



## CITY COUNCIL CLOSED & REGULAR SESSION

550 E. Sixth Street, Beaumont, CA

**Tuesday, October 04, 2022**

**Closed Session: 5:00 PM | Regular Meeting: 6:00 PM**

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Materials related to an item on this agenda submitted to the City Council after distribution of the agenda packets are available for public inspection in the City Clerk's office at 550 E. 6th Street during normal business hours.

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### AGENDA

#### MEETING PARTICIPATION NOTICE

This meeting will be conducted utilizing teleconference communications and will be recorded for live streaming as well as open to public attendance subject to social distancing and applicable health orders. All City of Beaumont public meetings will be available via live streaming and made available on the City's official YouTube webpage. Please use the following link during the meeting for live stream access.

**[beaumontca.gov/livestream](https://beaumontca.gov/livestream)**

Public comments will be accepted using the following options.

1. Written comments will be accepted via email and will be read aloud during the corresponding item of the meeting. Public comments shall not exceed three (3) minutes unless otherwise authorized by City Council. Comments can be submitted anytime prior to the meeting as well as during the meeting up until the end of the corresponding item. Please submit your comments to: **[nicolew@beaumontca.gov](mailto:nicolew@beaumontca.gov)**
2. Phone-in comments will be accepted by joining a conference line prior to the corresponding item of the meeting. Public comments shall not exceed three (3) minutes unless otherwise authorized by City Council. Please use the following phone number to join the call **(951) 922 - 4845**.
3. In person comments subject to the adherence of the applicable health orders and social distancing requirements.

In compliance with the American Disabilities Act, if you require special assistance to participate in this meeting, please contact the City Clerk's office using the above email or call **(951) 572 - 3196**. Notification 48 hours prior to a meeting will ensure the best reasonable accommodation arrangements.

## **CLOSED SESSION - 5:00 PM**

*A Closed Session of the City Council / Beaumont Financing Authority / Beaumont Utility Authority / Beaumont Successor Agency (formerly RDA)/Beaumont Parking Authority / Beaumont Public Improvement Authority may be held in accordance with state law which may include, but is not limited to, the following types of items: personnel matters, labor negotiations, security matters, providing instructions to real property negotiators and conference with legal counsel regarding pending litigation. Any public comment on Closed Session items will be taken prior to the Closed Session. Any required announcements or discussion of Closed Session items or actions following the Closed Session will be made in the City Council Chambers.*

## **CALL TO ORDER**

Mayor White, Mayor Pro Tem Martinez, Council Member Fenn, Council Member Santos, Council Member Lara

Public Comments Regarding Closed Session

- 1. Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8**  
**Property: North and South Side of E. Fourth Street, East of Beaumont Avenue, Beaumont, CA 92223 Assessor Parcel Numbers: 418-190-004 (a portion of), 418-190-005 (a portion of), 418-190-006 and 007, 418-140-028 and 029 Agency Negotiator: City Manager or Her Designee. Negotiating Parties: City of Beaumont as Potential Seller and 5th Street Development, LLC and Basraon, LLC as Potential Buyer. Under Negotiation: Price and Terms of Payment.**
- 2. Conference with Legal Counsel Regarding Existing Litigation Pursuant to Government Code Section 54956.9(d)(1). One case: Western Riverside Council of Governments v. National Union Fire Insurance Association of Pittsburg (Case Number EDCV 20-2164-GW-KKx)**
- 3. Conference with Legal Counsel Regarding Existing Litigation Pursuant to Government Code Section 54956.9(d)(1): In the Matter of the Appeal of Membership Determination of James J. Gregg & City of Beaumont, OAH No. 201807055.1**
- 4. Conference with Legal Counsel – Anticipated Litigation: Potential Initiation of Litigation Pursuant to Government Code Section 54956.9(d)(4) - One Potential Case**

Adjourn to Regular Session

## **REGULAR SESSION - 6:00 PM**

## **CALL TO ORDER**

Mayor White, Mayor Pro Tem Martinez, Council Member Fenn, Council Member Santos, Council Member Lara

Report out from Closed Session  
Action on any Closed Session Items  
Action of any Requests for Excused Absence  
Pledge of Allegiance  
Invocation

## **ANNOUNCEMENTS/ RECOGNITION / PROCLAMATIONS / CORRESPONDENCE**

### **PUBLIC COMMENT PERIOD (ITEMS NOT ON THE AGENDA)**

*Any one person may address the City Council on any matter not on this agenda. If you wish to speak, please fill out a "Public Comment Form" provided at the back table and give it to the City Clerk. There is a three (3) minute time limit on public comments. There will be no sharing or passing of time to another person. State Law prohibits the City Council from discussing or taking actions brought up by your comments.*

### **CONSENT CALENDAR**

*Items on the consent calendar are taken as one action item unless an item is pulled for further discussion here or at the end of action items. Approval of all Ordinances and Resolutions to be read by title only.*

#### **1. Approval of Minutes**

##### **Recommended Action:**

Approve Minutes dated September 20, 2022.

#### **2. Ratification of Warrants**

##### **Recommended Action:**

Ratify Warrants dated:  
September 12, 2022  
September 20, 2022

#### **3. Accept Public Improvements and Exonerate Maintenance Bond**

##### **Recommended Action:**

Accept the public improvements, authorize the Mayor to sign the Certificate of Acceptance, and authorize staff to issue a bond exoneration letter for maintenance bonds for (Project / Bond Number / Improvement):

- Tract Map No. 31469-1 / 929568702-M / Street
- Tract Map No. 37426 / 0216989/ Sewer

#### **4. Approve Amendment No. 3 to the TMDL Task Force Agreement**

##### **Recommended Action:**

Approve Amendment No. 3 to the TMDL Task Force agreement.

#### **5. One Year Extension of the Interagency Service Agreement between the City of Banning and the City of Beaumont to Provide Coordinated Transit Services**

##### **Recommended Action:**

Approve the Interagency Service Agreement between the City of Banning and the City of Beaumont and authorize the Mayor to execute on behalf of the City.

#### **6. Exonerate Survey Monument Bond**

##### **Recommended Action:**

Authorize staff to issue a bond exoneration letter for monument bonds for (Project / Bond Number):

- Tract Map No. 27971-4 / 1155911
- Tract Map No. 27971-6 / 1155913
- Tract Map No. 27971-8 / 1155914

## **7. Accept Security Agreement and Performance and Payment Bonds**

### **Recommended Action:**

Accept Security Agreement and Performance and Payment Bonds for (Project / Bond number / Improvement):

Curry's Mobile Home Park / 72482534 / Sewer

Fairway Canyon Lift Station / 354071 / Lift Station

## **8. Second Reading and Adoption of the 6th Cycle Housing Element Update (2021-2029), an Addendum to the General Plan Program Environmental Impact Report (PEIR), a Focused Update to the Safety Element of the General Plan, Amendments to the Land Use Element of the General Plan as Required for Consistency with the Updated Housing Element, Zone Changes Required to Implement the Housing Element and Adoption of an Accessory Dwelling Unit Ordinance**

### **Recommended Action:**

Waive the full second reading and adopt by title only, "An Ordinance of the City of Beaumont, California, Amending Chapter 17 'Zoning' of the Beaumont Municipal Code for Implementation of the State Mandated Housing Element Update;"

Waive the full second reading and adopt by title only, "An Ordinance of the City Council of the City of Beaumont, California, Adding Chapter 17.15 'Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs)' to the Beaumont Municipal Code."

## **9. FY2022-23 August Budget Update and Financial Status Report**

### **Recommended Action:**

Receive and file report.

## **10. Approval for Purchase of Tyler Accounts Receivable Module**

### **Recommended Action:**

Approve the attached contract amendment with Tyler Technologies, including the one-time implementation costs of \$20,230 and ongoing annual maintenance costs of \$7,425.

## **11. Adoption of a Policy on Land Use and Sensitive Receptors (PLUS)**

### **Recommended Action:**

Confirm adoption of the policy and direct staff to begin implementation.

## **12. Consider Adopting a Resolution Waiving the Facility Use and Staff Fees at the Albert A. Chatigny Sr. Community Recreation Center (CRC) for Beaumont-Cherry Valley Rotary Club Weekly Meetings**

### **Recommended Action:**

Waive the full reading and adopt by title only, "A Resolution of the City of Beaumont Authorizing the Waiver of a multi-date Facility Use Fee at the Albert A.

Chatigny Sr. Community Recreation Center (CRC) for Beaumont Cherry Valley Rotary Club.”

**13. Consider Adopting a Resolution Waiving the Facility Use and Staff Fees at the Albert A. Chatigny Sr. Community Recreation Center (CRC) for Beaumont-Cherry Valley Rotary Club Senior Thanksgiving Dinner**

**Recommended Action:**

Waive the full reading and adopt by title only, “A Resolution of the City of Beaumont Authorizing the Waiver of a One-Time Facility Use Fee at the Albert A. Chatigny Sr. Community Recreation Center (CRC) for Beaumont Cherry Valley Rotary Club.”

**14. PLAN2022-0859 Automobile for Hire Application for Non-Emergency Medical Transportation Services - AMR Transportation, Inc.**

**Recommended Action:**

Approve the application for AMR Transportation, Inc. for non-emergency medical transportation.

**PUBLIC HEARINGS**

*Approval of all Ordinances and Resolutions to be read by title only.*

**15. Tentative Tract Map No. 32850 Modification to Conditions (TM2022-0009), Conduct a Public Hearing and Consideration of a Request to Amend the Conditions of Approval for Tentative Tract Map No. 32850 That Proposes to Subdivide 29.32 Acres into 95 Single-Family Residential Lots in the Residential Single-Family Zone on the West Side of Manzanita Park Road and South of Brownie Way**

**Recommended Action:**

Hold a Public Hearing;

Approve the modifications to the conditions of approval for Tentative Tract Map No. 32850; or

To further modify the conditions of approval for Tentative Tract Map No. 32580; or

To deny the modifications to the conditions of approval for Tentative Tract Map No. 32850.

**ACTION ITEMS**

*Approval of all Ordinances and Resolutions to be read by title only.*

**16. Presentation of Tesla Commercial Energy Battery Energy Storage System for Emergency Backup and Peak Shaving**

**Recommended Action:**

Receive and file this report.

**17. Community Facilities District Program Update Regarding the Defeasance of the 1994 Local Agency Revenue Bonds, Series A and Series B**

**Recommended Action:**

Receive and file report.

**18. Retail Market Analysis Update**

**Recommended Action:**

Receive and file the report.

**19. Authorize Changes to Position Allocation**

**Recommended Action:**

Approve the elimination of one Customer Service Coordinator position, position number CSC PW 01.

Approve the additional Engineering Development Technician, position number EDT02.

**20. Authorize the Purchase of Motorola Equipment and System Integration Services for Dispatch Console Migration**

**Recommended Action:**

Authorize the Mayor to execute the Communications System and Services Agreement and the Motorola Software License Agreement in the amount of \$149,477 for System Integration Services and \$149,300 for technical support and software upgrades.

**21. First Amendment to the Professional Services Agreement with Mark Thomas for Engineering Services and Grant Assistance**

**Recommended Action:**

Approve the First Amendment to the Professional Services Agreement with Mark Thomas in an amount not to exceed \$45,000 for additional Engineering Services and Grant Assistance.

**22. Award a Contract to T.R. Holliman & Associates to Provide Recycled Water Implementation Services**

**Recommended Action:**

Award a Contract to T.R. Holliman & Associates in an amount not-to-exceed \$149,600 to Provide Recycled Water Implementation Services and authorize the City Manager to approve any changes orders necessary up to \$172,000.

**23. Discussion on Cancelling the Regular City Council Meeting Scheduled for January 3, 2023**

**Recommended Action:**

Discussion and direction to cancel the regular City Council meeting of January 3, 2023.

**LEGISLATIVE UPDATES AND DISCUSSION**

**ECONOMIC DEVELOPMENT UPDATE**

Economic Development Committee Report Out and City Council Direction

## **CITY TREASURER REPORT**

Finance and Audit Committee Report Out and City Council Direction

## **CITY CLERK REPORT**

## **CITY ATTORNEY REPORT**

## **CITY MANAGER REPORT**

## **FUTURE AGENDA ITEMS**

## **COUNCIL REPORTS**

- Lara
- Santos
- Fenn
- Martinez
- White

## **ADJOURNMENT**

The next regular meeting of the Beaumont City Council, Beaumont Financing Authority, the Beaumont Successor Agency (formerly RDA), the Beaumont Utility Authority, the Beaumont Parking Authority and the Beaumont Public Improvement Agency is scheduled for Tuesday, October 18, 2022, at 5:00 p.m., unless otherwise posted.