



## CITY COUNCIL CLOSED & REGULAR SESSION

550 E. 6th Street, Beaumont, CA

Tuesday, November 02, 2021

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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### MINUTES

#### CLOSED SESSION - 4:30 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 at 4:35 p.m.

**Present:** Mayor Lara, Mayor Pro Tem White (in attendance at 4:36 p.m.), Council Member Martinez, Council Member Fenn, Council Member Santos (in attendance at 4:53 p.m.)

#### Public Comments Regarding Closed Session

1. Conference with Legal Counsel Regarding Significant Exposure to Litigation Pursuant to Government Code 54956.9(d)(2) and/or (3): One Potential Case Relating to Threat of Litigation by Noble Creek Meadows, LLC

**Motion by Council Member Santos**

**Second by Mayor Pro Tem White**

**To approve to enter into a tolling agreement.**

**Approved by a unanimous vote.**

2. Conference with Legal Counsel Regarding Existing Litigation-Pursuant to Government Code Section 54956.9(d)(1): Southwest Regional Council of Carpenters v. City of Beaumont, Riv. Co. Sup. Case No. CVRI2000635

**No reportable action.**

3. Conference with Legal Counsel Regarding Potential Initiation of Litigation Pursuant to Government Code Section 54956.9(d)(4): One Potential Case

**No reportable action.**

4. Conference with Labor Negotiators - Pursuant to Government Code Section 54957.6 City Designated Representatives City Manager Todd Parton and Administrative Services Director Kari Mendoza. Employee Organizations: Beaumont Police Officers Association and SEIU

**No reportable action.**

5. Conference with Legal Counsel – Existing Litigation Gov't Code § 54956.9(d)(1)  
In Re: National Prescription Opiate Litigation--U.S.D.C. Case No. 1:17-CV-2804

**Motion by Mayor Pro Tem White  
Second by Council Member Fenn**

**To approve the settlement and allow the City Manager to sign the necessary documents.**

**Approved by a 4-0 vote**

**Ayes: Santos, Fenn, White, Lara**

**Abstain: Martinez**

Adjourn to Regular Session

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

### **CALL TO ORDER at 6:37 p.m.**

**Present:** Mayor Lara, Mayor Pro Tem White, Council Member Martinez, Council Member Fenn, Council Member Santos

Report out from Closed Session: *see above*  
Action on any Closed Session Items: *see above*  
Action of any Requests for Excused Absence  
Pledge of Allegiance  
Invocation  
Adjustments to the Agenda: None  
Conflict of Interest Disclosure: None

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

1. Beaumont Library 110th Anniversary Proclamation

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

**K. Ohanian** - *Asked that a traffic study be conducted for Mary Lane to support the installation of stop signs.*

**M. Smith** - *Expressed concerns of speeding on Mary Lane.*

## 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.*

### 2. Approval of Minutes

**Tabled to the next meeting for approval due to the attachment missing from the packet.**

### 3. Ratification of Warrants

#### **Recommended Action:**

**Ratify Warrants dated:**

**October 18, 2021**

**October 22, 2021**

### 4. Accept Street Improvements for Tract Map No. 37045, Authorize the Mayor to Sign the Certificate of Acceptance, and Authorize City Staff to Issue a Bond Exoneration Letter for Performance and Payment Bond No. 4417666

#### **Recommended Action:**

**Accept the street improvements for Tract Map No. 37045, Authorize the Mayor to sign the Certificate of Acceptance, and Authorize City staff to issue a Bond Exoneration Letter for Performance and Payment Bond No. 4417666.**

### 5. Authorize City Staff to Issue a Bond Exoneration Letter for Performance and Payment Bond No. 107174939 for Improvements Associated with Parcel Map No. 36426 and Accept Maintenance Bond No. 107506777

#### **Recommended Action:**

**Authorize City staff to issue a Bond Exoneration Letter for Performance and Payment Bond No. 107174939 for improvements associated with Parcel Map No. 36426 and accept Maintenance Bond No. 107506777.**

### 6. Re-Ratification of Local Emergency and Re-Authorizing the Use of Teleconferencing to Conduct Public Meetings

#### **Recommended Action:**

**Waive the full reading and adopt by title only, "A Resolution of the City Council of the City of Beaumont Proclaiming a Local Emergency Persists, Re-Ratifying the Proclamation of a State of Emergency by Executive Order N-09-21, and Re-Authorizing Remote Teleconference Meetings of the Legislative Bodies of the City of Beaumont for the Period of November 6, 2021, through December 6, 2021, Pursuant to Provisions of the Ralph M. Brown Act."**

7. Notice of Upcoming Vacancies on City Commissions and Committees

**Recommended Action:  
Receive and file.**

**Motion by Council Member Santos**

**Second by Mayor Lara**

**To approve Consent Calendar Items 3 - 7.**

**Approved by a unanimous vote.**

8. Letter of Support for the Coachella Valley – San Gorgonio Pass Rail Corridor Service Project

**Motion by Council Member Fenn**

**Second by Mayor Lara**

**To authorize Mayor Lara to execute the letter of support for the Coachella Valley – San Gorgonio Pass Rail Corridor Service Project.**

**PUBLIC HEARINGS**

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

9. Continued Public Hearing and Consideration of Resolution Denying Certification of Final Partially Recirculated EIR for the Legacy Highlands Specific Plan Project

**Continued Public Hearing opened at 6:55 p.m.**

**O. Kovian - Asked for a requirement of local contractors if the project restarts.**

**R. Roy - Supported the Resolution**

**Public Hearing Closed at 7:02 p.m.**

**Motion by Mayor Pro Tem White**

**Second by Council Member Martinez**

**To waive the full reading and adopt by title only, “A Resolution of the City Council of the City of Beaumont, California, Denying the Certification of the Final Partially Recirculated Environmental Impact Report.”**

**Approved by a unanimous vote.**

10. Public Hearing and First Reading of an Ordinance Amending and Restating Chapter 8.12 (Solid Waste Management) of the City of Beaumont Municipal Code

**City Attorney John Pinkney recused himself due to conflict of interest.**

**Public Hearing opened at 7:13 p.m.**

**No comments**

**Public Hearing closed at 7:13 p.m.**

**Motion by Mayor Pro Tem White**

**Second by Council Member Martinez**

**To waive the full reading and approve by title only, “An Ordinance of the City Council of the City of Beaumont, California, Amending and Restating Chapter 8.12 (Solid Waste Management) of the City of Beaumont Municipal Code.”**

**Approved by a unanimous vote.**

11. Hold a Public Hearing and Consider a Resolution Updating the Fee Schedule for the City-owned Electric Vehicle Charging Station

**Public Hearing opened at 7:28 p.m.**

**No comments**

**Public Hearing closed at 7:28 p.m.**

**Motion by Mayor Pro Tem White**

**Second by Mayor Lara**

**To waive the full reading and adopt by title only, “A Resolution of the City of Beaumont, California, Approving Electric Vehicle Charging Station Fees Update.”**

**Approved by a unanimous vote.**

12. Public Hearing and Consideration of Termination of a Moratorium Prohibiting Tire Sales and Tire Repair Establishments

**Public Hearing opened at 7:31 p.m.**

**No comments**

**Public Hearing opened at 7:31 p.m.**

**Motion by Council Member Martinez**

**Second by Council Member Santos**

**To waive the first full reading and approve by title only, “An Ordinance of the City Council of the City of Beaumont Terminating Urgency Ordinance 1121 Imposing a Temporary Moratorium Prohibiting Tire Sales and Tire Repair Facilities Pursuant to Government Code Section 65858 as Extended by Urgency Ordinance 1123.”**

**Approved by a unanimous vote.**

13. Public Hearing and Consideration of a Resolution Vacating Tenth Street Between Orange Avenue and Maple Avenue

**Public Hearing opened at 7:33 p.m.**

**No comments**

**Public Hearing closed at 7:33 p.m.**

**To waive the full reading, and adopt by title only, “A Resolution of the City Council of the City of Beaumont, California, Vacating Tenth Street Between Orange Avenue and Maple Avenue.”**

**Approved by a unanimous vote.**

## **ACTION ITEMS**

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

14. Consider a Request by YES on Measure H to Approve a Resolution to Support the San Gorgonio Hospital District Measure H to Renew a Local Parcel Tax to Fund Emergency Room Operations and Emergency Medical Services

**Public Comment period opened**

**G. Moyer - Expressed the importance of the measure being placed on the ballot.**

**Dr. D. Tankersley - Further explained the measure and its purpose.**

**Motion by Mayor Pro Tem White**

**Second by Council Member Santos**

**To approve a resolution to support of Local Measure H Benefitting San Gorgonio Hospital**

**Approved by a 4-1 vote**

**Ayes: Santos, Fenn, Martinez, White**

**Noes: Lara**

15. Consider Adopting a Resolution Waiving the Monthly Facility Use and Staff Fees at the Albert A. Chatigny Sr. Community Recreation Center (CRC) for Carol's Kitchen Through December 31, 2022

**Motion by Council Member Fenn**

**Second by Mayor Lara**

**To waive the full reading and adopt by title only, "A Resolution of the City of Beaumont Authorizing the Waiver of Monthly Facility Use and Staff Fees at the Albert A. Sr. Chatigny Community Recreation Center (CRC) for Carol's Kitchen through December 31, 2022."**

**Approved by a unanimous vote.**

16. Discussion and Direction to City Staff on Facility Use Rentals and Fees for Non-Profit/Tax Exempt Organizations

**Consensus to bring individual waivers and bring back options for a waiver policy.**

17. Update of Park Capital Improvement Projects

**Public Comment period opened**

**L. Rios - Expressed concerns with the cost estimate and asked that the bathrooms be opened.**

**D. Valdivia - Supported the removal of the splash pad and expressed the concern of a timeline of completion.**

**Direction to staff to provide a more detailed conceptual plan for Stewart Park, agreed with the needs of Rangel park as expressed by the residents with the request to look into a full or reduced size basketball court, and the approval of the fabric shade structures over the playground equipment.**

18. Purchase of Mobile Data Computers for Six Police Vehicles, Mobile Command Unit and Detective Bureau

**Motion by Mayor Pro Tem White**

**Second by Council Member Fenn**

**To approve the purchase of eight (8) Panasonic Toughbooks, Cradlepoint IBR900 first net routers with Wi-Fi, low profile shark fin 2G/3G/4G LTE Antennas and cables for a cost of \$68,919.10 from CDCE Mobile;**

**Approve the purchase of 14 SIM cards (8 from Verizon and 6 from AT&T) to be used in the MDCs for connectivity at a yearly price of \$6,720; and**

**Also approve the purchase of Net Motion to enhance the connectivity of the entire patrol fleet for at a yearly cost of \$4,000.**

**Approved by a unanimous vote.**

19. Discussion and Position Direction on Assembly Constitutional Amendment 7 (ACA 7) and Initiative 21-0016

**Consensus by City Council to support the position of local control.**

20. Consider Establishing a Formal Position of the City Council Regarding the Riverside County Supervisory Redistricting Plan and Authorize Mayor Lara to Submit a Position Letter to the Riverside County Board of Supervisors

**Motion by Mayor Lara**

**Second by Mayor Pro Tem White**

**To oppose redistricting scenarios that would split the Cities of Banning, Beaumont, and Calimesa into multiple supervisory districts and authorize Mayor Lara to execute and submit the draft letter included in Attachment G of this memorandum and include Cabazon and Morongo to the letter.**

**Approved by a unanimous vote.**

## **LEGISLATIVE UPDATES AND DISCUSSION**

## **ECONOMIC DEVELOPMENT UPDATE**

No report, the next meeting will be November 10th.

## **CITY TREASURER REPORT**

No report, the next meeting will be November 8th.

## **CITY CLERK REPORT**

**No report**

## **CITY ATTORNEY REPORT**

### **21. Pending Litigation Status List**

## **CITY MANAGER REPORT**

Gave a report out from the recent City Halloween events. Staff thanked Walmart for their donations and all of the volunteers. Recognized the recipients of the Beaumont Police Department Award Ceremony.

## **FUTURE AGENDA ITEMS**

**Food Truck Permits**

## **COUNCIL REPORTS**

**Santos** - *Attended the Police Department Award Ceremony, the ribbon cutting of the new Walmart Bus Stop, the new appointment of the RTA CEO and the Ontario State of the Airport.*

**Fenn** - *Gave a report out from the Pass EDA meeting.*

**Martinez** - *Gave a report of from the RCA meeting, and stakeholder committee meeting.*

**White** - *No report.*

**Lara** - *Attended the City Trunk or Treat and thanked BPD and their volunteers and City staff. Noted Sue Foxworth and Jose Nunez' hard work on their first Community Clean up event.*

## **CLOSED SESSION**

1. Annual Public Employee Performance Evaluation Pursuant to Government Code Section 54957. Title: City Manager

**No reportable action.**

## **ADJOURNMENT at 11:54 p.m.**

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, November 16, 2021, at 5:00 p.m., unless otherwise posted.