

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

Closed Session - 5:30 p.m.

Study Session - 6:15 p.m.

General Session - 7:00 p.m.



Tuesday, December 5, 2023, 7:00 PM  
COUNCIL CHAMBERS  
1 Civic Center Circle  
Brea, California 92821

**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](http://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 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.net](mailto: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

The City of Brea shows both live broadcasts and replays of City Council Meetings on Brea Cable Channel 3 and over the Internet at [www.cityofbrea.net](http://www.cityofbrea.net). Your attendance at this public meeting may result in the recording and broadcast of your image and/or voice as previously described.

**1: CLOSED SESSION - EXECUTIVE CONFERENCE ROOM 3RD FLOOR - 5:30 P.M.**

1A. CALL TO ORDER/ROLL CALL

1B. PUBLIC COMMENT

1C. Conference with Legal Counsel Pursuant to Government Code Section 54956.9(d)(1)-Existing Litigation. Name of Case: Randy Logue v. City of Brea Fire Department (Case No. 30-2022-01265101-CU-OE-CJC)

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

---

## **2: STUDY SESSION - EXECUTIVE CONFERENCE ROOM 3RD FLOOR - 6:15 P.M.**

---

2A. CALL TO ORDER/ROLL CALL

2B. PUBLIC COMMENT

2C. CLARIFY REGULAR MEETING TOPICS

2D. SB329 Inflationary Adjustment for Council Salaries

2E. Senior Center Feasibility Study

2F. 2024 Legislative Platform

2G. Council Member Reports/Requests

---

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

---

3A. CALL TO ORDER/ROLL CALL

3B. PLEDGE OF ALLEGIANCE - Boy Scout Troop 707

3C. INVOCATION - Kirk Randolph, Southlands Church

3D. REPORT- PRIOR STUDY SESSION

3E. COMMUNITY ANNOUNCEMENTS

3F. MATTERS FROM THE AUDIENCE

3G. RESPONSE TO PUBLIC INQUIRIES

---

## **4: COUNCIL / AGENCY / CORPORATION / COMMISSION REORGANIZATION**

---

4A. Presentation to Outgoing Mayor

4B. Election of Mayor/Chair and Introductions

4C. Election of Mayor Pro Tem/Vice Chair, Reseating and Introductions

---

## **5: PUBLIC HEARING**

---

There are no Public Hearing Items at this time.

---

## **6: 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."

6A. Waive Full Reading and Introduce Ordinance No. 1245 An Ordinance of the City of Brea Transferring and Granting a Pipeline Franchise to RMX Resources, L.L.C. and Approve CEQA Exemption Determination

- 1. Waive full reading and introduce Ordinance No. 1245 by title only, and approve a CEQA exemption determination; and
- 2. Appropriate any revenues received as part of this franchise in the Fiscal Year 2023-25 Operating Budget; and
- 3. 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 adopted, the new Ordinance franchise fee is estimated to be \$3,256 for FY 23-24; therefore, the General Fund will have a positive fiscal impact.

## **7: 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."

7A. November 7, 2023 Regular City Council Meeting Minutes

- 1. Approve

7B. Mills Act Contract No. 2023-01 - 321 S. Madrona Avenue

- 1. Find the requested Mills Act Contract exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15331 (Class 31, Historical Resource Restoration/Rehabilitation); and
- 2. Enter into a Mills Act Contract with the property owners of 321 South Madrona Avenue. It is estimated that the potential annual tax savings for the property owners would be approximately \$5,059 per year, resulting in the potential revenue loss for the City of approximately \$653 per year.

7C. Mills Act Contract No. 2023-02 - 315 S. Flower Avenue

- 1. Find the requested Mills Act Contract exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15331 (Class 31, Historical Resource Restoration/Rehabilitation); and
- 2. Enter into a Mills Act Contract with the property owners of 315 South Flower Avenue. It is estimated that the potential tax savings for the property owners would be approximately \$12,108 per year, resulting in the potential revenue loss for the City of approximately \$1,562 per year.

7D. Arovista Plans and Specs

- 1. Approve Plans and Specifications for the Arovista Park Modernization Project (CIP 7978)
- 2 Authorize City Clerk to advertise and receive bids

7E. Cooperative Agreement with City of La Habra for Lambert Road Corridor Project Regional Traffic Signal Synchronization Program

- 1. Approve a Cooperative Agreement with the City of La Habra for the Lambert Road Corridor Project Regional Traffic Signal Synchronization Program
- 2. Authorize the Mayor to execute the Cooperative Agreement with the City of La Habra and authorize the City Manager to execute any non-monetary contract amendments and ancillary documents subsequently required to implement the Cooperative Agreement. There is no fiscal impact to the General Fund.

7F. 2024 Legislative Platform

- 1. Adopt the 2024 City of Brea Legislative Platform. There is no fiscal impact to the General Fund.

7G. Resolution of support for City of Santa Ana in Pursuit of a Grant Application for Fiscal Year 2024-25 Measure M2 Comprehensive Transportation Program

- 1. Adopt Resolution No. 2023-067 of support for the City of Santa Ana in pursuit of a Grant Application for Fiscal Year 2024-25 Measure M2 Comprehensive Transportation Program for Kraemer Boulevard Traffic Signal Synchronization Improvements and Upgrades. There is no fiscal impact to the General Fund.

7H. Approval of Memorandum of Understanding Between the City of Brea and the Brea Police Management Association

- 1. Adopt Resolution No. 2023-068 approving Memorandum of Understanding (MOU) with the Brea Police Management Association (BPMA). There are sufficient revenues over expenditures projected to cover this cost for FY 2023-24 and future fiscal years will be evaluated as part of the budget process.

7I. Adoption of 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

- 1. Waive full reading and adopt Ordinance No. 1244 by titled, "An Ordinance of the City of Brea extending the term of a pipeline franchise granted to Crimson California Pipeline, L.P." and approve a CEQA exemption determination; and
- 2. Appropriate any revenues received as part of this franchise in the Fiscal Year 2023-25 Operating Budget; and
- 3. 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.

7J. Monthly Report of Investments for the City of Brea for Period Ended October 31, 2023

- 1. Receive and file

7K. October Outgoing Payment Log and November 3, 10, 17, & 24, 2023 City Disbursement Registers

- 1. Receive and file

## **8: CITY/SUCCESSOR AGENCY - CONSENT**

---

8A. Monthly Report of Investments for the Successor Agency to the Brea Redevelopment Agency for Period Ended October 31, 2023

- 1. Receive and file

## **9: ADMINISTRATIVE ANNOUNCEMENTS**

---

9A. City Manager

9B. City Attorney

9C. Council Requests

## **10: COUNCIL ANNOUNCEMENTS**

---

10A. Council Announcements

## **11: ADJOURNMENT**

---

11A. Meeting Adjournment