlement Funds to offset a full-time Community Services Specialist position in the Brea Resource Center; and
 - 2. Adopt Resolution No. 2023-066 amending the Position Allocation List for FY 2023-24 reallocating a full-time Community Services Specialist to the Special Events Division within the Community Services Department.
 - The balance of National Opioid Settlement funds received this Fiscal Year will cover the cost of the existing Brea Resource Center Specialist, allowing those General Fund dollars to be shifted to create a full-time Community Services Specialist position at \$92,171 per year.
- 8O. Section 115 Trust Administration Agreement with Public Agency Retirement Services (PARS)
- Approve the Amendment with Public Agency Retirement Services (PARS) and the Discretionary Trustee Fee Schedule and authorize the City Manager to execute the amendment.
 - There is no impact to the General Fund.
- 8P. Agreement with Chandler Asset Management for Investment Advisory Services
- Enter into an agreement with Chandler Asset Management for Investment Advisory Services and authorize the City Manager to execute the contract.
 - There is no impact to the General Fund.
- 8Q. Community Facilities Districts Annual Financial Report for the Fiscal Year June 30, 2023
- Receive and file.
 - There is no impact to the General Fund.
- 8R. 2023-2024 City Council Priorities and Projects Updates
- Receive and file the 2023-2024 City Council Priorities and Projects Updates report.
 - There is no impact to the General Fund.
- 8S. Monthly Report of Investments for the City of Brea for Period Ended September 30, 2023
- Receive and file.
- 8T. September Outgoing Payment Log and September 15, 22 & 29 and October 6, 13, 20 & 27, 2023 City Disbursement Registers
- Receive and file.

9: CITY/SUCCESSOR AGENCY - CONSENT

9A. Monthly Report of Investments for the Successor Agency to the Brea Redevelopment Agency for Period Ended September 30, 2023

— Receive and file.

9B. October 20, 2023 Successor Agency Disbursement Register

— Receive and file.

10: BRE ARTS CORPORATION - CONSENT

10A. Brea Arts Corporation Annual Report for Fiscal Year 2022-23

— Receive and file.

11: ADMINISTRATIVE ANNOUNCEMENTS

11A. City Manager

11B. City Attorney

11C. Council Requests

12: COUNCIL ANNOUNCEMENTS

12A. Council Announcements

13: ADJOURNMENT

13A. Meeting Adjournment

Date Posted: November 3, 2023