



City Council and Successor Agency Tuesday, September 21, 2021 to the Brea Redevelopment Agency Agenda

5:30 p.m. - Closed Session

6:15 p.m. - Study Session

7:00 p.m. - General Session

Steven Vargas, Mayor

Cecilia Hupp, Mayor Pro Tem

Christine Marick, Council Member

Glenn Parker, Council Member

Marty Simonoff, 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

This meeting is being conducted consistent with Governor Newsom's Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic.

Written comments may be sent to cityclerksgroup@cityofbrea.net no later than 12:00 p.m. on Tuesday, September 21, 2021 which will be summarized aloud into the record at the meeting. To provide comments in person, the Council Chambers will be open. To provide comments by teleconference (Zoom), members of the public must contact City Staff at (714) 990-7756 or cityclerksgroup@cityofbrea.net no later than 12:00 p.m. on Tuesday, September 21, 2021 to obtain the Zoom Meeting ID number and password. Teleconference participants will be muted until recognized at the appropriate time by the Council. The meeting will also be broadcast live at www.cityofbrea.net.

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.

CLOSED SESSION
5:30 p.m. - Executive Conference Room
Level Three

CALL TO ORDER / ROLL CALL - COUNCIL

1. **Public Comment**

2. **Conference with City's Labor Negotiator Pursuant to Government Code §54957.6**
Regarding the Brea Fire Association (BFA); Brea Fire Management Association (BFMA); Brea Police Association (BPA); Brea Police Management Association (BPMA); Part-Time Employees; and Executive Managers - Chris Emeterio, Negotiator, Cindy Russell, Negotiator, and Mario E. Maldonado, Negotiator.

3. **Conference with Legal Counsel Pursuant to Government Code Section 54956.9(d)(1) - Existing Litigation.** Name of Case: Lucas Builders, Inc. v. City of Brea (Case No. 30-2020-01147152-CU-BC-NJC)

4. **Conference with Legal Counsel Pursuant to Government Code Section 54956.9(d)(1) - Existing Litigation.** Name of Case: Safer Avenues for Everyone v. City of Brea et al. (Case No. 30-2021-01192037-CU-WM-CXC)

STUDY SESSION
6:15 p.m. - Council Chamber
Plaza Level

CALL TO ORDER / ROLL CALL - COUNCIL

5. **Public Comment**

6. **Clarify Regular Meeting Topics**

DISCUSSION ITEMS

7. **League of California Cities Annual Conference Resolutions and Bylaws Amendment** - Provide direction on the League of California Cities Annual Conference Resolutions and Bylaws Amendments.

8. **Parking Lot Restrictions** - Receive and File

REPORT

9. **Council Member Report/Requests**

GENERAL SESSION
7:00 p.m. - Council Chamber
Plaza Level

CALL TO ORDER/ ROLL CALL - COUNCIL

10. **Pledge of Allegiance: Girl Scout Troop 6000**
11. **Invocation: Douglas Green, North Hills Church**
12. **Report - Prior Study Session**
13. **Community Announcements**
14. **Matters from the Audience**
15. **Response to Public Inquiries - Mayor / City Manager**

PUBLIC HEARINGS - *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.*

16. **Appeal of the Planning Commission's decision to approve Administrative Hillside Development Permit No. 2021-01 and Zoning Variance No. 2021-01 to construct an accessory structure at 6200 Carbon Canyon Road** - Find the project exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines Section 15303 (Class 3, New Construction or Conversion of Small Structures); and Deny the appeal and allow the following: A. Resolution No. 2021-058 - approve Administrative Hillside Development Permit (AHDP) No. 2021-01 to allow a detached approximate 2,000 square-foot accessory structure, which exceeds the 600 square-foot maximum for an accessory structure in the HR (Hillside Residential) Zone and, B. Resolution No.2021-059 - approve Zoning Variance (ZV) No. 2021-01 to allow the approximate 20-foot tall accessory structure to exceed the 12-foot maximum height for accessory structures in the HR (Hillside Residential) Zone. There is no fiscal impact to the General Fund.
17. **General Plan Amendment No. GPA 2021-01-6th Cycle Housing Element (HE) Update for the 2021-2029 Planning Period) and General Plan Amendment No. GPA 2021-03 (Safety Element (SE) Update)** -Find the projects exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061; adopt Resolution No. 2021-053 approving General Plan Amendment No. GPA 2021-01 to update the 6th Cycle Housing Element for the 2021-20; adopt Resolution No. 2021-054 approving General Plan Amendment No. GPA 2021-03 to update the Safety Element; and direct City staff to submit the adopted Housing Element to the Department of Housing and Community Development (HCD) by October 15, 2021. Funding sources come from a combination of General Plan Maintenance Fund (120), Successor Agency Housing Fund (280), and Senate Bill 2 Planning Grants Program Funds (110).

ADMINISTRATIVE ITEM - *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."*

18. **Street Sweeping Program** - Terminate Street Sweeping Pilot Program, continue street sweeping twice per month, and resume street sweeping enforcement effective January 1, 2022. Sweeping twice per month provides anticipated savings of approximately \$129,100 as compared to the original budget for weekly street sweeping. FY21-22 budget currently includes cost for street sweeping twice per month.

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."*

CITY COUNCIL - CONSENT

19. **August 17, 2021 City Council Regular Meeting Minutes** - Approve
20. **Acceptance of the Napoli Tract Water Improvements, CIP Project No. 7458** - Accept the project as complete and authorize the City Clerk to record Notice of Completion; and Authorize the City Clerk to release the Payment and Performance Bond. The final Contract amount is \$1,390,041.47, which is under the approved construction budget. The source of funds is from the Water Fund (Fund 420) and Measure M (Fund 260). There is no General Fund (Fund 110) impact.
21. **Approval of the Memorandum of Understanding with County of Orange will allow the City of Brea to continue using the County's Countywide Mass Notification System, Alert OC**
- Approve and authorize the City Manager to execute and manage, on behalf of the City of Brea, a Memorandum of Understanding with Brea and the County of Orange to allow their use of the County's Countywide Mass Notification System under the terms and conditions of the County's Countywide Mass Notification System Operating Guidelines and vendor-provided agreements, commencing on July 1, 2021, through June 30, 2024. There is no fiscal impact to the General Fund.
22. **Easement Agreement with Southern California Edison for Booster Pump Station No.2** - Approve agreement with Southern California Edison. There is no fiscal impact to the General Fund.
23. **Professional Services Agreement with Fuscoe Engineering for Evaluation of Water Harvest and Reuse Opportunities** - Approve the Professional Services Agreement with Fuscoe Engineering for evaluation of water harvest and reuse opportunities in the not-to-exceed amount of \$49,500. Sufficient funds for the harvest and reuse opportunities proposal are available in the Urban Runoff Fund 410 account. Appropriations for this contract will be included in the next round of quarterly budget adjustments. There is no fiscal impact to the General Fund.
24. **Software Service Agreement with iNet, Inc (dba iParq) for an Online Parking Permit System**
- Approve the software as a service agreement (SaaS) between the City of Brea and iNet, Inc. (dba iParq) for an online parking permit system in an annual amount not-to-exceed \$25,000 for a term of one year with three optional one-year extensions and authorize the Community Development Director or designee to execute, administer and take the necessary actions to implement the agreement. The cost of services and products of the iParq SaaS will be reimbursed by overnight parking permit revenues with no impact to the General Fund.

25. **Award of Professional Services Agreement to Newgen Strategies & Solutions, LLC for Water and Wastewater User Rate and Impact Fees Studies** - Approve an agreement with NewGen Strategies & Solutions, LLC for Water and Wastewater User Rate and Impact Fee Studies; and authorize the City Manager to execute and administer said agreement. Funding of this agreement will come from the Water Utility Fund (420) and the Sewer Utility Fund (430). The cost of this study is \$70,482 which was included in the Fiscal Year 2021-22 Budget. It is anticipated that no additional appropriation will be needed.
26. **Cooperative Agreement No. C-1-3228 between Orange County Transportation Authority and City of Brea for Senior Mobility Program** - Approve Cooperative Agreement No. C-1-3228 with Orange County Transportation Authority (OCTA) for the Senior Mobility Program (SMP). If the City Council authorizes this renewed cooperative agreement, Brea will receive an anticipated \$228,625 from OCTA over the course of the five year agreement.
27. **Designating a Banking Administrator, Authorize Bank Signers for the City of Brea, and Solidify Certain Payment Processes** - Approve Resolution No. 2019-055 authorizing the draw checks/payments on the City Operating and Successor Agency bank accounts. There is no fiscal impact to the General Fund.
28. **Accept Public Improvements, Authorize City Clerk to Release Improvement Bonds and Accept One-Year Warranty Bond for Tract No. 17160 for La Floresta Development Planning Area 10 Located at the Northeast Corner of Imperial Highway and Valencia Avenue** - Accept Public Improvements, authorize the City Clerk to release improvement bonds, and accept the one-year warranty bond. There is no fiscal impact to the General Fund.
29. **Approval of the Executive and Part-Time Employees' compensation plans as amended** – Adopt Resolution No. 2021-056 approving changes to Executive Compensation Plan and Adopt Resolution No. 2021-057 approving changes to the Part-Time Employment and Benefits Policy. The net financial impact is \$311,879 to the General Fund and \$99,242 to the Non-General Funds for a total of \$357,909.
30. **Monthly Report of Cash Investments for the City of Brea for Period Ended July 31, 2021** - Receive and file.
31. **Outgoing Payment Log and City Disbursement Registers for September 10 and 17, 2021** - Receive and File

CITY/ SUCCESSOR AGENCY - CONSENT

32. **Monthly Report of Cash Investments for the Successor Agency to the Brea Redevelopment Agency for Period Ended July 31, 2021** - Receive and file.

ADMINISTRATIVE ANNOUNCEMENTS

33. **City Manager**
34. **City Attorney**
35. **Council Requests**

COUNCIL ANNOUNCEMENTS

ADJOURNMENT