



City Council Agenda

Closed Session - 5:45 p.m.

Study Session - 6:30 p.m.

General Session - 7:00 p.m.

**Zoom/Teleconference
Intercontinental Seoul COEX
524, Bongeunsaro, Gagnam-
Gu, Seoul, South Korea**

and

**TownePlace Suites 3920 E.
Highway 66, Gallup, New
Mexico 87301**

Tuesday, May 7, 2024, 7:00 PM

COUNCIL CHAMBERS

1 Civic Center Circle

Brea, California 92821

Christine Marick, Mayor

Blair Stewart, Mayor Pro Tem

Cecilia Hupp, 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.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. 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. 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 - 5:45 P.M.

- 1A. Call to Order/Roll Call
- 1B. Public Comment
- 1C. Conference with City's Labor Negotiator Pursuant to Government Code 54957.6 Regarding the Brea Fire Association
- 1D. Conference with Legal Counsel Pursuant to Government Code Section 54956.9(d)(4) - Anticipated Litigation. Initiation of Litigation: 1 potential case.

2: STUDY SESSION - EXECUTIVE CONFERENCE ROOM 3RD FLOOR - 6:30 P.M.

- 2A. Call to Order/Roll Call
- 2B. Public Comment
- 2C. Clarify Regular Meeting Topics
- 2D. Council Member Reports/Requests
- 2E. Disposition, Development, and Loan Agreement, Ground Lease, and Funding Request for a Permanent Supportive Affordable Housing Project at 323 North Brea Boulevard

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: Pastor Dan Crane, Formation Church
- 3D. Presentation: Engage Brea Recognition
- 3E. Proclamation: National Police Week
- 3F. Report - Prior Study Session
- 3G. Community Announcements
- 3H. Matters from the Audience
- 3I. Response to Public Inquiries

4: PUBLIC HEARING

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.

- 4A. Zoning Ordinance Text Amendment No. 2023-03
 - 1. Waive full reading and introduce Ordinance No. 1250 titled "An Ordinance of the City Council of the City of Brea Amending the Brea City Code by Adopting Zoning Ordinance Text Amendment No. 2023-03 and Approving a CEQA Exemption Determination";
 - 2. Approve a California Environmental Quality Act (CEQA) Exemption Determination; and
 - 3. Schedule adoption of aforementioned Ordinance at the next regular City Council meeting.

5: 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."

- 5A. April 16, 2024 Regular City Council Meeting Minutes
 - 1. Approve.

- 5B. Annual Report Related to Police Department Use of Military Equipment as required by Government Code § 7072
- 1. Receive and file.
- 5C. Contribution to the City's Other Post Employment Benefits (OPEB) Trust Fund with Public Agency Retirement Services (PARS)
- 1. Approve an immediate transfer of \$250,000 from the City's Other Post Employment Benefits (OPEB) Fund (150) to the Public Agency Retirement Services (PARS) Post-Retirement Health Care Trust Program and authorize an additional \$175,000 transfer in June 2024. There is no fiscal impact to the General Fund.
- 5D. Authorize Purchasing Agent or Designee to Issue a Purchase Order with KI to Replace Facility Rental Chairs at the Brea Community Center
- 1. Authorize Purchasing Agent or Designee to issue a Purchase Order with KI to purchase 500 chairs with a not-to-exceed amount of \$120,553 for Facility Reservations at the Brea Community Center. There is no fiscal impact to the General Fund.
- 5E. Amendment to the Position Allocation List - One Part-Time Community Services Coordinator Position for the Senior Nutrition Program
- 1. Approve Resolution No. 2024-029 amending the Position Allocation List to include a new part-time regular Community Services Coordinator position in the Community Services Department. Staff are evaluating opportunities to absorb this request in the current General Fund (110) Operating Budget and if additional appropriation is needed, further discussion will take place as part of the budget process.
- 5F. Award a Contract for Legislative Advocacy Services
- 1. Approve the Agreement with Townsend Public Affairs, Inc. to provide Legislative Advocacy Services for a not-to-exceed amount of \$252,000 for a three-year term; and
 - 2. Authorize the City Manager to execute the agreement; and
 - 3. Return to City Council for authorization of any optional extensions.
- 5G. Acceptance of Berry Street Reservoir Ring Road Rehabilitation, CIP No. 7965
- 1. Accept project as complete and authorize City Clerk to file and record Notice of Completion;
 - 2. Authorize the City Clerk to release the Performance Bond upon acceptance of the Warranty Bond and release the Payment Bond upon further notification from the Public Works Department; and
 - 3. Accept the Warranty Bond.
- 5H. Acceptance of South Brea Water & Sewer Improvements, CIP Nos. 7454, 7466, & 7626
- 1. Accept project as complete and authorize the City Clerk to file and record the Notice of Completion;
 - 2. Authorize the City Clerk to release the Performance Bond upon acceptance of the Warranty Bond and release the Payment Bond upon further notification from the Public Works Department; and
 - 3. Accept the Warranty Bond.
- 5I. North Orange County Public Safety Collaborative "Operational Agreement" and "Agreement to Transfer Funds"
- 1. It is recommended that the City Council approve the City of Brea's continued participation in the North Orange County Public Safety Collaborative and authorize the City Manager to execute all necessary documents and accept the accompanying funds.
- 5J. Pre-Employment Background Investigation Services
- 1. Approve the Agreement with Palicon Group (Palicon) to provide the Police Department with pre-employment background investigation services in the amount not-to-exceed 75,000 per year; and
 - 2. Authorize the City Manager to issue up to four one-year extensions exclusive of any cost increases. There is sufficient funding in the Police Department's Budget for the costs related to this agreement.

5K. Disposition, Development, and Loan Agreement, Ground Lease, and Funding Request for a Permanent Supportive Affordable Housing Project at 323 North Brea Boulevard

- 1. Review and provide initial comments on a Disposition, Development, and Loan Agreement with Jamboree Housing Corporation for the construction and operation of a Permanent Supportive Affordable Housing Project at 323 North Brea Boulevard;
- 2. Direct staff to bring the Disposition, Development, and Loan Agreement back to the May 21, 2024 City Council Meeting for formal approval at a Public Hearing to authorize the City Manager and City Clerk to execute Disposition, Development, and Loan Agreement, which includes: Executing a 55-year Ground Lease (or maximum allowed by law); Utilizing the CalOptima Health Grant award funds in the amount of \$6,028,491.51 towards development of a Permanent Supportive Affordable Housing Project at 323 North Brea Boulevard; Utilizing the City of Brea’s Affordable Housing Trust funds in the amount of \$2,000,000.00 towards development of a Permanent Supportive Affordable Housing Project at 323 North Brea Boulevard; Utilizing the City of Brea’s Housing Successor funds in the amount of \$2,457,483.00 towards development of a Permanent Supportive Affordable Housing Project at 323 North Brea Boulevard; and Authorizing the City Manager and City Attorney to administratively revise the Disposition, Development, and Loan Agreement as needed.
- 3. Amend the City’s Fiscal Year 2023-25 Operating Budget to appropriate \$8,028,491.51 from the Affordable Housing Trust Fund (270) for the Disposition, Development, and Loan Agreement;
- 4. Amend the City’s Fiscal Year 2023-25 Operating Budget to appropriate \$2,457,483.00 from the Housing Successor Fund (280) for the Disposition, Development, and Loan Agreement;
- 5. Authorize the City Manager to authorize a wire transfer/s of the specified funds to Jamboree Housing Corporation;
- 6. Authorize the City Manager or his designee to approve waiving Development Impact Fees in an amount up to \$1,900,000.00;
- 7. Authorize the City Manager or his designee to approve waiving In-Kind Fees as applicable;
- 8. Approve a California Environmental Quality Act (CEQA) Exemption Determination under CEQA Guidelines Sections 15061 (b)(3) and 15194; and
- 9. Adopt Resolution No. 2024-030 declaring the project site of 323 North Brea Boulevard exempt from the Surplus Land Act pursuant to California Government Code Section 54221(f)(1)(B) (Attachment B).

5L. Outgoing Payment Log and April 12, 19 and 26, 2024 City Disbursement Registers

- 1. Receive and file.

6: ADMINISTRATIVE ANNOUNCEMENTS

- 6A. City Manager
- 6B. City Attorney
- 6C. Council Requests

7: COUNCIL ANNOUNCEMENTS

- 7A. Council Announcements

8: ADJOURNMENT

- 8A. Meeting Adjournment