



## CITY COUNCIL CLOSED & REGULAR SESSION

550 E. 6th Street, Beaumont, CA

Tuesday, October 06, 2020

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**

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.*

- 1. 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**
- 2. Public Employee Performance Evaluation Pursuant to Government Code Section 54957. Title: City Manager**
- 3. Conference with Labor Negotiators Pursuant to Government Code Section 54957.6. Agency Designated Representatives Lloyd White and Mike Lara. Unrepresented Employee: City Manager**
- 4. Conference with Legal Counsel - Anticipated Litigation Significant Exposure to Litigation Pursuant to Paragraph (2) or (3) of subdivision (d) of Section 54956.9: One Case.**
- 5. Conference with Legal Counsel Regarding Anticipated/Existing Litigation - Pursuant to Government Code Section Page 1 of 271 54956.9(d)(1)and/or(2) and/or (3). (Worker's Compensation Case No. COBM-61, COBM-0062, COBM-0064, COBM-0071**

## **CALL TO ORDER**

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

Public Comments Regarding Closed Session

Adjourn to Regular Session

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

## **CALL TO ORDER**

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

Report out from Closed Session:

Action on any Closed Session items:

Action of any requests for Excused Absence:

Pledge of Allegiance:

Approval / Adjustments to the Agenda:

Conflict of Interest Disclosure:

## **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 15, 2020.

#### **2. Authorize the Mayor to Execute the Notice of Completion Documents for the Community Development Block Grant (CDBG) Rangel Park Improvement Project (2018-005A) CDBG5.BEA.36-18 and Record the Notice of Completion Documents with the Riverside County Clerk Recorder's Office**

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

Authorize the Mayor to execute the notice of completion documents for the Rangel Park Improvement Project (2018-005A) CDBG5.BEA.36-18, and direct staff to record the documents with the Riverside County Clerk Recorder's office.

#### **3. Authorize the Mayor to Execute the Notice of Completion Documents for the City of Beaumont Electric Vehicle Charging Station and Record the Notice of Completion Documents with the Riverside County Clerk Recorder's Office**

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

Authorize the Mayor to execute the Notice of Completion documents for the electric vehicle charging station; and direct staff to record them with the Riverside County Clerk Recorder's Office.

#### **4. Adoption of a Resolution Authorizing Participation in the County of Riverside's Urban County Program for Federal Fiscal Years 2021, 2022 and 2023.**

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

Waive the full reading and adopt by title only, "A Resolution of the City Council of the City of Beaumont Authorizing Participation in the County of Riverside's Urban County Program for Federal Fiscal Years 2021, 2022 and 2023."

#### **5. Accept Performance Bonds and Security Agreements for SDC Fairway Canyon, LLC., Tracts 31462-21 and 31462-22 Sewer Improvements**

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

Accept the following bonds and security agreements:

Performance bond No. 1001124453 for sewer improvements for Tract 31462-21.

Performance bond No. 1001124454 for sewer improvements for Tract 31462-22.

**6. Second Reading to Adopt Rules of Procedure for All Meetings of the City Council and Its Appointed Boards and Committees Amending the Current Rules of Procedure Established in Beaumont Municipal Code Section 2.04**

**Recommended Action:**

Waive the second full reading and adopt by title only, “An Ordinance of the City of Beaumont Approving Amendments to the City of Beaumont Municipal Code Pertaining to Rules of Procedure.”

**7. Beaumont Unified School District Agreement for the Provision and Funding of School Resource Officer**

**Recommended Action:**

Waive the full reading and approve by title only, “A Resolution of the City Council of the City of Beaumont Authorizing the City Manager to Enter into an Agreement with the Beaumont Unified School District for School Resource Officer (SRO) Services for Fiscal Years 2020-2023,” and  
Authorize the Mayor to execute the Beaumont Unified School District Agreement for the Provision and Funding of School Resource Officer.

**8. FY 2020 General Fund and Wastewater Fund Budget to Actual through June 2020**

**Recommended Action:**

Review and file.

**PUBLIC HEARINGS**

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

**9. Public Hearing and Consideration of Approval of Plot Plan 2020-0276, Conditional Use Permit 2020-0046, Conditional Use Permit 2020-0047, Tentative Parcel Map No. 37938 (PM2020-007) and Environmental (ENV 2020-0012) Commonly Referred to as “Eighth and Highland Springs” Located on the Southwest Corner of Eighth Street and Highland Springs Avenue (APN 419-150-034) in the Community Commercial (CC) Zone**

**Recommended Action:**

Hold a public hearing, and

Adopt Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approve Plot Plan PP2020-0276, Conditional Use Permit CUP2020-0046, Conditional Use Permit CUP2020-0047 and Tentative Parcel Map 37938 (PM2020-0007), subject to the attached Conditions of Approval.

**10. Hold a Public Hearing and Consider the Adoption of a Final Extension of Ordinance No. 1111, an Interim Urgency Ordinance for a Temporary Moratorium Prohibiting Public Storage Facilities, Moving and Storage Establishments, Automobile Parking Facilities**

**(Including Recreational Vehicles), Truck Stops and Terminals, and Building Storage Yards.**

**Recommended Action:**

Hold a Public Hearing, and

Waive the full reading and adopt by title only “One (1) Year Extension of Ordinance No. 1111 Being an Interim Urgency Ordinance of The City of Beaumont, Enacting A Temporary Moratorium Prohibiting Public Storage Facilities, Moving and Storage Establishments, Automobile Parking Facilities (Including Recreational Vehicles), Automobile Parking Facilities, Truck Stops and Terminals and Building Storage Yards, Pursuant to Government Code Section 65858” to become effective immediately.

**11. Public Hearing to Adopt Resolution Amending the Prior Year Capital Improvement Plan and the 5 Year FY 21-25 Capital Improvement Plan**

**Recommended Action:**

Hold a Public Hearing, and

Waive the full reading, and adopt by title only, “A Resolution of the City Council of the City of Beaumont Amending the Five-Year Capital Improvement Plan for Fiscal Years 2021/2022 – 2024-2025 and Related Prior Year CIP Project List.”

**ACTION ITEMS**

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

**12. Consideration of Approval of Resolution in Support of California Citizens for Local Control Volunteer Organization**

**Recommended Action:**

City Council discussion and consideration of approving by title only, “A Resolution of the City Council of the City of Beaumont, California In support of the California Citizens for Local Control.”

**13. Approval of Requisitions Greater than \$25,000 in Accordance with the City of Beaumont Purchasing Ordinance**

**Recommended Action:**

Approve listed vendors to receive payment over \$25,000 and up to the amount specified in Attachment A.

**14. Phase II Findings of the Comprehensive Operations Analysis**

**Recommended Action:**

Receive and file.

**15. Beaumont Transit Branding and Logo Campaign**

**Recommended Action:**

Approve the attached artwork as Transit’s official logo and branding campaign.

**16. Beaumont Police Department Proposal for Reserve Officer Program**

**Recommended Action:**

Receive and file.

**17. Authorize Fourth Amendment to the City Manager Employment Agreement**

**Recommended Action:**

Authorize the Mayor to execute the Fourth Amendment to the City Manager Employment Agreement.

**18. Establishment of the City of Beaumont COVID-19 Household Assistance Grant Program**

**Recommended Action:**

City Council establish the Household Assistance Grant Program as presented.

**19. Review of Local Emergency Declaration Established via the Adoption of City of Beaumont Resolution No. 2020-07 Adopted on March 17, 2020**

**Recommended Action:**

City staff recommends that there be no change regarding the local emergency declaration. This is due to the fact that there have been no significant changes in the original conditions, a State emergency declaration remains in effect and local emergency declaration helps to ensure that Beaumont remains eligible for federal and state emergency aid.

**LEGISLATIVE UPDATES AND DISCUSSION**

**COUNCIL REPORTS**

- Carroll
- Lara
- Martinez
- Santos
- White

**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**

**20. Department Project Schedule - September 2020**

## **FUTURE AGENDA ITEMS**

### **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 20 2020, at 5:00 p.m. or thereafter as noted on the posted Agenda for Closed Session items in the City Council Board Room No. 5, followed by the regular meeting at 6:00 p.m. or thereafter as noted on the posted Agenda at City Hall.

Beaumont City Hall – Online [www.BeaumontCa.gov](http://www.BeaumontCa.gov)



## CITY COUNCIL CLOSED & REGULAR SESSION

550 E. 6th Street, Beaumont, CA

Tuesday, September 15, 2020

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

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### MINUTES

#### 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 at 5:02 p.m.**

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

Public Comments Regarding Closed Session

#### **No speakers.**

1. 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

#### **No reportable action.**

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

#### **No reportable action**



3. Conference with Labor Negotiators Pursuant to Government Code Section 54957.6. Agency Designated Representatives Lloyd White and Mike Lara. Unrepresented Employee: City Manager

**No reportable action**

4. Conference with Legal Counsel Regarding Existing Litigation-Pursuant to Government Code Section 54956.9(d)(1): Christian Lee. v. City of Beaumont., Case No. RIC 2003005

**Motion by Mayor Pro Tem Lara**

**Second by Council Member White**

**To defend the action filed against the City.**

**Approved by unanimous vote.**

Adjourn to Regular Session

## REGULAR SESSION - 6:00 PM

### CALL TO ORDER at 6:12 p.m.

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

Report out from Closed Session: *see above*

Action on any Closed Session items: **None**

Action of any requests for Excused Absence: **None**

Pledge of Allegiance

Approval / Adjustments to the Agenda: **None**

Conflict of Interest Disclosure: **None**

### 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.*

**No speakers**

#### 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.*

5. Ratification of Warrants

**Recommended Action:**

Ratification of Warrants dated:  
June 4, 2020  
June 11, 2020  
June 18, 2020  
June 25, 2020

6. Designation of Authorized Representatives for FEMA and Cal OES Disaster Assistance

**Recommended Action:**

Waive the full reading and adopt by title only, "A Resolution of the City Council of the City of Beaumont, California Designating the City of Beaumont's Authorized Agent(s) for Non-State Agencies as Required by the California Office of Emergency Services."

7. Approval of Animal Control Field Services Contract - Morongo

**Recommended Action:**

Renew the contract for a one-year term effective November 20, 2020, with the option of automatic one (1) year renewals for up to two (2) years.

8. First Amendment to the Non-Exclusive Lease Agreement with the Boys & Girls Clubs of the San Gorgonio Pass to Lease the Albert A. Chatigny, Sr. Community Recreation Center Located at 1310 East Oak Valley Parkway

**Recommended Action:**

Approve the first amendment to the non-exclusive lease agreement with the Boys & Girls Clubs of the San Gorgonio Pass and authorize the City Manager to execute the amendment on behalf of the City of Beaumont.

9. Approve a Purchase Order for Site One Landscape Supply in an Amount Not-to-Exceed \$40,000

**Recommended Action:**

Approve a Purchase Order for Site One Landscape Supply in an amount not-to-exceed \$40,000 and allocated to General Ledger 100-6050-7070-0000.

10. Approval of Minutes

**Recommended Action:**

Approval of Minutes dated September 1, 2020.

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

**To approve the Consent Calendar.**

**Ayes: Council Member White, Council Member Martinez, Council Member Carroll, Mayor Pro Tem Lara, Mayor Santos**

**Approved by a unanimous vote**

## **PUBLIC HEARINGS**

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

11. Public Hearing and First Reading to Consider Rules of Procedure for All Meetings of the City Council and Its Appointed Boards and Committees Amending the Current Rules of Procedure Established in Beaumont Municipal Code Section 2.04

**Public Hearing opened at 6:34 p.m.**

**No speakers**

**Public Hearing closed at 6:34 p.m.**

**Motion by Council Member White  
Second by Mayor Santos**

**To waive the first full reading and approve by title only, “An Ordinance of the City of Beaumont Approving Amendments to the City of Beaumont Municipal Code Pertaining to Rules of Procedure.” with discussed modifications to Section 2.04.090 to include, that the Mayor and Mayor Pro Tem shall be selected annually on the 1st meeting in December in a non-election year or the second or special meeting in an election year; Section 2.02.110 to include, that appointments shall be held during the first regular meeting after which a new mayor is installed; Section 2.04.130 to include the limit texting and other forms of electronic messaging to emergency situations; and Section 2.04.140 to include that within 60 days of its occurrence Council shall appoint or call a special election for a vacancy.**

**Ayes: Council Member White, Council Member Martinez, Council Member Carroll, Mayor Pro Tem Lara, Mayor Santos**

**Approved by a unanimous vote**

## **ACTION ITEMS**

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

12. Award of Contracts to Wood Maintenance Services, Inc; Clean Harbors Environmental Services, Inc.; and Environmental Logistics, for Homeless Encampment Cleanup Services on City-Owned Properties

**Motion by Council Member Carroll  
Second by Mayor Pro Tem Lara**

To award a homeless encampment cleanup services contract to each of the following three vendors: (1) Woods Maintenance Services, Inc.; (2) Clean Harbors Environmental Services, Inc; and (3) Environmental Logistics and authorize the City Manager to execute the agreements on behalf of the City of Beaumont.

**Ayes: Council Member White, Council Member Martinez, Council Member Carroll, Mayor Pro Tem Lara, Mayor Santos**

**Approved by a unanimous vote**

13. Award an Agreement for Maintenance Services to Turboscape, Inc. in an Amount Not-To-Exceed \$100,000 for City-wide Mulching

**Motion by Council Member White**

**Second by Mayor Pro Tem Lara**

To award an Agreement for Maintenance Services for wood mulch installation to Turboscape, Inc. in an amount not-to-exceed \$100,000 and authorize the City Manager to execute the agreement on behalf of the City.

**Ayes: Council Member White, Council Member Martinez, Council Member Carroll, Mayor Pro Tem Lara, Mayor Santos**

**Approved by a unanimous vote**

14. Fiscal Year 2020-21 Development Impact Mitigation Fee Program Adjustments Pursuant to Ordinances 1087, 1092, 1095 and Resolution 2017-23

**Consensus to receive and file.**

15. Adoption of the City of Beaumont Investment Policy

**Motion by Council Member White**

**Second by Council Member Carroll**

To adopt the investment policy.

**Ayes: Council Member White, Council Member Martinez, Council Member Carroll, Mayor Pro Tem Lara, Mayor Santos**

**Approved by a unanimous vote**

16. Set Time, Date and Place for Special Workshop

**Consensus to select October 8, 2020 at 5:30 p.m. to conduct a Workshop.**

17. City Attorney Invoices for the Month of August 2020.

**City Attorney John Pinkney recused himself.**

**Motion by Council Member White**

**Second by Mayor Santos**

**To approve invoices in the amount of \$107,381.65.**

**Ayes: Council Member White, Council Member Martinez, Council Member Carroll, Mayor Pro Tem Lara, Mayor Santos**

**Approved by a unanimous vote**

## **LEGISLATIVE UPDATES AND DISCUSSION**

18. Townsend Update

### **COUNCIL REPORTS**

**Carroll** - *Participated in the T-Now meeting, and will be attending the veterans committee meeting.*

**Lara** - *Thanked administration and staff during COVID constraints.*

**Martinez** - *Attended the Finance and Audit Committee meeting and gave a report out from the RCA meeting.*

**White** - *Gave a report out from the RCTC meeting.*

**Santos** - *Attended Good Morning Beaumont Breakfast, and gave a report out from the SCAG meeting.*

### **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**

**No report**

### **CITY ATTORNEY REPORT**

19. Status of Litigation

### **CITY MANAGER REPORT**

Gave recognition to National Women's Police Officer Day on September 12th.

**FUTURE AGENDA ITEMS**

Discussion of RCA and its possible movement to RCTC

**Adjournment to Closed Session at 8:47 p.m.**



## Staff Report

**TO:** City Council

**FROM:** Elizabeth Gibbs, Community Services Director

**DATE:** October 6, 2020

**SUBJECT:** **Authorize the Mayor to Execute the Notice of Completion Documents for the Community Development Block Grant (CDBG) Rangel Park Improvement Project (2018-005A) CDBG5.BEA.36-18 and Record the Notice of Completion Documents with the Riverside County Clerk Recorder's Office**

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### Background and Analysis:

On October 15, 2019, City Council approved a public works agreement with TSR Construction and Inspection (Contractor) in the amount of \$237,700, for construction services of the Rangel Park Improvement Project (2018-005A) CDBG5.BEA.36-18. City Council authorized a 10% contingency for a total project cost not-to-exceed \$261,470.

The project's scope of work included the installation of a prefabricated restroom facility, construction of concrete sidewalks around the building, and the connection of all needed utilities for the restroom facility.

A project change order was issued to include additional concrete that was not specified in the original scope, as well as a new sewer lateral connection to the main line. When the contractor exposed the existing sewer lateral, they found that it was only 8 inches below grade and the specifications for the prefabricated building called for a drop of 18 inches. The existing lateral needed to be removed and replaced at the proper depth and then connected to the main sewer line, resulting in additional construction costs.

The total project expenditures were \$261,400. The Contractor completed the scope of work satisfactorily per plans and specifications and a project notice of completion is required (Attachment A).

The improvements completed are the first phase of a multi-phase project to renovate the entire Rangel Park, including an updated ballfield with new lighting, a new

playground, and a new splash pad facility. The future renovations will be completed with additional CDBG funds and funding contained in the adopted 2021-2025 Capital Improvement Plan.

**Fiscal Impact:**

There is no fiscal impact with the recordation of the Notice of Completion document.

**Recommended Action:**

Authorize the Mayor to execute the notice of completion documents for the Rangel Park Improvement Project (2018-005A) CDBG5.BEA.36-18, and direct staff to record the documents with the Riverside County Clerk Recorder's office.

**Attachments:**

- A. Notice of Completion
- B. Restroom and Snack Bar Photo



**When Recorded Return  
Original To:**

City of Beaumont  
550 East 6<sup>th</sup> Street  
Beaumont, CA 92223

NO RECORDING FEE REQUIRED  
PER GOVERNMENT CODE SECTION 27383

**NOTICE OF COMPLETION**

NOTICE is hereby given that the CITY OF BEAUMONT, 550 East 6<sup>th</sup> Street, Beaumont, California, 92223, a municipal corporation, is owner in fee of the property hereinafter described. Said owner caused a work of improvement on the property hereinafter described and was COMPLETED on August 31, 2020 by TSR Construction and Inspection, contractor.

The property on which said work of improvement was completed in the City of Beaumont, County of Riverside, and State of California lying on northwest corner of B Street and 4<sup>th</sup> Street.

**Rangel Park Improvement Project (2018-005A)  
CDBG5.BEA.36-18**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Ray Santos,  
Mayor of the City of Beaumont, CA

**VERIFICATION:**

I the undersigned am the Mayor of the City of Beaumont, the declarant of the foregoing Notice of Completion. I have read the said Notice of Completion and know the contents thereof: The same is true of my knowledge. I declare under penalty of perjury that the foregoing is true and correct.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Ray Santos,  
Mayor of the City of Beaumont, CA

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA  
COUNTY OF RIVERSIDE

On \_\_\_\_\_ before me, \_\_\_\_\_ Notary Public, personally appeared Rey Santos, MAYOR OF THE CITY OF BEAUMONT, CALIFORNIA, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

BY: \_\_\_\_\_  
NOTARY

(SEAL)

Item 2.





## Staff Report

**TO:** City Council

**FROM:** Elizabeth Gibbs, Community Services Director

**DATE:** October 6, 2020

**SUBJECT:** **Authorize the Mayor to Execute the Notice of Completion Documents for the City of Beaumont Electric Vehicle Charging Station and Record the Notice of Completion Documents with the Riverside County Clerk Recorder's Office**

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### Background and Analysis:

On September 17, 2019, City Council awarded a contract to Baker Electric in the not-to-exceed amount of \$371,800 for the design and construction services of three electric vehicle charging stations located in the Beaumont Civic Center parking lot directly across from City Hall.

On September 18, 2020, construction was completed, and the charging stations are now online and open for public use. The total amount paid to Baker Electric was \$311,955, a project savings of \$59,845. Of the remaining amount, \$5,000 will be applied to an outstanding Southern California Edison invoice for work related to this project. City staff estimates that this project will be closed out with final costs being \$54,845 under budget.

### Fiscal Impact:

There is no fiscal impact with the recordation of the notice of completion documents.

### Recommended Action:

Authorize the Mayor to execute the Notice of Completion documents for the electric vehicle charging station; and direct staff to record them with the Riverside County Clerk Recorder's Office.

### Attachments:

- A. Notice of Completion
- B. EV Charging Stations Photo

**When Recorded Return  
Original To:**

City of Beaumont  
550 East 6<sup>th</sup> Street  
Beaumont, CA 92223

NO RECORDING FEE REQUIRED  
PER GOVERNMENT CODE SECTION 27383

**NOTICE OF COMPLETION**

NOTICE is hereby given that the CITY OF BEAUMONT, 550 East 6<sup>th</sup> Street, Beaumont, California, 92223, a municipal corporation, is owner in fee of the property hereinafter described. Said owner caused a work of improvement on the property hereinafter described and was COMPLETED on September 18, 2020 by Baker Electric, contractor.

The property on which said work of improvement was completed in the City of Beaumont, County of Riverside, and State of California lying on northeast corner of 6<sup>th</sup> Street and Orange Avenue.

**City of Beaumont Electric Vehicle Charging Station  
600 E 6<sup>th</sup> Street, Beaumont CA 92223**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Ray Santos,  
Mayor of the City of Beaumont, CA

**VERIFICATION:**

I the undersigned am the Mayor of the City of Beaumont, the declarant of the foregoing Notice of Completion. I have read the said Notice of Completion and know the contents thereof: The same is true of my knowledge. I declare under penalty of perjury that the foregoing is true and correct.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Ray Santos,  
Mayor of the City of Beaumont, CA

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA  
COUNTY OF RIVERSIDE

On \_\_\_\_\_ before me, \_\_\_\_\_ Notary Public, personally appeared Rey Santos, MAYOR OF THE CITY OF BEAUMONT, CALIFORNIA, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

BY: \_\_\_\_\_  
NOTARY

(SEAL)





## Staff Report

**TO:** City Council

**FROM:** Christina Taylor, Community Development Director

**DATE:** October 6, 2020

**SUBJECT:** **Adoption of a Resolution Authorizing Participation in the County of Riverside's Urban County Program for Federal Fiscal Years 2021, 2022 and 2023.**

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### Background and Analysis:

The County of Riverside requires each city to periodically reaffirm its election to participate in the County's Urban County Program. This adoption of resolution and execution of the agreement allows the City continued participation in the County of Riverside Community Development Block Grant (CDBG) and HOME Investment Partnership Act (HOME) Urban County programs for Fiscal Years 2021-22, 2022-23 and 2023-24. These funds are currently used to support City projects such as sidewalk rehabilitation and park renovations. Participation in this program also allows the City the opportunity to seek funding for other types of grant funding offered through the HOME and Emergency Support Grant (ESG) programs.

This resolution was originally adopted by Council on July 7, 2020. On September 30, 2020, staff received correspondence from Riverside County CDBG staff requesting changes to their previously format. The change corrected the fiscal year formatting originally provided. In addition to reapproving the resolution, the agreement between the City of Beaumont and the County of Riverside CDBG program contains the same changes and will require re-execution.

### Fiscal Impact:

Grant funding in varying amounts per fiscal year.

### Recommended Action:

Waive the full reading and adopt by title only, "A Resolution of the City Council of the City of Beaumont Authorizing Participation in the County of Riverside's Urban County Program for Federal Fiscal Years 2021, 2022 and 2023."

**Attachments:**

- A. Resolution
- B. Agreement

**RESOLUTION 2020-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
BEAUMONT AUTHORIZING PARTICIPATION IN THE COUNTY OF  
RIVERSIDE’SURBAN COUNTY PROGRAM FOR FEDERAL FISCAL YEARS  
2021, 2022, AND 2023**

WHEREAS, the City of BEAUMONT has elected to participate as unit of local government (Cooperating City) in the County of Riverside’s Urban County Program for Federal Fiscal Years 2021, 2022, and 2023; and

WHEREAS, the Cooperation Agreement will allow the County and City to carry-out activities which are funded by Community Development Block Grant (CDBG), Home Investment Partnership Program (HOME) funds, and Emergency Solutions Grant (ESG); and

WHEREAS, the Cooperation Agreement will allow the Cooperating City to participate in the Urban County Consolidated Planning Programs.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BEAUMONT, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION1: The Cooperation Agreement between the County of Riverside and the City of BEAUMONT is hereby approved; and

SECTION 2: The City Council hereby authorizes and directs the Mayor to execute the Cooperation Agreement on behalf of the City of Beaumont.

PASSED, APPROVED, AND ADOPTED this 7th day of July, 2020, by the following vote:

- AYES:
- NOES:
- ABSTAIN:
- ABSENT:

\_\_\_\_\_  
Rey Santos, Mayor

ATTEST:

\_\_\_\_\_  
Deputy City Clerk



**COOPERATION AGREEMENT  
FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT,  
HOME INVESTMENT PARTNERSHIP PROGRAM, AND EMERGENCY SOLUTIONS  
GRANT FOR FEDERAL FISCAL YEARS 2021, 2022, AND 2023**

This Cooperation Agreement for the Community Development Block Grant, HOME Investment Partnership Program, and the Emergency Solutions Grant for Federal Fiscal Years 2021, 2022, and 2023, hereinafter referred to as "Agreement," is made and entered into this 6th day of October, 2020, by and between the COUNTY OF RIVERSIDE, a political subdivision of the State of California, hereinafter referred to as "COUNTY", and CITY of CITY of BEAUMONT, an incorporated municipality within the geographical boundaries of the COUNTY, hereinafter referred to as "CITY," who together are sometimes referred to herein individually as "Party" or collectively as the "Parties."

**RECITALS**

**WHEREAS**, the Housing and Community Development Act of 1974, as amended (Public Law 93-383), hereinafter called "ACT," provides that Community Development Block Grant, funds hereinafter referred to as "CDBG," may be used for the support of activities that provide decent housing, suitable living environments, and expanded economic opportunities principally for persons of low and moderate-income; and

**WHEREAS**, the HOME Investment Partnerships Act program, hereinafter referred to as "HOME," was enacted as Title II of the National Affordable Housing Act of 1990, for the purposes of: expanding the supply of decent, affordable housing for low and very-low income families with emphasis on rental housing; building State and local capacity to carry out affordable housing programs; and providing for coordinated assistance to participants in the development of affordable low-income housing; and

**WHEREAS**, the Emergency Solutions Grant, hereinafter referred to as "ESG," was authorized by the McKinney-Vento Homeless Assistance Act of 1987 and the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009. The objectives of the ESG program are to increase the number and quality of emergency shelters and transitional

1 housing facilities for homeless individuals and families, to operate these facilities and provide  
2 essential social services, and to help prevent homelessness.

3 **WHEREAS**, CDBG regulations requires an eligible county to re-qualify as Urban County  
4 under the CDBG program every three (3) years; and

5 **NOW THEREFORE**, in consideration of the mutual covenants herein set forth  
6 and the mutual benefits to be derived there from, the Parties agree as follows:

7 1. GENERAL.

8 (a). This Agreement gives COUNTY authority to undertake, or assist in  
9 undertaking, activities in Program Years 2021-22, 2022-23, and 2023-24, that will be funded from  
10 the CDBG, HOME, and ESG programs and from any program income generated from the  
11 expenditure of such funds. COUNTY and CITY agree to cooperate, to undertake, or to assist in  
12 undertaking, community renewal and lower-income housing assistance activities. COUNTY is  
13 qualified as an "Urban County" under the ACT. CITY, by executing this Agreement, hereby gives  
14 notice of its election to participate in an Urban County’s Community Development Block Grant  
15 (CDBG), Home Investment Partnership Act (HOME), and Emergency Solutions Grant (ESG)  
16 programs, hereinafter referred to as "Urban County Programs".

17 (b). By executing this Agreement, CITY understands that it may not apply for  
18 grants from appropriations under the Small Cities or State CDBG Programs for fiscal years during  
19 the period in which it participates in the Urban County’s CDBG program and that CITY may only  
20 participate in the HOME program through the COUNTY’S Urban County Programs, not a HOME  
21 consortium. The CITY may also apply for HOME funds from the State of California, if permitted  
22 by the State.

23 (c). By executing this Agreement, CITY understands that it may only receive a  
24 formula allocation of ESG funds through the COUNTY’S Urban County Programs. The CITY  
25 may also apply for ESG funds from the State of California, if permitted by the State.

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2. TERM.

The term of this Agreement shall be for three (3) years commencing on July 1, 2021, through June 30, 2024, unless an earlier date of termination is fixed by U.S. Department of Housing and Urban Development, hereinafter referred to as HUD, pursuant to ACT.

COUNTY shall notify CITY of CITY’s right not to participate in the next three-year period no later than the date specified by HUD in the *Urban County Qualification Notice*. CITY shall notify COUNTY no later than the date specified in COUNTY’s notification that CITY elects not to participate in the next three-year Urban County Program. COUNTY shall send copies of all notifications required by this Paragraph to the HUD Field Office.

The terms of this Agreement shall remain in effect until the CDBG, HOME, and ESG funds and program income received with respect to activities carried out during the three-year qualification period are expended and the funded activities completed. Furthermore, neither the COUNTY nor the CITY may terminate or withdraw from this Agreement while it remains in effect.

3. PREPARATION OF FEDERALLY REQUIRED FUNDING APPLICATIONS.

The Riverside County Department of Housing, Homelessness Prevention, and Workforce Solutions, subject to approval of COUNTY’s Board of Supervisors, shall be responsible for preparing and submitting to HUD, in a timely manner, all reports and statements required by the ACT and the Federal regulations promulgated by HUD to secure entitlement grant funding under the CDBG, HOME, and ESG programs. This duty shall include the preparation and processing of COUNTY Housing, Community, and Economic Development Needs Identification Report, Citizen Participation Plan, the County Five-Year Consolidated Plan, One-Year Action Plan, Consolidated Annual Performance and Evaluation Report (CAPER), and other related programs which satisfy the application requirements of ACT and its regulations.

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1           4.     COMPLIANCE WITH FEDERAL STATUTES, REGULATIONS AND  
2 OTHER APPLICABLE STATUTES, REGULATIONS AND ORDINANCES.

3           (a)     COUNTY and CITY will comply with the applicable provisions of the ACT  
4 and those Federal regulations promulgated by HUD pursuant thereto, as the same currently exists  
5 or may hereafter be amended.

6           (b)     The COUNTY and CITY **are hereby obligated** to take all actions necessary  
7 to assure compliance with COUNTY’s certification regarding affirmatively furthering fair housing  
8 pursuant to Section 104 (b) of Title I of ACT, as amended.

9           (c)     The COUNTY and CITY are hereby obligated to take all actions necessary  
10 to assure compliance with Section 109 of Title I of the Act, which incorporates Section 504 of the  
11 Rehabilitation Act of 1973, Title II of the American with Disabilities Act, and the Age  
12 Discrimination Act of 1975.

13           (d)     COUNTY and CITY shall comply with the applicable provisions of the  
14 following: National Environmental Policy Act of 1969; Title VI of the Civil Rights Act of 1964  
15 and Title VIII of the Civil Rights Act of 1968; the Fair Housing Act; Title 24 Code of Federal  
16 Regulations part 570; Cranston-Gonzales National Affordable housing Act (Public Law 101-625);  
17 Executive Order 11063, as amended by Executive Order 12259; Executive Order 11988; the  
18 Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42  
19 U.S.C.§4630, et. seq.); and other Federal or state statute or regulation applicable to the use of  
20 CDBG, HOME Investment Partnerships Act (enacted as Title II of the National Affordable  
21 Housing Act of 1990), and Emergency Solutions Grant funds.

22           (e)     CITY agrees that the Urban County Program funding for activities in, or in  
23 support of, the CITY are prohibited if CITY does not affirmatively further fair housing within  
24 CITY’S jurisdiction or impedes COUNTY actions to comply with its fair housing certification.

25           (f)     CITY and COUNTY shall meet the citizen participation requirements of 24  
26 CFR 570.301 and provide Riverside County citizens with all of the following:

27                   i.     The estimate of the amount of CDBG funds proposed to be used for  
28 activities that will benefit persons of low and moderate-income;

1                   ii.     A plan for minimizing displacement of persons as a result of  
2 activities assisted with CDBG funds and to assist persons actually displaced as a result of such  
3 activities;

4                   iii.     A plan that provides for and encourages citizen participation, with  
5 particular emphasis on participation by persons of low and moderate-incomes, residents of slum  
6 and blighted areas, and of areas in which funds are proposed to be used, and provides for  
7 participation of residents in low and moderate-income neighborhoods;

8                   iv.     Reasonable and timely access to local meetings, information, and  
9 records relating to the grantee’s proposed use of funds, as required by the regulations of the  
10 Secretary, and relating to the actual use of funds under the ACT;

11                  v.     Provide for public meetings to obtain citizen views and to respond  
12 to proposals and questions at all stages of the community development program, including at least  
13 the development of needs, the review of proposed activities and review of program performance.  
14 Meetings shall be held after adequate notice, at times and locations convenient to potential or  
15 actual beneficiaries, and with accommodation for the disabled.

16                  (g)     CITY shall develop a community development plan, for the period of this  
17 Agreement, which identifies community development and housing needs and specifies both short  
18 and long-term community development objectives.

19                  (h)     CITY certifies, to the best of its knowledge and belief, that:

20                   i.     No Federal appropriated funds have been paid or will be paid, by or  
21 on behalf of the CITY, to any person influencing or attempting to influence an officer or employee  
22 of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a  
23 Member of Congress, in connection with the awarding of any Federal contract, the making of any  
24 Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and  
25 the extension, continuation, renewal, amendment or modification of any Federal contract, grant,  
26 loan or cooperative agreement.

27                   ii.     If any funds other than Federally-appropriated funds have been paid  
28 or will be paid to any person for influencing or attempting to influence an officer or employee of

1 any agency, a Member of Congress, an officer or employee of Congress, or an employee of a  
2 Member of Congress, in connection with this Federal contract, grant, loan, or cooperative  
3 agreement, the undersigned shall complete and submit standard Form-LLL, "Disclosure Form to  
4 Report Lobbying", in accordance with its instructions.

5           iii.     The CITY shall require that the language provided in Section 4(e)(i)  
6 and (ii) of this Agreement be included in the award documents for all sub-awards at all tiers  
7 (including subcontracts, sub- grants and contracts under grants, loans, and cooperative agreements)  
8 and that all sub-recipients shall certify and disclose accordingly. This certification is a material  
9 representation of fact upon which reliance was placed when this transaction was made or entered  
10 into.

11           (i)     CITY certifies that it has adopted and is enforcing a policy prohibiting the  
12 use of excessive force by law enforcement agencies within its jurisdiction against any individuals  
13 engaged in non-violent civil rights demonstrations, and that it has adopted and is enforcing  
14 applicable State and local laws against physically barring entrance to, or exit from, a facility or  
15 location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

16           5.     COMPLIANCE WITH POLICY AND PROGRAM OBJECTIVES.

17           The COUNTY’s Board of Supervisors have adopted policies and procedures to  
18 ensure efficient and effective administration of the CDBG, HOME, and ESG programs. COUNTY  
19 will provide these policies and procedures to CITY within a reasonable time after this Agreement’s  
20 commencement date. COUNTY and City agree to comply with these said policies and program  
21 objectives and to take no actions to obstruct implementation of the approved 2019-2024 and  
22 subsequent Five Year Consolidated Plans.

23           6.     OTHER AGREEMENTS.

24           Pursuant to Federal regulations at 24 CFR 570.501(b), CITY is subject to the same  
25 requirements applicable to sub-recipients, including the requirement of a written agreement set  
26 forth in Federal regulations at 24 CFR 570.503. For each fiscal year during the term of this  
27 Agreement, COUNTY and CITY shall enter into an additional agreement, commonly known as a  
28 Supplemental Agreement, that will have a term coinciding with a CDBG Program Year and

1 enumerate the project(s) CITY will implement with its entitlement funds. Said Supplemental  
 2 Agreement will set forth the time schedule for completion of said project(s) and any funding  
 3 sources, in addition to entitlement funds, that will be used in completing the project(s). If  
 4 substantial compliance with the completion schedule, due to unforeseen or uncontrollable  
 5 circumstances, cannot be met by CITY, the schedule for the project(s) may be extended by  
 6 COUNTY. If COUNTY determines that substantial progress toward drawdown of funds is not  
 7 made during the term of the Supplemental Agreement, the entitlement funds associated with the  
 8 project(s) may be reprogrammed by COUNTY, to other activities as determined by COUNTY,  
 9 after COUNTY provides appropriate written notice to CITY. COUNTY's decision not to extend  
 10 the completion schedule associated with the project(s), or to reprogram the entitlement funds  
 11 associated with the project(s), will not excuse CITY from complying with terms of this Agreement.

12 7. DETERMINATION OF PROJECTS TO BE FUNDED AND  
 13 DISTRIBUTION OF ENTITLEMENT FUNDS.

14 CITY agrees to submit to COUNTY, no later than the date specified by COUNTY  
 15 prior to each program year, the activities that the CITY desires to implement with its entitlement  
 16 funds, said designation to comply with statutory and regulatory provisions governing citizen's  
 17 participation. Said designation is to be reviewed by COUNTY to determine that the projects are  
 18 eligible under Federal regulations for funding and inclusion in the One Year Action Plan of the  
 19 County's Five-Year Consolidated Plan and consistent with both Federal and COUNTY policy  
 20 governing use of Community Development Block Grant (CDBG) funds.

21 In the event that CITY fails to submit to COUNTY the identified activities that the  
 22 CITY desires to implement with its entitlement funds by the date specified prior to each program  
 23 year, the COUNTY may determine the activities to be funded, without consent of the CITY,  
 24 consistent with both Federal and COUNTY policy governing use of Community Development  
 25 Block Grant (CDBG) funds.

26 Consistent with Paragraphs 3, 4, 5, 6, and 7 of this Agreement, COUNTY's Board  
 27 of Supervisors will make the final determination of the distribution and disposition of all CDBG  
 28 funds received by COUNTY pursuant to the ACT.

8. COMMUNITY DEVELOPMENT BLOCK GRANT MANUAL.

CITY warrants that those officers, employees, and agents, retained by it and responsible for implementing projects funded with CDBG have received, reviewed, and will follow the Community Development Block Grant Manual that has been prepared and amended by COUNTY, and by this reference, said Manual is incorporated herein and made a part hereof.

9. REAL PROPERTY ACQUIRED OR PUBLIC FACILITY CONSTRUCTED WITH CDBG FUNDS.

When CDBG funds are used, in whole or in part, by CITY to acquire real property or to construct a public facility, CITY will comply with the National Environmental Policy Act of 1969 (42 U.S.C. §§4321, et seq.), the California Environmental Quality Act (Cal. Pub. Resources Code §§21000, et seq.), the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. §§4630, et seq.), and the California Government Code Sections 7260 et seq., as those Acts may be amended from time-to-time and any Federal or state regulations issued to implement the aforementioned laws.

In addition, the following is to occur:

(a) Title to the real property shall vest in CITY;

(b) The real property title will be held by or the constructed facility will be maintained by the CITY for the approved use until five (5) years after the date that the project is reported as "Completed" within the annual Consolidated Annual Performance and Evaluation Report.

(c) While held by CITY, the real property or the constructed facility is to be used exclusively for the purpose for which acquisition or construction was originally approved by COUNTY;

(d) CITY shall provide timely notice to COUNTY of any action which would result in a modification or change in the use of the real property purchased or improved, in whole or in part, with CDBG or HOME funds from that planned at the time of acquisition or improvement, including disposition.



1 (e) CITY shall provide timely notice to citizens and opportunity to comment  
2 on any proposed modification or change;

3 (f) Written approval from COUNTY must be secured if the property or the  
4 facility is to be put to an alternate use that is or is not consistent with Federal regulations governing  
5 CDBG funds;

6 (g) Should CITY desire during the five (5) year period to use the real property  
7 or the constructed facility for a purpose not consistent with applicable Federal regulations  
8 governing CDBG funds or to sell the real property or facility, then:

9 (i) If CITY desires to retain title, it will have to reimburse either COUNTY  
10 or the Federal government an amount that represents the percentage of current fair market value  
11 that is identical to the percentage that CDBG funds initially comprised to when the property was  
12 acquired or the facility was constructed;

13 (ii) If CITY sells the property or facility, or is required to sell the property  
14 or facility, CITY is to reimburse the COUNTY an amount that represents the percentage of  
15 proceeds realized by the sale that is identical to the percentage that CDBG funds comprised of the  
16 monies paid to initially acquire the property or construct the facility. This percentage amount will  
17 be calculated after deducting all actual and reasonable cost of sale from the sale proceeds.

18 10. DISPOSITION OF INCOME GENERATED BY THE EXPENDITURE  
19 OF CDBG FUNDS.

20 CITY shall inform COUNTY of any income generated by the expenditure of  
21 CDBG funds received by CITY from COUNTY. CITY may not retain any program income so  
22 generated. Any and all program income shall be returned to the County and may only be used for  
23 eligible activities in accordance with all CDBG requirements, including all requirements for citizen  
24 participation.

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1 The COUNTY is required by HUD to monitor and report the receipt and use of all  
2 program income. CITY is required to track, monitor, and report any and all program income as  
3 requested by COUNTY.

4 11. TERMINATION.

5 Except as provided for in Paragraph 2, CITY and COUNTY cannot terminate or  
6 withdraw from this Agreement while it remains in effect.

7 12. FORMER AGREEMENTS UTILIZING COMMUNITY  
8 DEVELOPMENT BLOCK GRANT FUNDS BETWEEN COUNTY AND CITY.

9 All agreements between CITY and COUNTY regarding the use of CDBG funds for  
10 fiscal years 1975-76 through 2020-2021, and any Supplemental Agreements thereunder, shall  
11 remain in full force and effect. If the language of this Agreement is in conflict or inconsistent with  
12 the terms of any prior said agreements between CITY and COUNTY, the language of this  
13 Agreement will be controlling.

14 13. INDEMNIFICATION

15 CITY agrees to indemnify, defend and hold harmless COUNTY and its authorized officers,  
16 employees, agents, and volunteers from any and all claims, actions, losses, damages, and/or  
17 liability arising from CITY acts, errors or omissions and for any costs or expenses incurred by  
18 COUNTY on account of any claim therefore, except where such indemnifications is prohibited by  
19 law. CITY shall promptly notify COUNTY in writing of the occurrence of any such claims,  
20 actions, losses, damages, and/or liability. CITY shall indemnify and hold harmless COUNTY  
21 against any liability, claims, losses, demands, and actions incurred by COUNTY as a result of the  
22 determination by HUD or its successor that activities undertaken by CITY under the program(s)  
23 fail to comply with any laws, regulations, or policies applicable thereto or that any funds billed by  
24 and disbursed to CITY under this Agreement were improperly expended.

25 14. COMPLIANCE WITH LAWS AND REGULATIONS.

26 By executing this Agreement, the Parties hereby certify that they will adhere to and  
27 comply with all applicable Federal, state, and local laws, regulations, and ordinances.

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15. ENTIRE AGREEMENT.

It is expressly agreed that this Agreement embodies the entire agreement of the Parties in relation to the subject matter hereof, and that no other agreement or understanding, verbal or otherwise, relative to this subject matter, exists between the Parties at the time of execution.

16. SEVERABILITY.

Each paragraph and provision of this Agreement is severable from each other provision, and if any provision or part thereof is declared invalid, the remaining provisions shall remain in full force and effect.

17. ASSIGNMENT.

The Parties will not make any sale, assignment, conveyance or lease of any trust or power, or transfer in any other form with respect to this Agreement, without prior written approval of the other Party.

18. INTERPRETATION AND GOVERNING LAW.

This Agreement and any dispute arising hereunder shall be governed by and interpreted in accordance with the laws of the State of California. This Agreement shall be construed as a whole according to its fair language and common meaning to achieve the objectives and purposes of the Parties hereto, and the rule of construction to the effect that ambiguities are to be resolved against the drafting Party shall not be employed in interpreting this Agreement, all Parties having been represented by counsel in the negotiation and preparation hereof.

19. WAIVER.

Failure by a Party to insist upon the strict performance of any of the provisions of this Agreement by the other Party, or the failure by a Party to exercise its rights upon the default of the other Party, shall not constitute a waiver of such Party's right to insist and demand strict compliance by the other Party with the terms of this Agreement thereafter.

20. JURISDICTION AND VENUE.

Any action at law or in equity arising under this Agreement or brought by a Party hereto for the purpose of enforcing, construing or determining the validity of any provision of this

1 Agreement shall be filed in the Superior Court of California, County of Riverside, State of  
2 California, and the Parties hereto waive all provisions of law providing for the filing, removal or  
3 change of venue to any other court or jurisdiction.

4 21. PROHIBITION OF CDBG FUND TRANSFER

5 The City may not sell, trade, or otherwise transfer all or any portion of such funds  
6 to another such metropolitan city, urban county, unit of general local government, or Indian tribe,  
7 or insular area that directly or indirectly receives CDBG funds in exchange for any other funds,  
8 credits or non-Federal considerations. City must use such funds for activities eligible under title  
9 I of the ACT.

10 22. EMERGENCY SOLUTIONS GRANT FORMULA ALLOCATION

11 CITY acknowledges that while participating in the COUNTY’s Urban County  
12 program, CITY can only receive a formula Emergency Solutions Grant (ESG) allocation from  
13 the Urban County program and only at such times as authorized by the Board of Supervisors. The  
14 CITY and COUNTY may also apply for ESG funds from the State of California, if permitted by  
15 the State.

16 23. HOME INVESTMENT PARTNERSHIP ACT FORMULA  
17 ALLOCATION

18 CITY acknowledges that while participating in the COUNTY’s Urban County  
19 program, CITY can only receive a formula HOME allocation from the Urban County program  
20 and only at such times as authorized by the Board of Supervisors. The CITY and COUNTY may  
21 also apply for HOME funds from the State of California, if permitted by the State.

22 24. AMENDMENTS

23 No change, amendment, or modification to the Agreement shall be valid or binding  
24 upon CITY or COUNTY unless such change, amendment, or modification is in writing and duly  
25 executed. CITY and COUNTY agree to adopt any necessary amendments to this Agreement to  
26 incorporate changes required by HUD as set forth in the Urban County Qualification Notice.  
27 Amendments must be submitted to HUD as provided in the Urban County Qualification Notice  
28 and failure to do so will void the automatic renewal for such qualification period.

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24. AUTHORITY TO EXECUTE.

The persons executing this Agreement or exhibits attached hereto on behalf of the Parties to this Agreement hereby warrant and represent that they have the authority to execute this Agreement and warrant and represent that they have the authority to bind the respective Parties to this Agreement to the performance of its obligations hereunder.

25. INCORPORATION OF RECITALS

The Parties hereby affirm the facts set forth in the recitals above. Said recitals are incorporated herein and made an operative part of this Agreement.

**IN WITNESS WHEREOF**, the COUNTY and CITY have executed this Agreement on the date shown below.

Date: \_\_\_\_\_

COUNTY OF RIVERSIDE,  
a political subdivision of the  
State of California

CITY OF BEAUMONT,  
a general law city

BY: \_\_\_\_\_  
Heidi Marshall, Director  
Housing, Homelessness Prevention  
& Workforce Solutions

BY: \_\_\_\_\_  
Mayor

APPROVED AS TO FORM:  
Gregory P. Priamos, County Counsel

ATTEST:

By: \_\_\_\_\_  
Amrit P. Dhillon, Deputy County Counsel

BY: \_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

BY: \_\_\_\_\_  
City Attorney

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COUNTY COUNSEL CERTIFICATION

The Office of County Counsel hereby certifies that the terms and provisions of this Agreement are fully-authorized under state and local law and that the Agreement provides full legal authority for the COUNTY to undertake, or assist in undertaking, essential community development and housing assistance activities specifically urban renewal and publicly assisted housing.

Gregory P. Priamos  
County Counsel

By: \_\_\_\_\_  
Amrit P. Dhillon, Deputy County Counsel



## Staff Report

**TO:** Mayor, and City Council Members  
**FROM:** Jeff Hart, Public Works Director  
**DATE:** October 6, 2020  
**SUBJECT:** **Accept Performance Bonds and Security Agreements for SDC Fairway Canyon, LLC., Tracts 31462-21 and 31462-22 Sewer Improvements**

### Background and Analysis:

The City requires all developers to provide security for public improvements consisting of, but not limited to, sewer improvements, street improvements, storm drain improvements, utility improvements, and monument improvements. The bonded improvements listed in Table 1 will be constructed by SDC Fairway Canyon, LLC.

### SDC Fairway Canyon:

SDC Fairway Canyon, LLC will construct the sewer improvements for Tract 31462-21 and 22, which is part of the Fairway Canyon development. Tract 31462 is located north of Oak Valley Parkway, south of Champions Road and east of the extension of Tukwet Canyon Parkway, in the City of Beaumont. These public improvements will be constructed within the specific plan commonly referred to as Fairway Canyon and ultimately within City of Beaumont right-of-way. Public sewer improvements will consist of sewer mains, manholes, and laterals.

The following table includes the development name, bond number, type of improvement, and the developer submitting the security agreement:

Table 1				
Bond #	Bond Type	Type of Improvement	Development/Tract #	Developer
1001124453	Performance	Sewer Improvements	Fairway Canyon/31462-21	SDC Fairway Canyon, LLC

1001124454	Performance	Sewer Improvements	Fairway Canyon/31462-22	SDC Fairway Canyon, LLC
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Staff has reviewed the security agreements along with the performance and payment bonds and determined that they are consistent with the City’s municipal code. Staff recommends that City Council accept the bonds listed in Table 1.

**Fiscal Impact:**

The cost of preparing the staff report is estimated to be \$350.

**Recommended Action:**

- Accept the following bonds and security agreements:
- Performance bond No. 1001124453 for sewer improvements for Tract 31462-21
  - Performance bond No. 1001124454 for sewer improvements for Tract 31462-22

**Attachments:**

- A. Bond No. 1001124453 and security agreement for sewer improvements Tract 31462-21, and associated improvement plan
- B. Bond No. 1001124454 and security agreement for sewer improvements Tract 31462-22, and associated improvement plan



Rev. 05 06 2020

Basic Gov (Sales Force) #  
File #

**AGREEMENT TO PROVIDE SECURITY FOR IMPROVEMENTS  
FOR TRACT MAP OR PARCEL MAP OR PLOT PLAN  
(Tract Map/Parcel Map/Plot Plan No. 31462-21**

**THIS AGREEMENT TO PROVIDE SECURITY FOR IMPROVEMENTS (“Security Agreement”) is made by and between CITY OF BEAUMONT (“CITY”) and SDC Fairway Canyon LLC, a Delaware limited liability company (“DEVELOPER”)**

**RECITALS**

A. DEVELOPER has applied to the CITY for permission to develop certain real property, pursuant to Tract Map/Parcel Map/Plot Plan # 31462-21 (“Map”). DEVELOPER has also asked the CITY to accept the dedication of the street or streets and other proposed public rights-of-way, parks and recreation facilities, and easements as depicted on the Map and to otherwise approve the Map so that it may be recorded as required by law; and

B. The CITY requires, as a condition precedent to the acceptance and approval of the Map and the dedication of the public rights-of-way and easements depicted thereon, that such rights-of-way be improved with (for example) grading, paving, curbs, gutters, sidewalks, street lights, stormdrains, sanitary sewers and appurtenances thereto, street name signs, survey monuments, electrical and telecommunications, water pipes, water mains, fire hydrants and appurtenances thereto, and landscaping, including any warranty work for all such improvements (collectively, “Improvements”); and

C. The Improvements have not yet been constructed and completed and it is the purpose of this Security Agreement to set forth the terms and conditions by which the DEVELOPER shall guarantee that such Improvements shall be constructed and completed within the time set forth herein.

**AGREEMENT**

NOW, THEREFORE, in consideration of the acceptance of the DEVELOPER’s offer of dedication and the approval of the Map for filing and recording as provided and required by law, the CITY and the DEVELOPER hereby agree as follows:

1. Provision of Improvements. DEVELOPER shall provide, at the DEVELOPER’s sole cost and expense, all necessary labor and materials to complete the construction of the Improvements depicted on the Map and described in the conditions of approval of the Map within one (1) year of the date of this Security Agreement.

2. Inspection by the CITY. The CITY shall inspect, at the DEVELOPER’s sole cost and expense, all of the work, labor and materials performed and provided by the DEVELOPER in connection with the Improvements.

**3. Compliance with Plans and Specifications.** The Improvements shall be constructed and installed in strict accordance with the CITY-approved plans and specifications.

**4. Security for Performance.** Concurrently with the execution of this Security Agreement by DEVELOPER, DEVELOPER shall deliver to the CITY a performance bond issued by a corporate surety in substantially the form required by California Government Code 66499.1 and attached hereto as **Exhibit "A"**, in an amount that is not less than 100% of the total estimated cost of the Improvements and any warranty therefor. The performance bond shall be issued by an "admitted" corporate surety insurer authorized to do business in the State of California and the surety insurer shall have an A.M. Best rating of at least "A, XV". The surety insurer shall have assets exceeding its liabilities in the amount equal to or in excess of the amount of the bond, and the bond shall not be in excess of 10% of the surety insurer's assets. The security or bond shall also insure against any and all defects in the Improvements for a period of not less than one full year after the date of acceptance thereof by the CITY. The bond shall be duly executed and shall meet all the requirements of Section 995.660 of the California Code of Civil Procedure.

**5. Security for Contractors, Subcontractors, Laborers and Materialmen.** The DEVELOPER shall also provide a payment bond issued by a corporate surety for the security of laborers and materialmen, which bond or bonds shall be in substantially the form required by California Government Code Section 66499.2 attached hereto as **Exhibit "B"** and made a part hereof. The amount of the bond(s) shall be no less than 100% of the total estimated amount needed to secure payment to the contractor, to the subcontractors, and to the persons furnishing labor, materials, or equipment to them for the Improvements. The laborers and materialmen bond shall be provided by an "admitted" corporate surety insurer authorized to transact surety insurance in the State of California with an A.M. Best rating of "A, XV", and with assets exceeding its liabilities in the amount equal to or in excess of the amount of the bond, and the bond shall not be in excess of 10% of the surety insurer's assets. The bond shall be duly executed and shall meet all the requirements of Section 995.660 of the California Code of Civil Procedure.

**6. General Liability and Worker's Compensation Insurance.** The DEVELOPER shall, before commencing any work, obtain commercial general liability insurance (primary) of not less than \$2,000,000.00 per occurrence for all coverages and \$2,000,000.00 general aggregate. The CITY and its employees and agents shall be added as additional insureds. Coverage shall apply on a primary non-contributing basis in relation to any other insurance or self-insurance, primary or excess, available to the CITY or any employee or agent of the CITY. Coverage shall not be limited to the vicarious liability or supervisory role of any additional insured. Coverage shall contain no contractors' limitation endorsement. There shall be no endorsement or modification limiting the scope of coverage for liability arising from pollution, explosion, collapse, underground property damage or employment-related practices. Such insurance shall not prohibit the DEVELOPER, and its employees or agents, from waiving the right of subrogation prior to a loss. The DEVELOPER waives its right of subrogation against the CITY. Unless otherwise approved by the CITY, the DEVELOPER's insurance shall be written by insurers authorized to do business in the State of California and with a minimum A.M. Best rating of "A, XV." Self-insurance shall not be considered to comply with these insurance specifications. The DEVELOPER agrees to require all contractors, subcontractors and other parties hired for the Improvements to purchase and maintain insurance of the types specified herein, naming as additional insureds all of the parties to this Security Agreement. The DEVELOPER shall, before commencing any work, obtain Worker's Compensation Insurance in an amount required by law and, failing to do so, the CITY may procure such insurance at the cost of the DEVELOPER.

**7. Comprehensive Commercial General and Automobile Liability Insurance.** The DEVELOPER, before commencing any work shall, at its own expense, maintain comprehensive commercial general and automobile liability insurance issued by a California-admitted surety company with an A.M. Best rating of no less than "A, XV" for \$2,000,000 per occurrence. Coverage shall be for the entire duration of the permitted activities. Such liability insurance policy shall name, by endorsement, the City as an additional insured.

**8. Indemnification.** Notwithstanding the provisions of Government Code, Section 66474.9 or any other statutes of similar import, and to the full extent permitted by law, the DEVELOPER shall defend, indemnify and hold harmless the CITY, its employees, agents, officials and attorneys, from and against any liability, claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or costs of any kind or nature, whether actual, alleged or threatened, reasonable attorneys' fees, court costs, interest, expert witness fees and any other costs or expenses of any kind whatsoever, without restriction or limitation, incurred in relation to, as a consequence of, or arising out of or in any way attributable actually, allegedly or impliedly, in whole or in part, to the Map, the Improvements, this Agreement, or any matter related to the same; provided, however, that the indemnification to be provided by DEVELOPER to the CITY pursuant to the terms of this paragraph shall not be applicable where the aforementioned liability, claim, suit or action is the result of the sole negligence or sole willful misconduct of the CITY.

**9. Procedure for Release of Performance Bond Security.** The security furnished by the DEVELOPER shall be released in whole or in part in the following manner:

a. Security shall be released upon final completion and acceptance of the Improvements. If the security furnished by the DEVELOPER is a documentary evidence of security, such as a surety bond, the CITY shall release the documentary evidence and return the original to the Surety upon final completion and acceptance of the Improvements. In the event the CITY is unable to return the original documentary evidence to the Surety, the security shall be released by written notice sent by certified mail to the DEVELOPER and to the Surety within 30 days of the City's acceptance of the Improvements. The written notice shall contain a statement that the work for which security was furnished has been completed and accepted, a description of the Improvements, and the notarized signature of an authorized CITY official.

b. At such time as the DEVELOPER believes that the work for which the security was required is complete and makes payment of a partial exoneration fee of \$350 to the CITY, the DEVELOPER shall notify the CITY in writing of the completed work, including a list of work completed. Upon receipt of the written notice, the CITY shall have 45 days to review and comment or approve the completion of the Improvements. If the CITY does not agree that all work has been completed in accordance with the plans

and specifications for the Improvements, it shall supply a list of all remaining work to be completed.

c. Within 45 days of receipt of the CITY's list of remaining work, the DEVELOPER may then provide cost estimates for all remaining work for review and approval by the CITY.

d. Upon receipt of the cost estimates, the CITY shall then have 45 days to review, comment, and approve, modify or disapprove those cost estimates. The CITY shall not be required to engage in this process of partial release more than once between the start of work and the completion and acceptance of all work.

e. The DEVELOPER shall complete the works of Improvement until all remaining items are accepted by the CITY. Upon completion of the Improvements, the DEVELOPER shall be notified in writing by the CITY within 45 days and, within 45 days of the date of the CITY's notice, the release of any remaining performance security shall be made within 60 days of the recording of the Notice of Completion.

**10. Procedure for Release of Payment Bond Security.** Security securing the payment to the contractor, his or her subcontractors and persons furnishing labor, materials or equipment may, after passage of the time within which mechanic's liens and stop notices are required to be recorded and after acceptance of the Improvements, be reduced by Surety to an amount equal to the total claimed by all claimants for whom mechanic's liens and stop notices have been recorded and notice thereof given in writing to the CITY, and if no claims have been recorded, the security may be released in full.

**11. Security for One-Year Warranty Period.** The release procedures described in paragraphs 9 and 10 above shall not apply to any required guarantee and warranty period nor to the amount of the performance bond security deemed necessary by the CITY for the guarantee and warranty period nor to costs and reasonable expenses and fees, including reasonable attorneys' fees.

**12. Binding Effect.** This Security Agreement shall be binding upon and shall inure to the benefit of the parties hereto, their legal representatives and their successors and assigns.

**13. Authority to Execute.** The DEVELOPER hereby warrants and represents to the CITY that the individual signing this Security Agreement on behalf of the DEVELOPER is vested with the unconditional authority to do so pursuant to, and in accordance with, all applicable legal requirements, and has the authority bind the DEVELOPER hereto.

**14. No Assignment.** The DEVELOPER may not assign this Security Agreement, or any part thereof, to another without the prior written consent of the CITY.

**15. Attorneys' Fees.** In the event of legal action to enforce or interpret this Agreement or any of its provisions, the prevailing party shall be entitled, in addition to any other form of relief, to recover its reasonable attorneys' fees and costs of suit.

16. Execution in Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single agreement.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the dates listed below.

CITY OF BEAUMONT


By  
Mayor

Date \_\_\_\_\_

DEVELOPER

By SDC Fairway Canyon LLC

Date 7/14/2020

Title: Authorized Signatory 

Address: 2392 Morse Avenue  
Irvine, CA 92614

\_\_\_\_\_  
\_\_\_\_\_

# ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }

County of Orange }

On July 14, 2020 before me, Susan E. Morales, Notary Public,  
(Here insert name and title of the officer)

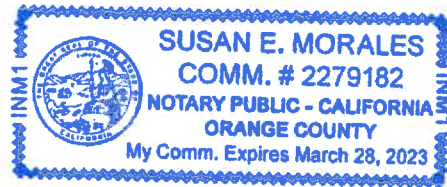
personally appeared Dale Strickland,  
who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose  
name~~(s)~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that  
he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by  
his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of  
which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that  
the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Susan E. Morales  
Notary Public Signature

(Notary Public Seal)



### ADDITIONAL OPTIONAL INFORMATION

#### DESCRIPTION OF THE ATTACHED DOCUMENT

SDC Fairway Canyon, LLC

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages \_\_\_\_\_ Document Date \_\_\_\_\_

#### CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
- Corporate Officer

\_\_\_\_\_  
(Title)

- Partner(s)
- Attorney-in-Fact
- Trustee(s)
- Other Authorized Signatory

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- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
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- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they- is /are ) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
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- Signature of the notary public must match the signature on file with the office of the county clerk.
  - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.

Revised Form

Basic Gov (Sales Force) #  
File #

Intract Sewer

**EXHIBIT "A"**

Bond No.: 1001124453  
Premium: \$3,488.00/2 yrs.

**PERFORMANCE BOND**

WHEREAS, the City Council of the City of Beaumont, State of California, and SDC Fairway Canyon, LLC (hereinafter designated as "Principal") have entered into Agreement To Provide Security For Improvements For Tract Map Or Parcel Map Or Plot Plan, dated July 14<sup>th</sup>, 2020 whereby Principal agrees to install and complete certain designated public improvements itemized and described on Tract Map, Parcel Map or Plot Plan No. 31462-21 which is hereby incorporated herein and made a part hereof; and

WHEREAS, Principal is required under the terms of the said agreement to furnish a bond for the faithful performance of said agreement.

NOW, THEREFORE, we, the Principal and American Contractors Indemnity Company, as Surety, are held and firmly bound unto the City of Beaumont (hereinafter called "City"), in the penal sum of Two Hundred Thirty-Two Thousand Five\* dollars (\$ 232,512.75 ) lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors and administrators, jointly and severally, firmly by these presents. \*Hundred Twelve & 75/100ths

The condition of this obligation is such that if the above bounded Principal, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or their part to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City, its officers, agents and employees as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

As part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment therein rendered.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications.

[signatures on following page]

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on July 14, 2020.

(Seal)

(Seal)

American Contractors Indemnity Company

SDC Fairway Canyon, LLC

**SURETY**

**PRINCIPAL**

By: 

By: 

Name: Shane Wolf

Name: Dale Strickland

Title: Attorney-in-Fact

Title: Authorized Signatory

Address: 801 S. Figueroa St., Suite 700

By: \_\_\_\_\_

Los Angeles, CA 90017

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: 2392 Morse Ave.

Irvine, CA 92614

ALL SIGNATURES MUST BE ACKNOWLEDGED BEFORE A NOTARY PUBLIC



# ALL- PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

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State of California }

County of Orange }

On July 14, 2020 before me, Susan E. Morales, Notary Public  
(Here insert name and title of the officer)

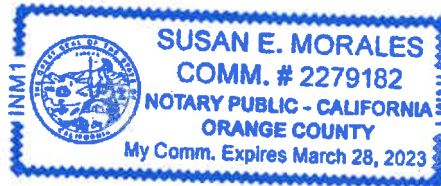
personally appeared Dale Strickland,  
who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose  
name~~(s)~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that  
he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by  
his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of  
which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that  
the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Susan E. Morales  
Notary Public Signature

(Notary Public Seal)



### ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT  
SDC Fairway Canyon, LLC  
(Title or description of attached document)  
  
(Title or description of attached document continued)  
Number of Pages \_\_\_\_\_ Document Date \_\_\_\_\_

### CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
- Corporate Officer  
\_\_\_\_\_  
(Title)
- Partner(s)
- Attorney-in-Fact
- Trustee(s)
- Other Authorized Signatory

### INSTRUCTIONS FOR COMPLETING THIS FORM

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- Securely attach this document to the signed document with a staple.

# ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

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State of California }

County of Orange }

On July 14, 2020 before me, Susan E. Morales, Notary Public,  
(Here insert name and title of the officer)

personally appeared Shane Wolf,  
who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose  
name~~(s)~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that  
he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by  
his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of  
which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that  
the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Susan E. Morales  
Notary Public Signature

(Notary Public Seal)



### ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT  
American Contractors Indemnity Company  
(Title or description of attached document)  
  
(Title or description of attached document continued)  
  
Number of Pages \_\_\_\_\_ Document Date \_\_\_\_\_

CAPACITY CLAIMED BY THE SIGNER  
 Individual (s)  
 Corporate Officer  
  
\_\_\_\_\_  
(Title)  
 Partner(s)  
 Attorney-in-Fact  
 Trustee(s)  
 Other \_\_\_\_\_

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Revised Form

Intract Sewer

Bond No.: 1001124453  
Premium included with  
the Performance Bond

**EXHIBIT "B"**

**PAYMENT BOND**

WHEREAS, the City Council of the City of Beaumont, State of California, and SDC Fairway Canyon, LLC (hereafter designated as "the Principal") have entered into Agreement To Provide Security For Improvements For Tract Map Or Parcel Map Or Plot Plan, 31462-21 dated July 14<sup>th</sup>, 2020, whereby Principal agrees to install and complete certain designated public improvements which is hereby incorporated herein and made a part hereof; and

WHEREAS, under the terms of the said agreement, the Principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Beaumont to secure the claims to which reference is made in Title 3 (commencing with Section 9000, et seq.) of Part 6 of Division 4 of the Civil Code of the State of California.

NOW, THEREFORE, the Principal and the undersigned as corporate surety, are held firmly bound unto the City of Beaumont and all contractors, subcontractors, laborers, materialmen, and other persons employed in the performance of the said agreement and referred to at Title 3 (commencing with Section 9000, et seq.) of Part 6 of Division 4 of the Civil Code in the sum of Two Hundred Thirty-Two\* for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to this work or labor, that the Surety will pay the same in an amount not exceeding the amount hereinabove set forth, and also in case suit is brought upon this bond, will pay, in addition to the face amount thereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing this obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgment therein rendered. \*Thousand Five Hundred Twelve & 75/100 (\$232,512.75)

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under Title 3 (commencing with Section 9000, et seq.) of Part 6 of Division 4 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligations on this bond, and it does hereby waive notice of any such change, extension, alteration, or addition.

*[signatures on following page]*

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on July 14, 2020.

(Seal)

(Seal)

American Contractors Indemnity Company

SDC Fairway Canyon, LLC

**SURETY**

**PRINCIPAL**

By: 

By: 

Name: Shane Wolf

Name: Dale Strickland

Title: Attorney-in-Fact

Title: Authorized Signatory

Address: 801 S. Figueroa St., Suite 700

By: \_\_\_\_\_

Los Angeles, CA 90017

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: 2392 Morse Ave.

Irvine, CA 92614

ALL SIGNATURES MUST BE ACKNOWLEDGED BEFORE A NOTARY PUBLIC

# ALL- PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

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State of California }

County of Orange }

On July 14, 2020 before me, Susan E. Morales, Notary Public,  
(Here insert name and title of the officer)

personally appeared Dale Strickland,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Susan E. Morales  
Notary Public Signature

(Notary Public Seal)



### ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

SDC Fairway Canyon, LLC  
(Title or description of attached document)

\_\_\_\_\_  
(Title or description of attached document continued)

Number of Pages \_\_\_\_\_ Document Date \_\_\_\_\_

### CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
- Corporate Officer
- \_\_\_\_\_  
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- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.

# ALL- PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }

County of Orange }

On July 14, 2020 before me, Susan E. Morales, Notary Public,  
(Here insert name and title of the officer)

personally appeared Shane Wolf,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose  
name(s) is/are subscribed to the within instrument and acknowledged to me that  
he/she/they executed the same in his/her/their authorized capacity(ies), and that by  
his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of  
which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that  
the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Susan E. Morales  
Notary Public Signature

(Notary Public Seal)



### ADDITIONAL OPTIONAL INFORMATION

#### DESCRIPTION OF THE ATTACHED DOCUMENT

American Contractors Indemnity Company

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages \_\_\_\_\_ Document Date \_\_\_\_\_

#### CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
- Corporate Officer

(Title)

- Partner(s)
- Attorney-in-Fact
- Trustee(s)
- Other \_\_\_\_\_

### INSTRUCTIONS FOR COMPLETING THIS FORM

*This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.*

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is /are ) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.



TOKIO MARINE  
HCC

**POWER OF ATTORNEY**  
**AMERICAN CONTRACTORS INDEMNITY COMPANY, TEXAS BONDING COMPANY**  
**UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY**

KNOW ALL MEN BY THESE PRESENTS: That American Contractors Indemnity Company, a California corporation, Texas Bonding Company, an assumed name of American Contractors Indemnity Company, United States Surety Company, a Maryland corporation and U.S. Specialty Insurance Company, a Texas corporation (collectively, the "Companies"), do by these presents make, constitute and appoint:  
Gathy S. Kennedy, Todd M. Rohm, Beata A. Sensi, Cheryl L. Thomas or Shane Wolf of Orange, California

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety, providing the bond penalty does not exceed \*\*\*\*\*Seventy Five Million\*\*\*\*\* Dollars (\*\*75,000,000.00\*\*). This Power of Attorney shall expire without further action on April 23, 2022. This Power of Attorney is granted under and by authority of the following resolutions adopted by the Boards of Directors of the Companies:

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings, including any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts, and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, The Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 1<sup>st</sup> day of June, 2018.

AMERICAN CONTRACTORS INDEMNITY COMPANY, TEXAS BONDING COMPANY  
UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY

State of California

County of Los Angeles



By:   
Daniel P. Aguilar, Vice President

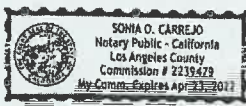
A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

On this 1<sup>st</sup> day of June, 2018, before me, Sonia O. Carrejo, a notary public, personally appeared Daniel P. Aguilar, Vice President of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: (seal)



I, Kio Lo, Assistant Secretary of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Los Angeles, California this day of JUL 14 2020

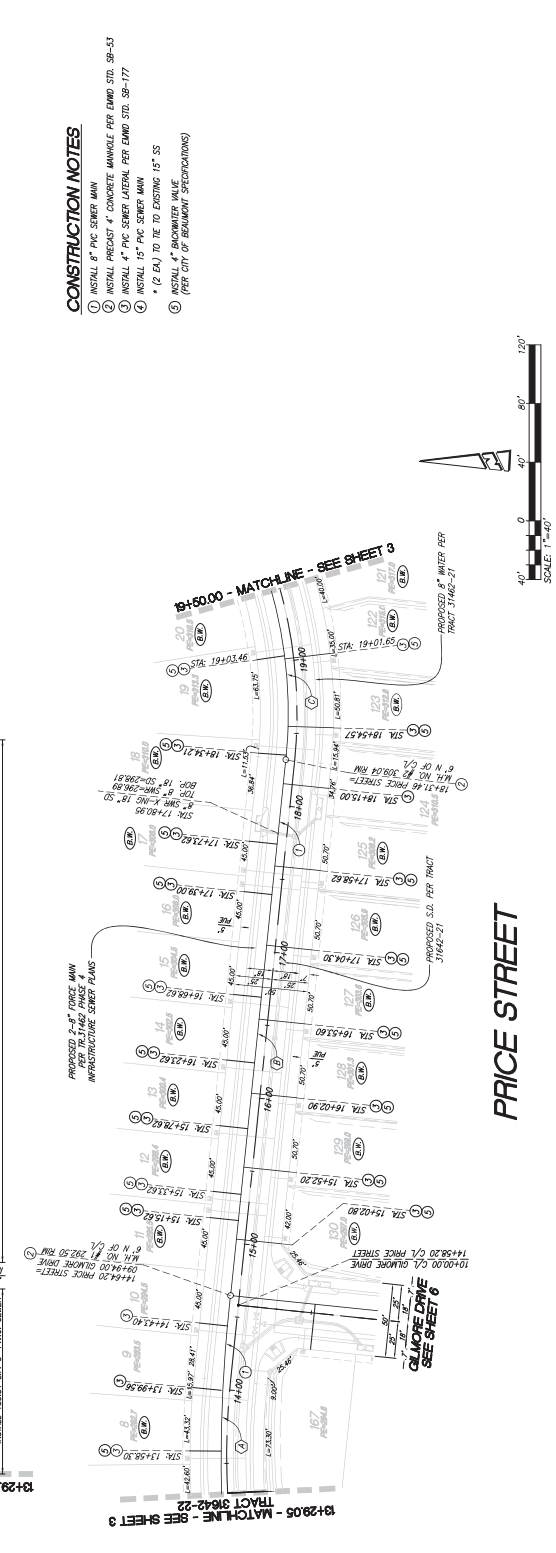
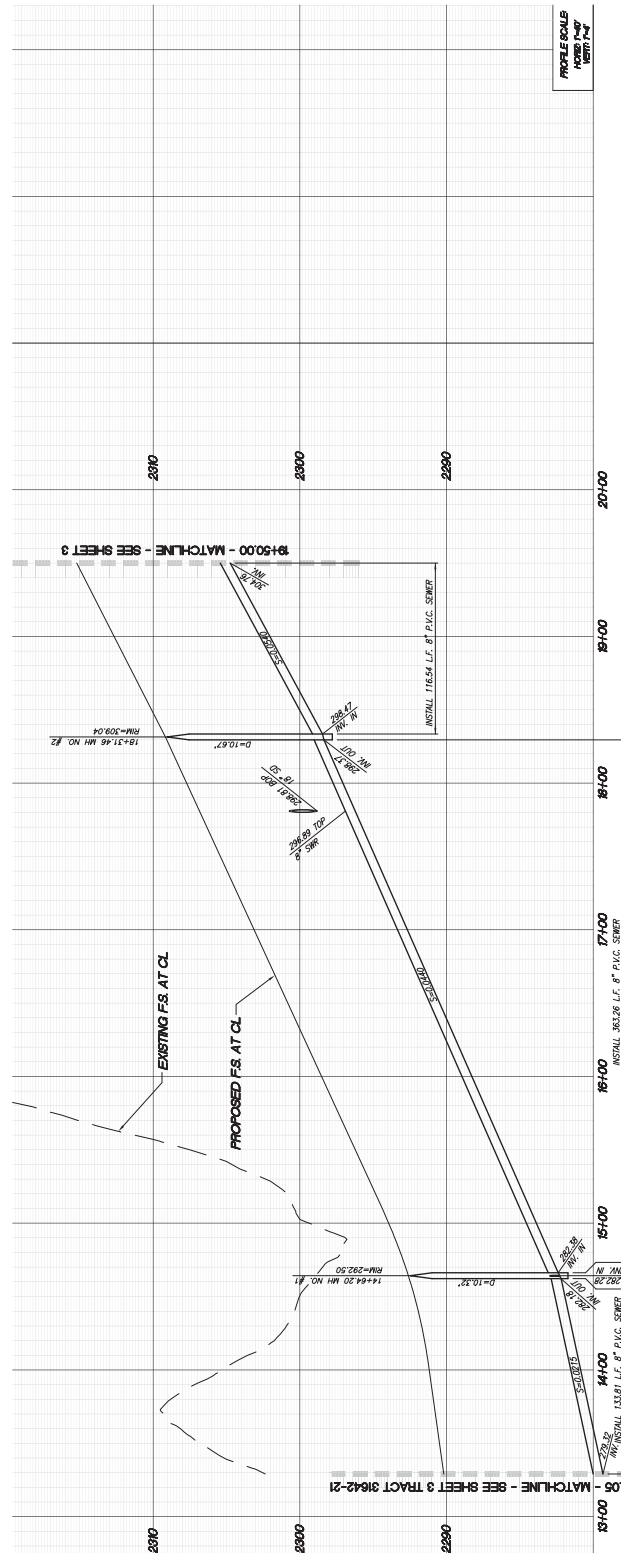
Corporate Seals  
Bond No. 1001124453  
Agency No. 16590



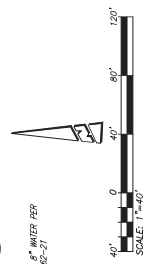
Kio Lo, Assistant Secretary







- CONSTRUCTION NOTES**
- 1) INSTALL 8\"/>
  - 2) INSTALL PRECAST 4\"/>
  - 3) INSTALL 4\"/>
  - 4) INSTALL 15\"/>
  - 5) (2 EA.) TO BE TO EXISTING 15\"/>
  - 6) INSTALL 4\"/>



**PRICE STREET**  
 STA. 15+28.89 TO STA. 19+50.00

**CITY OF BEAUMONT, CALIFORNIA**  
 SEWER IMPROVEMENT PLANS  
 TRACT NO. 31462-21  
**PRICE STREET**  
 STA. 15+28.89 TO STA. 19+50.00



Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Recommended for Approval By: \_\_\_\_\_ Date: 08/11/2020  
 Approved By: \_\_\_\_\_ Date: 08/11/2020

CITY OF BEAUMONT, PUBLIC WORKS DEPARTMENT  
 ENGINEERING DIVISION

PROFESSIONAL ENGINEER  
 STATE OF CALIFORNIA  
 No. 44900  
 Exp. 12/31/2020

PROJECTING ENGINEERING  
 14420 C/L PRICE STREET  
 BEAUMONT, CA 94705  
 (925) 461-1442

APPR. DATE CITY  
 BY: \_\_\_\_\_ DATE: 08/14/20  
 ENGINEER: \_\_\_\_\_

REVISIONS

NO.	DESCRIPTION	DATE
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

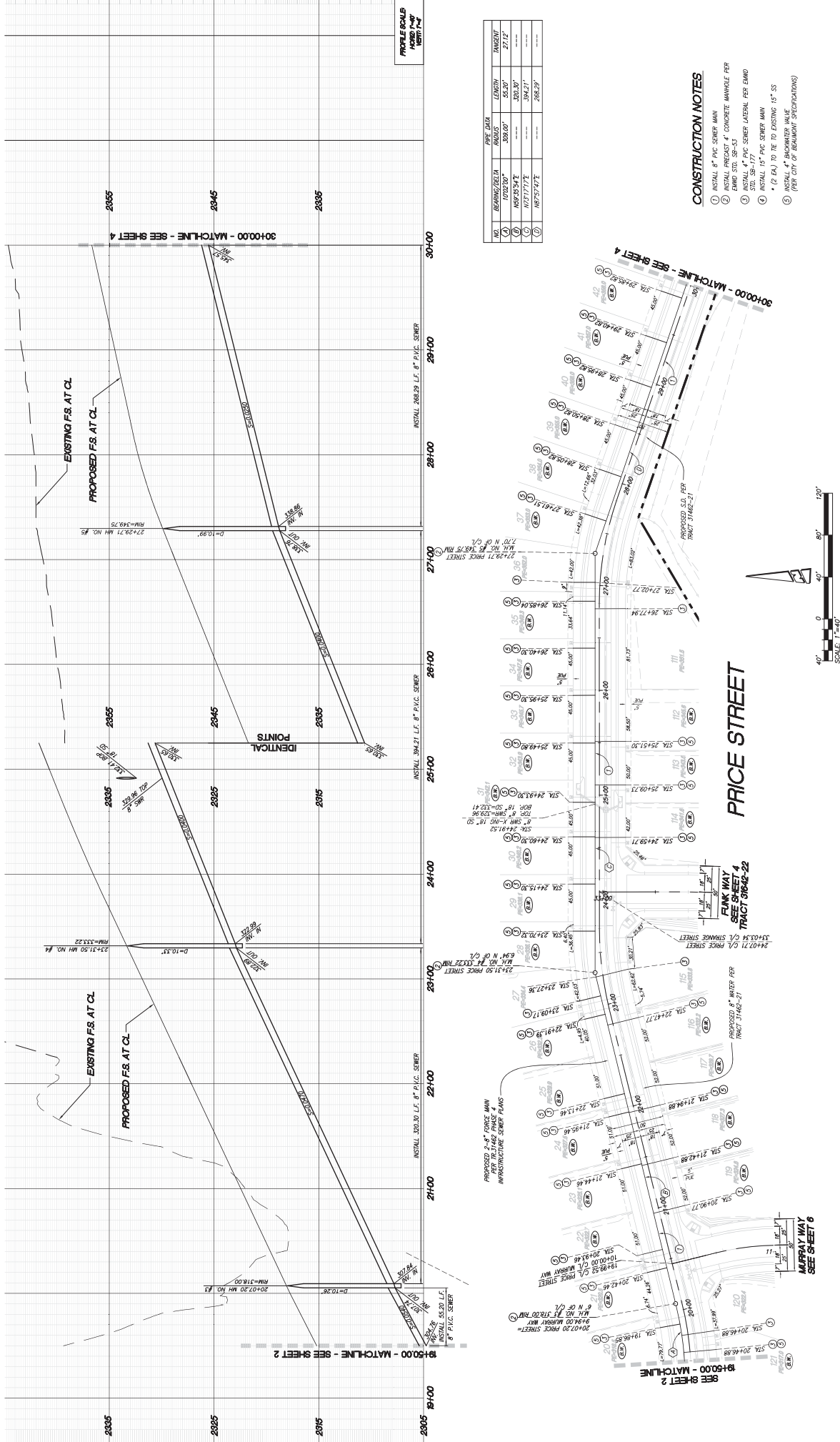
BENCHMARK: CROSS MONUMENT "6507"  
 BENCHMARK DISK SET IN TOP OF  
 CONCRETE MONUMENT STATIONED  
 THE DRIVE FROM DESERT LANE TO  
 CENTERLINE 24.9 FT. S.W. OF THE S.W.  
 CORNER OF THE SOUTH EXTERIOR LINES  
 OF WINDSHIELD HIGHWAY 10  
 ELEV 2491.14, NGVD 29

811  
 Before You Dig

**Item 5.**

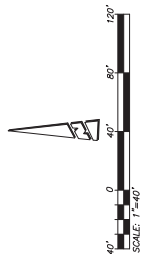
**DIGALERT**  
 Before You Dig  
 811

811  
 Before You Dig



NO.	BEARING/DELTA	RADIUS	LENGTH	MARKSET
1	102°02'00"	300.00'	55.30'	27.11'
2	N69°05'54"E	---	202.30'	---
3	N02°17'17"E	---	304.27'	---
4	N67°29'17"E	---	262.29'	---

- CONSTRUCTION NOTES**
- INSTALL 8" PVC SEWER MAIN
  - INSTALL PRECAST #4 CONCRETE MANHOLE PER EMD STD. SP-53
  - INSTALL #4 PVC SEWER LATERAL PER EMD STD. SP-53
  - INSTALL 15" PVC SEWER MAIN
  - INSTALL #4 BACKWATER VALVE (PER CITY OF BEAUMONT SPECIFICATIONS)



**PROFILE SCALE**  
VERTICAL SCALE: 1"=4'

**ITEM 5.**

CITY OF BEAUMONT, CALIFORNIA  
SEWER IMPROVEMENT PLANS  
TRACT NO. 31462-21  
**PRICE STREET**  
STA. 19+50.00 TO STA. 30+00.00

**SHEET 3**  
OF 7 SHEETS  
FIELD NO. 3102

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_  
Recommended for Approval By: \_\_\_\_\_ Date: \_\_\_\_\_  
Approved By: \_\_\_\_\_ Date: 09/11/2020

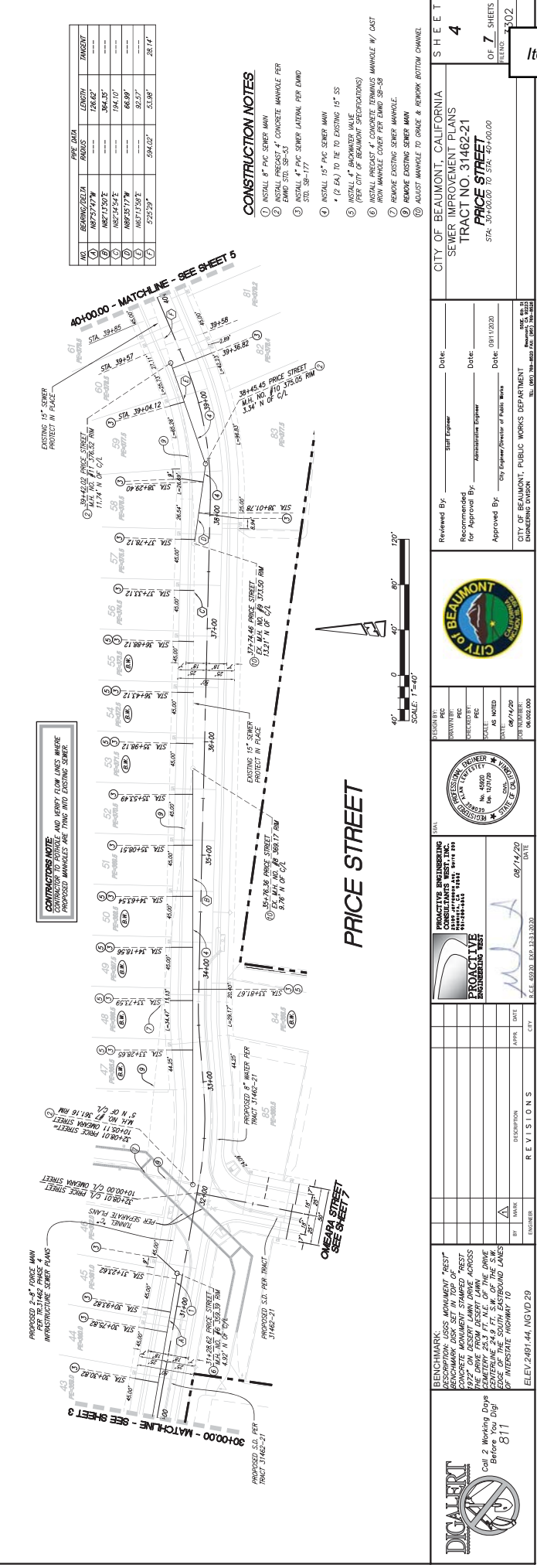
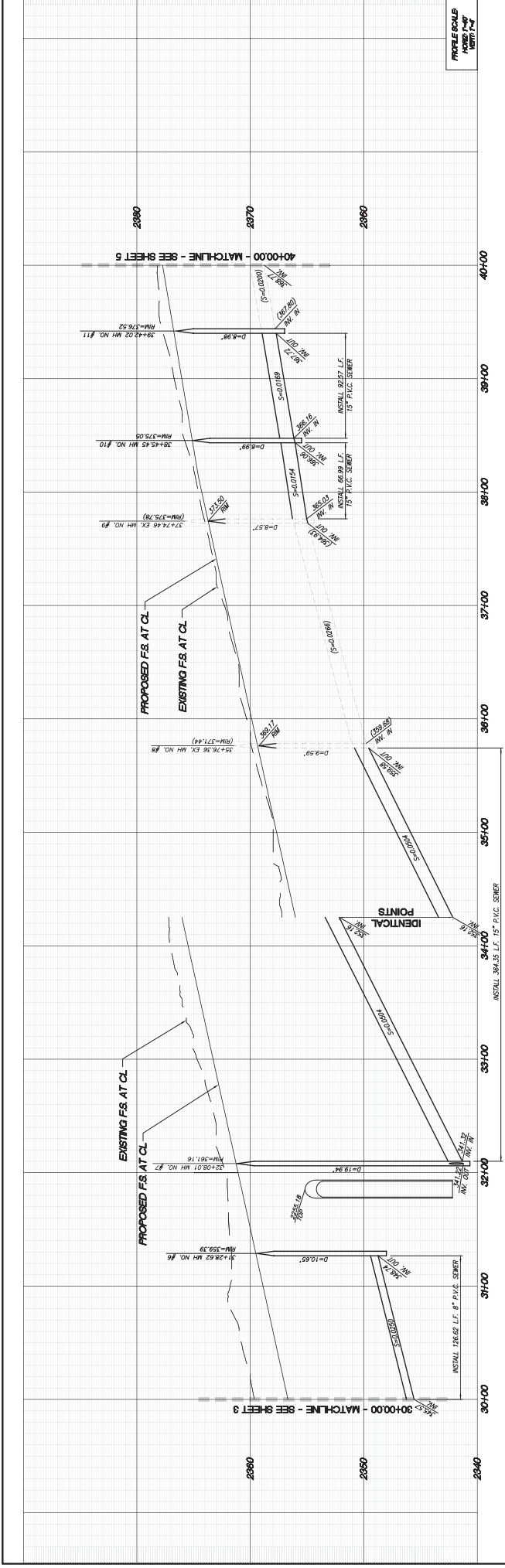
CITY OF BEAUMONT, PUBLIC WORKS DEPARTMENT  
DRAWING DIVISION

**PROJECTING ENGINEERING**  
PROJ. NO. 19-001  
DATE: 08/14/20  
BY: M.A. WALKER  
CHECKED BY: \_\_\_\_\_  
DATE: 08/14/20  
AS NOTED

APPR. DATE: 08/14/20  
BY: M.A. WALKER  
ENGINEER

BENCHMARK: DISK MONUMENT "6507"  
BENCHMARK DISK SET IN TOP OF  
CONCRETE MONUMENT SP-53 PER  
THE DRIVE FROM DESERT LANE TO  
CENTRELINE 24.9 FT. S.W. OF THE SW  
CORNER OF THE SOUTH EXTERIOR LINES  
OF WINDSHIELD HIGHWAY 10

ELEVATION: 2491.44, NGVD 29



NO.	BEARING/DELTA	RADIUS	LENGTH	MARKSET
1	N 75° 54' 17" W	126.62'	126.62'	126.62'
2	N 87° 15' 0" E	384.35'	384.35'	384.35'
3	N 82° 12' 52" E	194.10'	194.10'	194.10'
4	N 89° 33' 17" W	68.89'	68.89'	68.89'
5	N 82° 12' 52" E	28.14'	28.14'	28.14'
6	N 22° 23' 29" E	594.67'	594.67'	594.67'
7				

- CONSTRUCTION NOTES**
- INSTALL 8" PVC SEWER MAIN
  - INSTALL PRECAST #4 CONCRETE MANHOLE PER STD. SS-117
  - INSTALL #4 PVC SEWER ALTERN. PER EMD
  - INSTALL 15" PVC SEWER MAIN
  - INSTALL 15" TO BE TO EXISTING 15" SS
  - INSTALL #4 REINFORCED CONCRETE MANHOLE WITH 15" DIA. TOP PER STD. SS-117
  - INSTALL PRECAST #4 CONCRETE TRENCH MANHOLE W/ CAST IRON MANHOLE COVERS PER EMD SS-25
  - REMOVE EXISTING SEWER MANHOLE
  - REMOVE EXISTING SEWER MAIN
  - ADJUST MANHOLE TO GRADE & REWORK BOTTOM CHANNEL

**PRICE STREET**

SEWER IMPROVEMENT PLANS

TRACT NO. 31462-21

**PRICE STREET**

STA. 30+00.00 TO STA. 40+00.00

CITY OF BEAUMONT, CALIFORNIA

SEWER IMPROVEMENT PLANS

TRACT NO. 31462-21

**PRICE STREET**

STA. 30+00.00 TO STA. 40+00.00

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_

Recommended for Approval By: \_\_\_\_\_ Date: \_\_\_\_\_

Approved By: \_\_\_\_\_ Date: 08/11/2020

CITY OF BEAUMONT, PUBLIC WORKS DEPARTMENT

ENGINEERING DIVISION

Sheet No. 4

Of 7 Sheets

File No. 302

PROJECT NO. REC

DRAWN BY: REC

CHECKED BY: REC

DATE: 08/11/20

SCALE: AS NOTED

DATE: 08/11/20

08/02/2020

PROFESSIONAL ENGINEER

STATE OF CALIFORNIA

NO. 44900

EX. 127879

DATE: 08/11/20

08/02/2020

PROJECTING ENGINEERING

PROFESSIONAL ENGINEER

STATE OF CALIFORNIA

NO. 44900

EX. 127879

DATE: 08/11/20

08/02/2020

REVISIONS

NO.	DESCRIPTION	DATE
1		08/11/20

BENCHMARK: CROSS MONUMENT "603"

BENCHMARK DISK SET IN TOP OF

CONCRETE MONUMENT SHOWN ON

THE DRIVE FROM DESERT LAWN

TO THE SOUTH OF THE DRIVE

INTERSECTION 24.9 FT. S.W. OF THE S.W.

CORNER OF THE SOUTH EXTBUILDING LINES

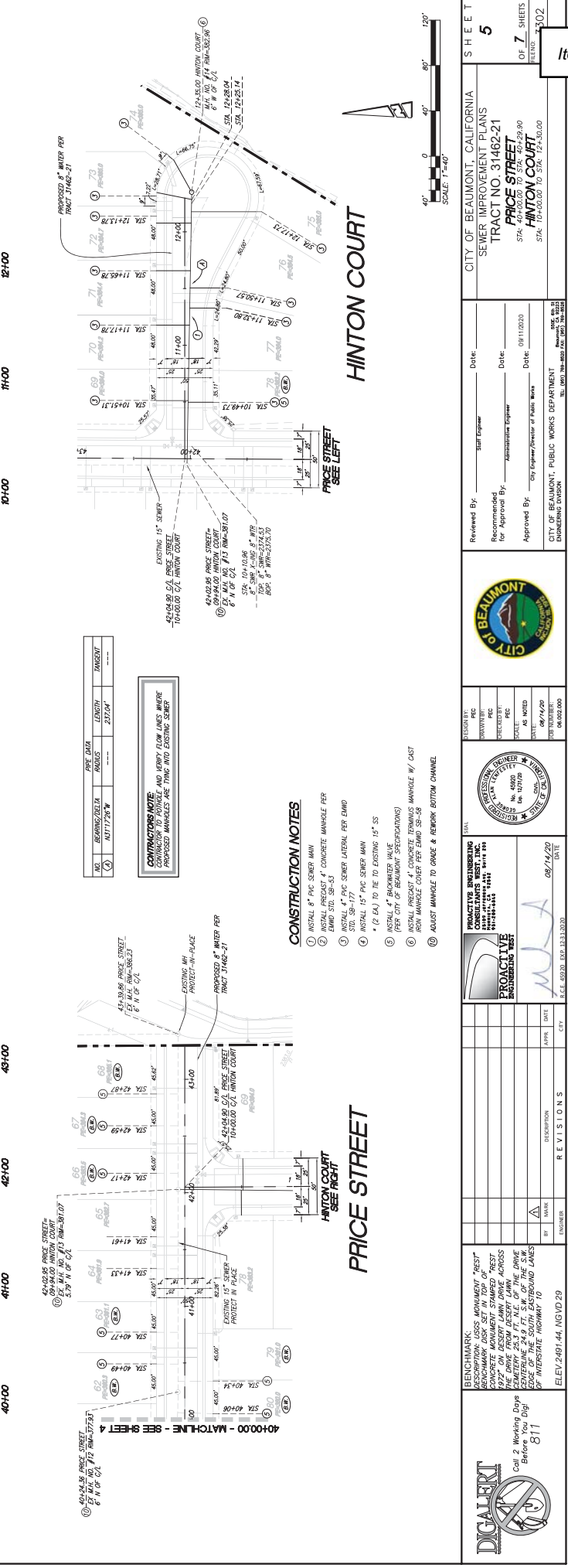
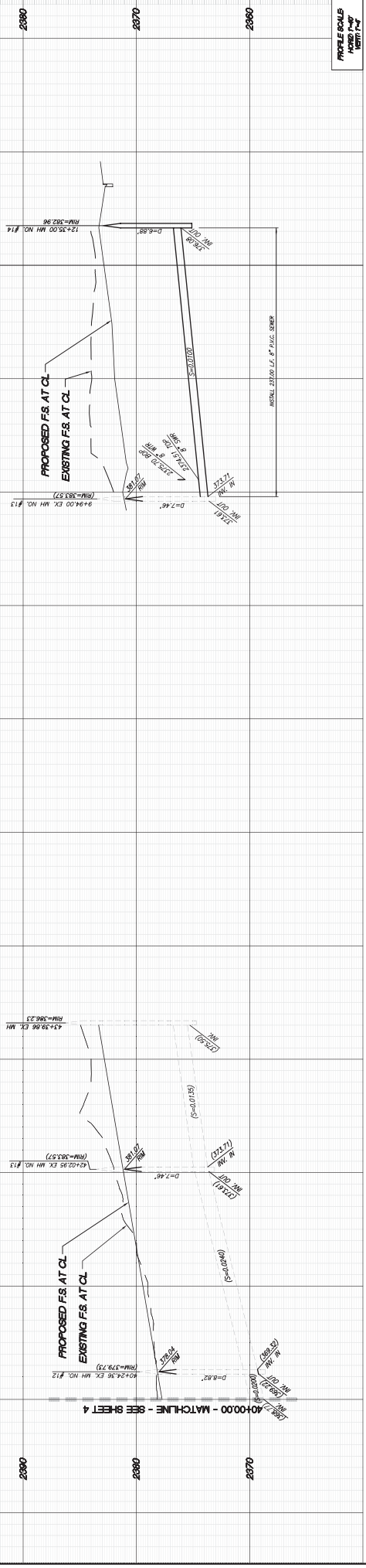
OF WINDSHIELD HIGHWAY 10

ELEV. 2491.14, NGVD 29

City of Beaumont Dept. of Public Works

Before You Dig

811



NO.	BEARING/Delta	LENGTH	TRANSIT
1	S 71°17'28\"/>		

**CONTRACTOR'S NOTE:**  
 PROVIDE AND SET IN PLACE WHERE  
 PROPOSED MANHOLE AND RAMP AND EXISTING SEWER

**CONSTRUCTION NOTES**

1. INSTALL 8\"/>
- 2. INSTALL PRECAST 4\"/>
- 3. INSTALL 4\"/>
- 4. INSTALL 15\"/>
- 5. INSTALL 4\"/>
- 6. INSTALL PRECAST 4\"/>
- 7. ADJUST MANHOLE TO GRADE & REWORK BOTTOM CHANNEL

**BENCHMARK:** CROSS MONUMENT "600"  
 BENCHMARK DISK SET IN TOP OF  
 MONUMENT. MONUMENT HAS  
 THE DRIVE FROM DESERT LAWN  
 CENTERLINE 24.9 FT. S.W. OF THE S.W.  
 CORNER OF THE SOUTH EXTERIOR LINES  
 OF INTERSTATE HIGHWAY 10

**REVISIONS**

NO.	DATE	DESCRIPTION
1	08/14/20	

**DIGALERT**  
 Call & Watch Dig  
 Before You Dig  
 811

**CITY OF BEAUMONT, CALIFORNIA**  
 SEWER IMPROVEMENT PLANS  
 TRACT NO. 31462-21  
**PRICE STREET**  
**HINTON COURT**  
 STA. 40+00.00 TO 574+49+29.00  
 STA. 10+00.00 TO 574+12+00.00

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Recommended for Approval By: \_\_\_\_\_ Date: 08/11/2020  
 Approved By: \_\_\_\_\_ Date: 08/11/2020

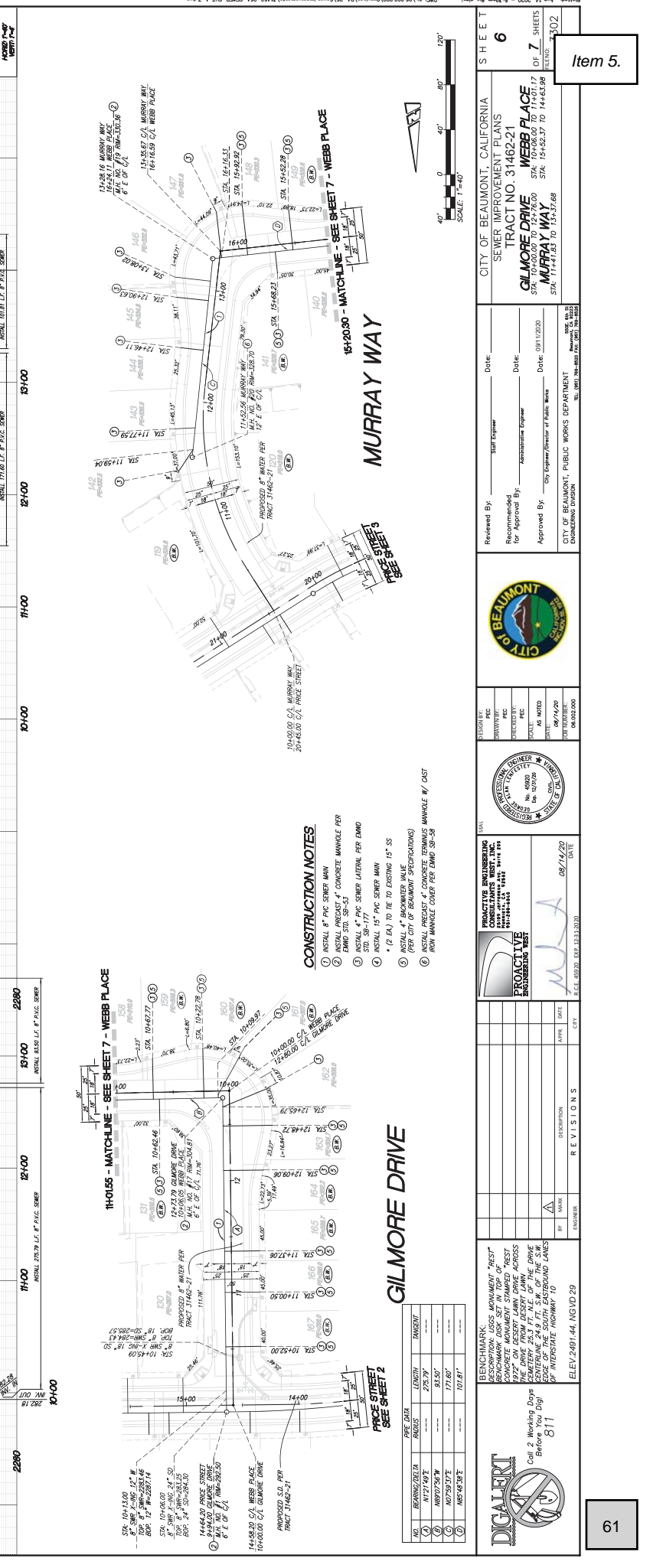
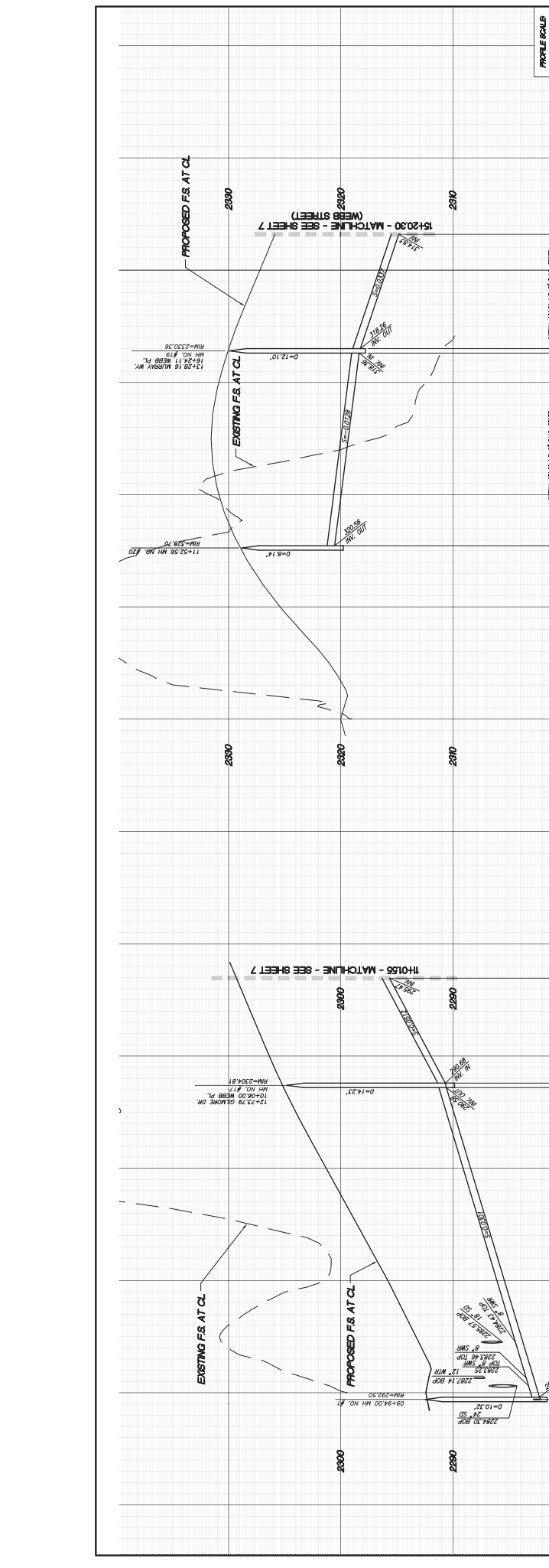
**CITY OF BEAUMONT, PUBLIC WORKS DEPARTMENT**  
 ENGINEER: \_\_\_\_\_  
 ADMINISTRATIVE ENGINEER: \_\_\_\_\_  
 CITY ENGINEER/DIRECTOR OF PUBLIC WORKS: \_\_\_\_\_

**PROJECTIVE ENGINEERING**  
 DATE: 08/14/20  
 PROJECT NO. 31462-21  
 SHEET NO. 5

**CITY OF BEAUMONT**  
 PUBLIC WORKS DEPARTMENT  
 ENGINEER: \_\_\_\_\_

**PROF. SEAL**  
 REGISTERED PROFESSIONAL ENGINEER  
 No. 40920  
 Exp. 12/31/2020

**SCALE: 1"=40'**



- CONSTRUCTION NOTES**
1. INSTALL 8" PVC SEWER MAIN
  2. INSTALL PRECAST 4" CONCRETE MANHOLE PER EMD
  3. EMD STD. 30-33
  4. 2" PVC SEWER LATERAL PER EMD
  5. STD. 35-17
  6. INSTALL 15" PVC SEWER MAIN
  7. (2 EA) TO TIE TO EXISTING 15" SS
  8. INSTALL 4" BACKWATER VALVE
  9. INSTALL 4" CONCRETE TERMINUS MANHOLE (V) / (JST)
  10. PER CITY OF BEAUMONT SPECIFICATIONS
  11. ROW MANHOLE COVER PER EMD STD. 30-33

**PRICE SHEET 2**

NO.	DESCRIPTION	QUANTITY	UNIT	AMOUNT
1	8" PVC SEWER MAIN	275.79'	LF	275.79
2	4" CONCRETE MANHOLE	9	EA	81.00
3	2" PVC SEWER LATERAL	171.60'	LF	171.60
4	15" PVC SEWER MAIN	101.81'	LF	101.81
5	4" CONCRETE T. MANHOLE	1	EA	100.00
6	4" BACKWATER VALVE	1	EA	100.00
7	4" CONCRETE T. MANHOLE	1	EA	100.00

**REVISIONS**

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	08/14/20

BY: [Signature] DATE: 08/14/20  
 ENGINEER: [Signature] DATE: 08/14/20

PROJECT: SEWER IMPROVEMENT PLANS  
 TRACT NO. 31462-21  
 GILMORE DRIVE  
 MURRAY WAY

CITY OF BEAUMONT, CALIFORNIA  
 PUBLIC WORKS DEPARTMENT  
 ENGINEERING DIVISION

**PROFESSIONAL ENGINEER**  
 STATE OF CALIFORNIA  
 No. 44980  
 Exp. 12/31/24

**PROFESSIONAL ENGINEER**  
 STATE OF CALIFORNIA  
 No. 127879  
 Exp. 12/31/24



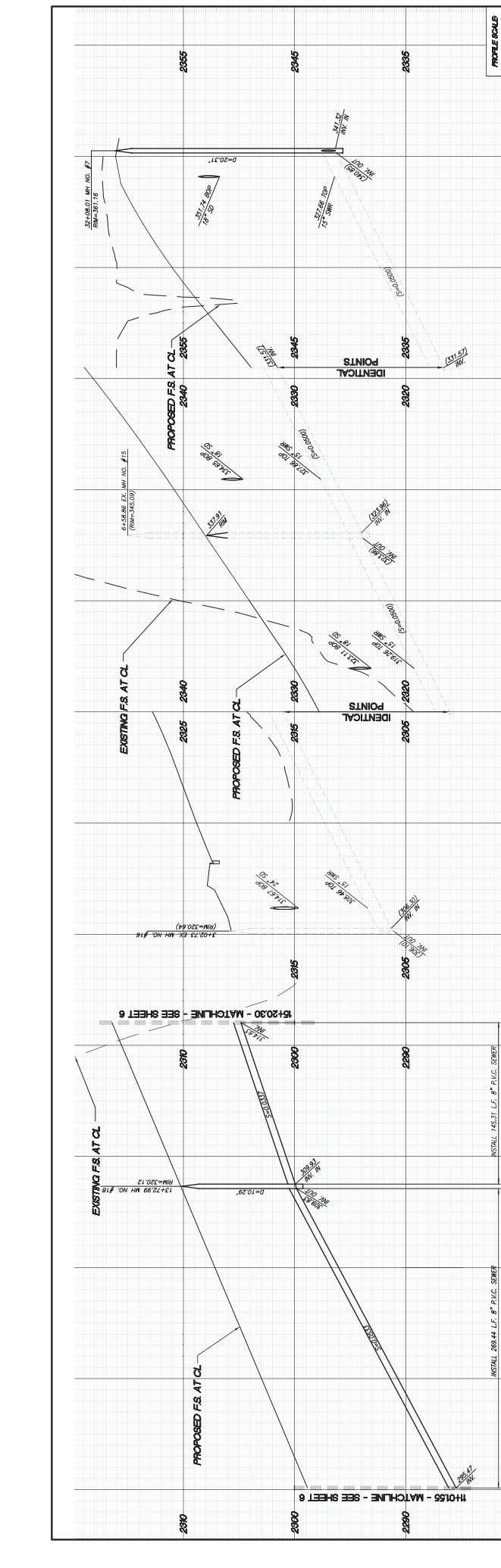
**CITY OF BEAUMONT, CALIFORNIA**  
 SEWER IMPROVEMENT PLANS  
 TRACT NO. 31462-21  
 GILMORE DRIVE  
 MURRAY WAY

Reviewed By: [Signature] Date: [Date]  
 Recommended for Approval By: [Signature] Date: [Date]  
 Approved By: [Signature] Date: [Date]

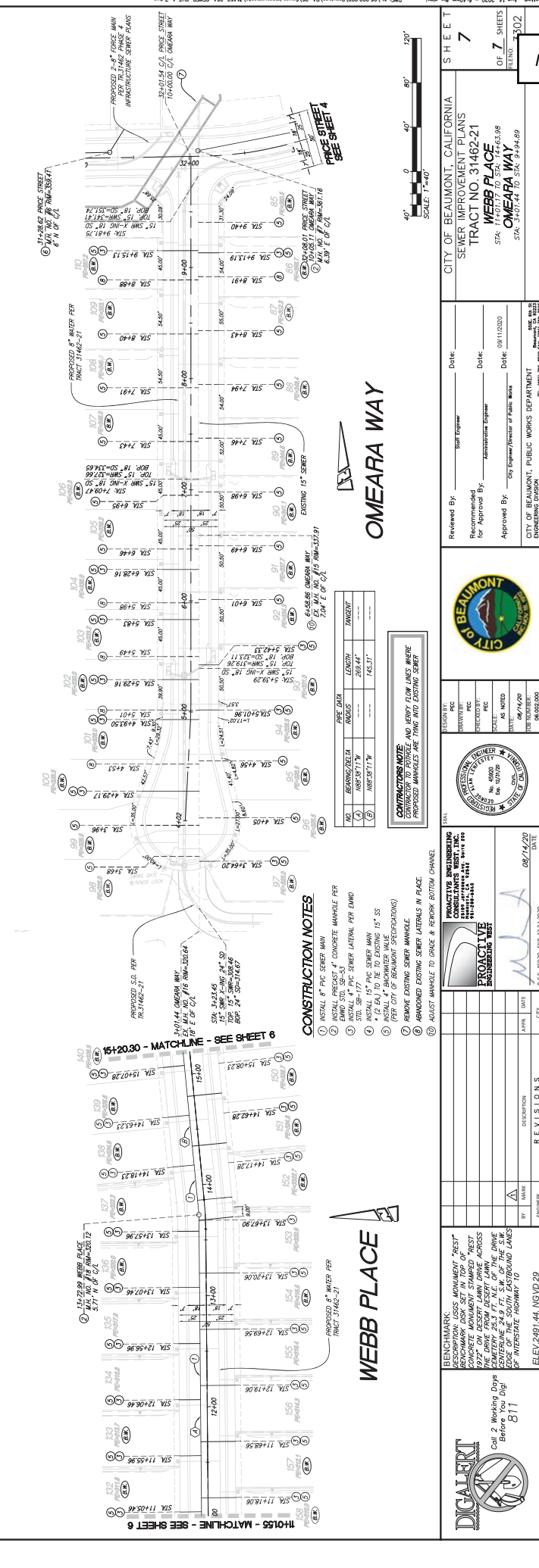
CITY OF BEAUMONT, CALIFORNIA  
 PUBLIC WORKS DEPARTMENT  
 ENGINEERING DIVISION

SHEET 6 OF 7 SHEETS  
 FILE NO. 2020-0001

Item 5.



PROFILE SCALING  
VERTICAL SCALE  
HORIZONTAL SCALE



**CONSTRUCTION NOTES**

1. INSTALL 8" PVC SEWER MAIN
2. INSTALL PRECAST 4" CONCRETE MANHOLE PER
3. INSTALL 4" PVC SWEET LATERAL PER RMD
4. INSTALL 15" PVC SEWER MAIN
5. (2 EA) TO BE TO EXISTING 15" SS
6. REMOVE EXISTING SWEET MANHOLE
7. ABANDON EXISTING SWEET LATERALS IN PLACE
8. ADJUST MANHOLE TO GRADE & REPAIR EXISTING CHANNEL

**CONTRACTOR'S NOTE**

AND VERIFY FLOW LINES MATCH  
PROPOSED MANHOLE ARE TYPING INTO EXISTING SWEET

**REVISIONS**

NO.	DATE	DESCRIPTION
1	08/14/20	DATE
2	08/14/20	DATE
3	08/14/20	DATE
4	08/14/20	DATE
5	08/14/20	DATE
6	08/14/20	DATE
7	08/14/20	DATE
8	08/14/20	DATE
9	08/14/20	DATE
10	08/14/20	DATE

**REVISIONS**

BY: [Signature] ENGINEER

DATE: 08/14/20

CITY: ELEVATION 2491.44, NGVD 29

**PROJACTIVE ENGINEERING**

110155 - MATCHLINE - SEE SHEET 6

110155 - MATCHLINE - SEE SHEET 6

110155 - MATCHLINE - SEE SHEET 6

**PROJACTIVE ENGINEERING**

110155 - MATCHLINE - SEE SHEET 6

110155 - MATCHLINE - SEE SHEET 6

110155 - MATCHLINE - SEE SHEET 6

**PROJACTIVE ENGINEERING**

110155 - MATCHLINE - SEE SHEET 6

110155 - MATCHLINE - SEE SHEET 6

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110155 - MATCHLINE - SEE SHEET 6

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**PROJACTIVE ENGINEERING**

110155 - MATCHLINE - SEE SHEET 6

110155 - MATCHLINE - SEE SHEET 6

110155 - MATCHLINE - SEE SHEET 6

**PROJACTIVE ENGINEERING**

110155 - MATCHLINE - SEE SHEET 6

110155 - MATCHLINE - SEE SHEET 6

110155 - MATCHLINE - SEE SHEET 6

**REVISIONS**

BY: [Signature] ENGINEER

DATE: 08/14/20

CITY: ELEVATION 2491.44, NGVD 29

**REVISIONS**

BY: [Signature] ENGINEER

DATE: 08/14/20

CITY: ELEVATION 2491.44, NGVD 29

**PROJACTIVE ENGINEERING**

110155 - MATCHLINE - SEE SHEET 6

110155 - MATCHLINE - SEE SHEET 6

110155 - MATCHLINE - SEE SHEET 6

**PROJACTIVE ENGINEERING**

110155 - MATCHLINE - SEE SHEET 6

110155 - MATCHLINE - SEE SHEET 6

110155 - MATCHLINE - SEE SHEET 6

**PROJACTIVE ENGINEERING**

110155 - MATCHLINE - SEE SHEET 6

110155 - MATCHLINE - SEE SHEET 6

110155 - MATCHLINE - SEE SHEET 6

**PROJACTIVE ENGINEERING**

110155 - MATCHLINE - SEE SHEET 6

110155 - MATCHLINE - SEE SHEET 6

110155 - MATCHLINE - SEE SHEET 6

**REVISIONS**

BY: [Signature] ENGINEER

DATE: 08/14/20

CITY: ELEVATION 2491.44, NGVD 29

**REVISIONS**

BY: [Signature] ENGINEER

DATE: 08/14/20

CITY: ELEVATION 2491.44, NGVD 29

**PROJACTIVE ENGINEERING**

110155 - MATCHLINE - SEE SHEET 6

110155 - MATCHLINE - SEE SHEET 6

110155 - MATCHLINE - SEE SHEET 6

**PROJACTIVE ENGINEERING**

110155 - MATCHLINE - SEE SHEET 6

110155 - MATCHLINE - SEE SHEET 6

110155 - MATCHLINE - SEE SHEET 6

**PROJACTIVE ENGINEERING**

110155 - MATCHLINE - SEE SHEET 6

110155 - MATCHLINE - SEE SHEET 6

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**PROJACTIVE ENGINEERING**

110155 - MATCHLINE - SEE SHEET 6

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110155 - MATCHLINE - SEE SHEET 6

Rev. 05 06 2020

Basic Gov (Sales Force) #  
File #

**AGREEMENT TO PROVIDE SECURITY FOR IMPROVEMENTS  
FOR TRACT MAP OR PARCEL MAP OR PLOT PLAN  
(Tract Map/Parcel Map/Plot Plan No. 31462-22)**

THIS AGREEMENT TO PROVIDE SECURITY FOR IMPROVEMENTS ("Security Agreement") is made by and between CITY OF BEAUMONT ("CITY") and SDC Fairway Canyon LLC, a Delaware limited liability company ("DEVELOPER")

**RECITALS**

A. DEVELOPER has applied to the CITY for permission to develop certain real property, pursuant to Tract Map/Parcel Map/Plot Plan # 31462-22 "Map"). DEVELOPER has also asked the CITY to accept the dedication of the street or streets and other proposed public rights-of-way, parks and recreation facilities, and easements as depicted on the Map and to otherwise approve the Map so that it may be recorded as required by law; and

B. The CITY requires, as a condition precedent to the acceptance and approval of the Map and the dedication of the public rights-of-way and easements depicted thereon, that such rights-of-way be improved with (for example) grading, paving, curbs, gutters, sidewalks, street lights, stormdrains, sanitary sewers and appurtenances thereto, street name signs, survey monuments, electrical and telecommunications, water pipes, water mains, fire hydrants and appurtenances thereto, and landscaping, including any warranty work for all such improvements (collectively, "Improvements"); and

C. The Improvements have not yet been constructed and completed and it is the purpose of this Security Agreement to set forth the terms and conditions by which the DEVELOPER shall guarantee that such Improvements shall be constructed and completed within the time set forth herein.

**AGREEMENT**

NOW, THEREFORE, in consideration of the acceptance of the DEVELOPER's offer of dedication and the approval of the Map for filing and recording as provided and required by law, the CITY and the DEVELOPER hereby agree as follows:

1. Provision of Improvements. DEVELOPER shall provide, at the DEVELOPER's sole cost and expense, all necessary labor and materials to complete the construction of the Improvements depicted on the Map and described in the conditions of approval of the Map within one (1) year of the date of this Security Agreement.

2. Inspection by the CITY. The CITY shall inspect, at the DEVELOPER's sole cost and expense, all of the work, labor and materials performed and provided by the DEVELOPER in connection with the Improvements.

3. Compliance with Plans and Specifications. The Improvements shall be constructed and installed in strict accordance with the CITY-approved plans and specifications.

4. Security for Performance. Concurrently with the execution of this Security Agreement by DEVELOPER, DEVELOPER shall deliver to the CITY a performance bond issued by a corporate surety in substantially the form required by California Government Code 66499.1 and attached hereto as Exhibit "A", in an amount that is not less than 100% of the total estimated cost of the Improvements and any warranty therefor. The performance bond shall be issued by an "admitted" corporate surety insurer authorized to do business in the State of California and the surety insurer shall have an A.M. Best rating of at least "A, XV". The surety insurer shall have assets exceeding its liabilities in the amount equal to or in excess of the amount of the bond, and the bond shall not be in excess of 10% of the surety insurer's assets. The security or bond shall also insure against any and all defects in the Improvements for a period of not less than one full year after the date of acceptance thereof by the CITY. The bond shall be duly executed and shall meet all the requirements of Section 995.660 of the California Code of Civil Procedure.

5. Security for Contractors, Subcontractors, Laborers and Materialmen. The DEVELOPER shall also provide a payment bond issued by a corporate surety for the security of laborers and materialmen, which bond or bonds shall be in substantially the form required by California Government Code Section 66499.2 attached hereto as Exhibit "B" and made a part hereof. The amount of the bond(s) shall be no less than 100% of the total estimated amount needed to secure payment to the contractor, to the subcontractors, and to the persons furnishing labor, materials, or equipment to them for the Improvements. The laborers and materialmen bond shall be provided by an "admitted" corporate surety insurer authorized to transact surety insurance in the State of California with an A.M. Best rating of "A, XV", and with assets exceeding its liabilities in the amount equal to or in excess of the amount of the bond, and the bond shall not be in excess of 10% of the surety insurer's assets. The bond shall be duly executed and shall meet all the requirements of Section 995.660 of the California Code of Civil Procedure.

6. General Liability and Worker's Compensation Insurance. The DEVELOPER shall, before commencing any work, obtain commercial general liability insurance (primary) of not less than \$2,000,000.00 per occurrence for all coverages and \$2,000,000.00 general aggregate. The CITY and its employees and agents shall be added as additional insureds. Coverage shall apply on a primary non-contributing basis in relation to any other insurance or self-insurance, primary or excess, available to the CITY or any employee or agent of the CITY. Coverage shall not be limited to the vicarious liability or supervisory role of any additional insured. Coverage shall contain no contractors' limitation endorsement. There shall be no endorsement or modification limiting the scope of coverage for liability arising from pollution, explosion, collapse, underground property damage or employment-related practices. Such insurance shall not prohibit the DEVELOPER, and its employees or agents, from waiving the right of subrogation prior to a loss. The DEVELOPER waives its right of subrogation against the CITY. Unless otherwise approved by the CITY, the DEVELOPER's insurance shall be written by insurers authorized to do business in the State of California and with a minimum A.M. Best rating of "A, XV." Self-insurance shall not be considered to comply with these insurance specifications. The DEVELOPER agrees to require all contractors, subcontractors and other parties hired for the Improvements to purchase and maintain insurance of the types specified herein, naming as additional insureds all of the parties to this Security Agreement. The DEVELOPER shall, before commencing any work, obtain Worker's Compensation Insurance in an amount required by law and, failing to do so, the CITY may procure such insurance at the cost of the DEVELOPER.



7. Comprehensive Commercial General and Automobile Liability Insurance. The DEVELOPER, before commencing any work shall, at its own expense, maintain comprehensive commercial general and automobile liability insurance issued by a California-admitted surety company with an A.M. Best rating of no less than "A, XV" for \$2,000,000 per occurrence. Coverage shall be for the entire duration of the permitted activities. Such liability insurance policy shall name, by endorsement, the City as an additional insured.

8. Indemnification. Notwithstanding the provisions of Government Code, Section 66474.9 or any other statutes of similar import, and to the full extent permitted by law, the DEVELOPER shall defend, indemnify and hold harmless the CITY, its employees, agents, officials and attorneys, from and against any liability, claims, suits, actions, arbitration proceedings, administrative proceedings, regulatory proceedings, losses, expenses or costs of any kind or nature, whether actual, alleged or threatened, reasonable attorneys' fees, court costs, interest, expert witness fees and any other costs or expenses of any kind whatsoever, without restriction or limitation, incurred in relation to, as a consequence of, or arising out of or in any way attributable actually, allegedly or impliedly, in whole or in part, to the Map, the Improvements, this Agreement, or any matter related to the same; provided, however, that the indemnification to be provided by DEVELOPER to the CITY pursuant to the terms of this paragraph shall not be applicable where the aforementioned liability, claim, suit or action is the result of the sole negligence or sole willful misconduct of the CITY.

9. Procedure for Release of Performance Bond Security. The security furnished by the DEVELOPER shall be released in whole or in part in the following manner:

a. Security shall be released upon final completion and acceptance of the Improvements. If the security furnished by the DEVELOPER is a documentary evidence of security, such as a surety bond, the CITY shall release the documentary evidence and return the original to the Surety upon final completion and acceptance of the Improvements. In the event the CITY is unable to return the original documentary evidence to the Surety, the security shall be released by written notice sent by certified mail to the DEVELOPER and to the Surety within 30 days of the City's acceptance of the Improvements. The written notice shall contain a statement that the work for which security was furnished has been completed and accepted, a description of the Improvements, and the notarized signature of an authorized CITY official.

b. At such time as the DEVELOPER believes that the work for which the security was required is complete and makes payment of a partial exoneration fee of \$350 to the CITY, the DEVELOPER shall notify the CITY in writing of the completed work, including a list of work completed. Upon receipt of the written notice, the CITY shall have 45 days to review and comment or approve the completion of the Improvements. If the CITY does not agree that all work has been completed in accordance with the plans

and specifications for the Improvements, it shall supply a list of all remaining work to be completed.

c. Within 45 days of receipt of the CITY's list of remaining work, the DEVELOPER may then provide cost estimates for all remaining work for review and approval by the CITY.

d. Upon receipt of the cost estimates, the CITY shall then have 45 days to review, comment, and approve, modify or disapprove those cost estimates. The CITY shall not be required to engage in this process of partial release more than once between the start of work and the completion and acceptance of all work.

e. The DEVELOPER shall complete the works of Improvement until all remaining items are accepted by the CITY. Upon completion of the Improvements, the DEVELOPER shall be notified in writing by the CITY within 45 days and, within 45 days of the date of the CITY's notice, the release of any remaining performance security shall be made within 60 days of the recording of the Notice of Completion.

10. Procedure for Release of Payment Bond Security. Security securing the payment to the contractor, his or her subcontractors and persons furnishing labor, materials or equipment may, after passage of the time within which mechanic's liens and stop notices are required to be recorded and after acceptance of the Improvements, be reduced by Surety to an amount equal to the total claimed by all claimants for whom mechanic's liens and stop notices have been recorded and notice thereof given in writing to the CITY, and if no claims have been recorded, the security may be released in full.

11. Security for One-Year Warranty Period. The release procedures described in paragraphs 9 and 10 above shall not apply to any required guarantee and warranty period nor to the amount of the performance bond security deemed necessary by the CITY for the guarantee and warranty period nor to costs and reasonable expenses and fees, including reasonable attorneys' fees.

12. Binding Effect. This Security Agreement shall be binding upon and shall inure to the benefit of the parties hereto, their legal representatives and their successors and assigns.

13. Authority to Execute. The DEVELOPER hereby warrants and represents to the CITY that the individual signing this Security Agreement on behalf of the DEVELOPER is vested with the unconditional authority to do so pursuant to, and in accordance with, all applicable legal requirements, and has the authority bind the DEVELOPER hereto.

14. No Assignment. The DEVELOPER may not assign this Security Agreement, or any part thereof, to another without the prior written consent of the CITY.

15. Attorneys' Fees. In the event of legal action to enforce or interpret this Agreement or any of its provisions, the prevailing party shall be entitled, in addition to any other form of relief, to recover its reasonable attorneys' fees and costs of suit.

16. Execution in Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, but which together shall constitute a single agreement.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed on the dates listed below.

CITY OF BEAUMONT


By  
Mayor

Date \_\_\_\_\_

DEVELOPER

By *SDC Fairway Canyon LLC*

Date *7/14/2020*

Title: \_\_\_\_\_ Authorized Signatory 

Address: 2392 Morse Avenue  
Irvine, CA 92614  
\_\_\_\_\_  
\_\_\_\_\_



Revised Form

Basic Gov (Sales Force) #  
File #

Intract Sewer

**EXHIBIT "A"**

Bond No.: 1001124454  
Premium: \$2,481.00/2 yrs.

**PERFORMANCE BOND**

WHEREAS, the City Council of the City of Beaumont, State of California, and SDC Fairway Canyon, LLC (hereinafter designated as "Principal") have entered into Agreement To Provide Security For Improvements For Tract Map Or Parcel Map Or Plot Plan, dated July 14<sup>th</sup>, 2020, whereby Principal agrees to install and complete certain designated public improvements itemized and described on Tract Map, Parcel Map or Plot Plan No. 31462-22 which is hereby incorporated herein and made a part hereof; and

WHEREAS, Principal is required under the terms of the said agreement to furnish a bond for the faithful performance of said agreement.

NOW, THEREFORE, we, the Principal and American Contractors Indemnity Company, as Surety, are held and firmly bound unto the City of Beaumont (hereinafter called "City"), in the penal sum of One Hundred Sixty-Five Thousand Four\* dollars (\$ 165,410.25 ) lawful money of the United States, for the payment of which sum well and truly to be made, we bind ourselves, our heirs, successors, executors and administrators, jointly and severally, firmly by these presents. \*Hundred Ten & 25/100ths

The condition of this obligation is such that if the above bounded Principal, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on his or their part to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City, its officers, agents and employees as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

As part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment therein rendered.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or to the specifications.

[signatures on following page]

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on July 14, 2020.

(Seal)

(Seal)


American Contractors Indemnity Company

SDC Fairway Canyon, LLC

**SURETY**

**PRINCIPAL**

By: 

By: 

Name: Shane Wolf

Name: Dale Strickland

Title: Attorney-in-Fact

Title: Authorized Signatory

Address: 801 S. Figueroa St., Suite 700

By: \_\_\_\_\_

Los Angeles, CA 90017

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: 2392 Morse Ave.

Irvine, CA 92614

ALL SIGNATURES MUST BE ACKNOWLEDGED BEFORE A NOTARY PUBLIC

# ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }

County of Orange }

On July 14, 2020 before me, Susan E. Morales, Notary Public  
(Here insert name and title of the officer)

personally appeared Dale Strickland,  
who proved to me on the basis of satisfactory evidence to be the person(~~s~~) whose  
name(~~s~~) is/~~are~~ subscribed to the within instrument and acknowledged to me that  
he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(~~ies~~), and that by  
his/~~her/their~~ signature(~~s~~) on the instrument the person(~~s~~), or the entity upon behalf of  
which the person(~~s~~) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that  
the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Susan E. Morales  
Notary Public Signature (Notary Public Seal)



### ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT  
SDC Fairway Canyon, LLC  
(Title or description of attached document)  
  
(Title or description of attached document continued)  
  
Number of Pages \_\_\_\_\_ Document Date \_\_\_\_\_

### INSTRUCTIONS FOR COMPLETING THIS FORM

*This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.*

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. ~~he/she/they~~, is /are ) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.

### CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
- Corporate Officer
- \_\_\_\_\_ (Title)
- Partner(s)
- Attorney-in-Fact
- Trustee(s)
- Other Authorized Signatory

# ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }

County of Orange }

On July 14, 2020 before me, Susan E. Morales, Notary Public  
(Here insert name and title of the officer)

personally appeared Shane Wolf,  
who proved to me on the basis of satisfactory evidence to be the person~~(s)~~ whose  
name~~(s)~~ is/~~are~~ subscribed to the within instrument and acknowledged to me that  
he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity~~(ies)~~, and that by  
his/~~her/their~~ signature~~(s)~~ on the instrument the person~~(s)~~, or the entity upon behalf of  
which the person~~(s)~~ acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that  
the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Susan E. Morales  
Notary Public Signature

(Notary Public Seal)



### ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT  
American Contractors Indemnity Company  
(Title or description of attached document)  
  
(Title or description of attached document continued)  
  
Number of Pages \_\_\_\_\_ Document Date \_\_\_\_\_

### CAPACITY CLAIMED BY THE SIGNER

- Individual (s)
- Corporate Officer  
\_\_\_\_\_  
(Title)
- Partner(s)
- Attorney-in-Fact
- Trustee(s)
- Other \_\_\_\_\_

### INSTRUCTIONS FOR COMPLETING THIS FORM

*This form complies with current California statutes regarding notary wording and, if needed, should be completed and attached to the document. Acknowledgments from other states may be completed for documents being sent to that state so long as the wording does not require the California notary to violate California notary law.*

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- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/~~she/they~~, is /~~are~~) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - ❖ Indicate title or type of attached document, number of pages and date.
  - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document with a staple.



Revised Form

Intract Sewer

Bond No.: 1001124454  
Premium included with  
the Performance Bond

**EXHIBIT "B"**  
**PAYMENT BOND**

WHEREAS, the City Council of the City of Beaumont, State of California, and SDC Fairway Canyon, LLC (hereafter designated as "the Principal") have entered into Agreement To Provide Security For Improvements For Tract Map Or Parcel Map Or Plot Plan, 31462-22 dated July 14<sup>th</sup>, 2020 whereby Principal agrees to install and complete certain designated public improvements which is hereby incorporated herein and made a part hereof; and

WHEREAS, under the terms of the said agreement, the Principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Beaumont to secure the claims to which reference is made in Title 3 (commencing with Section 9000, et seq.) of Part 6 of Division 4 of the Civil Code of the State of California.

NOW, THEREFORE, the Principal and the undersigned as corporate surety, are held firmly bound unto the City of Beaumont and all contractors, subcontractors, laborers, materialmen, and other persons employed in the performance of the said agreement and referred to at Title 3 (commencing with Section 9000, et seq.) of Part 6 of Division 4 of the Civil Code in the sum of One Hundred Sixty-Five\* for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to this work or labor, that the Surety will pay the same in an amount not exceeding the amount hereinabove set forth, and also in case suit is brought upon this bond, will pay, in addition to the face amount thereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by the City in successfully enforcing this obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgment therein rendered. \*Thousand Four Hundred Ten & 25/100ths (\$165,410.25)

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under Title 3 (commencing with Section 9000, et seq.) of Part 6 of Division 4 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligations on this bond, and it does hereby waive notice of any such change, extension, alteration, or addition.

*[signatures on following page]*

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above named, on July 14, 2020.

(Seal)

(Seal)

American Contractors Indemnity Company

SDC Fairway Canyon, LLC

**SURETY**

**PRINCIPAL**

By: 

By: 

Name: Shane Wolf

Name: Dale Strickland

Title: Attorney-in-Fact

Title: Authorized Signatory

Address: 801 S. Figueroa St., Suite 700

By: \_\_\_\_\_

Los Angeles, CA 90017

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Address: 2392 Morse Ave.

Irvine, CA 92614

ALL SIGNATURES MUST BE ACKNOWLEDGED BEFORE A NOTARY PUBLIC







**POWER OF ATTORNEY**  
**AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY**  
**UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY**

KNOW ALL MEN BY THESE PRESENTS: That American Contractors Indemnity Company, a California corporation, Texas Bonding Company, an assumed name of American Contractors Indemnity Company, United States Surety Company, a Maryland corporation and U.S. Specialty Insurance Company, a Texas corporation (collectively, the "Companies"), do by these presents make, constitute and appoint  
Cathy S. Kennedy, Todd M. Rohm, Beata A. Sensi, Cheryl L. Thomas or Shane Wolf of Orange, California

its true and lawful Attorney(s)-in-fact, each in their separate capacity if more than one is named above, with full power and authority hereby conferred in its name, place and stead, to execute, acknowledge and deliver any and all bonds, recognizances, undertakings or other instruments or contracts of suretyship to include riders, amendments, and consents of surety, providing the bond penalty does not exceed \*\*\*\*\*Seventy Five Million\*\*\*\*\* Dollars (\*\*\*)75,000,000.00\*\*\*). This Power of Attorney shall expire without further action on April 23<sup>rd</sup>, 2022. This Power of Attorney is granted under and by authority of the following resolutions adopted by the Boards of Directors of the Companies:

Be it Resolved, that the President, any Vice-President, any Assistant Vice-President, any Secretary or any Assistant Secretary shall be and is hereby vested with full power and authority to appoint any one or more suitable persons as Attorney(s)-in-Fact to represent and act for and on behalf of the Company subject to the following provisions:

Attorney-in-Fact may be given full power and authority for and in the name of and on behalf of the Company, to execute, acknowledge and deliver, any and all bonds, recognizances, contracts, agreements or indemnity and other conditional or obligatory undertakings, including any and all consents for the release of retained percentages and/or final estimates on engineering and construction contracts, and any and all notices and documents canceling or terminating the Company's liability thereunder, and any such instruments so executed by any such Attorney-in-Fact shall be binding upon the Company as if signed by the President and sealed and effected by the Corporate Secretary.

Be it Resolved, that the signature of any authorized officer and seal of the Company heretofore or hereafter affixed to any power of attorney or any certificate relating thereto by facsimile, and any power of attorney or certificate bearing facsimile signature or facsimile seal shall be valid and binding upon the Company with respect to any bond or undertaking to which it is attached.

IN WITNESS WHEREOF, The Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 1<sup>st</sup> day of June, 2018.

**AMERICAN CONTRACTORS INDEMNITY COMPANY TEXAS BONDING COMPANY**  
**UNITED STATES SURETY COMPANY U.S. SPECIALTY INSURANCE COMPANY**

State of California  
County of Los Angeles



By:   
Daniel P. Aguilar, Vice President

A Notary Public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document

On this 1<sup>st</sup> day of June, 2018, before me, Sonia O. Carrejo, a notary public, personally appeared Daniel P. Aguilar, Vice President of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature (seal)

I, Kio Lo, Assistant Secretary of American Contractors Indemnity Company, Texas Bonding Company, United States Surety Company and U.S. Specialty Insurance Company, do hereby certify that the above and foregoing is a true and correct copy of a Power of Attorney, executed by said Companies, which is still in full force and effect; furthermore, the resolutions of the Boards of Directors, set out in the Power of Attorney are in full force and effect.

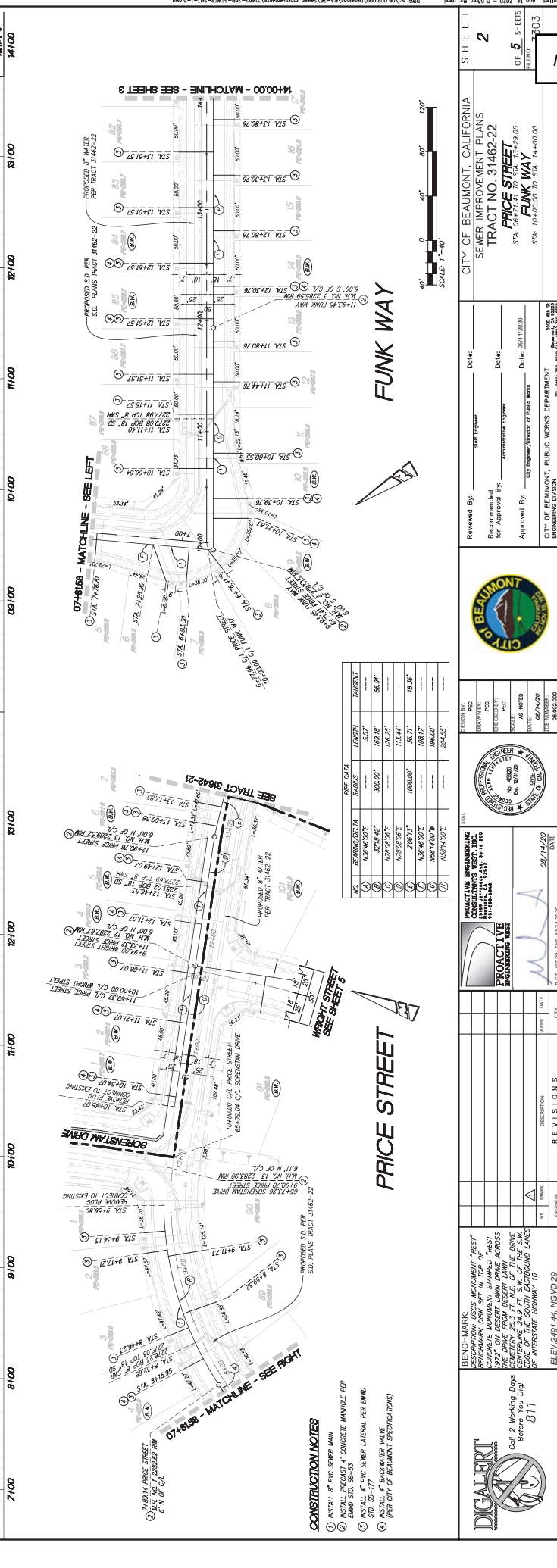
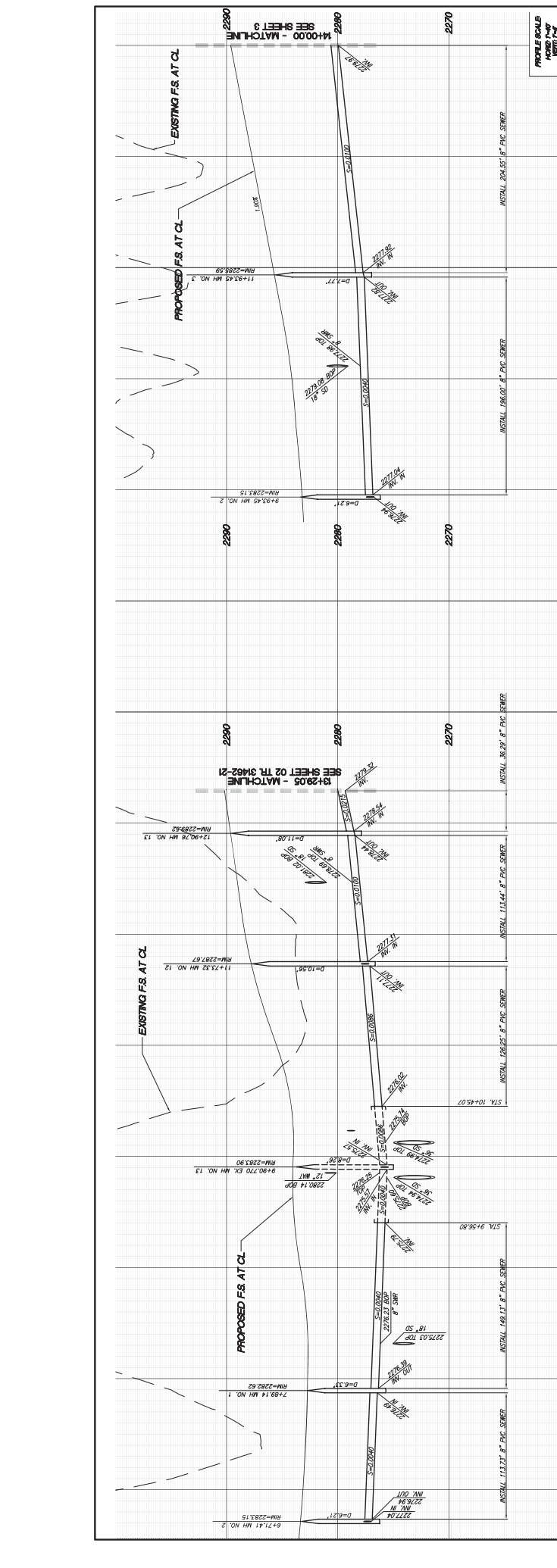
In Witness Whereof, I have hereunto set my hand and affixed the seals of said Companies at Los Angeles, California this \_\_\_\_\_ day of \_\_\_\_\_

Corporate Seals  
Bond No. 1001124454  
Agency No. 16590



Kio Lo, Assistant Secretary





NO.	DESCRIPTION	PC	PT	LENGTH	TANGENT
1	11+31.45 FUNK WAY	11+31.45	11+31.45	0.00	0.00
2	11+31.45 FUNK WAY	11+31.45	11+31.45	0.00	0.00
3	11+31.45 FUNK WAY	11+31.45	11+31.45	0.00	0.00
4	11+31.45 FUNK WAY	11+31.45	11+31.45	0.00	0.00
5	11+31.45 FUNK WAY	11+31.45	11+31.45	0.00	0.00
6	11+31.45 FUNK WAY	11+31.45	11+31.45	0.00	0.00
7	11+31.45 FUNK WAY	11+31.45	11+31.45	0.00	0.00
8	11+31.45 FUNK WAY	11+31.45	11+31.45	0.00	0.00
9	11+31.45 FUNK WAY	11+31.45	11+31.45	0.00	0.00
10	11+31.45 FUNK WAY	11+31.45	11+31.45	0.00	0.00
11	11+31.45 FUNK WAY	11+31.45	11+31.45	0.00	0.00
12	11+31.45 FUNK WAY	11+31.45	11+31.45	0.00	0.00
13	11+31.45 FUNK WAY	11+31.45	11+31.45	0.00	0.00
14	11+31.45 FUNK WAY	11+31.45	11+31.45	0.00	0.00
15	11+31.45 FUNK WAY	11+31.45	11+31.45	0.00	0.00
16	11+31.45 FUNK WAY	11+31.45	11+31.45	0.00	0.00
17	11+31.45 FUNK WAY	11+31.45	11+31.45	0.00	0.00
18	11+31.45 FUNK WAY	11+31.45	11+31.45	0.00	0.00
19	11+31.45 FUNK WAY	11+31.45	11+31.45	0.00	0.00
20	11+31.45 FUNK WAY	11+31.45	11+31.45	0.00	0.00

- CONSTRUCTION NOTES**
- 1. INSTALL 8" PVC SERVICE MANHOLE PER STD. 50-117
  - 2. INSTALL 4" CONCRETE MANHOLE PER STD. 50-117
  - 3. INSTALL 4" PVC SERVICE LATERAL PER STD. 50-117
  - 4. INSTALL 4" BACKWATER VALVE PER CITY OF BEAUMONT SPECIFICATIONS



**REVISIONS**

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	08/14/20

**PROJECT INFORMATION**

CITY OF BEAUMONT, CALIFORNIA  
SEWER IMPROVEMENT PLANS  
TRACT NO. 31462-22  
**PRICE STREET**  
FUNK WAY

STA. 10+65.00 TO STA. 14+00.00

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_

Recommended for Approval By: \_\_\_\_\_ Date: \_\_\_\_\_

Approved By: \_\_\_\_\_ Date: 08/11/2020

CITY OF BEAUMONT, PUBLIC WORKS DEPARTMENT  
DRAWING DIVISION

PROJECT ENGINEER: \_\_\_\_\_

ADMINISTRATIVE ENGINEER: \_\_\_\_\_

CITY ENGINEER/DIRECTOR OF PUBLIC WORKS: \_\_\_\_\_

DATE: 08/14/20

SCALE: 1" = 40'

PROFESSOR OF ENGINEERING: \_\_\_\_\_

REGISTERED PROFESSIONAL ENGINEER: \_\_\_\_\_

DATE: 08/14/20

SCALE: 1" = 40'

PROFESSOR OF ENGINEERING: \_\_\_\_\_

REGISTERED PROFESSIONAL ENGINEER: \_\_\_\_\_

DATE: 08/14/20

SCALE: 1" = 40'

Item 5.

**CONSTRUCTION NOTES**

- 1. INSTALL 8" PVC SERVICE MANHOLE PER STD. 50-117
- 2. INSTALL 4" CONCRETE MANHOLE PER STD. 50-117
- 3. INSTALL 4" PVC SERVICE LATERAL PER STD. 50-117
- 4. INSTALL 4" BACKWATER VALVE PER CITY OF BEAUMONT SPECIFICATIONS

**REVISIONS**

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	08/14/20

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_

Recommended for Approval By: \_\_\_\_\_ Date: \_\_\_\_\_

Approved By: \_\_\_\_\_ Date: 08/11/2020

CITY OF BEAUMONT, PUBLIC WORKS DEPARTMENT  
DRAWING DIVISION

PROJECT ENGINEER: \_\_\_\_\_

ADMINISTRATIVE ENGINEER: \_\_\_\_\_

CITY ENGINEER/DIRECTOR OF PUBLIC WORKS: \_\_\_\_\_

DATE: 08/14/20

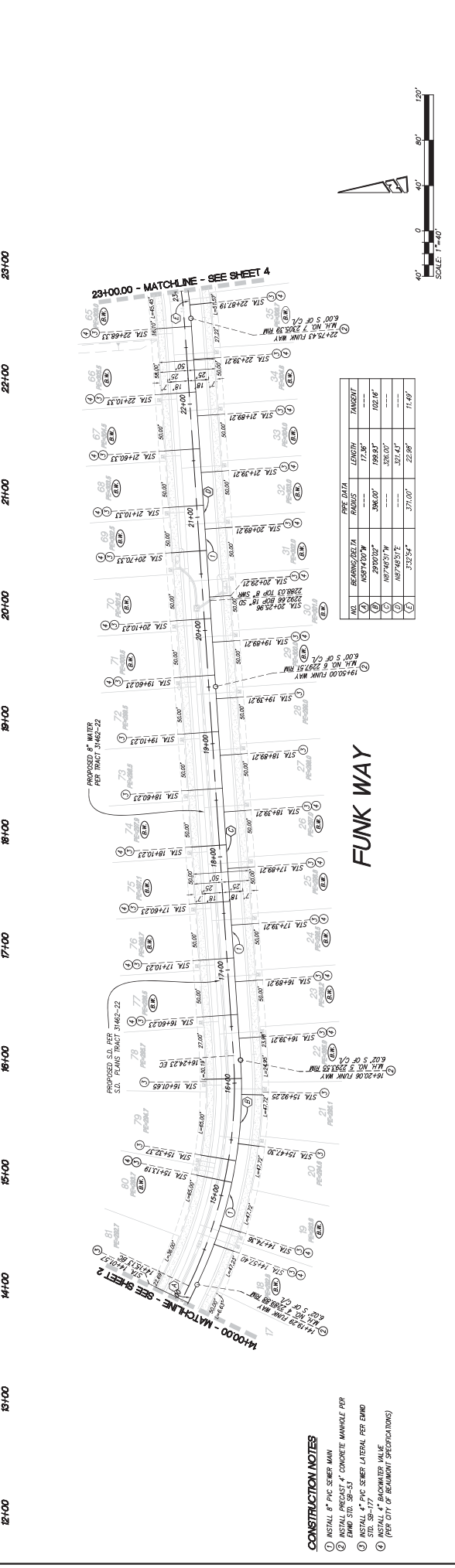
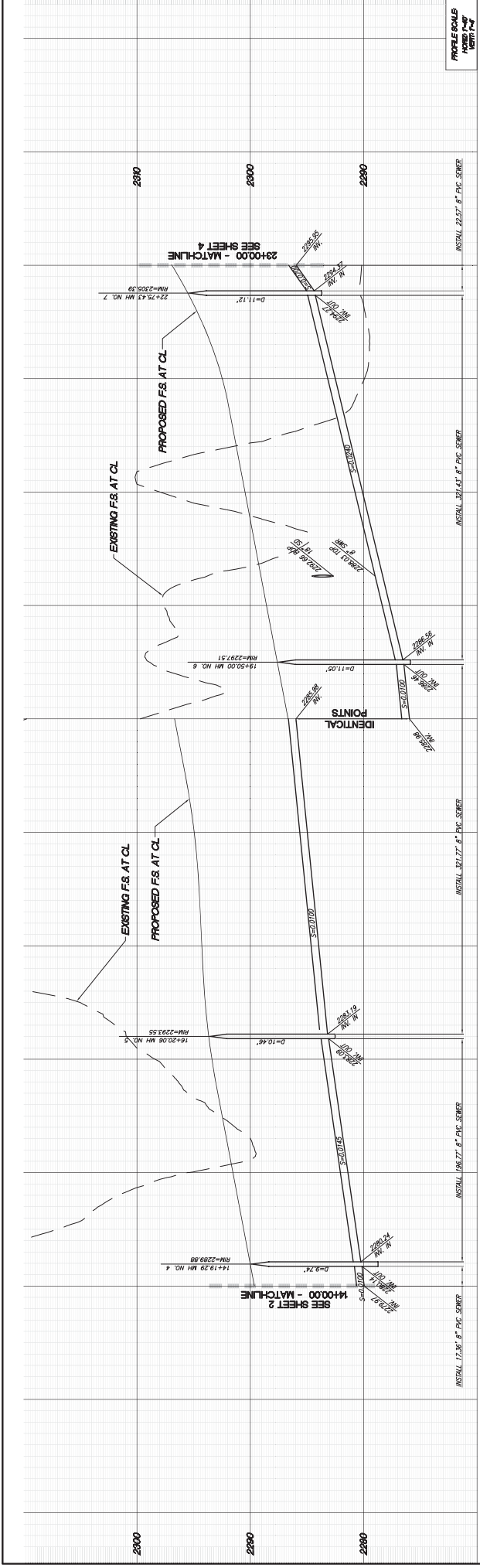
SCALE: 1" = 40'

PROFESSOR OF ENGINEERING: \_\_\_\_\_

REGISTERED PROFESSIONAL ENGINEER: \_\_\_\_\_

DATE: 08/14/20

SCALE: 1" = 40'



NO.	BEARING	DELTA	LENGTH	TANGENT
1	N55°14'00"W	17.50'	17.50'	0.00'
2	S90°00'00"W	306.00'	198.94'	102.86'
3	N87°46'51"W	376.00'	376.00'	0.00'
4	N87°46'51"W	371.00'	371.00'	11.69'

- CONSTRUCTION NOTES**
- INSTALL 8" PVC SEWER MAIN
  - INSTALL PRECAST "C" CONCRETE MANHOLE PER STD. SP-53
  - INSTALL 4" PVC SEWER LATERAL PER END OF STD. SP-177 MANHOLE VALUE
  - PER CITY OF BEAUMONT SPECIFICATIONS

**CITY OF BEAUMONT, CALIFORNIA**  
SEWER IMPROVEMENT PLANS  
TRACT NO. 31462-22  
**FUNK WAY**  
STA: 14400.00 TO STA. 23100.00

**SHEET 3**  
OF 5 SHEETS  
REVISION 303

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_  
Recommended for Approval By: \_\_\_\_\_ Date: \_\_\_\_\_  
Approved By: \_\_\_\_\_ Date: 08/11/2020

CITY OF BEAUMONT, PUBLIC WORKS DEPARTMENT  
DRAWING DIVISION

Staff Engineer  
Administrative Engineer  
City Engineer/Inspector of Public Works

PROJECT NO. REC  
DRAWN BY: REC  
CHECKED BY: REC  
SCALE: AS NOTED  
DATE: 08/14/20  
JOB NO. 06.002.000

PROFESSIONAL ENGINEER  
STATE OF CALIFORNIA  
No. 48900  
EXPIRES 08/14/2020

BENCHMARK: CROSS MONUMENT "603"  
BENCHMARK DISK SET IN TOP OF  
CONCRETE MONUMENT SHOWN ON  
THE DRAWING FROM BEAUMONT PLANS  
CENTERLINE 24.9 FT. S.W. OF THE SW  
CORNER OF THE SOUTH EXTERIOR LINES  
OF WINDSHIELD DRIVEWAY TO  
ELEVATION 2491.44, NGVD 29

APPR. DATE DATE  
BY: MANK 08/14/20  
ENGINEER

REVISIONS

NO.	DESCRIPTION	DATE
1		

DATE: 08/14/20

REVISIONS

DATE: 08/14/20

REVISIONS

DATE: 08/14/20





PRINCE & SCULL  
PLANNING & ENGINEERING  
1000 W. 14th St.  
Beaumont, CA 94701

SHEET  
**5**  
OF 5 SHEETS  
FILE NO. 3103

Item 5.

CITY OF BEAUMONT, CALIFORNIA  
SEWER IMPROVEMENT PLANS  
TRACT NO. 31462-22  
**WRIGHT STREET**  
STA. 09+94.00 TO STA. 12+55.34

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_  
Recommended for Approval By: \_\_\_\_\_ Date: \_\_\_\_\_  
Approved By: \_\_\_\_\_ Date: 09/11/2020  
CITY OF BEAUMONT, PUBLIC WORKS DEPARTMENT  
DRINKING WATER DIVISION



PROJECT NO. REC  
DRAWN BY: REC  
CHECKED BY: REC  
SCALE: AS NOTED  
DATE: 09/11/20  
PROJECT NO. 06-002-000



PROJECTING ENGINEERING  
1000 W. 14th St., Suite 101  
Beaumont, CA 94701  
PROJECTING ENGINEERING  
MICHAEL A. WRIGHT  
REGISTERED PROFESSIONAL ENGINEER  
No. 44900  
EXPIRES 09/11/2020

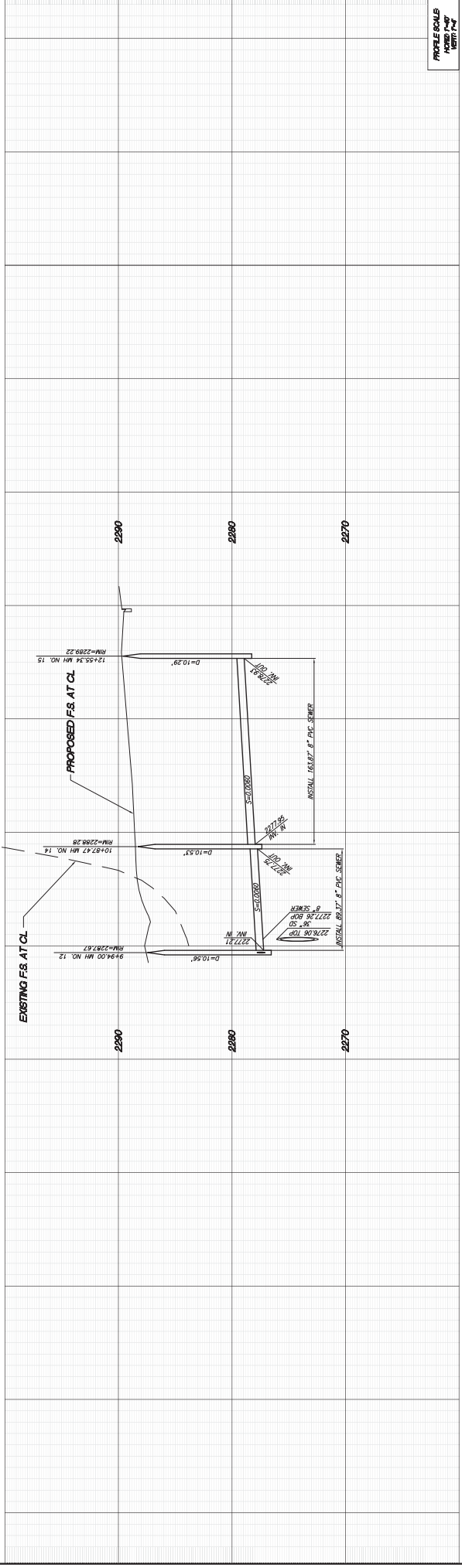
APPR. DATE  
BY: \_\_\_\_\_ DATE: 09/14/20  
ENGINEER: \_\_\_\_\_ DATE: \_\_\_\_\_

DESCRIPTION  
REVISIONS

REVISIONS

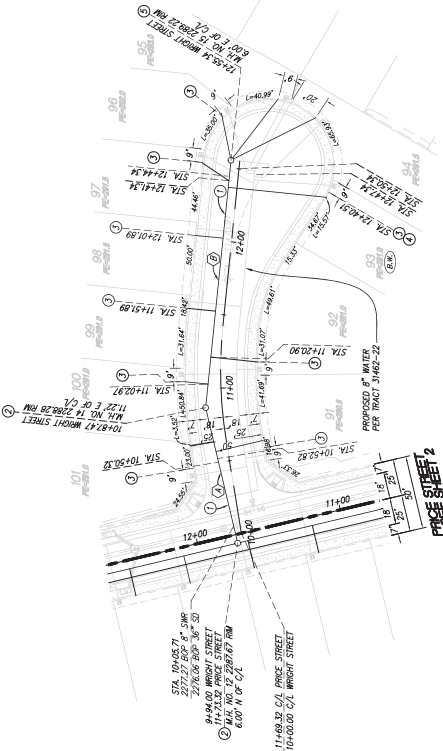
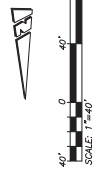
BENCHMARK: CROSS MONUMENT "B507"  
BENCHMARK DISK SET IN TOP OF  
CONCRETE MONUMENT 100' FROM  
THE DRIVE FROM DESERT LANE TO  
CENTERLINE 24.9 FT. S.W. OF THE S.W.  
CORNER OF THE SOUTH EXTBOUND LANES  
OF WINDSHIELD HIGHWAY 10  
ELEV 2491.44, NGVD 29

811  
Call 811  
Before You Dig



PIPE DATA TABLE

NO.	REMARKS	SIZE	LENGTH	INVERT	MANHOLE
(1)	2277.11	8"	1177.64'E	166.01'	



WRIGHT STREET

CONSTRUCTION NOTES

- 1. INSTALL 8" PVC SEWER MAIN
- 2. INSTALL PRECAST 4' CONCRETE MANHOLE PER EMO STD. 59-57
- 3. INSTALL 4" PVC SWEET LATERAL PER EMO
- 4. INSTALL 4" BACKWATER VALVE (PER CITY OF BEAUMONT SPECIFICATIONS)
- 5. INSTALL PRECAST 4' CONCRETE TERMINUS MANHOLE W/ CAST IRON MANHOLE COVER PER EMO 59-58



## Staff Report

**TO:** City Council

**FROM:** Nicole Wheelwright, Deputy City Clerk

**DATE:** October 6, 2020

**SUBJECT:** **Second Reading to Adopt Rules of Procedure for All Meetings of the City Council and Its Appointed Boards and Committees Amending the Current Rules of Procedure Established in Beaumont Municipal Code Section 2.04**

### Background and Analysis:

At its regular meeting of August 18, 2020, the City Council directed the City Attorney to develop some draft rules of procedure for conducting public meetings of the City Council. On September 1, 2020, City Council reviewed the draft and gave direction for modifications to be brought back in the form of an ordinance for a public hearing and first reading. On September 15, 2020, City Council held a Public Hearing and approved the first reading of the ordinance with amendments to language and policies. The requested changes have been made and are included in the attached ordinance for consideration of adoption.

These rules of procedure would amend Chapter 2.04 of Title 2 of the Beaumont Municipal Code to expand the application of Rosenberg's Rules of Order as procedural guidance for City Council meetings and for meetings of other City boards and commissions. It will provide a process of appointing individuals to City boards and commissions and to the boards of outside agencies. It will also provide a process for selecting a Mayor and Mayor Pro Tempore.

Should the City Council approve the second reading of the presented ordinance, it shall take effect 30 days after adoption, in accordance with Government Code Section 36937.

### Fiscal Impact:

City estimates that preparation of this report cost approximately \$300.

**Recommended Action:**

Waive the second full reading and adopt by title only, "An Ordinance of the City of Beaumont Approving Amendments to the City of Beaumont Municipal Code Pertaining to Rules of Procedure."

**Attachments:**

- A. Ordinance

**ORDINANCE NO. \_\_\_\_\_****AN ORDINANCE OF THE CITY OF BEAUMONT APPROVING  
AMENDMENTS TO THE CITY OF BEAUMONT MUNICIPAL  
CODE PERTAINING TO RULES OF PROCEDURE**

**WHEREAS**, Chapter 2.04 of Title 2 of the Beaumont Municipal Code currently sets forth the City Council adopted Rules of Procedures for Council meetings; and

**WHEREAS**, to facilitate the orderly and timely conduct of City meetings and to promote wider community understanding and participation in City meetings, the City Council desires to amend Chapter 2.04 of Title 2 of the Beaumont Municipal Code to expand the application of Rosenberg's Rules of Order as procedural guidance for City Council meetings and for meetings of other City boards and commissions; and

**WHEREAS**, the City Council desires to provide further guidance and clarity on the process to be utilized by the City Council in selecting its Mayor and Mayor Pro Tempore; and

**WHEREAS**, the City Council desires to provide further clarity regarding the process to be utilized by the City Council in appointing individuals to City boards and commissions and to the boards of outside agencies;

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BEAUMONT DOES  
ORDAIN AS FOLLOWS:**

**SECTION 1. CEQA.** The City Council finds that the actions contemplated by this Ordinance are exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

**SECTION 2. Severability.** The City Council hereby declares that if any provision, section, paragraph, sentence, or word of this Ordinance is rendered or declared to be invalid or unconstitutional by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, such invalidity shall not affect the other provisions, sections, paragraphs, sentences or words of this Ordinance, and to this end the provisions of this Ordinance are severable. The City Council declares that it would have adopted this Ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the Ordinance enforced.

**SECTION 3.** The City Council hereby amends Title 2, Chapter 2.04, “City Council Meetings” to read as follows:

**Chapter 2.04**  
**CITY COUNCIL RULES OF PROCEDURE**

Sections:

- 2.04.010 Time and place – Generally.
- 2.04.020 Time and place – Holiday.
- 2.04.030 Notice of Meetings.
- 2.04.040 Rules of Procedure.
- 2.04.050 Presiding Officer.
- 2.04.060 Maintenance of Order.
- 2.04.070 Decorum.
- 2.04.080 Items for Future Agendas and Time Limits for Comments.
- 2.04.090 Nomination of Mayor and Mayor Pro Tempore.
- 2.04.100 Appointments to City Boards and Commissions.
- 2.04.110 Appointment of Council Members to Boards and Commissions of Outside Agencies.
- 2.04.120 Mayoral Responsibilities.
- 2.04.130 Council Member Conduct.
- 2.04.140 Council Member Vacancies.

2.04.010. Time and Place – Generally. Regular meetings of the City Council shall be held at such times and places as may be fixed by resolution duly adopted by the City Council.

2.04.020. Time and Place – Holiday. If a regular meeting of the City Council falls on a legal holiday, such meeting shall be held on the next Wednesday not a legal holiday.

2.04.030. Notice of Meetings. Notice of City Council Meetings shall be given in compliance with the Ralph M. Brown Act, as may be amended from time to time, and as required by California Law.

2.04.040 - Rules of procedure.

The City Council will utilize Rosenberg’s Rules of Order: Simple Parliamentary Procedures for the 21st Century as guidance for parliamentary procedure for all City Council meetings. The Beaumont Planning Commission and other City Council created commissions and committees that are required to hold open meetings in compliance with the Ralph M. Brown Act, shall utilize Rosenberg’s Rules of Order as guidance for parliamentary procedure during their respective meetings.

2.04.050 - Presiding Officer.

The Mayor shall be the Presiding Officer at all City Council meetings. In the absence of the Mayor, the Mayor Pro Tempore shall be the Presiding Officer. In the absence of both the Mayor and the Mayor Pro Tempore, the City Council shall elect a temporary Presiding Officer to serve until the arrival of the Mayor or Mayor Pro Tempore, or until adjournment.

#### 2.04.060 - Maintenance of Order.

The Mayor or Presiding Officer is responsible for the maintenance of order and decorum at all times. In the absence of a rule to govern a point of procedure, the decision of the Mayor or Presiding Officer shall be final and binding, unless overruled by a majority of a quorum of the Council. No person should be allowed to speak without first being recognized by the Mayor or Presiding Officer. A Council Member, once recognized by the Mayor or Presiding Officer, shall not be interrupted while speaking unless called to order by the Mayor or Presiding Officer. All questions and remarks should be addressed to the Mayor or Presiding Officer.

The Mayor or Presiding Officer may order any person or group to leave a meeting where said person or group, after warning, willfully interrupts a meeting so as to render the orderly conduct of the meeting unfeasible. If said person or group refuses to leave the meeting after being directed to do so by the Mayor or Presiding Officer, the Mayor or Presiding Officer may implement the procedures authorized by law to evict a disruptive person or group from the meeting and to restore order, including but not limited to the procedures authorized by Government Code Sections 54957.9 and 36813.

#### 2.04.070 - Decorum.

No City Council member shall be allowed to speak more than once upon any one subject until every other City Council member wishing to speak thereon shall have had the opportunity to speak. The Mayor and Council Members shall accord the utmost courtesy to each other, to City staff, and to the public appearing before the City Council and shall refrain at all times from rude or derogatory remarks.

#### 2.04.080 - Items for Future Agendas and Time Limits for Comments.

- A. During a City Council meeting, the Mayor or any member of the Council may direct the City Manager to place an item on a future agenda.
- B. If a member of the City Council believes that their comments on any item will exceed five minutes, they shall ask the Mayor or Presiding Officer for additional time to speak on the item.
- C. Public comments shall be limited to three minutes per person per agenda item unless otherwise authorized by majority vote.

#### 2.04.090 – Nomination of Mayor and Mayor Pro Tempore.

The City Council selection of the Mayor and Mayor Pro Tempore shall occur annually at the first Council meeting in December during a year in which no Council Member seat is open for election or at the second regular or special Council meeting in December during a year in which Council Member seats are open for election. The Mayor and Mayor Pro Tempore selection shall occur by a seniority rotation process as follows:

- A. The office of Mayor and Mayor Pro Tempore shall rotate each year based on the number of years each council member has been in office. Each Council Member shall be given a specified position in the rotation sequence. The first person in the sequence, as determined by tenure on the City Council, shall serve as Mayor. The second person in the sequence, shall serve as Mayor Pro Tempore.
- B. After serving as Mayor, that Council Member moves to the end of the rotation sequence and the other four Council Members move forward, causing the Mayor Pro Tempore to become the Mayor.
- C. The next Council Member in the rotation after the Mayor Pro Tempore shall then become the Mayor Pro Tempore.
- D. When a Council Member is newly elected or appointed, the new Council Member is placed in the fourth position in the rotation, after all incumbents, but before the current outgoing Mayor.
- E. If two or more Council Members are newly elected at the same time, the number of votes received in the election determines the Council Members position in the sequence, with the Council Member receiving the fewest votes placed last in the rotation but before the current outgoing Mayor.
- F. Incumbent Council Members, when re-elected, retain their placement in the rotation.
- G. If for any reason a Council Member is removed from the rotation, the remaining Council Members move forward in the sequence.
- H. A Council Member may decline to serve as Mayor or Mayor Pro Tempore. In this case, the office would pass to the next Council Member on the list. The Council Member who declined may drop back one position in the rotation.
- I. The selection of the Mayor and Mayor Pro Tempore must be ratified by three affirmative votes. If the Mayor or Mayor Pro Tempore fail to receive three affirmative votes, they retain their current position in the rotation and the office would pass to the next Council Member on the list, subject to ratification by three affirmative votes. This process continues until a Mayor and Mayor Pro Tempore are ratified by three affirmative votes. The newly selected Mayor and Mayor Pro Tempore shall be seated in their positions immediately after they have been approved by three affirmative Council Member votes.
- J. The City Clerk shall keep and update a list outlining the rotational sequence.
- K. A Council Member may serve as Mayor or Mayor Pro Tempore a total of two years during a four-year term of office on the Council, but shall not serve as Mayor or Mayor Pro Tempore in consecutive years.

#### 2.04.100 – Appointments to City Boards and Commissions.

The City Council shall appoint all City board and commission members as determined by Sections 2.24.040, 2.30.020, and 2.35.040. The following guidelines shall control the appointment process:



- A. Members of the public may apply when a vacancy on a board or commission occurs. The City Council will conduct interviews of applicants at a City Council meeting once a sufficient number of applications have been received.
- B. Upon completion of applicant interviews, Council Members may nominate applicants to be appointed to the board or commission. Once all nominations are received, a vote will be taken for each nomination beginning with the first applicant nominated. Council Members may vote multiple times if there are multiple vacancies for the board or commission.
- C. If a nominee receives a majority vote from a quorum of the Council, that nominee shall be appointed to the board or commission.

#### 2.04.110 – Appointment of Council Members to Boards and Commissions of Outside Agencies.

At the first regular Council meeting after a new Mayor is installed, the Mayor shall appoint members to Boards and Commissions of outside agencies in the manner provided for herein. At said meeting, the Mayor shall announce the board or commission for which nominations will be considered and invite nominations from the Council. Once all nominations have been received for the specified position, the Mayor shall close nominations. If only one Council Member is nominated to a specified position, the Mayor shall appoint that Council Member to said Board or Commission. In the event more than one Council Member is nominated for a specified position, the Mayor shall ask the nominees if they are willing to serve in the specified position. If a Council Member declines to serve, that Council Member's nomination shall be withdrawn. The Council shall hold a discussion and receive statements from nominees where multiple willing Council Members have been nominated for a specified position. Thereafter, the Mayor shall make an appointment to the specified position from among the willing nominees. This process shall be continued until all open positions on boards and commissions of outside agencies are filled. If no nominations are received for a particular board or commission, the Mayor may appoint a Council Member to fill the position.

#### 2.04.120 – Mayoral Responsibilities.

The following tasks are the responsibility of the Mayor or if the Mayor is unavailable the Mayor Pro Tempore or Presiding Officer.

- A. To conduct meetings of the City Council as its chair.
- B. Ensure decorum is maintained at the meeting.
- C. To represent the City as its chief elected official at community functions, events, and meetings.
- D. To review and propose additions to the agendas of meetings of the City Council.
- E. Appoint individuals to ad hoc committees;
- F. Serve as the primary spokesperson of the Council in communications with the press;
- G. Sign all letters authorized by and on behalf of the Council.

#### 2.04.130 – Council Member Conduct.

City Council Members shall:

- A. Treat each other, staff, and members of the public with courtesy and respect;
- B. Maintain confidentiality of all closed session materials and discussion;
- C. Be attentive to others and limit interruptions and distractions;
- D. Encourage diverse viewpoints in debate while avoiding personal attacks;
- E. Agree to respectfully disagree;
- F. Promote discussion and resolution of problems;
- G. Comply with and adhere to official decisions and policies of the City Council as approved by a majority of the Council;
- H. Work in furtherance of the City's best interests;
- I. Limit the use of texting and other forms of electronic messaging during Council Meetings to emergency situations.

#### 2.04.140 – Council Member Vacancies.

Within 60 days of its occurrence, the City Council shall fill a vacancy on the City Council by appointment or by calling a special election in compliance with the Government Code. In the event the City Council chooses to fill the vacancy by appointment, the Mayor shall invite qualified individuals to apply for the vacant position. At a public meeting held in compliance with the Ralph M. Brown Act, the Council shall interview applicants for the vacant position. Upon completion of the applicant interviews, the Mayor shall request nominations for the vacant Council position. Once all nominations have been received for the vacant position, the Mayor shall close nominations and a vote shall be taken on the nominations in the order received. This process shall continue until such time as a nominee receives three affirmative votes of the Council. Upon a nominee receiving three affirmative Council Member votes, the nominee shall be sworn into office and assume the vacant Council position.

**NOW, THEREFORE, BE IT ORDAINED** the City Council of the City of Beaumont, California, approves an amendment to the City Code.

**INTRODUCED AND READ** for the first time and ordered posted at a regular meeting of the City Council of the City of Beaumont, California, held on the 15th day of September 2020, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the City Council of the City of Beaumont, California, held on the 6th day of October 2020.

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Rey Santos, Mayor

Attest:

---

Nicole Wheelwright, Deputy City Clerk

Approved as to form:

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John O. Pinkney, City Attorney



## Staff Report

**TO:** City Council  
**FROM:** Sean Thuilliez  
**DATE:** October 6, 2020  
**SUBJECT:** **Beaumont Unified School District Agreement for the Provision and Funding of School Resource Officer**

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### Background and Analysis:

The Beaumont Unified School District (District) seeks to renew the School Resource Officer Program and agreement with the City. Within the agreement, the District agrees to pay for the full cost of a school resource officer (SRO) along with vehicle and other costs as outlined.

The goal of the program is to create a successful working relationship with the District to reduce criminal activity on school campuses and provide a safe place for students to learn and grow. The duties and responsibilities for this position include working with school administrators and officials, maintaining a high level of visibility on the campuses, serving as a resource for facilitation of gang awareness and intervention, performing selected enforcement as needed, assisting with school campus meetings and other special events where skills of an SRO would be needed.

In brief, the role of an SRO is to investigate violations of criminal law and make arrests as appropriate. While enforcing the law it is also essential for the SRO to be a positive role model and endorse high moral standards and the use of good judgement and discretion. This role includes informal counseling and can offer guidance to assist with conflict mediation, offer life skill advice and connect students with formal counseling services. Further, the partnership with school staff allows for a more effective response time to crime and disharmony on school campuses.

The agreement between the District and the City is for Fiscal Years 2020-2023, and includes the assignment of one (1) SRO to provide coverage at Beaumont High School (except as outlined by the addendum). The District will remit \$100,465 to the City to fund the cost of one (1) SRO during FY 2021, \$132,400 for FY 2022, and \$135,710 for

FY 2023. The agreement calls for potential cost of living increases, however, the District will only be billed for actual costs.

The Beaumont Police Department and the District have collaborated for several years on safety concerns and issues regarding the staff and youth that attend local school campuses. The upcoming school year will give the SRO and the Police Department additional opportunities to explore abilities to help continue the work to increase the feeling of safety at school campuses and surrounding areas.

**Fiscal Impact:**

The estimated total cost for the SRO program is \$368,575 for the period of October 1, 2020, through April 1, 2023. The agreement provides total yearly costs and payment schedule that requires the District to pay monthly installments commencing on October 1, 2020.

**Recommended Action:**

Waive the full reading and approve by title only, "A Resolution of the City Council of the City of Beaumont Authorizing the City Manager to Enter into an Agreement with the Beaumont Unified School District for School Resource Officer (SRO) Services for Fiscal Years 2020-2023," and  
Authorize the Mayor to execute the Beaumont Unified School District Agreement for the Provision and Funding of School Resource Officer.

**Attachments:**

- A. Resolution
- B. Agreement with BUSD

**RESOLUTION NO. 2020-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BEAUMONT,  
CALIFORNIA AUTHORIZING THE CITY MANAGER TO ENTER INTO AN  
AGREEMENT WITH THE BEAUMONT UNIFIED SCHOOL DISTRICT FOR  
SCHOOL RESOURCE OFFICER (SRO) SERVICES FOR  
FISCAL YEARS 2020-2023**

**WHEREAS**, it is the goal of the City of Beaumont ("City") and the Beaumont Unified School District ("BUSD") to create a successful working relationship with the hope of reducing criminal activity on the school campuses; and

**WHEREAS**, the City Manager has recommended the approval of a School Resource Officer Program Funding Agreement Between the Beaumont Unified School District and the City of Beaumont, Amending the Municipal Budget for Fiscal Year 2020-2021 and Appending the Municipal Budget for Fiscal Years 2021-2022 and 2022-2023; and

**WHEREAS**, the funding agreement deems necessary an amendment to the Municipal Budget for Fiscal Year 2020-2021 based upon the City Council's approval for receipt of funds from the Beaumont Unified School District in the amount of \$100,465.00 for the purpose of supporting the Police Department's School Resource Officer Program; and

**WHEREAS**, the funding agreement deems necessary the acceptance of \$132,400.00 into the Municipal Budget for Fiscal Year 2021-2022 and the acceptance of \$135,710.00 into the Municipal Budget for Fiscal Year 2022-2023 from the Beaumont Unified School District for the purpose of supporting the Police Department's School Resource Officer Program; and

**WHEREAS**, the City Council has directed staff as to any amendments or acceptances to the municipal budget thereto.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Beaumont that:

Section 1. The recitals, findings and determinations set forth above are true and correct and are incorporated by reference herein.

Section 2. The City Council hereby authorizes the City Manager to execute the Agreement between the Beaumont Unified School District and the City of Beaumont in the form attached as Attachment A.

Section 3. If any section, subsection, subdivision, sentence, clause, phrase, word, or portion of this resolution is, for any reason, held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this resolution and each section, subsection, subdivision, sentence, clause, phrase, word or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivision, sentences, clauses, phrases, words, or portions thereof be declared invalid.

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the City Council of the City of Beaumont, California, held on the 6<sup>th</sup> day of October, 2020, by the following roll call vote:

- AYES
- NOES
- ABSENT
- ABSTAIN

\_\_\_\_\_  
Rey Santos, Mayor

ATTEST:  
(SEAL)

\_\_\_\_\_  
Steven Mehlman, City Clerk

APPROVED AS TO FORM:  
\_\_\_\_\_  
John Pinkney, City Attorney



**BEAUMONT UNIFIED SCHOOL DISTRICT  
AGREEMENT FOR THE PROVISION AND FUNDING  
OF SCHOOL RESOURCE OFFICER  
(CITY OF BEAUMONT)**

THIS AGREEMENT FOR THE PROVISION AND FUNDING OF SCHOOL RESOURCE OFFICER ("Agreement"), entered into this \_\_\_ day of September, 2020 ("Effective Date") by and between the BEAUMONT UNIFIED SCHOOL DISTRICT, a political subdivision of the State of California ("DISTRICT"), and the CITY OF BEAUMONT, a municipal corporation ("CITY"). CITY and DISTRICT are collectively referred to as the "Parties" and individually as a "Party." This Agreement is made in light of the following:

**RECITALS**

A. WHEREAS, CITY is a municipal corporation duly organized and validly existing under the Constitution and the laws of the State of California; and

B. WHEREAS, DISTRICT is a political subdivision of the State of California located in Riverside County, California, and is organized and validly existing pursuant to the laws of the State of California; and

C. WHEREAS, DISTRICT is in need of a School Resource Officer ("SRO") at Beaumont High School ("BHS") and Glen View High School ("GVHS"), on a rotating or as-needed basis by DISTRICT (BHS, GVHS are collectively referred to as "Campuses" and individually as a "Campus"), to perform the following services ("Services"):

1. To act swiftly and cooperatively with school administration staff and other law enforcement personnel as required and permitted by law when responding to criminal offenses and/or major disruptions on Campus, such as but not limited to: disorderly conduct; fighting; trespassing; the possession and/or use of weapons on DISTRICT property to which the SRO is assigned; the illegal sale, use and/or distribution of controlled substances and alcohol; gang activity; and riots;

2. To serve as a mentor and role model for students;

3. To act as an integral part of the Campus Crisis Response Team, and to review and give input regarding the School Safety Plan;

4. To report/document crimes that occur on Campus and to investigate crimes that occur on Campus;

5. To liaise with other law enforcement officials in the investigations of criminal offenses which occur off-Campus but within the surrounding community; and

6. To work cooperatively to reduce the incidence of student truancy.

D. WHEREAS, CITY employs sworn peace officers specially trained, experienced and competent to provide the Services desired by DISTRICT and CITY is willing to provide such Services to DISTRICT on the terms and in the manner provided in this Agreement; and

E. WHEREAS, CITY and DISTRICT desire to join together in a collaborative effort to provide one (1) SRO, an employee of CITY, who will provide the Services described herein to DISTRICT at the Campuses described above, on a rotating or as-needed basis by DISTRICT.

F. NOW, THEREFORE, in consideration of the mutual representations, warranties, promises, and covenants set forth below, and for good and valuable consideration, the sufficiency of which is acknowledged by each of the Parties, the Parties agree as follows:

### AGREEMENT

1. **TERM.** The term of this Agreement shall commence on September 1, 2020 and shall expire on June 30, 2023 ("Term"), unless terminated as specified in paragraph 10 of this Agreement.

2. **CITY'S DUTIES.**

a. **One (1) Full-Time Sworn Peace Officer.** Beginning on October 1, 2020, CITY shall provide one (1) full-time sworn peace officer with the Beaumont Police Department to serve as SRO and provide the Services. The SRO shall perform the Services under the supervision and control of the Beaumont Chief of Police ("Chief of Police"). The type and manner of performance of the Services are intended to promote safety in the learning environment. The Services contemplated by this Agreement are limited to the Campuses defined in the Recitals set forth above.

b. **Additional SRO.** At the request of DISTRICT, CITY may employ and assign SROs in addition to the one allocated pursuant to paragraph 2.a. subject to the written amendment to this Agreement, signed by CITY and DISTRICT, which shall also include the assignments, duties, and compensation of the additional SROs.

c. **Assignment of SRO.** CITY shall assign one (1) SRO to the Campuses identified in the Recitals set forth above on a rotating or as-needed basis. Prior to assignment to a particular site, the Chief of Police or his designee will consult with DISTRICT staff and receive input on DISTRICT's needs and concerns. The Services performed by the SRO pursuant to this Agreement are not intended to replace those services provided by existing DISTRICT security personnel.

d. **Selection of SROs.** While CITY will confer in good faith with DISTRICT regarding the particular Beaumont Police Officer assigned to serve as an SRO under this Agreement, CITY shall retain ultimate decision-making authority regarding officer selection. CITY will make reasonable efforts not to reassign any SRO when school is in session. To the extent that DISTRICT is dissatisfied with the performance of an SRO provided under this Agreement, DISTRICT and CITY shall meet and confer and attempt to resolve the issues presented; however, to the extent DISTRICT's dissatisfaction is not remedied, CITY shall nevertheless have ultimate authority to determine whether or not any SRO assigned under this Agreement shall be replaced by a different Beaumont Police Officer.

e. **Supervision and Control.** CITY, in its sole discretion, shall have the power and authority to hire, assign, discharge and discipline the SRO. DISTRICT staff may participate with CITY staff in review and determination of SRO school placement/assignment as described in this Agreement.

As an employee of CITY, and not an employee of DISTRICT, the SRO shall follow the Beaumont Police Department's chain of command and report first to the assigned supervisor as prescribed by CITY.

In the performance of his/her duties, the SRO shall coordinate and communicate with the principal or the principal's designee of the Campus to which the SRO is assigned.

3. **DISTRICT DUTIES.** In addition to other duties specified in this Agreement, DISTRICT shall do the following:

a. **Staff Liaison.** DISTRICT shall designate a staff member to serve as liaison to the Beaumont Police Department to facilitate communication between DISTRICT personnel and the SRO and to coordinate the SRO's activities with DISTRICT activities and events.

b. **DISTRICT Personnel - Cooperation.** DISTRICT personnel shall cooperate with the SRO to facilitate the SRO's performance of Services pursuant to this Agreement.

#### 4. **OPERATIONAL PROCEDURES.**

a. **Uniformed SROs.** The SRO will perform his/her duties in police uniform. This uniform will include safety equipment designated for use by sworn personnel pursuant to Beaumont Police Department policies and practice.

#### b. **Hours of Work.**

1) The SRO provided under this Agreement will ordinarily work on a 9/80 schedule during the workweek; typically, Tuesday through Friday, and every other Monday. CITY maintains the right to alter this schedule based on any applicable Memorandum of Understanding ("MOU") between CITY and its employee organizations. Coverage for days on which the assigned SRO is not available will be provided by other law enforcement officers of CITY as determined by the Chief of Police.

2) Specific SRO Campus workday schedules will be established by agreement of CITY's SRO supervisor and the principal of the campus to which the SRO is assigned, subject to the ultimate discretion of the Chief of Police.

3) For school vacations, holidays, and other times when school is not in session and/or the SRO's presence is not required on Campus, each SRO shall report to CITY, at the discretion of the Chief of Police or his designee, and shall provide investigation and support of other DISTRICT law enforcement needs.

4) The SRO will be assigned to the appropriate Campus handling programs during summer school, and report to CITY when summer school is not in session.

c. **Absences.** In the event the SRO provided under this Agreement is absent from work when school is in session, the SRO shall notify both his/her CITY supervisor and the principal or designee of the Campus to which the SRO is assigned. DISTRICT recognizes that there will be times when an SRO provided under this Agreement is necessarily absent from Campus, for example, when CITY experiences emergencies requiring additional manpower, disasters, court appearances, or mandatory attendance for training. Under such circumstances, and as availability may dictate, a Beaumont Police Officer may be assigned to designated Campuses if the SRO's absence extends past ten (10) days as determined by the Chief of Police or his designee. DISTRICT also recognizes that the SRO may exercise his/her right to transfer from the SRO assignment, per existing CITY policy and/or the applicable employee organization MOU.

#### d. **Equipment, Supplies, and Workspace.**

1) **Safety Equipment.** CITY agrees to provide safety equipment as prescribed by Beaumont Police Department policy for each SRO.

2) **Motor Vehicles.** CITY shall provide each SRO with access to a vehicle as

prescribed by Beaumont Police Department policy. DISTRICT shall pay CITY \$665 each month for nine (9) months for each fiscal year of the Agreement for costs of the SRO vehicle.

3) **Computers.** CITY shall provide each SRO with access to CITY's law enforcement programs and networks as prescribed by Beaumont Police Department policy. DISTRICT agrees to provide to each Campus with SRO access to the DISTRICT email system and such other computerized systems as are specifically authorized in writing by the designated DISTRICT office level administrator responsible, but only to the extent necessary to carry out the purposes of this Agreement, and only to the extent privacy or other laws are not compromised.

4) **Telecommunications.** CITY agrees to supply each SRO with a cellular phone. DISTRICT agrees to furnish an on-Campus telephone instrument and dedicated telephone line for business use by each SRO. DISTRICT agrees to furnish a facsimile machine or make a facsimile machine available on each Campus for SRO use.

5) **Radio Communications.** If DISTRICT operates a radio network for staff or security at the Campus to which each SRO is assigned, DISTRICT agrees to furnish the SRO with a transceiver with which to access and utilize the radio network.

6) **Supplies.** DISTRICT agrees to provide each SRO with the usual and customary office supplies and forms required in the performance of his/her duties. CITY agrees to supply each SRO with specialized law enforcement/court/department forms.

7) **Workspace.** DISTRICT agrees to provide each SRO with a private office accessible to the students on Campus and equipped with suitable seating, work surface, air conditioning/heating and secure storage. DISTRICT agrees to provide such workspace that will not infringe upon an SRO/minor's right to confidentiality.

8) **Student Records.** DISTRICT shall allow the SROs to inspect and copy any student records maintained by the DISTRICT and/or Campus, including yearbooks and student directory information, as defined in Education Code 49061. The SRO who is serving as a "school official" under the family Educational Rights and Privacy Act (FERPA) may not disclose personally identifiable information (PII) from education records to others, including other employees of his or her local police department who are not acting as school officials, without consent unless the redisclosure fits within one of the exceptions to FERPA's consent requirement.

If information in a student's cumulative records or other confidential record is needed in an emergency to protect the health or safety of the student or other individuals, DISTRICT shall disclose to the SRO that information which is needed to respond to the emergency situation based on the seriousness of the threat to someone's health or safety; the need for the information to meet the emergency situation; and the extent to which time is of the essence.

If information from confidential student records is needed, but no emergency situation exists, the information may be released only upon probable cause and exigent circumstances, the issuance of a court order, or by written authorization of the parent/guardian.

CITY and the SRO will comply with policies of DISTRICT relative to the release of student information, except as provided herein.

## 5. DISTRICT'S PAYMENT OF COSTS.

a. **SRO Costs.** The total estimated cost of an SRO for the entire Term of this Agreement shall not exceed **\$397,280.00** ("Estimated Cost"). DISTRICT agrees to pay CITY 100% of the Estimated Cost (inclusive of salary and benefits) for the SRO provided under this Agreement. Payment shall be according to a three-year fiscal year (FY) schedule as follows:

1) In year one (FY2020/21) of this Agreement, the estimated total cost for the SRO shall not exceed **\$100,465 for the months of October 2020-June 2021** ("FY20/21 Estimated Cost"). The DISTRICT agrees to pay the prorated cost (inclusive of salary and benefits) of the SRO selected for the position. DISTRICT shall pay to CITY the FY20/21 Estimated Cost during the first fiscal year term of this Agreement. The FY20/21 Estimated Cost shall be paid in seven (7) separate, equal monthly installments. The installments shall be paid to CITY commencing on October 1, 2020\* and continuing through April 1, 2022.

\*Actual billing for FY 20/21 is dependent on date of assignment of SRO to Campus with students and prorated as agreed upon by CITY and DISTRICT in accordance with guidelines as ordered by the Governor of the State of California and/or County Public Health Officials.

2) In year two (FY2021/22) of this Agreement, the estimated total cost for the SRO shall not exceed **\$132,400.00** ("FY21/22 Estimated Cost"). Any cost increase over year one is due to an estimated cost-of-living increase for Beaumont Police Officers effective January 1, 2021. DISTRICT shall pay to CITY the FY21/22 Estimated Cost during the second fiscal year term of this Agreement. Said sum shall be paid in nine (9) separate, equal monthly installments. The installments shall be paid to CITY commencing on July 1, 2021 and continuing through March 1, 2022.

3) In year three (FY2022/23) of this Agreement, the estimated total cost for the SRO shall not exceed **\$135,710.00** ("FY22/23 Estimated Cost"). The cost increase over year two is due to an estimated cost-of-living increase for Beaumont Police Officers effective January 1, 2022. DISTRICT shall pay to CITY FY22/23 Estimated Cost during the third fiscal year term of this Agreement. Said sum shall be paid in nine (9) separate, equal monthly installments. The installments shall be paid to CITY commencing on July 1, 2022 and continuing through March 1, 2023.

b. **Operational Costs.** DISTRICT shall pay for necessary SRO equipment, supplies, and workspaces as described in paragraph 4.d of this Agreement.

6. **EMPLOYMENT PRACTICES.** CITY and DISTRICT, by execution of this Agreement, certify that neither Party shall discriminate against any person upon the basis of race, color, creed, national origin, age, sex, sexual orientation, disability, marital status, or other legally protected characteristic in their respective employment practices.

7. **EMPLOYMENT AND RELATIONSHIP OF THE PARTIES.** CITY and DISTRICT are and at all times shall be considered entirely independent of one another. Neither Party shall be considered as the agent, representative or independent contractor of the other. Likewise, neither Party shall be deemed the employee of the other under any federal, state or local law or regulation, including but not limited to laws governing unemployment insurance, workers' compensation, industrial illness or accident coverage, tax withholding, or labor and employment in general. Any and all SRO is an employee solely of CITY, and remains subject to the administration, supervision and control of CITY. SRO is subject to all personnel policies and practices if CITY and the applicable MOU between CITY and its employee organizations.

8. **APPLICABLE LAWS.** CITY provides the services specified herein in accordance with any and all applicable federal and state statutes, regulations, and directives.

9. **MUTUAL INDEMNITY.**

a. DISTRICT shall indemnify, defend and hold harmless CITY, its officers, agents, employees and representatives from and against any and all claims, losses, liabilities or damages, demands and actions, including payment of reasonable attorney's fees, arising out of or resulting from the performance of this Agreement, caused in whole or in part by any negligent or willful act or omission of DISTRICT, its officers, agents, employees, or anyone directly or indirectly acting on behalf of DISTRICT, regardless of whether caused in part by a party indemnified hereunder.

b. CITY shall indemnify, defend and hold harmless DISTRICT, its officers, agents, employees and representatives from and against any and all claims, losses, liabilities or damages, demands and actions, including payment of reasonable attorney's fees, arising out of or resulting from the performance of this Agreement, caused in whole or in part by any negligent or willful act or omission of CITY, its officers, agents, employees, or anyone directly or indirectly acting on behalf of CITY, regardless of whether caused in part by a party indemnified hereunder.

c. This mutual indemnification agreement is adopted pursuant to Government Code section 895.4 and in lieu of and notwithstanding the pro rata risk allocation which might otherwise be imposed between the Parties pursuant to Government Code section 895.6.

10. **TERMINATION.** DISTRICT or CITY may terminate this Agreement without cause any time after the Effective Date, by giving a thirty (30) day written notice to the other Party. In the event of termination, DISTRICT shall compensate CITY for Services performed to the date of termination. CITY shall continue to provide Services after notice to terminate and during the thirty (30) day notice period unless DISTRICT, in the notice, requests CITY not perform Services. The notice shall be deemed given when personally delivered to the DISTRICT or CITY representative or three (3) days after the date the notice is deposited in the United States mail, first-class postage paid, and addressed to the appropriate representative as specified in this Agreement.

11. **AMENDMENTS.** No modification or amendment to this Agreement shall be valid unless it is set forth in writing and is signed by the Parties thereto.

12. **WAIVER.** Failure to exercise any right under this Agreement shall not constitute a waiver of such right.

13. **INCORPORATION OF RECITALS.** The Parties repeat and incorporate the recitals set forth above as if fully set forth herein.

14. **SEVERABILITY.** If any court of competent jurisdiction holds any provision of this Agreement to be invalid, unenforceable, or void, the remainder of this Agreement shall remain in full force and effect.

15. **GOVERNING LAW.** This Agreement shall be governed by and construed in accordance with the laws of the State of California and the Parties agree that venue shall be in Riverside County, California.

16. **INTERPRETATION.** This Agreement shall be construed as a whole, according to its fair meaning, and not in favor of or against any party. By way of example and not in limitation, this Agreement shall not be construed in favor of the party receiving a benefit or against the party responsible for any particular language in this Agreement. Captions are used for reference purposes only and should be ignored in the interpretation of the Agreement. This Agreement may be altered, amended or modified only by an

instrument in writing; executed by the Parties to this Agreement and by no other means. Each Party waives their future right to claim, contest, or assert that this Agreement was modified, cancelled superseded or changed by any oral agreement, course of conduct, waiver or estoppel.

17. **ENTIRE AGREEMENT.** This Agreement constitutes the entire agreement between DISTRICT and CITY regarding the subject matter of this Agreement. It supersedes all prior or contemporaneous agreements, commitments, representations, writings and discussions between DISTRICT and CITY relating to the subject matter of this Agreement.

18. **INSURANCE.** DISTRICT and CITY shall procure and maintain for the duration of the Agreement insurance against claims for injuries to persons or damages to property, which may arise from or in connection with their respective participation and the participation of their respective agents, representatives, employees or subcontractors. CITY shall maintain Worker's Compensation Insurance (Statutory Limits) for CITY's personnel. These insurance requirements may be satisfied with a certificate of self-insurance.

19. **NON-WAIVER.** The waiver by either Party of any breach of any term, covenant, or condition contained in the Agreement, or any default in their performance of any obligations under the Agreement shall not be deemed to be a waiver of any other breach or default of the same or any other term, covenant, condition, or obligation, nor shall any waiver of any incident of breach of default constitute a continuing waiver of same.

20. **SUCCESSORS AND ASSIGNS.** CITY and DISTRICT respectively bind themselves, their successors, assigns, and legal representatives. Neither Party shall assign or transfer any interest in the Agreement without the other Party's prior written consent.

21. **TIME.** Time is of the essence with regard to each and every provision of this Agreement.

22. **NOTICE/ REPRESENTATIVES.** Notices concerning this Agreement shall be deemed to have been served when deposited in the United States Mail, first class postage prepaid, and addressed as follows:

TO DISTRICT:

Beaumont Unified School District  
Attn: Maureen Latham, Superintendent  
350 Brookside Avenue  
Beaumont, CA 92223

TO CITY:

Beaumont Police Department  
Attn: Sean Thuilliez, Chief of Police  
660 Orange Avenue  
Beaumont, CA 92223

CITY and DISTRICT have designated the foregoing representatives to receive notices and act in their respective agency's behalf in the administration of this Agreement.

23. **NO THIRD-PARTY BENEFICIARY.** This Agreement, including, but not limited to, the indemnification provisions, is for the benefit of the Parties herein only and does not create, nor is it

Signatures on the following page.

SIGNATURE PAGE TO  
BEAUMONT UNIFIED SCHOOL DISTRICT  
AGREEMENT FOR THE PROVISION AND FUNDING  
OF SCHOOL RESOURCE OFFICER  
(CITY OF BEAUMONT)

intended to create, any benefit or liability to third parties.

IN WITNESS THEREOF, CITY and DISTRICT have caused this Agreement to be executed on the respective dates set forth below.

**"DISTRICT"**

BEAUMONT UNIFIED SCHOOL DISTRICT

By: *Penni Harbauer*  
Penni Harbauer, Assistant Superintendent of  
Business Services  
Date: Sep 16, 2020

**"CITY"**

CITY OF BEAUMONT

By: \_\_\_\_\_  
Rey Santos, Mayor  
Date: \_\_\_\_\_

**ATTEST:**

By: \_\_\_\_\_

**ATTEST:**

By: \_\_\_\_\_  
Steven Mehlman, CITY Clerk

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
DISTRICT Attorney

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
John O. Pinkney, CITY Attorney



**ADDENDUM TO BEAUMONT UNIFIED SCHOOL DISTRICT  
AGREEMENT FOR THE PROVISION AND FUNDING  
OF SCHOOL RESOURCE OFFICER  
(CITY OF BEAUMONT)**

THIS ADDENDUM TO AGREEMENT FOR THE PROVISION AND FUNDING OF SCHOOL RESOURCE OFFICER ("Addendum"), is entered into this \_\_\_ day of September, 2020 ("Effective Date") by and between the BEAUMONT UNIFIED SCHOOL DISTRICT, a political subdivision of the State of California ("DISTRICT"), and the CITY OF BEAUMONT, a municipal corporation ("CITY"). CITY and DISTRICT are collectively referred to as the "Parties" and individually as a "Party." This Agreement is made in light of the following:

**RECITALS**

A. WHEREAS, CITY and DISTRICT entered into the AGREEMENT FOR THE PROVISION AND FUNDING OF SCHOOL RESOURCE OFFICER ("Agreement") on even date; and

B. WHEREAS, according to the Agreement, CITY agreed to provide DISTRICT with a School Resource Officer ("SRO") at Beaumont High School ("BHS") and Glen View High School ("GVHS"), on a rotating or as-needed basis by DISTRICT to perform the services set forth in paragraph C of the Recitals set forth in the Agreement ("Services"); and

C. WHEREAS, conditions of disaster or of extreme peril to the health and safety of persons and property have arisen both internationally and within the United States as a result of the introduction of the novel coronavirus (COVID-19), a novel communicable disease which led to California Governor Gavin Newsom, to proclaim a State of Emergency for California on March 4, 2020 and a Shelter in Place Order on March 19, 2020; and

D. WHEREAS, in connection with the State of Emergency declared in California, on July 17, 2020, Governor Newsom announced that all public and private schools will start virtually and may not provide in-person instruction if they are located in a county that is on the state's monitoring list. Riverside County is currently on the California Department of Public Health's monitoring list for COVID-19; and

E. WHEREAS, because DISTRICT is conducting virtual instruction to DISTRICT's students as required by the Governor's order, the Services agreed to by CITY and DISTRICT in the Agreement cannot be performed at this time because there are currently no students on campus. The Parties, however, acknowledge and agree that during this period of virtual instruction, the SRO may perform other important functions for DISTRICT as described further in this Addendum; and

F. NOW, THEREFORE, in consideration of the mutual representations, warranties, promises, and covenants set forth below, and for good and valuable consideration, the sufficiency of which is acknowledged by each of the Parties, the Parties agree as follows:

## ADDENDUM

1. Recitals. The Recitals set forth above are hereby incorporated into this Addendum by this reference, as though fully set forth herein.

2. Modification of SERVICES during COVID-19 State of Emergency. This Addendum temporarily modifies the Services to be performed by the SRO during the period of virtual instruction due to the COVID-19 pandemic as follows:

a. Virtual Instruction. Beginning on October 1, 2020, while DISTRICT is instructing its Middle School and High School students virtually, the SRO will perform student/family engagement by engaging in family contacts and performing student welfare checks involving DISTRICT's kindergarten through twelfth grade students as requested by DISTRICT ("Family Engagement Services").

b. Hybrid Instruction. As the State of California and the County of Riverside begin to ease/lift the restrictions related to student instruction and DISTRICT begins instructing Middle School and/or High School students both virtually and in-person, commonly referred to as a hybrid model of instruction, the SRO will perform the Services set forth in the Agreement and the Family Engagement Services, described in paragraph 2.a. herein, involving DISTRICT's sixth grade through twelfth grade students, only as requested by DISTRICT.

c. In Person Instruction. As the State of California and the County of Riverside continue to ease/lift the restrictions related to student instruction and DISTRICT begins instructing Middle School and/or High School students in-person only, the SRO will resume performing only the Services set forth in the Agreement.

d. The Parties understand and agree that due to the uncertain nature of COVID-19 and the uncertain duration of the State of Emergency, DISTRICT may be required to move back and forth between (1) virtual instruction, (2) hybrid instruction, and (3) in person instruction. Therefore, until the State of Emergency is lifted and DISTRICT is authorized to conduct all instruction in person for an extended period of time, this Addendum shall apply to the Services performed by the SRO unless otherwise agreed to by the Parties in writing.

3. Capitalized Terms. Capitalized terms herein have the same meaning as used in the Agreement unless otherwise noted.

4. All Counterparts. This Addendum may be executed in several counterparts, each of which shall be deemed to be an original and shall constitute one and the same instrument and shall become binding upon the Parties when at least one copy hereof shall have been signed by the Parties hereto.

5. Conflicts. In the event there exist any conflict between the terms of this Addendum and the Agreement as executed, the terms of this Addendum shall be superseding.

6. Remaining Provisions. All other remaining terms and conditions of the Agreement as shall remain unchanged.

**Signatures on the following page.**

**SIGNATURE PAGE TO  
ADDENDUM TO BEAUMONT UNIFIED SCHOOL DISTRICT  
AGREEMENT FOR THE PROVISION AND FUNDING  
OF SCHOOL RESOURCE OFFICER  
(CITY OF BEAUMONT)**

IN WITNESS THEREOF, CITY and DISTRICT have caused this Addendum to be executed on the respective dates set forth below.

**"DISTRICT"**

**"CITY"**

BEAUMONT UNIFIED SCHOOL DISTRICT

CITY OF BEAUMONT

By: *Penni Harbauer*  
Penni Harbauer, Assistant Superintendent of  
Business Services

By: \_\_\_\_\_  
Rey Santos, Mayor

Date: Sep 16, 2020

Date: \_\_\_\_\_

**ATTEST:**

**ATTEST:**

By: \_\_\_\_\_

By: \_\_\_\_\_  
Steven Mehlman, CITY Clerk

**APPROVED AS TO FORM:**

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
BUSD Attorney

By: \_\_\_\_\_  
John O. Pinkney, CITY Attorney



## Staff Report

**TO:** City Council  
**FROM:** Jeff Mohlenkamp, Finance Director  
**DATE:** October 6, 2020  
**SUBJECT:** **FY 2020 General Fund and Wastewater Fund Budget to Actual through June 2020**

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### **Background and Analysis:**

Staff has updated the General Fund and Wastewater Fund budget to actual reports for activity through June 2020. This constitutes 12 months of activity.

While the results are nearly final, staff will be making some additional year-end adjustments to these final numbers. Further, the financial results are subject to year-end audit procedures and may be adjusted further during that process.

The summary schedules and analysis of budget to actual activity is included as Attachments A (General Fund) and Attachment B (Wastewater Fund) to this report.

### **Fiscal Impact:**

There is no fiscal impact from this item.

### **Recommended Action:**

Review and file.

### **Attachments:**

- A. FY 2020 General Fund Budget to Actual results through June 2020
- B. FY 2020 Waste Water Fund Budget to Actual results through June 2020



# Budget Worksheet

## General Fund through June 2020

For Fiscal: 2019-2020 Period Ending: 06/30/2020

**Notes**

SubCategory	2017-2018 Total Budget	2017-2018 Total Activity	2018-2019 Total Budget	2018-2019 Total Activity	2019-2020 Total Budget	FY 2019-20 Year End Estimate	
<b>Fund: 100 - GENERAL FUND</b>							
<b>Revenue</b>							
<b>Category: 40 - TAXES</b>							
400 - Real Property Taxes	\$ 4,118,000	\$ 5,199,098	\$ 4,355,435	\$ 5,480,321	\$ 4,823,562	\$ 5,855,207	
403 - Personal Property Taxes	\$ -	\$ -	\$ 205,950	\$ 176,341	\$ 228,000	\$ 254,416	
406 - Franchise Fees	\$ 867,180	\$ 876,551	\$ 825,000	\$ 912,924	\$ 7,953,875	\$ 8,074,504	
409 - Sales Taxes	\$ 5,648,630	\$ 5,631,332	\$ 5,252,393	\$ 5,558,667	\$ 5,436,227	\$ 6,593,630	Includes unexpected one-time revenues of approximately \$1.2 million and substantial increases in online sales (see analysis below)
420 - Other Taxes	\$ 5,550,000	\$ 6,013,687	\$ 6,342,089	\$ 6,459,772	\$ 6,896,381	\$ 6,985,473	
<b>Category: 40 - TAXES Total:</b>	<b>\$ 16,183,810</b>	<b>\$ 17,720,669</b>	<b>\$ 16,980,867</b>	<b>\$ 18,588,024</b>	<b>\$ 25,338,045</b>	<b>\$ 27,763,230</b>	
<b>Category: 41 - LICENSES</b>							
430 - Business Licenses	\$ 210,000	\$ 242,634	\$ 212,100	\$ 287,908	\$ 214,221	\$ 337,993	
<b>Category: 41 - LICENSES Total:</b>	<b>\$ 210,000</b>	<b>\$ 242,634</b>	<b>\$ 212,100</b>	<b>\$ 287,908</b>	<b>\$ 214,221</b>	<b>\$ 337,993</b>	
<b>Category: 42 - PERMITS</b>							
450 - Building Permits	\$ 850,000	\$ 2,321,187	\$ 3,349,500	\$ 4,067,985	\$ 3,349,500	\$ 2,134,650	The City did not have the same large permitting projected such as Amazon that occurred in FY 2019 No large projects such as Amazon
453 - Inspections	\$ 1,450,000	\$ 1,504,952	\$ 1,180,100	\$ 653,401	\$ 1,080,100	\$ 262,854	
456 - Other Permits	\$ 1,418,000	\$ 716,948	\$ 867,570	\$ 691,997	\$ 738,285	\$ 562,783	
515 - Public Works	\$ 5,000	\$ 1,432	\$ -	\$ 72,643	\$ -	\$ (75,975)	
<b>Category: 42 - PERMITS Total:</b>	<b>\$ 3,723,000</b>	<b>\$ 4,544,519</b>	<b>\$ 5,397,170</b>	<b>\$ 5,486,026</b>	<b>\$ 5,167,885</b>	<b>\$ 2,884,313</b>	
<b>Category: 45 - INTERGOVERNMENTAL</b>							
465 - State	\$ 7,288	\$ 7,288	\$ 21,288	\$ 31,935	\$ 21,288	\$ -	
470 - Local	\$ -	\$ -	\$ -	\$ 9,257	\$ -	\$ 2,550	
<b>Category: 45 - INTERGOVERNMENTAL Total:</b>	<b>\$ 7,288</b>	<b>\$ 7,288</b>	<b>\$ 21,288</b>	<b>\$ 41,192</b>	<b>\$ 21,288</b>	<b>\$ 2,550</b>	
<b>Category: 47 - CHARGES FOR SERVICE</b>							
500 - Sanitation	\$ 6,770,000	\$ 7,267,452	\$ 6,900,000	\$ 8,086,893	\$ -	\$ 131,257	Residual revenues from the prior FY
505 - Animal Control	\$ 225,000	\$ 259,041	\$ 107,000	\$ 118,056	\$ 118,000	\$ 112,083	
510 - Community Development	\$ 20,000	\$ 4,267	\$ 5,000	\$ 5,834	\$ 5,000	\$ 5,526	
515 - Public Works	\$ -	\$ 47,216	\$ 13,000	\$ 9,445	\$ 13,000	\$ 11,398	
525 - Abatements	\$ 138,000	\$ 85,475	\$ 130,000	\$ 42,522	\$ 66,000	\$ 64,497	
530 - Public Safety	\$ 95,000	\$ 422,835	\$ 247,000	\$ 343,487	\$ 259,460	\$ 402,206	
535 - Facilities	\$ 120,000	\$ 171,249	\$ 125,000	\$ 179,469	\$ 125,000	\$ 107,306	
540 - Programs	\$ 73,500	\$ 158,749	\$ 108,400	\$ 151,049	\$ 110,500	\$ 72,347	
545 - Other	\$ 23,500	\$ 75,532	\$ 67,400	\$ 223,385	\$ 68,450	\$ 197,777	
<b>Category: 47 - CHARGES FOR SERVICE Total:</b>	<b>\$ 7,465,000</b>	<b>\$ 8,491,817</b>	<b>\$ 7,702,800</b>	<b>\$ 9,160,140</b>	<b>\$ 765,410</b>	<b>\$ 1,104,398</b>	
<b>Category: 50 - FINES AND FORFEITURES</b>							
555 - Vehicle	\$ 146,000	\$ 104,460	\$ 108,000	\$ 92,306	\$ 111,780	\$ 79,267	
557 - Other	\$ 2,000	\$ 10,113	\$ 2,000	\$ 36,917	\$ 22,070	\$ 38,371	
<b>Category: 50 - FINES AND FORFEITURES Total:</b>	<b>\$ 148,000</b>	<b>\$ 114,573</b>	<b>\$ 110,000</b>	<b>\$ 129,224</b>	<b>\$ 133,850</b>	<b>\$ 117,638</b>	
<b>Category: 53 - COST RECOVERY</b>							
465 - State	\$ -	\$ -	\$ -	\$ 8,889	\$ -	\$ 26,260	
565 - Other Income	\$ 285,000	\$ 344,845	\$ -	\$ 728,873	\$ -	\$ 460,957	
<b>Category: 53 - COST RECOVERY Total:</b>	<b>\$ 285,000</b>	<b>\$ 344,845</b>	<b>\$ -</b>	<b>\$ 737,763</b>	<b>\$ -</b>	<b>\$ 487,216</b>	
<b>Category: 54 - MISCELLANEOUS REVENUES</b>							
560 - Investment Earnings	\$ -	\$ 6,902	\$ 1,000	\$ 7,136	\$ 1,000	\$ 110,549	Allocation of earnings to GF were increased in FY 2020
565 - Other Income	\$ 26,500	\$ 44,544	\$ 21,500	\$ 27,576	\$ 146,500	\$ 432,855	
<b>Category: 54 - MISCELLANEOUS REVENUES Total:</b>	<b>\$ 26,500</b>	<b>\$ 51,446</b>	<b>\$ 22,500</b>	<b>\$ 34,712</b>	<b>\$ 147,500</b>	<b>\$ 543,403</b>	

<b>Category: 58 - OTHER FINANCING SOURCES</b>							
595 - Sale of Assets	\$ -	\$ 5,342	\$ -	\$ 19,494	\$ 5,000	\$ 33,431	
599 - Other	\$ -	\$ -	\$ -	\$ 174,956	\$ -	\$ -	
<b>Category: 58 - OTHER FINANCING SOURCES Total:</b>	<b>\$ -</b>	<b>\$ 5,342</b>	<b>\$ -</b>	<b>\$ 194,450</b>	<b>\$ 5,000</b>	<b>\$ 33,431</b>	
<b>Category: 90 - TRANSFERS</b>							
900 - Transfers	\$ 5,191,400	\$ 4,299,392	\$ 5,132,745	\$ 5,450,787	\$ 6,121,237	\$ 6,300,000	Primary transfers in are from CFDs and Gas Tax to support operational costs and street maintenance
<b>Category: 90 - TRANSFERS Total:</b>	<b>\$ 5,191,400</b>	<b>\$ 4,299,392</b>	<b>\$ 5,132,745</b>	<b>\$ 5,450,787</b>	<b>\$ 6,121,237</b>	<b>\$ 6,300,000</b>	
<b>Revenue Total:</b>	<b>\$ 33,239,998</b>	<b>\$ 35,822,524</b>	<b>\$ 35,579,470</b>	<b>\$ 40,110,225</b>	<b>\$ 37,914,436</b>	<b>\$ 39,574,172</b>	39794107
<b>Expense</b>							
<b>Category: 60 - PERSONNEL SERVICES</b>							
600 - SALARIES AND WAGES	\$ 10,225,761	\$ 9,952,591	\$ 11,473,621	\$ 11,395,747	\$ 12,724,112	\$ 12,017,670	Vacancy savings is larger due to positions held vacant
610 - BENEFITS	\$ 4,826,214	\$ 4,160,828	\$ 5,590,194	\$ 5,050,258	\$ 6,559,431	\$ 5,637,869	
615 - OTHER	\$ 199,829	\$ 403,221	\$ 251,056	\$ 792,005	\$ 469,089	\$ 899,058	Workers comp cost is largest driver of this
<b>Category: 60 - PERSONNEL SERVICES Total:</b>	<b>\$ 15,251,804</b>	<b>\$ 14,516,639</b>	<b>\$ 17,314,871</b>	<b>\$ 17,238,011</b>	<b>\$ 19,752,632</b>	<b>\$ 18,554,597</b>	
<b>Category: 65 - OPERATING COSTS</b>							
650 - UTILITIES	\$ 1,914,930	\$ 1,413,378	\$ 1,834,949	\$ 1,736,500	\$ 2,014,300	\$ 1,792,783	City facilities at reduced usage during April through June due to Covid-19
655 - ADMINISTRATIVE	\$ 364,833	\$ 382,770	\$ 369,313	\$ 412,401	\$ 370,237	\$ 360,528	
660 - FLEET COSTS	\$ 529,830	\$ 443,474	\$ 329,180	\$ 378,447	\$ 364,062	\$ 454,633	
665 - PROGRAM COSTS	\$ 492,518	\$ 511,580	\$ 370,100	\$ 465,383	\$ 493,200	\$ 370,514	
670 - REPAIRS AND MAINTENANCE	\$ 521,225	\$ 481,883	\$ 427,150	\$ 417,061	\$ 538,039	\$ 512,652	
675 - SUPPLIES	\$ 409,075	\$ 343,924	\$ 408,143	\$ 366,107	\$ 524,183	\$ 359,095	
680 - SPECIAL SERVICES	\$ 7,119,000	\$ 6,356,272	\$ 6,756,300	\$ 7,076,607	\$ 1,061,000	\$ 829,458	
690 - CONTRACTUAL SERVICES	\$ 6,056,679	\$ 5,283,395	\$ 6,486,702	\$ 6,128,334	\$ 6,529,503	\$ 6,929,954	Legal costs are the primary driver of this being over budget - much of these costs are reimbursed through cost recovery
697 - ADMIN OVERHEAD	\$ (1,000,000)	\$ (700,000)	\$ (712,000)	\$ (712,000)	\$ (750,000)	\$ (750,000)	
699 - OTHER	\$ 856,445	\$ 827,123	\$ 1,065,390	\$ 1,006,500	\$ 1,347,311	\$ 1,211,886	
<b>Category: 65 - OPERATING COSTS Total:</b>	<b>\$ 17,264,535</b>	<b>\$ 15,343,800</b>	<b>\$ 17,335,227</b>	<b>\$ 17,275,340</b>	<b>\$ 12,491,835</b>	<b>\$ 12,071,504</b>	
<b>Category: 70 - CAPITAL IMPROVEMENTS</b>							
700 - EQUIPMENT	\$ 195,500	\$ 75,224	\$ 418,750	\$ 433,925	\$ 110,950	\$ 57,656	
703 - FURNITURE	\$ 19,000	\$ 21,548	\$ -	\$ 13,816	\$ 6,038	\$ 9,082	
705 - VEHICLE	\$ 416,000	\$ 602,312	\$ 360,188	\$ 209,275	\$ 351,020	\$ 339,552	
710 - STRUCTURE	\$ -	\$ -	\$ 100,000	\$ 26,269	\$ -	\$ -	
750 - OTHER	\$ -	\$ (1,049,307)	\$ -	\$ -	\$ -	\$ -	
<b>Category: 70 - CAPITAL IMPROVEMENTS Total:</b>	<b>\$ 630,500</b>	<b>\$ (350,223)</b>	<b>\$ 878,938</b>	<b>\$ 683,285</b>	<b>\$ 468,009</b>	<b>\$ 406,290</b>	
<b>Category: 77 - CONTINGENCY</b>							
770 - CONTINGENCY	\$ 71,620	\$ -	\$ 150,433	\$ 30,000	\$ 47,961	\$ -	
<b>Category: 77 - CONTINGENCY Total:</b>	<b>\$ 71,620</b>	<b>\$ -</b>	<b>\$ 150,433</b>	<b>\$ 30,000</b>	<b>\$ 47,961</b>	<b>\$ -</b>	
<b>Category: 78 - CAPITAL OUTLAY</b>							
780 - CAPITAL OUTLAY	\$ -	\$ 586,947	\$ -	\$ -	\$ -	\$ -	
<b>Category: 78 - CAPITAL OUTLAY Total:</b>	<b>\$ -</b>	<b>\$ 586,947</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
<b>Category: 80 - DEBT SERVICE</b>							
800 - Debt Service	\$ -	\$ 457,728	\$ -	\$ -	\$ -	\$ -	
<b>Category: 80 - DEBT SERVICE Total:</b>	<b>\$ -</b>	<b>\$ 457,728</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
<b>Category: 90 - TRANSFERS</b>							
900 - Transfers	\$ -	\$ -	\$ -	\$ 914,693	\$ 154,000	\$ 93,068	
<b>Category: 90 - TRANSFERS Total:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 914,693</b>	<b>\$ 154,000</b>	<b>\$ 93,068</b>	
<b>Expense Total:</b>	<b>\$ 33,218,459</b>	<b>\$ 30,554,891</b>	<b>\$ 35,679,470</b>	<b>\$ 36,141,329</b>	<b>\$ 32,914,436</b>	<b>\$ 31,125,458</b>	
<b>Fund: 100 - GENERAL FUND Surplus (Deficit):</b>	<b>\$ 21,539</b>	<b>\$ 5,267,634</b>	<b>\$ (100,000)</b>	<b>\$ 3,968,896</b>	<b>\$ 5,000,000</b>	<b>\$ 8,448,714</b>	

Overall Analysis: The General Fund results for FY 2020 are near final. The Finance team has a few remaining adjustments to make and the results are subject to potential audit adjustments. While we had been estimating a surplus of up to 6.7 million (including the \$5 million one-time solid waste retention fee), the actual results will have a surplus of over \$8 million. The primary driver of this increase is a substantial increase in sales tax. The sales tax increase was driven by stronger than expected performance of businesses during Covid-19 and multiple instances of one-time capital investments by local businesses that led to nearly \$1.0 million in sales tax revenues during the last final quarter of FY 2020. Lastly, sales tax increases were also the result of significant increases in online sales and resulting revenues that come through the County pool.



# Budget Worksheet

## Waste Water Fund through June 2020

For Fiscal: 2019-2020 Period Ending: 06/30/2020

SubCategory	2017-2018 Total Budget	2017-2018 Total Activity	2018-2019 Total Budget	2018-2019 Total Activity	2019-2020 Total Budget	2019-20 Estimated Year End Results	Notes
<b>Fund: 700 - WASTEWATER FUND</b>							
<b>Revenue</b>							
<b>Category: 50 - FINES AND FORFEITURES</b>							
557 - Other	\$ -	\$ -	\$ 9,000	\$ 9,000	\$ -	1,000.00	
<b>Category: 50 - FINES AND FORFEITURES Total:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 9,000</b>	<b>\$ 9,000</b>	<b>\$ -</b>	<b>1,000.00</b>	
<b>Category: 53 - COST RECOVERY</b>							
565 - Other Income	\$ 4,700	\$ 11,312	\$ -	\$ -	\$ -	6,236.10	
<b>Category: 53 - COST RECOVERY Total:</b>	<b>\$ 4,700</b>	<b>\$ 11,312</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>6,236.10</b>	
<b>Category: 54 - MISCELLANEOUS REVENUES</b>							
560 - Investment Earnings	\$ -	\$ -	\$ 33,000	\$ 118,335	\$ 75,000	40,158.22	
<b>Category: 54 - MISCELLANEOUS REVENUES Total:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 33,000</b>	<b>\$ 118,335</b>	<b>\$ 75,000</b>	<b>40,158.22</b>	
<b>Category: 56 - PROPRIETARY REVENUES</b>							
570 - WasteWater	\$ 7,928,500	\$ 8,046,176	\$ 8,820,774	\$ 8,802,918	\$ 9,862,625	10,426,000.00	
<b>Category: 56 - PROPRIETARY REVENUES Total:</b>	<b>\$ 7,928,500</b>	<b>\$ 8,046,176</b>	<b>\$ 8,820,774</b>	<b>\$ 8,802,918</b>	<b>\$ 9,862,625</b>	<b>10,426,000.00</b>	
<b>Category: 58 - OTHER FINANCING SOURCES</b>							
595 - Sale of Assets	\$ -	\$ -	\$ 635	\$ 635	\$ -	\$ -	
599 - Other	\$ -	\$ -	\$ 831	\$ 831	\$ -	\$ 780	
<b>Category: 58 - OTHER FINANCING SOURCES Total:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 1,466</b>	<b>\$ 1,466</b>	<b>\$ -</b>	<b>\$ 780</b>	
<b>Category: 90 - TRANSFERS</b>							
900 - Transfers	\$ (1,200,000)	\$ (3,855,106)	\$ -	\$ 221,047	\$ -	\$ -	
<b>Category: 90 - TRANSFERS Total:</b>	<b>\$ (1,200,000)</b>	<b>\$ (3,855,106)</b>	<b>\$ -</b>	<b>\$ 221,047</b>	<b>\$ -</b>	<b>\$ -</b>	
<b>Revenue Total:</b>	<b>\$ 6,733,200</b>	<b>\$ 4,202,382</b>	<b>\$ 8,864,240</b>	<b>\$ 9,152,765</b>	<b>\$ 9,937,625</b>	<b>10,474,174.32</b>	
<b>Expense</b>							
<b>Category: 60 - PERSONNEL SERVICES</b>							
600 - SALARIES AND WAGES	\$ 201,996	\$ 206,205	\$ 634,251	\$ 702,822	\$ 1,313,356	1,218,765.14	
610 - BENEFITS	\$ 68,385	\$ 78,618	\$ 287,284	\$ 228,083	\$ 543,485	335,303.52	
615 - OTHER	\$ 2,342	\$ 18,925	\$ 11,229	\$ 28,987	\$ 38,528	19,395.08	
<b>Category: 60 - PERSONNEL SERVICES Total:</b>	<b>\$ 272,723</b>	<b>\$ 303,747</b>	<b>\$ 932,764</b>	<b>\$ 959,892</b>	<b>\$ 1,895,369</b>	<b>1,573,463.74</b>	
<b>Category: 65 - OPERATING COSTS</b>							
650 - UTILITIES	\$ 804,500	\$ 671,766	\$ 966,080	\$ 776,115	\$ 827,618	875,767.44	
655 - ADMINISTRATIVE	\$ 183,000	\$ 114,985	\$ 129,585	\$ 119,095	\$ 90,946	175,372.96	
660 - FLEET COSTS	\$ 40,000	\$ 14,309	\$ 18,000	\$ 15,822	\$ 36,880	25,696.50	
670 - REPAIRS AND MAINTENANCE	\$ 40,000	\$ 75,211	\$ 72,945	\$ 75,386	\$ 115,500	69,597.60	
675 - SUPPLIES	\$ 162,500	\$ 292,976	\$ 301,080	\$ 276,839	\$ 321,610	203,164.49	
690 - CONTRACTUAL SERVICES	\$ 1,900,000	\$ 1,493,716	\$ 1,938,000	\$ 1,376,990	\$ 1,147,140	852,572.18	
697 - ADMIN OVERHEAD	\$ 700,000	\$ 600,000	\$ 612,000	\$ 612,000	\$ 650,000	650,000.00	
699 - OTHER	\$ 60,000	\$ 15,657	\$ 130,670	\$ 100,459	\$ 233,304	109,379.48	
<b>Category: 65 - OPERATING COSTS Total:</b>	<b>\$ 3,890,000</b>	<b>\$ 3,278,621</b>	<b>\$ 4,168,360</b>	<b>\$ 3,352,706</b>	<b>\$ 3,422,998</b>	<b>2,961,550.65</b>	
<b>Category: 70 - CAPITAL IMPROVEMENTS</b>							
700 - EQUIPMENT	\$ -	\$ -	\$ 89,750	\$ 6,491	\$ 10,000	\$ 32,000	
750 - CONTINGENCY	\$ -	\$ -	\$ -	\$ -	\$ 500,000	\$ 477,000	
<b>Category: 70 - CAPITAL IMPROVEMENTS Total:</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 89,750</b>	<b>\$ 6,491</b>	<b>\$ 510,000</b>	<b>\$ 509,000</b>	
<b>Category: 90 - TRANSFERS</b>							

These costs will be capitalized as an increase in the value of capital assets

900 - Transfers \$ - \$ - \$ - \$ 100,000 \$ 4,732,326 \$ 4,005,000

Additional transfers to capital projects will occur during FY 2021, this is identified below as a committed fund balance

Category: 90 - TRANSFERS Total:	\$ -	\$ -	\$ -	\$ 100,000	\$ 4,732,326	\$ 4,005,000
Expense Total:	\$ 4,162,723	\$ 3,582,368	\$ 5,190,874	\$ 4,419,089	\$ 10,560,693	9,049,014.39
Fund: 700 - WASTEWATER FUND Surplus (Deficit):	\$ 2,570,477	\$ 620,014	\$ 3,673,366	\$ 4,733,677	\$ (623,068)	1,425,159.93
Less: Funds Committed to Capital Projects						-835,956.00
Net Operating Surplus						\$ 589,204

Overall Analysis: The Wastewater fund is near complete. Final adjustments will be made and the results are subject to potential audit adjustments. The overall surplus from operating activities, after identifying the commitment of funds to future capital projects is approximately \$590K. This was driven by both increases in revenues and cost containment efforts.





## Staff Report

**TO:** City Council

**FROM:** Carole Kendrick, Senior Planner

**DATE:** October 6, 2020

**SUBJECT:** **Public Hearing and Consideration of Approval of Plot Plan 2020-0276, Conditional Use Permit 2020-0046, Conditional Use Permit 2020-0047, Tentative Parcel Map No. 37938 (PM2020-007) and Environmental (ENV 2020-0012) Commonly Referred to as “Eighth and Highland Springs” Located on the Southwest Corner of Eighth Street and Highland Springs Avenue (APN 419-150-034) in the Community Commercial (CC) Zone**

### Background and Analysis:

On April 1, 2020, City staff received applications for considerations of approval of plot plan, conditional use permit, tentative parcel map, and environmental review. The overall request from the applicant is to develop a quick service restaurant with drive-thru, gas station and convenience store on the southwest corner of Highland Springs Avenue and Eighth Street.

The individual requests are broken down as follows:

#### **Plot Plan 2020-0276**

A plot plan is required by the Beaumont Municipal Code per Section 17.02.070 to establish a new land use. The proposed land use includes a gas station, convenience store and drive-thru restaurant located on the southwest corner of Eighth Street and Highland Springs Avenue.

#### **Conditional Use Permit No. 2020-0046**

A conditional use permit is required by the Beaumont Municipal Code per Section 17.02.100 and Table 17.03-3 for particular uses. Gas/service stations and restaurants with a drive-thru are uses subject to a conditional use permit. Convenience stores are permitted in the Community Commercial zone.

The gasoline/service station is proposing to construct and operate six (6) fuel pumps with 12 fueling positions and a 3,096 square foot canopy located on the northeast portion of the property. A 4,088 square foot convenience store is proposed on the southeast portion of the subject property and will be operated by 7-Eleven.

The drive-thru restaurant is proposing a 3,500 square foot building with a single lane drive-thru lane located on the south and east side of the building. The proposed restaurant is located on the western half of the subject property and is shown in Attachment C.

#### **Conditional Use Permit No. 2020-0047**

A conditional use permit is required per Beaumont Municipal Code Table 17.03-3 for the request for an off-sale general license (Type 20) for the sale of beer and wine at the proposed convenience store and a finding of public convenience and necessity determination.

#### **Tentative Parcel Map No. 37938 (PM2020-0007)**

A tentative parcel map is required for the request to subdivide 2.08 acres into two (2) lots numbered lots and one (1) lettered lot and is shown in Attachment D. Parcel 1 is 1.14 acres and occupies the east half of the subject property and will accommodate the 7-Eleven gas station and convenience store. Parcel 2 is 0.87 acres and is located on the western half of the property for the future quick service restaurant (QSR) with a drive thru. Lot A is 0.08 acres and is a 10-foot-wide and is adjacent to Eighth Street on the north side of the property. Lot A provides additional right-of-way and will be utilized for a portion of the landscaping fronting on Eighth Street.

#### **Environmental (ENV2020-0012) (SCH#2020070513)**

Due to the scope of the project, an Initial Study was prepared in compliance with the California Environmental Quality Act (CEQA) and determined that mitigation was required. Please see the Environmental Documentation section in this staff report for more information and Attachment A for the Mitigated Negative Declaration and Mitigation and Monitoring and Reporting Program.

The applicant also processed a preliminary review application for the proposed project with two (2) alternatives that included the gas station, convenience store and a retail tire store or quick service restaurant with a drive thru. The conceptual site plans were reviewed by the Development Review Committee on October 3, 2019, and staff provided written comments to the applicant on October 11, 2019, with a

recommendation to use the QSR alternative due to the pending moratorium regarding retail tire sales, which is now in effect.

The Planning Commission held a public hearing regarding the proposed project on September 8, 2020, and briefly discussed traffic and circulation (see Condition No. 76) before forwarding a recommendation of approval to the City Council with a vote of 4-0.

### **Project Setting:**

The 2.08-acre site is currently vacant with existing natural vegetation. There is existing curb and gutter on Eighth Street and Highland Springs Avenue. A storm drain is existing on Highland Springs Avenue with sidewalk over the storm drain as well as on the corner of the Eighth Street and Highland Springs. No other sidewalks on the site have been constructed. The parcel to the north is an existing single story medical and dental office building, to the west is the Palm Grove skilled nursing facility that is also single story. To the north of the site is the Sundance Corporate Center that is partially constructed and will accommodate a variety of professional offices and commercial uses in eight (8) buildings that range from single to three (3) stories. East of the subject property is the San Gorgonio Memorial Hospital within the Banning City limits.

The project setting can also be seen in the following materials attached to this staff report:

- General Plan Land Use Map (Attachment E)
- Zoning Map (Attachment F)
- Aerial Photograph (Attachment G)

The land uses, zoning, and general plan land use designations of the project site and surrounding area are shown in the following table:

	<b>LAND USE</b>	<b>GENERAL PLAN</b>	<b>ZONING</b>
<b>PROJECT SITE</b>	Vacant Land	CC (Community Commercial)	CC (Community Commercial)
<b>NORTH</b>	Sundance Corporate Center	SFR (Single Family Residential)	SPA (Sundance Specific Plan)
<b>SOUTH</b>	Medical & Dental Offices	CG (Commercial General)	GC (General Commercial)
<b>EAST</b>	San Gorgonio Memorial Hospital	City of Banning	City of Banning
<b>WEST</b>	Palm Grove Healthcare Skilled Nursing Facility	RMF (Residential Multiple Family)	MFR (Multiple Family Residential)

**Site Design:**

The proposed project consists of two (2) retail commercial buildings with a total square footage of 7,588 square feet to be constructed in two (2) phases. The commercial project includes the construction of a 4,088 square foot convenience store with beer and wine sales, six (6) fuel pumps that provide 12 fueling stations under a 3,096 square foot fuel canopy on Parcel 1 that will be constructed as part of Phase 1. The applicant will be constructing all the off-site improvements and 7-Eleven will be constructing the on-site improvements on Parcel 1 and the full driveway on Eighth Street that includes a small portion of Parcel 2.

Parcel 2 is the second phase of the project that is proposes a 3,800 square drive-thru restaurant. The drive-thru restaurant pad has not identified an end-user at this time, but the proposed design includes a single drive thru lane that begins on the south side of the building and wraps along the east side of the building.

The attached development plans (Attachment C) include the site layout, grading, floor plans, elevations, conceptual landscaping and conceptual signage.

### **Architecture:**

The proposed project will utilize a contemporary style of architecture that includes varied rooflines to create visual interest. The exterior accents include tile accent bands in the 7-Eleven corporate colors, canvas awnings, decorative lighting, decorative scoring, recessed building areas and stone veneers. The building also proposes multiple planes on the north, south and east elevations to add variety and has building heights that vary between 19 to 23 feet.

The proposed retail project consists primarily of stucco and stone veneers. Exterior finish treatments are comprised of a mixture of paint stucco in beige, tan and brown tones, canvas materials in a beige tone. The project is proposing a parapet roof with cornices and varied heights between 19 to 23 feet.

### **Circulation and Parking:**

A Traffic Impact Analysis was prepared by Urban Crossroads on March 9, 2020. The retail project is proposing one (1) driveway on Eighth Street and one (1) driveway on Highland Springs Avenue. Both driveways will only allow for right-in, right-out turning movements. The traffic analysis recommended that project install a stop control on the northbound approach and a right turn lane on Eighth Street driveway and a stop control on the eastbound approach and right turn lane on Highland Springs Avenue. The project is also required to pay the Transportation Uniform Mitigation Fee (TUMF), Development Impact Fees (DIF) and/or fair share fees consistent with the City's requirements.

Per Beaumont Municipal Code Table 17.05-1, gasoline service stations are required to provide one (1) parking space per each 200 square feet of gross floor area, plus any additional spaces required for accessory uses such as retail or food service. The proposed service station requires 21 parking spaces. Fast food restaurants are calculated at one (1) space per 100 square feet of gross floor area. The proposed

drive-thru restaurant will require a minimum of 35 parking spaces. The project is required to provide 56 parking spaces and is proposing 89 spaces not including the 12 fueling spaces under the canopy.

### **Hours of Operation:**

The convenience store and gas station are proposing a 24-hour operation. General deliveries for the convenience store will occur on a daily basis between 6am and 2pm and fuel deliveries are dependent on the truck's schedule.

The quick service restaurant does not have a tenant currently identified; therefore, operational characteristics are not available. However, the applicant would like to secure a 24-hour operation for the future quick service restaurant user.

### **Alcohol Sales:**

The applicant is also proposing the sale of alcohol in the proposed convenience store with an Off-sale Type 20 (beer and wine only) State of California alcohol license. According to Alcohol Beverage Control, two (2) Off-sale licenses are allowed in Census Tract 438.18 (see Attachment J), based on current population ratios, and currently there are four (4) Off-sale licenses issued to Stater Bros, Food 4 Less and Beaumont Gas Mart on 6<sup>th</sup> Street and Highland Shell located on Highland Springs Avenue (see Attachment I). Therefore, a public convenience and necessity (PCN) determination will be required and the applicant has provided a letter to justify the need for the PCN which is included as Attachment H to this staff report.

The proposed use is located at least 600 feet, as measured from property line to property line, from existing public or private schools, public parks, or places of worship. The subject property is located approximately 1,500 feet from Sundance Elementary School and 1,300 feet from the Church of Latter Day Saints in Banning. The nearest park is Mountain View Park and is approximately 2,600 feet from the project site, however, there is a tot lot located approximately 1,300 feet from the site. Both parks are located within the Sundance Specific Plan.

### **Multi-Species Habitat Conservation Plan (MSHCP):**

The project is found to be consistent with the Multi-Species Habitat Conservation Plan (MSHCP). The project is located outside of any MSHCP criteria area and mitigation is provided through payment of the MSHCP Mitigation Fee.

**Development Review Committee (DRC):**

The Development Review Committee reviewed for the project for design on April 23, 2020. Staff from the various City departments provided written comments that have been incorporated into the proposed conditions of approval.

**Environmental Documentation:**

An Initial Study/Mitigated Negative Declaration was prepared for the project in accordance with the provisions of the California Environmental Quality Act (CEQA). The Initial Study/Mitigated Negative Declaration document was based upon the City standard checklist and addressed a full range of environmental topics.

The findings of environmental process are that all significant issues can be mitigated to a level of insignificance with respect to local and regional standards and thresholds. In order to achieve the level of insignificance, a series of mitigation measures are proposed (Condition Nos. 103-117).

To ensure that these measures are properly enacted, a mitigation monitoring program is necessary and would be enforced during the construction and operation of the project, if approved.

The Draft Initial Study/Mitigated Negative Declaration was circulated for a 30-day public review period from July 29, 2020, through August 28, 2020, and is included as Attachment A to this staff report. Staff did not receive any written comments during the public review period but did receive two (2) phone calls, one (1) from the San Geronio Memorial Hospital and one (1) from Pardee that were looking for my information on the project that was provided.

**Public Communications Received:**

Property owners located within a 300-foot radius of the project site were notified of the Planning Commission public hearing on August 28, 2020, with a 10-day hearing notice in addition to a public notice in the Press Enterprise newspaper. Staff did not receive any written or verbal comments from the public, nor did any member of the public comment on the project during the Planning Commission's public hearing on September 8, 2020.

Property owners located within a 300-foot radius were notified of the City Council public hearing on September 25, 2020. At the time of report preparation, the Planning Department has not received any letters of comment from the public in favor or

opposition to the project. Any comments received prior to the time of the scheduled City Council meeting will be provided at the time of the public hearing.

### **Conditional Use Permit Findings:**

The City Council may approve and/or modify a Conditional Use Permit in whole or in part, with or without conditions, provided that all of the following findings of fact are made:

1. The proposed uses conditionally permitted within the subject zone and complies with the intent of all applicable provisions of this Zoning Ordinance.

*The project is subject to and is consistent with the Development Standards for the Community Commercial (CC) zone. The zoning allows gas/service stations and drive-thru fast food restaurants subject to a Conditional Use Permit.*

2. The proposed uses would not impair the integrity and character of the zone in which it is to be located.

*The subject property is zoned Community Commercial (CC) which allows gas/service stations and drive-thru restaurants subject to a Conditional Use Permit. The site is located in an area that includes Commercial General (CG) properties to the south, Residential Multiple Family (RMF) to the west, Sundance Specific Plan (SPA) to the north, and City of Banning to the east and will not impair the integrity or character of the zone.*

3. The subject site is physically suitable for the type of land use being proposed.

*The site is vacant and relatively flat. The proposed project is in a predominately commercial area that is developed or under construction and is suitable for commercial development.*

4. The proposed uses are compatible with the land uses presently on the subject property.

*The site is currently vacant but is zoned Community Commercial and the proposed uses are allowed subject to approval of a Conditional Use Permit.*

5. The proposed uses would be compatible with existing and future land uses within the zone and the general area in which the proposed use is to be located.



*The zoning and land use designation for the project site is Community Commercial (CC). The proposed project is surrounded by property that is Commercial General, Multiple Family Residential and Specific Plan zoned and designated as General Commercial, Multiple Family Residential and Single Family Residential by the General Plan. The site is surrounded by developed land or land currently under construction. The proposed uses are compatible with the surrounding commercial multiple family residential and Specific Plan zoned properties.*

6. There would be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.

*The site is served by the Beaumont-Cherry Valley Water District for water services and the City of Beaumont for sewer disposal system. Electricity will be provided by Southern California Edison and natural gas will be provided by the Southern California Gas Company. Solid waste and refuse services are provided by Waste Management, Inc. on behalf of the City of Beaumont. The site can be adequately served and will not be detrimental to public health and safety.*

7. There would be adequate provisions for public access to serve the subject proposal.

*There is adequate access to the site as determined by the City's public safety departments. The site has access from Eighth Street and Highland Springs Avenue.*

8. The proposed use is consistent with the objectives, policies, general land uses, and programs of the City of Beaumont General Plan.

*The proposed project is in conformance with the General Plan for the City of Beaumont. The land use designation for the project site is Community Commercial (CC). The proposed development is consistent with the General Plan policies.*

9. The proposed use would not be detrimental to the public interest, health, safety, convenience, or welfare.

*The proposed project meets all the development standards under the Community Commercial zoning, which is intended to protect the public interest, health, safety, convenience, or welfare. The gas station, drive-thru fast food restaurants and retail uses will provide a convenience for the public that will not be detrimental to public health, safety or welfare.*

10. The proposed design and elevations preserve and maximize the image, character, and visual quality of the neighborhood.

*The proposed design and elevations are compatible with the ongoing commercial development to the north and will maintain an updated image that compliments the character of the commercial properties that are developed in the area along Eighth Street and Highland Springs Avenue.*

11. The City Council shall find that the proposed use does not have a disproportionately high and adverse human health or environmental effect on minority and low-income populations.

*This use will not have an adverse effect on humans or the environment for any population. The proposed project will provide a wide range of goods and services including gas, fast food restaurants, and other transportation related services to serve all income levels of the population.*

**Plot Plan Findings:**

1. The proposed use is permitted, or is substantially similar to a use permitted, within the subject zone and complies with the intent of all applicable provisions of the Zoning Ordinance.

*The project is subject to and is consistent with the Development Standards for the Community Commercial (CC) zone. The zoning allows gas/service stations and drive-thru fast food restaurants subject to a Conditional Use Permit.*

2. The proposed use is consistent with the objectives, policies, general plan land uses and programs of the general plan and any applicable specific plans.

*The proposed project is in conformance with the General Plan for the City of Beaumont. The land use designation for the project site is Community Commercial (CC). The proposed development is consistent with the General Plan policies.*

3. The subject site is physically suitable for the type and intensity of the proposed land use.

*The site is depressed from the existing alignment of Desert Lawn Drive and the I-10 on-ramp and freeway. The project is proposing to raise the grade of the site and realign Desert Lawn Drive to accommodate the development. The project is in a commercial*

*area that is partially developed with commercial uses on the northwest side of the I-10 Freeway and Oak Valley Parkway and is suitable for commercial development.*

4. The location, size, design and operating characteristics of the proposed uses is compatible with existing land uses within the general area in which the proposed use is located.

*The zoning and land use designation for the project site is Community Commercial (CC). The proposed project is surrounded by property that is commercial and manufacturing zoned and designated as commercial and industrial by the General Plan. The site is surrounded by vacant land and the I-10 Freeway, which has an eastbound ramp located north of the project site. The proposed uses are compatible with the adjacent freeway and surrounding commercial and manufacturing zoned properties.*

5. There are adequate provisions for public access, water, sanitation, and public utilities and services to ensure that the proposed land use would not be detrimental to the public convenience, health, safety or general welfare;

*The site is served by the Beaumont-Cherry Valley Water District for water services and the City of Beaumont for sewer disposal system. Electricity will be provided by Southern California Edison and natural gas will be provided by the Southern California Gas Company. Solid waste and refuse services are provided by Waste Management, Inc. on behalf of the City of Beaumont. The site can be adequately served and will not be detrimental to public health and safety.*

6. The approval of the plot plan permit for the proposed uses is in compliance with the requirements of the California Environmental Quality Act and there would be no significant adverse impacts upon environmental quality and natural resources that cannot be reasonably mitigated and monitored.

*A Mitigated Negative Declaration was prepared for the project by Lilburn Corporation and determined that any project impacts can be reasonably mitigated as shown in Attachment A.*

**Incorporated herein by Reference:**

City of Beaumont General Plan

City of Beaumont Zoning Ordinance

Project Site's Riverside Conservation Authority Multi-Species Habitat Conservation Plan Informational Map

Contents of City of Beaumont Planning Department Project File PP2020-0276, CUP2020-0046, CUP2020-0047 & Tentative Parcel Map 37938 (PM2020-0007) and ENV2020-0012

**Fiscal Impact:**

The fiscal impact of the proposed project has been covered by the payment of required application fees.

**Recommended Action:**

Hold a public hearing; and  
Adopt Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approve Plot Plan PP2020-0276, Conditional Use Permit CUP2020-0046, Conditional Use Permit CUP2020-0047 and Tentative Parcel Map 37938 (PM2020-0007), subject to the attached Conditions of Approval.

**Attachments:**

- A. Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program
- B. Draft Conditions of Approval
- C. Development Plan
- D. Tentative Parcel Map No. 37938
- E. General Plan Land Use Designation Map
- F. Zoning Map
- G. Aerial Photograph
- H. Applicant's letter dated August 27, 2020 regarding the statement of operations and the findings for Public Convenience or Necessity (PCN)
- I. ABC License Report for Census Tract 438.18
- J. Census Tract 438.18 Boundary Map
- K. Proof of Publication

**INITIAL STUDY  
FOR  
SWC 8<sup>TH</sup> STREET AND HIGHLAND SPRINGS AVE.**

***Prepared for:***

City of Beaumont  
Carole Kendrick, Senior Planner  
550 East 6<sup>th</sup> Street Beaumont, California 92223

***Prepared by:***

Lilburn Corporation  
1905 Business Center Drive  
San Bernardino, CA 92408  
(909) 890-1818

June 2020

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## SECTION 1.0 INTRODUCTION

Independently reviewed, analyzed and exercised judgment in making the determination, by the Development Review Committee on \_\_\_\_\_, pursuant to Section 21082 of the California Environmental Quality Act (CEQA).

CEQA requires the preparation of an Initial Study when a proposal must obtain discretionary approval from a governmental agency and is not exempt from CEQA. The purpose of the Initial Study is to determine whether or not a proposal, not except from CEQA, qualifies for a Negative Declaration (ND) or whether or not an Environmental Impact Report (EIR) must be prepared.

Section 1.0 of this Initial Study (IS) describes the purpose, environmental authorization, the intended uses of the IS, documents incorporated by reference, and the processes and procedures governing the preparation of the environmental document. Pursuant to Section 15367 of the State of California *Guidelines for Implementation of the California Environmental Quality Act* (CEQA Guidelines), the City of Beaumont (City) is the Lead Agency under the California Environmental Quality Act (CEQA). The City has primary responsibility for compliance with CEQA and consideration of the Proposed Project.

1. **Project Title:** SWC 8<sup>th</sup> Street & North Highland Springs Ave
2. **Lead Agency Name:** City of Beaumont  
Planning Division  
550 E. 6<sup>th</sup> Street  
Beaumont, CA 92223
3. **Contact Person:** Carole Kendrick, Senior Planner  
**Phone Number:** 951-769-8518
4. **Project Location:** Southwest corner of the Highland Springs Ave. and 8<sup>th</sup> Street
5. **Geographic Coordinates of Project Site:** 33° 55'56.47" N, 116° 56' 51.24" W
6. **USGS Topographic Map:** Beaumont 7.5-minute USGS Topographic Quadrangle
7. **Public Land Survey System:** Township 3 South, Range 1 West, Section 11
8. **Thomas Guide Location:** Page 721, Grid C2, San Bernardino & Riverside Counties (2013)
9. **Assessor Parcel Number:** 419-150-034
10. **General Plan Designation:** Community Commercial
11. **Zoning:** Commercial Community
12. **Description of Project:** Evergreen Devco, Inc. ("Project Applicant") is proposing the development of a 3,500 square-foot quick service restaurant (QSR), a gas station with six fuel pumps with 12 dispensers, and a 4,088 square-foot convenience store on a 2.08-acre parcel in the City of Beaumont, Riverside County. The Project Site is located on the southwest corner of Highland Springs Avenue and East 8<sup>th</sup> Street (see Figure 1-Regional Location and Figure 2-Project Vicinity). The existing vacant parcel is described as Assessor's Parcel No. 419-150-034.

The Project Site is currently vacant and will be split into two lots as shown on Figure 3, via a Tentative Parcel Map. Lot A will be in Parcel 2 and consist of a QSR with an attached drive-thru and thirty-nine (39) parking spaces, 2 of which will be handicap-accessible parking spaces; Lot B will in Parcel 1 and consist of a gas station with six fuel pumps with twelve (12) fueling dispensers, and a convenience store with 49 parking spaces, 2 of which will be handicap-accessible parking spaces. The site design also includes two (2) 20K-gallon underground storage tanks (USTs) and one (1) Healy Tank(s) (clean air separator). One of the USTs will hold 20K-gallons of Regular Unleaded Gasoline. The other UST is a Split Tank, which will hold 8K-gallons of Premium Unleaded Gasoline and 12K-gallons of Diesel. An underground detention system with a minimum storage volume of 4,700 cubic feet is proposed for peak attenuation of storm flows.

The City of Beaumont requires a Conditional Use Permit for fast food restaurants with a drive-thru use, a Gas/Service Station, as well as for the operation of an off-sale alcohol license. Access to the Project Site would be provided by a 35-foot driveway at 8<sup>th</sup> Street and a 35-foot driveway at Highland Springs Ave. The Proposed Project includes the installation of two (2) monuments illuminated signs, one in each frontage. Landscaping will be provided on the northern and eastern boundaries. Structure heights will be a maximum of 18.5 feet for the fueling station canopy and 22 feet for the building.

The Project Site has a current zoning of Commercial Community and General Plan land use designation of Community Commercial. The Community Commercial land use designation is characterized by commercial shopping centers that serve adjacent neighborhoods. The Project Site is surrounded by commercial development (medical and dental offices), ongoing development (Sundance Corporate Center), and public facilities (hospital and nursing facility).

**13. Surrounding Land Uses and Setting:** The Project Site has a current zoning of Commercial Community and a General Plan land use designation of Community Commercial. The Community Commercial land use designation is characterized by commercial shopping centers that serve adjacent neighborhoods. The Project Site is surrounded by commercial development (medical and dental offices), ongoing development (Sundance Corporate Center), and public facilities (hospital and nursing facility).

Location	Existing Use	Land Use Designation	Zoning
Site	Vacant	Community Commercial	Commercial Community
North	Vacant, Ongoing development	Single-Family Residential	Specific Plan Area
South	Medical and Dental offices	General Commercial	Commercial General
East	San Gorgonio Memorial Hospital (City of Banning)	Public Facilities	Public Facilities
West	Palmgrove Healthcare center	Multi-Family Residential	Residential-Multiple Family

**14. Other agencies whose approval is required (e.g., permits, finance approval, or participation agreement):**

- **Fueling Dispensing Facility** - South Coast Air Quality Management District

**15. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?**

McKenna et Al. submitted a written request to the Native American Heritage Commission for a records search in the commission's Sacred Lands File. The NAHC provided a list dated November 21, 2019 of 21 tribes recommended for contact. The City of Beaumont initiated the AB 52 consultation process on May 8, 2020.

Figure 1

Figure 2

Figure 3

## 1.1 EVALUATION FORMAT

This Initial Study is prepared in compliance with the California Environmental Quality Act (CEQA) Guidelines. This format of the study is presented as follows. The project is evaluated based upon its effect on eighteen (18) major categories of environmental factors. Each factor is reviewed by responding to a series of questions regarding the impact of the project on each element of the overall factor. The Initial Study Checklist provides a formatted analysis that provides a determination of the effect of the project on the factor and its elements. The effect of the project is categorized into one of the following four categories of possible determinations:

Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant	No Impact
--------------------------------	---------------------------------------	-----------------------	-----------

Substantiation is then provided to justify each determination. One of the four following conclusions is then provided as a summary of the analysis for each of the major environmental factors.

1. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.
2. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.
3. Possible significant adverse impacts have been identified or anticipated and the following mitigation measures are required as a condition of project approval to reduce these impacts to a level below significant. The required mitigation measures are: (List mitigation measures)
4. Significant adverse impacts have been identified or anticipated. An Environmental Impact Report (EIR) is required to evaluate these impacts, which are: (List the impacts requiring analysis within the EIR).

At the end of the analysis the required mitigation measures are restated and categorized as being either self- monitoring or as requiring a Mitigation Monitoring and Reporting Program.

### 1.2 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would potentially be affected by this project, involving at least one impact that is a "Potentially Significant Impact," as indicated by the checklists on the following pages. For each of the potentially affected factors, mitigation measures are recommended that would reduce the impacts to less than significant levels.

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources      | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Energy                             |
| <input type="checkbox"/> Geology /Soils            | <input type="checkbox"/> Greenhouse Gas Emissions           | <input type="checkbox"/> Hazards & Hazardous Materials      |
| <input type="checkbox"/> Hydrology/Water Quality   | <input type="checkbox"/> Land Use / Planning                | <input type="checkbox"/> Mineral Resources                  |
| <input type="checkbox"/> Noise                     | <input type="checkbox"/> Population / Housing               | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Recreation                | <input type="checkbox"/> Transportation                     | <input type="checkbox"/> Tribal Cultural Resources          |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Wildfire                           | <input type="checkbox"/> Mandatory Findings of Significance |

### 1.3 ENVIRONMENTAL DETERMINATION

On the basis of this Initial Study, the City of Beaumont Environmental Review Committee finds:

- I find that the Proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the Proposed Project would have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the Proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the Proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the Proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the Proposed Project, nothing further is required.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title



#### 1.4 EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if substantial evidence exists that an effect may be significant. If one or more “Potentially Significant Impact” entries are marked when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant with Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures from earlier analyses may be cross-referenced).
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. The explanation of each issue should identify:
  - a. the significance criteria or threshold, if any, used to evaluate each question; and the mitigation measure identified, if any, to reduce the impact to less than significant.  
\*Note: Instructions may be omitted from final document.

## **SECTION 2.0 – PROJECT DESCRIPTION**

### **2.1 PURPOSE OF THIS DOCUMENT**

The City formally initiated the environmental process for the project with the preparation of this Initial Study (IS). The IS screens out those impacts that would be less than significant and do not warrant mitigation, while identifying those issues that require further mitigation to reduce impacts to a less than significant level. As identified in the following analyses, project impacts related to various environmental issues either do not occur, are less than significant (when measured against established significance thresholds) or have been rendered less than significant through implementation of mitigation measures. Based on these analytical conclusions, this IS supports adoption of an MND for the Proposed Project. This Initial Study has been prepared in accordance with the California Environmental Quality Act (CEQA) and the State CEQA Guidelines.

CEQA permits the incorporation by reference of all or portions of other documents that are generally available to the public. The IS has been prepared utilizing information from City planning and environmental documents, technical studies specifically prepared for the project, and other publicly available data. The documents utilized in the IS are identified in Section 3.0 and are hereby incorporated by reference. These documents are available for review at the City of Beaumont, Community Development Department.

Pursuant to Section 15367 of the State CEQA Guidelines, the City of Beaumont is the Lead Agency in the preparation of this Initial Study. The City has primary responsibility for approval or denial of this project. The intended use of this Initial Study is to provide adequate environmental analysis related to project construction and operation activities of the Proposed Project.

### **2.2 PROJECT LOCATION**

The Project Site is an undeveloped parcel in the City of Beaumont, located approximately 1.71 miles northeast of the I-10 freeway and SR-79 highway intersection (refer to Figure 1 - Regional Map). It is adjacent to the City of Banning, in the southwestern corner of the Highland Springs Avenue and 8<sup>th</sup> Street intersection (refer to Figure 2-Vicinity Map). The property has a current General Plan land use designation of Community Commercial. It is surrounded by medical and dental offices to the south, a hospital to the east, ongoing commercial development to the north and a nursing facility to the west. The Project Site and its immediate vicinity is within the 6<sup>th</sup> Street Corridor Planning Area of the City General Plan, approved March 2007. Development in this area is largely commercial and industrial in character with many single-family and multiple-family residences located between commercial parcels. The area surrounding the Project Site and in Banning are a mix of general commercial development, high density residences and professional offices.

### **2.3 PROJECT DESCRIPTION**

The Project Applicant is requesting the approval of Conditional Use Permit and Tentative Parcel Map to develop a QSR with an attached drive-thru use, gas station and convenience store. The Project Site is currently vacant. The Proposed Project would divide the square-shaped approximately 2.08-acre property into two commercial lots. Lot A in Parcel 2 is the western portion of the site and is proposed to consist of a QSR. Lot B in Parcel 1 is the eastern portion and is proposed to consist of a convenience store and gas station (refer to Figure 3-Site Plan). The gas station would consist of 6 fuel pumps with 12 dispensers and two USTs. Access to and egress from the Project Site would be provided by a 35-foot driveway on 8<sup>th</sup> Street and another one on Highland Springs Avenue. The Proposed Project would provide 88 parking spaces, 4 of which are handicap accessible. An illuminated monument sign would be installed on each frontage.

**SECTION 3.0 – CHECKLIST OF ENVIRONMENTAL ISSUES**

**3.1 AESTHETICS**

1.	AESTHETICS. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c)	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**3.1.1 Environmental Setting**

The City of Beaumont is located in north-central Riverside County, at the summit of the San Gorgonio Pass. Beaumont is bounded on the west by the City of Calimesa, on the north by the unincorporated community of Cherry Valley; on the south by the I-10 Freeway; and on the east by the City of Banning. Beaumont is located approximately 70 miles east of downtown Los Angeles, 21 miles northeast of the City of Riverside; and 21 miles southeast of the City of San Bernardino. The Project Site is surrounded by commercial development, public facilities and undeveloped lands.

**3.1.2 Impact Analysis**

a) *Would the project have a substantial adverse effect on a scenic vista?*

**Less than Significant Impact.** The City General Plan does not contain any designated scenic vistas that would be affected by the implementation of the Proposed Project. The San Timoteo Badlands area is considered a scenic vista, therefore development proposals within the Badlands area will be given special attention.<sup>1</sup> The Project Site is 16 miles southeast of the San Timoteo Badlands and implementation of the Proposed Project would not have an effect on this scenic resource. The Project Site has a General Plan designation of Community Commercial.<sup>2</sup> The Proposed Project would be consistent with the General Plan designation. The Project Site is surrounded by vacant land undergoing development to the north, public facility to the east (hospital), nursing facility to the west, and General Commercial development to the south. The Proposed Project’s building structures will not exceed 50 feet, as is required

<sup>1</sup> City General Plan. <https://www.beaumontca.gov/DocumentCenter/View/63/General-Plan?bidId=>. Page 161

<sup>2</sup>City General Plan. <https://www.beaumontca.gov/DocumentCenter/View/63/General-Plan?bidId=>. Page 26

by the City's municipal code standards for the Community Commercial zone. The Proposed Project is not anticipated to change the general aesthetics of the area or obstruct natural scenic views or vistas. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

- b) *Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

**No Impact.** Implementation of the Proposed Project would not cause damage to any scenic resources or historic buildings within a State Scenic Highway. The Project Site is currently vacant and consists of grass and tumbleweeds. The Project Site is not adjacent to or near any State-eligible or State-designated Scenic Highway.<sup>3</sup> The nearest State Scenic Highway is Route 243, which is approximately 3.5 miles east of the Project Site. According to the City General Plan, proposed projects that are either within the San Timoteo Badlands or that could affect views of or alter ridgelines will be given special consideration to reduce aesthetic/visual resource impacts to a less-than-significant level.<sup>4</sup> The Proposed Project is 16 miles southeast of the San Timoteo Badlands and will not affect views of or alter ridgelines. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

- c) *Would the project in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

**Less than Significant Impact.** Development of the Proposed Project would not cause damage to the existing visual character or quality of the Project Site or its surroundings. The Proposed development would be consistent with the City General Plan designation and would enhance the surrounding community with commercial uses. The surrounding properties are either vacant, developed for residential or commercial uses, or a public facility. The Proposed Project would maintain similar aesthetics and building design as the surrounding establishments. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- d) *Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

**Less than Significant Impact.** Development of the Proposed Project would take place on a site that is currently vacant. The Proposed Project includes two LED-illuminated monument signs adjacent to the driveways, three LED-illuminated canopy signs at the gas station and an LED-illuminated wall sign outside the convenience store. Lights installed for the Proposed Project will be directed away from sensitive receptors. Sensitive receptors in the vicinity include hospital patients and staff on the east side of Highland Springs Avenue, and staff and patients in the nursing facility to the west. These facilities and commercial development south of the Project Site already include lighting on the outside of buildings and in parking lots

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<sup>3</sup> County General Plan. Circulation Element Figure C-8 Scenic Highways

<sup>4</sup> City General Plan. <https://www.beaumontca.gov/DocumentCenter/View/63/General-Plan?bidId=>. Page 161

primarily for safety. Additionally, both 8<sup>th</sup> St. and Highland Springs Avenue have streetlights in the area of the project as well as traffic lights at intersections. Prior to issuance of the occupancy permit, the Project Applicant is required to install public streetlights along the frontage of perimeter streets. Streetlight installation shall be in accordance to the City's Approved Street Lighting Specifications. In addition, trees would be planted throughout the Project Site and along the perimeter, which would minimize light exposure. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**3.2 AGRICULTURE & FORESTRY RESOURCES**

2.	<b>AGRICULTURE &amp; FOREST RESOURCES.</b> (In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.) In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.) <b>Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
(a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b)	Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d)	Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or the conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

### 3.2.1 Environmental Setting

The Project Site is in the northeastern portion of the City of Beaumont. As shown on the City General Plan Land Use Designations Map, it has a current zoning of Community Commercial. The Project Site is neither considered useful for agriculture nor is it within an existing zone for forest land. The Project Site is vacant with only non-native grasses and tumbleweeds present on-site. SALEM conducted a Phase I Environmental Site Assessment (ESA) of the Proposed Project in January 2020 (see Appendix A). According to their review of historical aerial photographs, the Project Site and adjacent properties appear to have been undeveloped or agricultural lands since the 1930s.

### 3.2.2 Impact Analysis

- a) *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?*

**No impact.** According to the City General Plan, properties within the General Plan Area are not designated as prime farmlands, unique farmlands, or farmlands of statewide importance.<sup>5</sup> The Project Site is identified as “Urban and Built-Up Land” in the Riverside County Important Farmland 2016 Sheet 1 of 3 maps.<sup>6</sup> Urban and Built-Up Land is occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. Examples of this category are residential, industrial commercial, institutional facilities, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, and water control structures. No prime farmland, unique farmland, or farmland of statewide importance occur on the Project Site. The Proposed Project would not convert farmland to a non-agricultural use. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

- b) *Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?*

**No Impact.** The Project Site is not under a Williamson Act Contract, as confirmed by the Assessor’s Agriculture Division. According to the City General Plan, no agricultural properties within the General Plan Area are currently covered under the provisions of a Williamson Act Contract.<sup>7</sup> Additionally, as shown on the Riverside County Information Technology (RCIT) Geographic Information Systems (GIS), the Project Site is not under Williamson Contract. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

- c) *Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

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<sup>5</sup> City General Plan. Page 138

<sup>6</sup> California Department of Conservation. Important Farmland 2016 Sheet 1 of 3.

<sup>7</sup> City General Plan. Page 138.

**No Impact.** Beaumont does not have a zoning designation for, nor does it contain forestry-related timberland or timberland production sites within city limits.<sup>8</sup> Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

- d) *Would the project result in the loss of forest land or conversion of forest land to non-forest use?*

**No Impact.** The Project Site is currently vacant and does not support forest land. Implementation of the Proposed Project would not result in loss of forest land or conversion of forest land to non-forest use. The City General Plan does not include any lands designated as forest land within the General Plan area. Therefore, no loss of forest land or conversion of forest land to non-forest use will result from the implementation of the Proposed Project. No impacts are identified or anticipated, and no mitigation measures are required.

- e) *Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or the conversion of forest land to non-forest use?*

**No Impact.** The Project Site does not support agricultural or forest land use. Implementation of the Proposed Project would not result in the conversion of farmland to non-agricultural use or conversion of forest land to non-forest use on-site or off-site. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

### 3.3 AIR QUALITY

3.	<b>AIR QUALITY.</b> (Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.) <b>Would the project:</b>	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c)	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 3.3.1 Environmental Setting

The City of Beaumont is located in the eastern portion of the South Coast Air Basin (SCAB). The SCAB is bounded by the San Jacinto, San Gabriel and San Bernardino Mountain Ranges. The primary source of air pollution affecting the City are pollutants transported by wind from urbanized

<sup>8</sup> City General Plan. Page 26.



areas located west towards Los Angeles. The South Coast Air Quality Management District (SCAQMD) has jurisdiction over air quality issues and regulations within the SCAB.

### 3.3.2 Impact Analysis

a) *Would the project conflict with or obstruct implementation of the applicable air quality plan?*

**Less than Significant Impact.** The Project Site is located in the South Coast Air Basin (SCAB). The South Coast Air Quality Management District (SCAQMD) has jurisdiction over air quality issues and regulations within the SCAB. The Air Quality Management Plan (AQMP) for the basin establishes a program of rules and regulations administered by SCAQMD to obtain attainment of the state and federal air quality standards. The most recent AQMP (AQMP 2016) was adopted by the SCAQMD on March 2017. The 2016 AQMP incorporates the latest scientific and technological information and planning assumptions, including transportation control measures developed by the Southern California Association of Governments (SCAG) using the 2016 Regional Transportation Plan/Sustainable Communities Strategy.

The Proposed Project is consistent with the City of Beaumont's Community Commercial land use designation. The General Plan was adopted before the 2016 AQMP was adopted. Therefore, the emissions associated with the Proposed Project have already been accounted for in the AQMP and approval of the Proposed Project would not conflict with the AQMP. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

b) *Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?*

**Less than Significant Impact.** On March 2020, an Air Quality and Greenhouse Gas Assessment was prepared for the Proposed Project by Lilburn Corporation (see Appendix B for report). The Proposed Project's construction and operational emissions were screened using California Emissions Estimator Model (CalEEMod) version 2016.3.2 prepared by the SCAQMD (see Appendix B for model output). CalEEMod was utilized to estimate the on-site and off-site construction emissions. The emissions incorporate Rule 402 and 403 by default as required during construction. The criteria pollutants screened for include reactive organic gases (ROG), nitrous oxides (NO<sub>x</sub>), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), and particulates (PM<sub>10</sub> and PM<sub>2.5</sub>). Two of the analyzed pollutants, ROG and NO<sub>x</sub>, are ozone precursors. Both summer and winter season emission levels were estimated.

#### *Construction Emissions*

Construction emissions are considered short-term, temporary emissions and were modeled with the following construction parameters: site preparation, site grading (fine and mass grading), building construction, paving, and architectural coating. Construction is anticipated to begin in early 2021 and be completed in late 2021. The resulting emissions generated by construction of the Proposed Project are shown in Table 1 and Table 2, which represent summer and winter construction emissions, respectively.

**Table 1**  
**Summer Construction Emissions Summary**  
**(Pounds per Day)**

Source/Phase	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Site Preparation	1.9	17.5	8.0	0.0	3.5	2.1
Grading	1.6	24.6	7.9	0.0	3.8	2.0
Building Construction	2.0	15.0	14.4	0.0	1.1	0.8
Paving	1.2	7.8	9.3	0.0	0.5	0.5
Architectural Coating	9.5	1.5	2.1	0.0	0.1	0.1
<b>Highest Value (lbs./day)</b>	<b>9.5</b>	<b>24.6</b>	<b>14.4</b>	<b>0.0</b>	<b>3.8</b>	<b>2.1</b>
SCAQMD Threshold	75	100	550	150	150	55
<b>Significant</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: CalEEMod.2016.3.2 Summer Emissions  
Phases do not overlap and represent the highest concentration.

**Table 2**  
**Winter Construction Emissions Summary**  
**(Pounds per Day)**

Source/Phase	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Site Preparation	1.6	17.4	7.8	0.0	3.4	2.1
Grading	1.6	24.6	7.9	0.0	3.8	2.0
Building Construction	2.0	15.0	14.2	0.0	1.1	0.8
Paving	1.2	7.8	9.4	0.0	0.5	0.5
Architectural Coating	9.5	1.5	2.0	0.0	0.1	0.1
<b>Highest Value (lbs./day)</b>	<b>9.5</b>	<b>24.6</b>	<b>14.4</b>	<b>0.0</b>	<b>3.8</b>	<b>2.1</b>
SCAQMD Threshold	75	100	550	150	150	55
<b>Significant</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: CalEEMod.2016.3.2 Winter Emissions.  
Phases do not overlap and represent the highest concentration.

As shown in Table 1 and Table 2, construction emissions during either summer or winter seasonal conditions would not exceed SCAQMD thresholds.

Compliance with SCAQMD Rules 402 and 403

Although the Proposed Project does not exceed SCAQMD thresholds for construction emissions, the Project Proponent would be required to comply with all applicable SCAQMD rules and regulations as the SCAB is in non-attainment status for ozone and suspended particulates (PM<sub>10</sub> and PM<sub>2.5</sub>).

The Project Proponent would be required to comply with Rules 402 nuisance, and 403 fugitive dust, which require the implementation of Best Available Control Measures (BACMs) for each fugitive dust source, and the AQMP, which identifies Best Available Control Technologies (BACTs) for area sources and point sources. The BACMs and BACTs would include, but not be limited to the following:

1. The Project Proponent shall ensure that any portion of the site to be graded shall be pre-watered prior to the onset of grading activities.

- (a) The Project Proponent shall ensure that watering of the site or other soil stabilization method shall be employed on an on-going basis after the initiation of any grading activity on the site. Portions of the site that are actively being graded shall be watered regularly (2x daily) to ensure that a crust is formed on the ground surface and shall be watered at the end of each workday.
- (b) The Project Proponent shall ensure that all disturbed areas are treated to prevent erosion until the site is constructed upon.
- (c) The Project Proponent shall ensure that landscaped areas are installed as soon as possible to reduce the potential for wind erosion.
- (d) The Project Proponent shall ensure that all grading activities are suspended during first and second stage ozone episodes or when winds exceed 25 miles per hour.

During construction, exhaust emissions from construction vehicles and equipment and fugitive dust generated by equipment traveling over exposed surfaces, would increase NO<sub>x</sub> and PM<sub>10</sub> levels in the area. Although the Proposed Project does not exceed SCAQMD thresholds during construction, the Applicant/Contractor would be required to implement the following BMPs as required by SCAQMD:

2. To reduce emissions, all equipment used in grading and construction must be tuned and maintained to the manufacturer's specification to maximize efficient burning of vehicle fuel. Site development will be limited to one acre disturbed per day.
3. The contractor shall utilize (as much as possible) pre-coated building materials and coating transfer or spray equipment with high transfer efficiency, such as high volume, low pressure (HVLP) spray method, or manual coatings application such as paint brush, hand roller, trowel, dauber, rag, or sponge.
4. The contractor shall utilize water-based or low VOC coating per SCAQMD Rule 1113. The following measures shall also be implemented:
  - Use Super-Compliant VOC paints whenever possible.
  - If feasible, avoid painting during peak smog season: July, August, and September.
  - Recycle leftover paint. Take any left-over paint to a household hazardous waste center; do not mix leftover water-based and oil-based paints.
  - Keep lids closed on all paint containers when not in use to prevent VOC emissions and excessive odors.
  - For water-based paints, clean up with water only. Whenever possible, do not rinse the clean-up water down the drain or pour it directly into the ground or the storm drain. Set aside the can of clean-up water and take it to a hazardous waste center ([www.cleanup.org](http://www.cleanup.org)).
  - Recycle the empty paint can.
  - Look for non-solvent containing stripping products.
  - Use Compliant Low-VOC cleaning solvents to clean paint application equipment.

- Keep all paint and solvent laden rags in sealed containers to prevent VOC emissions.
5. The Project Proponent shall ensure that existing power sources are utilized where feasible via temporary power poles to avoid on-site diesel power generation.
  6. The operator shall maintain and effectively utilize and schedule on-site equipment in order to minimize exhaust emissions from truck idling.
  6. The Project Proponent shall ensure that construction personnel are informed of ride sharing and transit opportunities.
  7. All buildings on the project site shall conform to energy use guidelines in Title 24 of the California Administrative Code as updated to reduce energy consumption and reduce GHG emissions.
  8. The operator shall maintain and effectively utilize and schedule on site equipment and delivery trucks in order to minimize exhaust emissions from truck idling.

Operational Emissions

Operational emissions are categorized as energy (generation and distribution of energy to the end use), area (operational use of the project), mobile (vehicle trips), water (generation and distribution of water to the land use), and waste (collecting and hauling waste to the landfill). The Proposed Project will not include the manufacture or production of any products on-site; therefore, no industrial type emissions will be generated. The operational mobile source emissions were calculated using the Traffic Impact Analysis prepared by Urban Crossroads, dated March 2020. The TIA determined that the Proposed Project would generate approximately 1,100 total daily trips. Emissions associated with the Proposed Project’s estimated total daily trips were modeled and are listed in Table 3 and Table 4, which represent summer and winter operational emissions, respectively. In accordance with the site plan, CalEEMod operational emissions include the following design features: a) Improve Destination Accessibility with a two-mile distance to a downtown job center, b) Increase Transit Accessibility with a two-mile distance to the nearest transit station, and c) Improve Pedestrian Network by including improvements of the adjacent intersection, curb, gutter, and sidewalks.

**Table 3  
Summer Operational Emissions Summary  
(Pounds per Day)**

Source	ROG	NO <sub>x</sub> / VOC <sup>1</sup>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Area	0.2	0.0	0.0	0.0	0.0	0.0
Energy	0.0	0.3	0.2	0.0	0.0	0.0
Mobile	1.6	10.1	8.9	0.0	1.9	0.5
Fuel Dispensing	---	1.5	---	---	---	---
<b>Total Value (lbs./day)</b>	<b>3.3</b>	<b>11.9</b>	<b>9.1</b>	<b>0.0</b>	<b>1.9</b>	<b>0.5</b>
SCAQMD Threshold	55	55	550	150	150	55
<b>Significance</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: CalEEMod 2016.3.2, Summer Emissions

<sup>1</sup> VOC emissions, SCAQMD guidelines (RULE 461-Gasoline Transfer and Dispensing).

**Table 4**  
**Winter Operational Emissions Summary**  
**(Pounds per Day)**

Source	ROG	NO <sub>x</sub>	CO	SO <sub>2</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Area	0.2	0.0	0.0	0.0	0.0	0.0
Energy	0.0	0.3	0.2	0.0	0.0	0.0
Mobile	1.3	9.9	8.7	0.0	1.9	0.5
Fuel Dispensing	---	1.5	---	---	---	---
<b>Total Value (lbs./day)</b>	<b>3.0</b>	<b>11.7</b>	<b>8.9</b>	<b>0.0</b>	<b>1.9</b>	<b>0.5</b>
SCAQMD Threshold	55	55	550	150	150	55
<b>Significance</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

Source: CalEEMod 2016.3.2, Winter Emissions

<sup>1</sup> VOC emissions, SCAQMD guidelines (RULE 461-Gasoline Transfer and Dispensing).

As shown in Tables 3 and 4, both summer and winter season operational emissions are below SCAQMD thresholds. However, the Proposed Project would be required to comply with the following but limited to SCAQMD Rules:

- Rule 201-Permit to Construct: A person shall not build, erect, install, alter or replace any equipment or agricultural permit unit, the use of which may cause the issuance of air contaminants or the use of which may eliminate, reduce or control the issuance of air contaminants without first obtaining written authorization for such construction from the Executive Officer. A permit to construct shall remain in effect until the permit to operate the equipment or agricultural permit unit for which the application was filed is granted or denied, or the application is canceled.
- Rule 203-Permit to Operate: A person shall not operate or use any equipment or agricultural permit unit, the use of which may cause the issuance of air contaminants, or the use of which may reduce or control the issuance of air contaminants, without first obtaining a written permit to operate from the Executive Officer or except as provided in Rule 202.
- Rule 461-Gasoline Transfer and Dispensing Facilities: Applicability This rule applies to the transfer of gasoline from any tank truck, trailer, or railroad tank car into any stationary storage tank or mobile fueler, and from any stationary storage tank or mobile fueler into any mobile fueler or motor vehicle fuel tank.
- Rule 1138- Control of Emissions from Restaurants: (a) Applicability This rule applies to owners and operators of commercial cooking operations, preparing food for human consumption. The rule requirements currently apply to chain-driven charbroilers used to cook meat. All other commercial restaurant cooking equipment including, but not limited to, under-fired charbroilers, may be subject to future rule provisions.
- Rule 1401- New Source Review of Toxic Air Contaminants: This rule specifies limits for maximum individual cancer risk (MICR), cancer burden, and noncancer acute and chronic hazard index (HI) from new permit units, relocations, or modifications to existing permit

units which emit toxic air contaminants listed in Table I. The rule establishes allowable risks for permit units requiring new permits pursuant to Rules 201 or 203.

Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

c) *Would the project expose sensitive receptors to substantial pollutant concentrations?*

**Less than Significant Impact.** SCAQMD has developed a methodology to assess the localized impacts of emissions from a proposed project as outlined within the Final Localized Significance Threshold (LST) Methodology report; completed in June 2003 and revised in July 2008. The use of LSTs is voluntary, to be implemented at the discretion of local public agencies acting as a lead agency pursuant to CEQA. LSTs apply to projects that must undergo CEQA or the National Environmental Policy Act (NEPA) and are five acres or less. LST methodology is incorporated to represent worst-case scenario emissions thresholds. CalEEMod was used to estimate the on-site and off-site construction emissions. The LSTs were developed to analyze the significance of potential air quality impacts of proposed projects to sensitive receptors (i.e. schools, single family residences, etc.) and provide screening tables for small projects (one, two, or five acres). Projects are evaluated based on geographic location and distance from the sensitive receptor (25, 50, 100, 200, or 500 meters from the site).

For the purposes of a CEQA analysis, the SCAQMD considers a sensitive receptor to be a receptor such as a residence, hospital, convalescent facility or anywhere that it is possible for an individual to remain for 24 hours. Additionally, schools, playgrounds, childcare centers, and athletic facilities can also be considered as sensitive receptors. Commercial and industrial facilities are not included in the definition of sensitive receptor because employees do not typically remain on-site for a full 24 hours, but are usually present for shorter periods of time, such as eight hours.

The Project Site is approximately 2.08 acres, however the “2-acres scenario” was used to represent a worst-case scenario as larger sites are typically granted a larger emission allowance. CalEEMod version 2016.3.2 was used to estimate the on-site and off-site construction emissions. The nearest sensitive receptor land use is an assisted care facility located immediately west of the Project Site and therefore LSTs are based on 25-meter distance. The resulting Proposed Project’s construction and operational emissions with the appropriate LST are presented in Table 5.

**Table 5  
Localized Significance Thresholds  
(Pounds Per Day)**

	<b>NO<sub>x</sub></b>	<b>CO</b>	<b>PM<sub>10</sub></b>		<b>PM<sub>2.5</sub></b>	
Construction Emissions (Max. from Table 6 and Table 7)	9.5	14.4	3.8		2.1	
Operational Emissions (Max. Total from Table 3 and Table 4) <sup>1</sup>	11.9	9.1	0.10		0.025	
<b>Highest Value (lbs./day)</b>	<b>11.9</b>	<b>14.2</b>	<b>3.8</b>	<b>0.10</b>	<b>2.1</b>	<b>0.025</b>
LST Thresholds	149	1,541	10 <sup>*</sup>	3 <sup>†</sup>	6 <sup>*</sup>	2 <sup>†</sup>
<b>Greater Than Threshold</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

As shown in Table 5, the Proposed Project's emissions are not anticipated to exceed the LSTs.

*Toxic Air Contaminant Impacts*

Emissions resulting from gasoline service station operations may include toxic air contaminants (TACs) (e.g., benzene, hexane, MTBE, toluene, xylene) and have the potential to contribute to health risk in the Project vicinity. Standard regulatory controls such as the SCAQMD's Rule 461 (Gasoline Transfer and Dispensing) would apply to the Project in addition to any permits required that demonstrate appropriate operational controls. Gasoline dispensing facilities are required to use Phase I/II EVR (enhanced vapor recovery) systems. Phase I EVR have an average efficiency of 98 percent and Phase II EVR have an average efficiency of 95.1 percent. Therefore, the potential for fugitive VOC or TAC emissions from the gasoline pumps is negligible. Prior to issuance of a Permit to Operate, each individual gasoline dispensing station is required to obtain permits from SCAQMD which identify the maximum annual throughput allowed based on specific fuel storage and dispensing equipment that is proposed by the operator.

The analysis reflects a maximum annual throughput of an estimated 1,000,000 gallons. However, ultimate fuel throughput allowances/requirements would be established by SCAQMD through the fueling station permitting processes. For purposes of this evaluation, cancer risk estimates have been made consistent with the methodology presented in SCAQMD's Risk Assessment Procedures for Rules 1401 & 212 which provide screening-level risk estimates for gasoline dispensing operations. The Project site is located within Source Receptor Area (SRA) 29.

The nearest residential receptor and worker receptor are both less than 25 meters (e.g. 82.02 feet) from the proposed fueling station.

Based on the established SCAQMD procedure outlined in the SCAQMD Permit Application Package "N" it is estimated that the maximum risk attributable to the gasoline dispensing would be 5.46 in one million for the nearest sensitive receptor and the maximum risk to workers would be 0.45 in one million both of which are below the threshold of 10 in one million. SCAQMD Permit Application Package "N" identifies the potential risk per one million gallons of gasoline dispensed at the defined downwind distances. The further the distance from the source the lower the risk. Refer to Table 6 for a linear regression risk estimate with distances of 25 and 50 feet from the source.

**Table 6  
Linear Regression Risk Estimate**

<b>Residential</b>	
<b>Distance</b>	<b>Risk</b>
25	<b>5.46</b>
50	<b>2.17</b>
<b>Worker</b>	
25	<b>0.45</b>
50	<b>0.17</b>

Source: Risk Tool V1.103

As shown in Table 6, no sensitive receptors in the Project vicinity would be exposed to a cancer risk of greater than 10 in one million. The maximum risk estimate at any sensitive land use in the vicinity of the Project would be 5.46 in one million. The Project gas station operations would therefore not generate emissions that would cause or result in an exceedance of the applicable SCAQMD cancer threshold of 10 in one million. As such, the Project would not have a significant impact with respect to health risks from the gasoline dispensing stations.

Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

- d) *Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

**Less than Significant Impact.** The Proposed Project does not contain land uses typically associated with the emission of objectionable odors. Potential odor sources associated with the Proposed Project may result from construction equipment exhaust and the application of asphalt and architectural coatings during construction activities; and the temporary storage of domestic solid waste (refuse) associated with the Proposed Project's (long-term operational) uses. Standard construction requirements would minimize odor impacts resulting from construction activity. It should be noted that any construction odor emissions generated would be temporary, short-term, and intermittent in nature and would cease upon completion of the respective phase of construction activity. It is expected that Project-generated refuse would be stored in covered containers and removed at regular intervals in compliance with the City of Beaumont solid waste regulations. The Project would be also required to comply with SCAQMD Rule 402 to prevent occurrences of public nuisances. Therefore, no significant adverse impacts are identified or are anticipated, and no mitigation measures are required.

### 3.4 BIOLOGICAL RESOURCES

4.	BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



4.	BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### 3.4.1 Environmental Setting

The Proposed Project consists of a QSR, convenience store and gas station in a 2.08-acre parcel. General Biological Resources Assessment, dated February 14, 2020, was prepared for the Proposed Project by Natural Resources Assessment, Inc. (NRAI) (see Appendix C for report). The assessment was conducted consistent with the requirement of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), which is intended to balance the growth of western Riverside County with the preservation of open space and protection for species. The MSHCP identifies vernal pools, fairy shrimp habitat and riparian/riverine as resources of concern for all the parcels within the MSHCP Conservation Area.

NRAI requested a report from the MSHCP website for the Project Site. NRAI completed a data search for information on plants and wildlife species known occurrences within the vicinity of the Project Site. The review included biological texts on general and specific biological resources, and those resources considered to be sensitive by various wildlife agencies, local government agencies and interest groups. NRAI used the data to focus their survey efforts in the field.

### 3.4.2 Impact Analysis

- a) *Would the project have a substantial adverse effect, either directly or through habitat modification, on any species identified as candidate, sensitive or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

#### **Less than Significant with Mitigation Incorporated.**

##### Wildlife Observations

Mourning dove (*Zenaida macroura*), house finch (*Haemorhous mexicanus*), savannah sparrow (*Passerculus sandwichensis*) and house sparrow (*Passer domesticus*) were either seen or heard during the field survey. California ground squirrel (*Otospermophilus beecheyi*) and Botta's gopher (*Thomomys bottae*) burrows were observed. No other sign of native mammal species was observed.

##### Riparian Birds

No riverine/riparian bird species are present or will use the site, and no impacts to these species or their habitat will occur. No impacts are identified or anticipated, and no mitigation measures are required.

Fairy Shrimp

For the Proposed Project, the MSHCP requires an assessment for fairy shrimp habitat. Fairy shrimps are confined to temporary pools that fill in spring and evaporate by late spring to early summer. There are no pools on the Project Site and no potential for pools to form based on the soils and site conditions. Therefore, no shrimp species would be impacted by the Proposed Project.

Narrow Endemic Plant Species

The MSHCP did not identify any Narrow Endemic Plant Species as potentially present on the Project Site. The Proposed Project is consistent with MSHCP Section 6.1.3.

Criteria Area Plant Species

The MSHCP did not identify any Criteria Area Species as potentially present on the Project Site. The Proposed Project is consistent with MSHCP Section 6.3.2.

Amphibians

The MSHCP did not identify any amphibian species as potentially present on the Project Site.

Burrowing Owl

The MSHCP does not identify burrowing owl as potentially present on the Project Site and it is not in the mapped survey area for burrowing owl. The Proposed Project is consistent with MSHCP Section 6.3.2.

Mammals

The MSHCP does not identify mammal species as potentially present on the Project Site and it is not in the mapped survey area for protected mammals.

Delhi Sands Flower-Loving Fly

The MSHCP did not identify Delhi sands flower-loving fly as potentially present on the Project Site. The property is not in the mapped survey area for Delhi sands flower-loving fly.

Raptors and Migratory Birds

Raptors and all migratory bird species are protected under the Migratory Bird Treaty Act (MBTA). In addition, bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (BEPA). Based on their field survey, NRAI found that the Project Site had very limited marginal nesting habitat for ground-nesting bird species. To ensure the Proposed Project complies with the MBTA and BEPA, NRAI recommends the following mitigation measures:

**Mitigation Measure BIO-1:** If construction is scheduled to occur between February 1 and August 31, a breeding bird survey following the recommended guidelines of the MBTA may be required to determine if nesting is occurring. A qualified biologist shall conduct a breeding bird survey no more than 30 days prior to the start of construction to determine if nesting is occurring. If occupied nests are found, they shall not be disturbed unless the qualified biologist verifies through non-invasive methods that either (a) the adult birds have not begun egg-laying and incubation; or (b) the juveniles from the occupied nests are capable of independent

survival. If the biologist is not able to verify one of the above conditions, then no disturbance shall occur within a distance specified by the qualified biologist for each nest or nesting site. The qualified biologist will determine the appropriate distance in consultation with the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service.

- b) *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

**No Impact.** For the Proposed Project, the MSHCP requires an assessment for riverine and riparian habitats. According to the BRA, there are no riparian/riverine habitats on site. No riparian/riverine species will be impacted by Proposed Project.

#### Riparian Birds

No riverine/riparian bird species are present or will use the site, and no impacts to these species or their habitat will occur. No impacts are identified or anticipated, and no mitigation measures are required.

- c) *Would the project have a substantial adverse effect on state or federally protected wetlands (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

**No Impact.** NRAI assessed any bodies of water that may be under the jurisdiction of Army Corps of Engineers, Regional Water Quality Control Board, and the California Department of Fish and Wildlife. NRAI found no jurisdictional waters on site. Additionally, there is no wetland or riparian habitat on site. For the Proposed Project, the MSHCP requires an assessment for vernal pools. There are no vernal pools on the property and therefore, no vernal pools or vernal pools species will be impacted by Proposed Project. (see Appendix C). Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

- d) *Would the project Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

**Less than Significant Impact.** The Project Site is currently surrounded by residential and commercial development, public facilities, ongoing development, a designated arterial highway, and a proposed arterial highway. It is in a developed area where habitat fragmentation has already occurred. It would not be suitable as a native resident or migratory wildlife corridor or for facilitating the movement of any native resident or migratory wildlife species. The Urban/Wildland Interface guidelines of the MSHCP address indirect effects associated with locating development in the MSHCP Conservation Area near wildlands or other open space areas. The Project Site is not near or in the vicinity of the MSHCP Conservation Area, and no impacts to Urban/Wildland Interface would result from implementation of the Proposed Project. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

- e,f) *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservancy Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

**Less than Significant Impact.** The MSHCP will provide for the protection and preservation of important and significant biological resources consistent with local, State and Federal regulations.<sup>9</sup> As a local permittee, the City of Beaumont has adopted the MSHCP and will comply with all applicable requirements when considering actions associated with the General Plan’s implementation.

Through the MSHCP Consistency Analysis, NRAI assessed the Proposed Project’s relationship to Reserve Assembly. Reserve Assembly is concerned with the identification of specific areas that are necessary to assemble a sufficiently large and diverse parcel to protect the resources of concern for the reserve. Each Area has a designated conservation plan and is referred to as an Area Plan. A Criteria Cell is defined as “A unit within the Criteria Area generally 260 acres in size.”

The Project Site is located within the MSHCP Plan Area but not located within or adjacent to any Criteria Cells or MSCHP Conservation Area (see Appendix C). Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**3.5 CULTURAL RESOURCES**

5.	CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c)	Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**3.5.1 Environmental Setting**

A Phase I Cultural Resources Investigation dated November 29, 2019 was prepared by McKenna et al. for the Project Site (see Appendix D for report). The purpose of the assessment was to identify and document any cultural resources that may occur within the Project Site and to evaluate resources pursuant to §15064.5. The cultural remains of the Native American Cahuilla peoples and the early Euro-American peoples have been found in multiple locations throughout the City of Beaumont. As such, the Project Site is considered sensitive for buried cultural resources.

<sup>9</sup> City General Plan. Page 61.

### 3.5.2 Impact Analysis

*a/b) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*

**Less than Significant with Mitigation Incorporated.** McKenna et al. completed a standard archaeological records search for the Project Site through the University of California, Riverside, Eastern Information Center, Riverside, California. This search included the following reviews: previously completed projects within one mile of the project area; recorded cultural resources within one mile of the project area; and listings for the National Register of Historic Places, the California Register of Historical Resources, California Landmarks, and California Points of Historical Interest; and historic maps.

Historic background research was done through a review of the Bureau of Land Management, General Land Office Records; San Bernardino County Archives; Riverside County Archives, Riverside County Assessor data; local research; and research through the McKenna et al. in-house library. The staff also searched through the University of California, Riverside, Historic Map Library and on-line aerial photographs.

McKenna et al. identified 29 studies done within one miles of the Project Site. Six cultural resources, both historic and prehistoric, were identified from those studies. Resources identified included properties found in the Office of Historic Preservation Historic Property Data File. The Project Site has not been previously surveyed for cultural resources. No recorded prehistoric or historic archaeological resources are associated with the Project Site.

Additionally, McKenna completed a field survey for the site. The Project Site was subjected to an intensive level of survey with paralleling swaths averaging 15 meters apart. The surveyor recorded any identified resource using a Garmin GPS unit. A portion of a semi-buried concrete pad determined to be modern was found on the site. Based primarily on visual examination of the native soils, there is no evidence of prehistoric or historic archaeological resources within the Project Site. However, the Project Site is considered moderately sensitive for archaeological resources because the City of Beaumont has been associated with historic land uses. According to the City General Plan, prehistoric cultural remains may be present within the City because of the nature of alluvial deposits throughout the City. There is a potential for buried resources that were not evident during a surface survey.

The Project Site and the surrounding area are associated with the San Gorgonio Pass, a narrow valley located between the San Bernardino Mountains and San Jacinto Mountains. The area of San Gorgonio Pass is associated with early Beaumont and Banning development and has the potential to yield historic archaeological resources in a relatively shallow context. Therefore, possible significant impacts have been identified or anticipated, and McKenna et al. recommends the following mitigation measure be implemented to reduce impacts to a level of less than significant:

**Mitigation Measure CR-1:** A qualified archaeologist shall oversee excavations in the younger alluvial deposits during the first two days of ground disturbance. If the archaeologist determines it necessary, an archaeological monitoring program shall be implemented. The monitoring program should be in accordance with current professional guidelines and

protocols. The program should be flexible and account for changes in findings by treating resources in a professional manner and evaluated in accordance with current CEQA criteria.

- c) *Would the project disturb any human remains, including those interred outside of dedicated cemeteries?*

**Less than Significant with Mitigation Incorporated.** McKenna et al. did not encounter any evidence of human remains during the field survey. However, construction activities, particularly grading, could potentially disturb unknown buried human remains. To ensure potential impacts are reduced to less than significant, the following mitigation measure shall be implemented:

**Mitigation Measure CR-2:** AdIf any bones are uncovered during the course of project-related ground disturbance and the archaeologist determines that it is likely human, all appropriate cultural resources and health and safety laws will be followed and the developer will work with the NAHC-appointed Most Likely Descendent to determine appropriate measures for avoidance and preservation or other suitable treatment.

### 3.6 ENERGY

6.	ENERGY Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 3.6.1 Environmental Setting

Energy efficiency can reduce the demand for electricity generation. California has implemented energy efficiency standards and programs, resulting in annual increases of conservation savings for electricity. In 2017, the cumulative annual efficiency and conservation savings for electricity surpassed 70,000 gigawatt hours in California (California Energy Commission, 2018). Energy conservation state laws, like Title 24 of the California Administrative Code and Uniform Building Code, will be enforced by the City of Beaumont. Furthermore, the City encourages measures to reduce energy consumption during construction and operation of proposed projects.

#### **Building Energy Conservation Standards**

The California Energy Commission (CEC) adopted Title 24, Part 6, of the California Code of Regulations: Energy Conservation Standards for new residential and nonresidential buildings in June 1977 and standards are updated every three years. In addition to reducing California's energy consumption, Title 24 also decreases GHG emissions. Title 24 ensures that building designs conserve energy. The requirements allow for opportunities to incorporate new energy efficiency technologies and methods into proposed developments. In June 2015, the CEC updated the 2016 Building Energy Efficiency Standards. The 2016 Standards improved upon the

previous 2013 Standards for new construction of and additions and alterations to residential and nonresidential buildings. The CEC updated the 2019 Building Energy Efficiency Standards in May 2018. The 2019 Title 24 standards state that nonresidential buildings will use about 30 percent less energy due mainly to lighting upgrades. The updated Standards enable the use of highly efficient air filters to trap hazardous particulates from both outdoor air and cooking and improve kitchen ventilation systems.

### **Senate Bill 350**

Senate Bill (SB) 350 (de Leon) was signed into law in October 2015. SB 350 establishes new clean energy, clean air and greenhouse gas reduction goals for 2030. SB 350 also establishes periodic increases to the Renewable Portfolio Standard (RPS): 40 percent by 2024, 45 percent by 2027, and 50 percent by 2030. It requires California to double statewide energy efficiency savings in electricity and natural gas end uses by 2030, thereby increasing the use of RPS eligible resources.

### **Senate Bill 100**

Senate Bill 100 (SB 100) was signed into law September 2018 and increased the required Renewable Portfolio Standards. SB 100 requires that the total kilowatt-hours of energy sold by electricity retailers to their end-use customers must consist of at least 50 percent renewable resources by 2026, 60 percent renewable resources by 2030, and 100 percent renewable resources by 2045. SB 100 also includes a State policy that eligible renewable energy resources and zero-carbon resources supply 100 percent of all retail sales of electricity to California end-use customers and 100 percent of electricity procured to serve all State agencies by December 31, 2045. Under the bill, the State cannot increase carbon emissions elsewhere in the western grid or allow resource shuffling to achieve the 100 percent carbon-free electricity target.

### **3.6.2 Impact Analysis**

- a) *Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?*

#### **Less than Significant Impact.**

#### Electricity

The Proposed Project consists of a gas station, convenience store and restaurant. Southern California Edison (SCE) provides electricity to the City of Beaumont. The commercial building sector of the Southern California Edison planning area consumed 37260.897803 Gigawatt Hour (GWh) of electricity in 2018.<sup>10</sup> Gigawatt hour is a unit of energy representing one billion watt hours. The Project Site is currently vacant and does not use electricity. The implementation of the Proposed Project would result in an increase in electricity demand. The estimated electricity demand for the Proposed Project 0.2178114 GWh per year. The existing SCE electrical facilities will meet this increased demand. Total electricity demand in SCE's service area is estimated to increase by approximately 12,000 GWh between the years 2015 and 2026. The increase in electricity demand from the Proposed Project is insignificant compared to the projected electricity demand for SCE's entire service area and SCE's 2018

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<sup>10</sup> California Energy Commission. California Energy Consumption Database.

commercial building sector's demand. Therefore, projected electrical demand would not significantly impact SCE's level of service.

The Proposed Project shall comply with the 2019 Building Energy Efficiency Standards. During the design phase, the architect, mechanical engineer, and lighting designer must determine whether the building or system design complies with the Energy Standards. The Proposed Project would also be required to adhere to CALGreen, which outlines planning and design standards for sustainable developments and energy efficiency. Therefore, the Proposed Project would not result in significant environmental impact due to wasteful, inefficient or unnecessary consumption of energy, or wasteful use of energy resources.

### Natural Gas

The Project Site would be serviced by Southern California Gas Company (SoCalGas). The Project Site is currently vacant and has no demand for natural gas. Therefore, development of the Proposed Project would create a permanent increase in demand for natural gas. Despite the ever-growing demand for electric power, the overall gas demand for electric generation is expected to decline at 1.4 percent per year for the next 17 years due to more efficient power plants, statewide efforts to reduce GHG emissions, and use of power generation resources that produce little to no carbon emissions. According to the California Energy Commission, the natural gas consumption of the SoCalGas planning area commercial building sector was 937.882107 therms in 2018.<sup>11</sup> The Proposed Project's estimated natural gas demand is 0.00096611 therms per year; it would represent an insignificant percentage to the overall natural gas demand in SoCalGas's commercial building sector. The Proposed Project would not result in a significant impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

### Fuel

During construction of the Proposed Project, transportation energy consumption is dependent on the type of vehicles used, number of vehicle trips, vehicle miles traveled, fuel efficiency of vehicles, and travel mode. Temporary transportation fuel use such as gasoline and diesel during construction would result from the use of delivery vehicles and trucks, construction equipment, and construction employee vehicles. Additionally, most construction equipment during grading would be powered by gas or diesel. Based on output from CalEEMod version 2016.3 for (see Appendix E for fuel calculations), the Proposed Project construction activities would consume an estimated 20,954 gallons of diesel fuel for operation of heavy-duty equipment. Assuming all construction worker trips are from light duty autos, it is estimated 4,780 gallons of fuel will be consumed and fuel consumption from construction vendor (material deliver) trips is 2,649 gallons. Construction worker and vendor fuel consumption are based on CalEEMod's default data for vehicles miles traveled (VMT). Construction would represent a "single-event" diesel and gasoline fuel demand and would not require continuous or permanent commitment of these fuel resources. Impacts related to transportation energy use during construction would be temporary and would not require the use of additional use of energy supplies or the construction of new infrastructure.

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<sup>11</sup> California Energy Commission. California Energy Consumption Database.



During operations of the Proposed Project, fuel consumption would be from customer visits, trips by maintenance staffs, employee vehicle trips and delivery trucks. The Proposed Project is the development of a convenience store, gas station, drive-thru and car wash. The Proposed Project would result in an estimated 83,049 gallons of fuel consumption per year based on 900,150 miles driven. As a worst case analysis, half the miles were modeled with an automobile fuel efficiency of 24 miles per gallon and half were modeled at 7 miles per gallon.<sup>12</sup> Trip generation and VMT generated by the Proposed Project are consistent with other uses of similar scale and configuration. The Proposed Project does not include uses or operations that would inherently result in excessive and wasteful vehicle trips and VMT, or associated wasteful vehicle energy consumption. It is not expected to result in a substantial demand for energy that would require expanded supplies or the construction of other infrastructure or expansion of existing facilities. Therefore, the Proposed Project would not result in wasteful, inefficient, or unnecessary consumption of energy resources.

- b) *Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

**Less than Significant Impact.** The City of Beaumont has prepared a Climate Action Plan (CAP) with the goal of reducing greenhouse gas emissions from the building energy sector. The City has partnered with Southern California Edison (SCE) and Southern California Gas Company (SCG) to form the Energy Leader Partnership (ELP). ELP's goal is to reduce the City's municipal and community-wide energy footprint. CAP also involves implementing a variety of retrofits in municipal lighting and heating, ventilation, and air-conditioning (HVAC) systems and conducting various forms of outreach in the community to encourage adoption of energy efficiency and renewable energy programs offered by SCE and SCG. Under CAP, commercial buildings will be held to net-zero energy performance standards by 2030.

Under Resource Management Element Policy 8 of the City General Plan, the City encourages incorporation of energy conservation features in new developments. In addition, the City shall continue to enforce the energy conservation standards in Title 24 of the California Administrative Code, the Uniform Building Code (UBC) and other state laws on energy conservation design, insulation and appliances.<sup>13</sup> Project design and operation would comply with Beaumont's CAP, UBC and 2019 Building Energy Efficiency Standards (Title 24). Project development is not anticipated to cause inefficient, wasteful and unnecessary energy consumption. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

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<sup>12</sup> United States Department of Transportation, Bureau of Transportation Statistics. 2018. National Transportation Statistics 2018. Available at: <https://www.bts.gov/sites/bts.dot.gov/files/docs/browse-statistical-products-and-data/national-transportation-statistics/223001/ntentire2018q4.pdf>.

<sup>13</sup> City General Plan. Page 76.

**3.7 GEOLOGY AND SOILS**

7.	<b>GEOLOGY AND SOILS. Would the project:</b>	<b>Potentially Significant Impact</b>	<b>Less than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
(a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
(a)	i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b)	Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(e)	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**3.7.1 Environmental Setting**

Beaumont is located along the northern boundary of the Peninsular Ranges in the San Gorgonio Pass.<sup>14</sup> The City is located within a seismically active region at the junction of the Transverse Ranges and the Peninsular Ranges. The City could be affected by the San Jacinto Fault, the San Andreas Fault Zone in the San Gorgonio pass area, the Banning Fault, and Beaumont Plains Fault Zone. The City and its designated spheres of influence are mostly undeveloped; nearly one-half of the City’s land area consists of vacant land.

A Geotechnical Engineering Report, dated January 31, 2020, was prepared by Salem Engineering Group, Inc. for the Project Site (see Appendix F for report). The Project Site is suitable for the Proposed Project given that SALEM’s recommendations are incorporated into the

<sup>14</sup> City General Plan. Page 60.

Project design and construction. The Project Applicant is required to comply with the recommendations in the Report and as approved by the City. SALEM shall review the project grading and foundation plans prior to final design submittal to assess whether recommendations have been properly implemented and evaluate if additional analysis or recommendations are required.

### 3.7.2 Impact Analysis

a)i) *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*

**Less than Significant Impact.** The San Jacinto Fault, considered to be one of the most active faults in southern California, crosses the southern portion of the City and sphere of influence.<sup>15</sup> The San Andreas Fault is approximately six miles northeast of the City. The branch of the Banning Fault closest to Beaumont is inactive. The Project Site is not within a state designated Alquist Priolo Earthquake Fault Zone.<sup>16</sup> Furthermore, according to the Riverside County General Plan: Safety Element, the Project Site is also not within a Riverside County Fault Zone.<sup>17</sup> The nearest fault zone is the Beaumont Plain Fault Zone, which is located approximately 1.5 miles west of the Project Site. The likelihood for on-site rupture is considered low due to the absence of known faults and fault zones within the vicinity. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

a)ii) *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?*

**Less than Significant Impact.** According to the City General Plan, the Beaumont Plains Fault Zone consists of a series of parallel faults in the northern portion of the City that were found to be inactive and are not considered ground rupture hazards. The Department of Conservation Division of Mines and Geology found that unconsolidated soils, which can settle as a result of ground shaking and cause damage to structures, do not exist within the City limits. The County of Riverside adopted the Uniform Building Code (UBC), which requires that the construction of structures be in compliance with the California Building Code (CBC) to reduce the hazard risks posed by earthquakes. Adhering to these codes would ensure that potential ground-shaking impacts are reduced to less than significant level. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

a)iii) *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?*

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<sup>15</sup> City General Plan. Page 60.

<sup>16</sup> California Department of Conservation. Fault Activity Map of California 2010.

<sup>17</sup> County General Plan. Safety Element. Figure S-2.

**Less than Significant Impact.** Areas overlying groundwater within 30 to 50 feet of the surface are considered susceptible to liquefaction hazards. According to the United States Geological Survey's (USGS) Professional Paper 1360 highlighted in the City General Plan, the City of Beaumont is considered to have a moderate potential for liquefaction based on depth to groundwater in the area. Unstable earth conditions or changes in geologic substructures are not anticipated to occur with the excavation, grading and paving necessary for future development. Ground shaking may cause unconsolidated soils to settle, which can result in significant damage to structures. According to geologic investigations performed by the Department of Conservation, Division of Mines and Geology for the City General Plan Draft EIR, studies indicate that no such soils exist within City limits. The Project Site and its immediate vicinity have low susceptibility to liquefaction.<sup>18</sup>

Although the post-liquefaction settlement of liquefied sands could cause damage to the Proposed Project during seismic shaking, the Project Site is considered to have low liquefaction potential due to the absence of shallow groundwater (see Appendix F). According to regional groundwater well data reported by SALEM, the historically highest groundwater is estimated to be at a depth of more than 50 feet below ground surface. However, it should be acknowledged that water table elevation is dependent upon seasonal precipitation, irrigation, land use, localized pumping, and climatic conditions. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

*a)iv) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?*

**No Impact.** Landslides and slope failure can result from ground motion generated by earthquakes. The slopes within the San Timoteo Badlands are the most susceptible to landslides in the City. These slopes are approximately 16 miles northwest of the Project Site. The Project Site and its surrounding areas are relatively flat. The Project Site is not on or close to areas with existing landslides or with high susceptibility to seismically induced landslides and rockfalls.<sup>19</sup> Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

*b) Would the project result in substantial soil erosion or the loss of topsoil?*

**Less than Significant with Mitigation Incorporated.** According to the City General Plan, future development under the General Plan will not result in any additional soil erosion or loss of topsoil. Soils within City limits are classified as Ramona-Placentia, Hanford, and Yolo Soils Association.<sup>20</sup> These soils are generally well drained, have low soil permeability, and have relatively low inherent fertility. Moreover, the Project Applicant is required to design temporary drainage facilities and erosion control measures to minimize erosion and silt deposition during the grading operation.

Underground buried structures and/or utility lines encountered during demolition and construction should be properly removed and the resulting excavations backfilled with Engineered Fill (see Appendix F). Demolition activities of the existing structures may disturb

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<sup>18</sup> County General Plan: Safety Element. Figure S-3 Generalized Liquefaction.

<sup>19</sup> County General Plan: Safety Element. Figure S-4 Earthquake-Induced Slope Instability Map.

<sup>20</sup> City General Plan. Page 105.

the upper soils. The upper soils are moisture-sensitive and moderately collapsible under saturated conditions. Soils of this type possess moderate risk to construction in terms of possible post-construction movement of the foundations and floor systems. To reduce soil movement, the collapsible soil would need to be over-excavated and recompacted, as is required under Mitigation Measures GEO-1 to GEO-3 below. Therefore, impacts would be less than significant with mitigation measures incorporated.

- c) *Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?*

**Less than Significant Impact.** The Project Site is relatively flat with a 2 to 5 percent slope. Ramona sandy loam (RaB2) is the only soil type found within the Project Site.<sup>21</sup> RaB2 is well-drained, has low permeability and occurs on alluvial fans and terraces. According to the City General Plan, “soils that underlie the City include the Romona-Placentia, Hanford, and Yolo Soils Associations. All of these soils are generally well drained, have low soil permeability, and their inherent fertility is relatively low. Thus, no unusual soil constraints to future development in the City are anticipated.” As stated above, the Project Site is not located within or near a Liquefaction Zone and is in an area with low susceptibility to liquefaction. SALEM considers the Project Site to have a low likelihood of lateral spreading due to its relatively flat topography and low liquefaction potential. Moreover, it is concluded that a landslide is not a potential hazard to the Proposed Project because there are no known landslides at the Project Site, and nor is it in the path of any known or potential landslides. The Project Site is neither located in an area with documented subsidence nor in an area susceptible to subsidence.<sup>22</sup> State and City Building Codes establish engineering and construction criteria designed to mitigate potential impacts associated with unstable soils, landslides, lateral spreading, subsidence, liquefaction, soils collapse and expansive soils. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- d) *Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?*

**Less than Significant with Mitigation Incorporated.** Expansive soils are fine grained clay soils that swell in volume when they absorb water and shrink when they dry. This change in volume causes stress on buildings and other loads placed on expansive soils. The upper soils of the Project Site are moisture-sensitive and moderately collapsible under saturated conditions (refer to Appendix A of the attached Appendix F). These soils, in their present condition, possess moderate risk to construction in terms of possible post-construction movement of the foundations and floor systems if no mitigation measures are employed. Accordingly, measures are considered necessary to reduce anticipated expansion and collapse potential. Mitigation measures will not eliminate post-construction soil movement but will reduce the soil movement. Success of the mitigation measures will depend on the thoroughness of the contractor in dealing with the soil conditions. The near surface soils identified as part of the investigation are, generally, slightly moist to moist due to the absorption characteristics of the soil. Earthwork operations may encounter very moist unstable soils which may require removal to a stable bottom. Native soils exposed as part of

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<sup>21</sup> United States Department of Agriculture. Web Soil Survey.

<sup>22</sup> County General Plan: Safety Element. Figure S-7 Documented Subsidence.

site grading operations shall not be allowed to dry out and should be kept continuously moist prior to placement of subsequent fill. To reduce anticipated expansion and collapse potential, the recommendations in the Geotechnical Engineering Report as approved by the City shall be followed including the following mitigation measures:

**Mitigation Measure GEO-1:** Overexcavation and recompaction within the proposed building areas should be performed to a minimum depth of **four (4) feet** below existing grade or **two (2) feet** below proposed shallow footing bottom, whichever is deeper. The overexcavation and recompaction should also extend laterally to a minimum of 5 feet beyond the outer edges of the proposed footings.

**Mitigation Measure GEO-2:** Within pavement and canopy areas, it is recommended that the overexcavation and recompaction be performed to a minimum depth of **one (1) foot** below existing grade or proposed grade, whichever is deeper. The overexcavation and recompaction should also extend laterally to a minimum of 2 feet beyond the pavement area.

**Mitigation Measure GEO-3:** Prior to placement of fill soils, the upper 10 to 12 inches of native subgrade soils should be scarified, moisture-conditioned to no less than the optimum moisture content and recompacted to a minimum of 95% (90% for fine grained, cohesive soils) of the maximum dry density based on ASTM D1557 Test Method.

- e) *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

**Less than Significant Impact.** The Proposed Project does not include the installation of a new septic tank or any other alternative wastewater disposal system. The Proposed Project will construct sewer laterals from each structure to an existing sewer line in Highland Springs Avenue. Therefore, no significant adverse impact is identified or anticipated, and no mitigation measures are required.

- f) *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

**Less than Significant with Mitigation Incorporated.** The Project Site is located in an area of undetermined potential for paleontological resources.<sup>23</sup> The majority of level areas throughout the City contain very few significant paleontological sites.<sup>24</sup> The extreme southern areas of the Beaumont planning area have a higher potential for paleontological findings since it remains less disturbed by agricultural cultivation and is subject to less human disturbance. The Project Site is in the northern part of the planning area.

The Project Site is currently vacant with only insignificant rocks, and a mix of native and nonnative vegetation occurring on the site (see Appendix D). No unique geologic feature is present on the site. The Natural History Museum of Los Angeles County completed a paleontological overview for the Project Site. This information along with the data from the

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<sup>23</sup> Riverside County Information Technology GIS. Map My County.

<sup>24</sup> City General Plan. Page 119.

Riverside County GIS system were used to assess the potential for the Project Site to yield evidence of fossil specimens.

According to McKenna et al., no recorded paleontological resources are associated with the Project Site. In addition, the field survey concluded no evidence of paleontological resources within the Project Site. The Project Site is considered moderately sensitive for paleontological resources and consists of Quaternary Alluvium, derived from the San Jacinto Mountains. In a letter appended to McKenna’s report, the Natural History Museum of Los Angeles County confirmed that the shallow deposits of Quaternary Alluvium in the vicinity are not considered sensitive for paleontological specimens. Shallow excavations will not likely impact fossil bearing deposits, but deeper excavations may. To ensure that potential impacts to paleontological resources are reduced to less than a significant level, the following mitigation measure should be implemented:

**Mitigation Measure GEO-4:** Deep excavations for utilities and underground storage tanks shall be monitored to detect and professionally collect any fossils uncovered without impeding development. If required a paleontological monitoring program shall be prepared and filed with the City.

**3.8 GREENHOUSE GAS EMISSIONS**

8.	GREENHOUSE GAS EMISSIONS. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**3.8.1 Environmental Setting**

The environmental efforts in California emphasized the need to reduce greenhouse gas (GHG) emissions. According to the City’s Climate Action Plan, Beaumont is committed to planning sustainably to reduce GHG emissions among other things. Executive Order S-3-05, which was passed in 2005, established GHG emissions targets for California for the subsequent decades: 1990 levels by 2020 and 80% below 1990 levels by 2050. According to the California Air Resources Board, as of 2017, California has emitted 7 MMTCO<sub>2</sub>e below the 2020 GHG Limit.

**3.8.2 Impact Analysis**

a) *Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

**Less than Significant Impact.** According to CEQA Guidelines Section 15064.4, when making a determination of the significance of greenhouse gas emissions, the “lead agency shall have discretion to determine, in the context of a particular project, whether to (1) use a model or methodology to quantify greenhouse gas emissions resulting from a project, and which model or methodology to use.” In addition, CEQA Guidelines section 15064.7(c)

provides that “a lead agency may consider thresholds of significance previously adopted or recommended by other public agencies or recommended by experts” on the condition that “the decision of the lead agency to adopt such thresholds is supported by substantial evidence.”

The Global Warming Solutions Act of 2006 requires that by the year 2020, the Greenhouse Gas (GHG) emissions generated in California be reduced to the levels of 1990. The City of Beaumont has not adopted its own thresholds of significance for greenhouse gas emissions. However, the City finds persuasive and reasonable the approach to determining significance of greenhouse gas emissions established by SCAQMD.

Emissions were estimated using the CalEEMod version 2016.3.2 (see Appendix B for model output). Construction is anticipated to begin in early 2021 and completed in late 2021. Other parameters which are used to estimate construction emissions such as those associated with worker and vendor trips, and trip lengths were based on the CalEEMod defaults. The operational mobile source emissions were calculated using the Traffic Impact Analysis prepared by Urban Crossroads, which determined that the Proposed Project would generate 1,100 total daily trips.

Many gases make up the group of pollutants that are believed to contribute to global climate change. However, three gases are currently evaluated and represent the highest concentration of GHG: Carbon dioxide (CO<sub>2</sub>), Methane (CH<sub>4</sub>), and Nitrous oxide (N<sub>2</sub>O). The Proposed Project would not generate Fluorinated gases as defined by AB 32, only the GHGs (CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O) that are emitted by construction equipment. SCAQMD provides guidance methods and/or Emission Factors that are used for evaluating a project’s emissions in relation to the thresholds. A threshold of 3,000 MTCO<sub>2</sub>e per year has been adopted by SCAQMD for non-industrial type projects.

As shown in Table 7 and Table 8, the Proposed Project’s emissions would not exceed the SCAQMD’s 3,000 MTCO<sub>2</sub>e threshold of significance. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

**Table 7  
Greenhouse Gas Construction Emissions  
(Metric Tons per Year)**

<b>Source/Phase</b>	<b>CO<sub>2</sub></b>	<b>CH<sub>4</sub></b>	<b>N<sub>2</sub>O</b>
Site Preparation	1.6	0.0	0.0
Grading	9.4	0.0	0.0
Building Construction	249.5	0.0	0.0
Paving	6.5	0.0	0.0
Architectural Coating	1.6	0.0	0.0
<b>Total MTCO<sub>2</sub>e</b>	<b>268.6</b>		
SCAQMD Threshold	3,000		
<b>Significant</b>	<b>No</b>		

Source: CalEEMod.2016.3.2 Annual Emissions.



**Table 8  
Greenhouse Gas Operational Emissions  
(Metric Tons per Year)**

Source/Phase	CO <sub>2</sub>	CH <sub>4</sub>	N <sub>2</sub> O
Area	0.0	0.0	0.0
Energy	121.0	0.0	0.0
Mobile	566.2	0.0	0.0
Waste	8.2	0.5	0.0
Water	5.8	0.0	0.0
Construction Amortized over 30 years	8.9		
<b>Total MTCO<sub>2</sub>e</b>	<b>725.3</b>		
SCAQMD Threshold	3,000		
<b>Significant</b>	<b>No</b>		

Source: CalEEMod.2016.3.2 Annual Emissions.

- b) *Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

**Less than Significant Impact.** On October 2015, the City adopted a climate action plan known as the “Sustainable Beaumont: The City’s Roadmap to Greenhouse Gas Reduction,” which commits the City to a more energy efficient pathway. The Project Site has a current land use designation of Community Commercial under the General Plan. The future emissions estimates of the City’s climate action plan therefore account for the implementation of the Proposed Project as it is consistent with the General Plan. The project design incorporates standards such as Title 24 to lower GHG emissions. In addition, approval of the project will bring products and services to consumers that are not currently being met thereby, reducing vehicle miles travelled. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

**3.9 HAZARDS AND HAZARDOUS MATERIALS**

9.	HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

9.	HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(e)	For a project located within an airport land use plan or, where such a plan had not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**3.9.1 Environmental Setting**

The transportation of hazardous substances through the City poses a threat to public health and safety. Many of Beaumont’s businesses produce, use and store hazardous materials. The transport, storage, use and disposal of hazardous materials and wastes is extensively regulated at all levels. The Safety Element under the City General Plan is concerned with identifying ways to reduce the potential for accidents and the health risk posed from hazards and hazardous materials.

**3.9.2 Impact Analysis**

a) *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

**Less than Significant with Mitigation Incorporated.** Components of the Proposed Project that may involve potential impacts from hazardous materials include a fueling station, two USTs, and one healy tank (clean air separator). One of the USTs will hold 20K-gallons of Regular Unleaded Gasoline. The other UST is a Split Tank, which will hold 8K-gallons of Premium Unleaded Gasoline and 12K-gallons of Diesel.

A permit to operate a UST system is required per California Code of Regulations Title 23, Division 3, Chapter 16, California Health and Safety Code Section (25280-25299.8) and Riverside County Ordinance 617. These regulations mandate the testing and frequent inspections of the UST facilities. The proposed USTs and healy tank would be located on the northeastern corner of the Project Site. The fuel island would be located south of the USTs.

The Project Applicant would be required to prepare a Spill Contingency Plan with the County of Riverside Hazardous Materials Department, and all operations of the fueling station and related USTs would be required to comply with all federal, state and local laws regulating the management and use of hazardous materials. Therefore, impacts associated with long-term operation would not result in significant impacts.

Development of the Project Site would disturb approximately 2.08 acres and would therefore be subject to the National Pollutant Discharge Elimination System (NPDES) permit

requirements. Requirements of the permit include development and implementation of a Storm Water Pollution Prevention Plan (SWPPP).

The purpose of the SWPPP is to: 1) identify pollutant sources that may affect the quality of discharges of storm water associated with construction activities and 2) identify, construct, and implement storm water pollution control measures to reduce pollutants in storm water discharges from the construction site during and after construction. The SWPPP must include Best Management Practices (BMPs) to control and abate pollutants. Implementation of Mitigation Measure WQ-1 in Section 3.11 would ensure that potential impacts associated with the release of hazardous materials to the public or to the environment are reduced to a less than significant level. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

- b) *Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

**Less than Significant Impact.** Hazardous or toxic materials transported in association with construction of the Proposed Project may include items such as oils, paints, and fuels. The United States Department of Transportation, California Department of Transportation, and SCAQMD regulate the transportation and delivery of gasoline and diesel fuel. All materials required during construction would be kept in compliance with State and local regulations. With the implementation of BMPs and compliance with all applicable regulations, potential impacts from the use of construction-related hazardous materials is considered less than significant.

AB 3777 was enacted to minimize potential emergencies involving acutely hazardous materials by requiring facilities which handle these materials to submit Risk Management Prevention Plans (RMP). An RMP will list the equipment and procedures that will be used to prevent, mitigate and abate release of hazardous materials. The Riverside County Department of Environmental Health Hazardous Materials Breach began implementation of this Program County-wide.

The City of Beaumont will work with County, State and Federal agencies involved in the regulation of hazardous materials' storage, use and disposal. The City will work with the Riverside County Fire Department in requiring hazardous materials users and generators to identify safety procedures for responding to accidental spills and emergencies. Additionally, the Proposed Project is subject to NPDES permit requirements and would therefore include a SWPPP.

The construction, installation, and operation of the USTs and gas station is to adhere to all regulations and requirements set forth in the 'California Code of Regulations; Title 23, Division 3, Chapter 16: Underground Storage Tank Regulations.' These regulations provide mandatory product implementation and operational procedures to reduce the risk of accidental release. Some of these required appurtenances include, but are not limited to, primary and secondary containment chambers, installation of 24/7 monitoring devices, monitoring programs and reporting procedures, constant vacuum seal of the fueling system, and vapor sensors. Permitting and design of fueling system must be diligently reviewed and approved by County Programs, including the 'South Coast Air Quality Management District' and 'Riverside County Department of Environmental Health, Hazardous Materials

Management Branch.' The California Health and Safety Code, Statutes of Chapter 6.7, Underground Storage of Hazardous Materials provides further regulations in regard to permitting the operation of the USTs. Site design and operating procedures are to adhere to California Stormwater Quality Association standard BG-22, which requires implementation of operational BMPs to avoid above ground storm water pollution and discharge into storm drain system. Some of these operational requirements include training employees on proper leak and spill prevention and cleanup practices, and the maintenance and cleaning of the fueling area. Furthermore, an UST permit must be obtained from the County Hazardous Materials Management Branch, which is responsible for routine inspections of fueling station operations and USTs.

Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

- c) *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

**Less than Significant Impact.** The Project Site is approximately 0.28 miles from the building structure of Sundance Elementary School, located at 1520 E. 8<sup>th</sup> Street. Additionally, the Site is approximately 0.21 miles east of the nearest parking lot of the school. The Proposed Project would be required to comply with all federal, state, and local laws regulating the management and use of hazardous materials which would minimize or eliminate potential impacts to schools. The Proposed Project would adhere to all California Code of Regulations, Title 23, Chapter 16 - Chapter 18 requirements and pursue the proper permitting and design approvals. It would comply with all Environmental Protection Agency requirements by adhering to all requirements set forth in the 2015 UST Regulations. The Proposed Project would adhere to all local ordinances with approval from the pertinent Riverside County departments. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

- d) *Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

**Less than Significant Impact.** There is no existing toxic or hazardous material being recognized as an environmental concern at the Project Site.<sup>25</sup>

SALEM conducted a Phase I Environmental Site Assessment (ESA) of the Proposed Project in January 2020 to identify any "Recognized Environmental Conditions (REC)" (see Appendix A for report). REC is defined as "the presence or likely presence of any hazardous substances or petroleum products in, on, or at the property. SALEM found no evidence of any REC in connection with the Project Site. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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<sup>25</sup> Department of Toxic Substances Control. Envirostor Database: Hazardous Waste and Substances list. Accessed November 25, 2019.

- e) For a project located within an airport land use plan or, where such a plan had not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

**No Impact.** The Project Site is located approximately 5.2 miles northwest of the Banning Municipal Airport. The Project Site is neither within an airport land use plan, nor is it located within two miles of a public airport or public use airport. The Proposed Project would not result in a substantial safety hazard related to airports. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

- f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

**Less than Significant Impact.** Highland Springs Road is a major roadway identified as an evacuation route.<sup>26</sup> The Proposed Project would be required to comply with the City's Multi-Hazard Functional Plan that outlines responsibilities and procedures to be followed in the event of an emergency or Citywide disaster. The City and the Riverside County Fire Department established certain design standards to ensure that site planning and building design consider public safety and fire prevention; these standards include requirements governing emergency access. During construction, the contractor would be required to maintain adequate emergency access for emergency vehicles as required by the City and County. Site access for operations would be subject to approval of the Site Plan by the City. Therefore, no significant impacts are anticipated, and no mitigation measures are required.

- g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

**Less than Significant Impact.** Proposed development under the General Plan is subject to environmental and building permit review procedures to ensure adequate and appropriate site design and construction methods are implemented to reduce the risk of wildland fires. For new development, the creation of defensible areas around building structures, and use of fire-resistant building materials will provide protection from wildland fires. The Project Site does not lie within a Very High Fire Hazard Severity Zone (VHFHSZ) and is not in area considered a wildland fire risk.<sup>27</sup> Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

### 3.10 HYDROLOGY AND WATER QUALITY

10.	HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Violate any water quality standards or waste discharge requirements, or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<sup>26</sup> City General Plan. Exhibit 5.3

<sup>27</sup> Calfire. Very High Fire Hazard Severity Zone. Local Responsibility Area Map for the Western Riverside County Region.

10.	HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c)	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
	i) Result in a substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flood on- or off-site;	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

### 3.10.1 Environmental Setting

According to the City General Plan, the City's water supply has been sourced from groundwater supplies within the Beaumont Groundwater Storage Unit (BSU). The BSU is part of the Beaumont Hydrologic Subarea of the San Timoteo Hydrologic Area and the northern portion of the Santa Ana River Hydrologic Unit. The City is serviced by the Beaumont/Cherry Valley Water District. The District draws groundwater from shallow wells in Little San Gorgonio Canyon. The increase in urban runoff due to increasing urban/suburban growth has resulted in the degradation of the surface water quality. The Project Site is part of the Riverside County Flood Control and Water Conservation District (RCFC and WCD) Master Drainage Plan for the Beaumont Area (Zone 5) tributary to the Santa Ana River, which is located approximately 24 miles west of the project site. Under existing conditions, the Project Site is undeveloped and generally sheet flows from northwest to southeast. The site runoff sheet flows to Highland Springs Avenue where flows are conveyed southerly via curb and gutter. Runoff is captured via storm drain curb inlets along Highland Springs Avenue, which connect directly into the Highland Springs Channel, a concrete RCFC and WCD Facility. Runoff is conveyed southerly and discharges into the San Timoteo Creek, which discharges into the Santa Ana River.

Kimley-Horn prepared a Preliminary Drainage Study for the Project Site on February 2020 (see Appendix G for report). The Project Site is part of the Riverside County Flood Control and Water Conservation District (RCFC and WCD) Master Drainage Plan for the Beaumont Area (Zone 5) tributary to the Santa Ana River, which is located approximately 24 miles west of the project site. Under existing conditions, the Project Site is undeveloped and generally sheet flows from northwest to southeast. The site runoff sheet flows to Highland Springs

Avenue where flows are conveyed southerly via curb and gutter. Runoff is captured via storm drain curb inlets along Highland Springs Avenue, which connect directly into the Highland Springs Channel, a concrete RCFC and WCD Facility. Runoff is conveyed southerly and discharges into the San Timoteo Creek, which discharges into the Santa Ana River.

### 3.10.2 Impact Analysis

*a,e) Would the project violate any water quality standards or waste discharge requirements, or otherwise substantially degrade surface or ground water quality? Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

**Less than Significant with Mitigation Incorporated.** The Proposed Project would disturb approximately 2.08 acres and is therefore subject to the National Pollution Discharge Elimination System (NPDES) permit requirements. The State of California is authorized to administer various aspects of the NPDES. Construction activities covered under the State's General Construction permit include removal of vegetation, grading excavating, or any other activity that causes the disturbance of at least one acre. The General Construction permit requires recipients to reduce or eliminate non-storm water discharges into stormwater systems, and to develop and implement a SWPPP.

The NPDES also requires a Water Quality Management Plan (WQMP). In February 2020, a Preliminary WQMP was prepared for the Proposed Project by Kimley-Horn and Associates, Inc. (on file with City). The WQMP is intended to comply with the requirements of the City of Beaumont, which includes the requirement for the preparation and implementation of a Project-Specific WQMP. The implementation of the WQMP is enforceable under the City of Beaumont Water Quality Ordinance. Review and approval of the WQMP by the City would ensure that all potential pollutants of concern are minimized or otherwise appropriately treated prior to being discharged from the Project Site. To ensure potential impacts are reduced to less than significant, the following mitigation measure shall be implemented:

**Mitigation Measure WQ-1:** The Project Proponent shall implement all permanent, structural BMPs and Operations BMPs as listed in the final WQMP to be approved by the City.

*b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

**Less than Significant Impact.** According to the City General Plan, the City of Beaumont historically has drawn from groundwater supplies available within the Beaumont Groundwater Storage Unit (BSU), which underlies the City and surrounding areas. The BSU is within Area 4 of the Beaumont and Banning Hydrologic Subarea of the San Timoteo Hydrologic Area, and within the northern portion of the Santa Ana River Hydrologic Unit.

The Project Site would be served by the Beaumont-Cherry Valley Water District (BCVWD), which draws groundwater from shallow wells in Little San Gorgonio Canyon. The Beaumont

Groundwater Basin has a large storage capacity for banked water.<sup>28</sup> During wet years, BCVWD can bank State Water Program water for dry years.

At the time the UWMP was prepared, the population served by BCVWD is expected to nearly double by 2040-50, based on the City 2007 General Plan projected build-out population. The build-out population estimate will set the ultimate water demand. The Proposed Project is the development of a QSR, gas station and convenience store. It includes 22,700 square-feet of landscaping, which is 25 percent of the total site. The Proposed Project is consistent with the General Plan and would therefore be included in BCVWD's projections for water demands.

Compliance with BCVWD's development conditions, as listed in the Preliminary Review, will ensure that the Proposed Project does not substantially decrease groundwater supplies or interfere substantially with groundwater recharge. The Proposed Project is required to conform to the City of Beaumont and County of Riverside Landscaping Ordinances that pertain to water efficient landscape requirements. In addition, as is required by BCVWD, landscaped areas which have turf shall have smart irrigation controllers and systems shall have automatic rain sensors. Landscaping in non-turf areas should be drought-tolerant with drip or bubbler irrigation systems. No significant impacts are identified or anticipated, and no mitigation measures are required.

- c) *Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*
  - i) *result in substantial erosion or siltation on- or off-site*

**Less than Significant Impact.**

The Proposed Project's uses are not anticipated to affect drainage patterns or add substantial on or off-site erosion or siltation. Erosion is the process by which soils are removed from a property most commonly by wind or water. Erosion is more likely to occur if soils are left unprotected. The Proposed Project would be approximately 75% impervious area and 25% landscape.

According to the City General Plan, future development under the General Plan will not result in any additional soil erosion or loss of topsoil. Soils within City limits are classified as Ramona-Placentia, Hanford, and Yolo Soils Association.<sup>29</sup> These soils are generally well drained, have low soil permeability, and have relatively low inherent fertility. The Project Site does not fall within any geological boundary which would contribute to the soil erosion or loss of topsoil to the Project Site or surrounding properties. Moreover, the Project Applicant is required to design temporary drainage facilities and erosion control measures to minimize erosion and silt deposition during site grading activities. In accordance with the Geotechnical Engineering Investigation, temporary excavations and slope faces shall be protected from rainfall and erosion; surface runoff shall be directed away from excavations and slopes.

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<sup>28</sup> Beaumont-Cherry Valley Water District. 2015 Urban water Management Plan.

<sup>29</sup> City General Plan. Page 105.



Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

- ii) *substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;*

**Less than Significant with Mitigation Incorporated.** The Project Site is within the Riverside County Flood Control District. The Federal Emergency Management Agency (FEMA) maps portions of the City within the 100-year flood plain zones. According to the City General Plan, the General Plan Area is not exposed to significant hazards due to dam or levee failure(s). The majority of the Project Site is within Other Areas Zone X, which is areas outside the 0.2% annual chance of flood hazard. The eastern edge of the Project Site within the Other Flood Areas Zone X, which is areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than one foot or with drainage areas less than one square mile; and areas protected by levees from 1% annual chance flood.<sup>30</sup>

Uncontrolled infiltration of irrigation excess and storm runoff into the soils can adversely affect the performance of the planned improvements (see Appendix F). Saturation of a soil can cause it to lose internal shear strength and increase its compressibility, resulting in a change to important engineering properties. Proper drainage should be maintained at all times. To maintain proper surface drainage at all times to prevent on-site flooding, SALEM recommends the following mitigation measures:

**Mitigation Measure WQ-2:** The ground immediately adjacent to the foundation shall be sloped away from the building at a slope of not less than 5 percent for a minimum distance of 10 feet.

**Mitigation Measure WQ-3:** Impervious surfaces within 10 feet of the building foundation shall be sloped a minimum of 2 percent away from the building and drainage gradients maintained to carry all surface water to collection facilities and off site. These grades should be maintained for the life of the project. Ponding of water should not be allowed adjacent to the structure. Over-irrigation within landscaped areas adjacent to the structure should not be performed.

**Mitigation Measure WQ-4:** Roof drains should be installed with appropriate downspout extensions out-falling on splash blocks so as to direct water a minimum of 5 feet away from the structures or be connected to the storm drain system for the development.

Implementation of the mitigation measures above would reduce the amount and rate of surface runoff to prevent on and off-site flooding.

- iii,iv) *create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources or polluted runoff; or impede or redirect flood flows*

**Less than Significant Impact.** Design review at the project level will ensure that the Proposed Project will not create nor modify drainage patterns that would impede or redirect flood flows. Implementation of the Proposed Project is anticipated to increased peak volume

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<sup>30</sup> Federal Emergency Management Agency. National Flood Hazard Layer.

by 4,696 cubic feet (see Appendix G). As a result, an underground detention system with minimum storage volume of 4,700 cubic feet is proposed for peak attenuation. A detailed detention analysis will be provided to the during final design and approved prior to issuance of grading permits.

Under proposed conditions, storm water runoff would sheet flow on the majority of the QSR into various storm drain inlets via curb and gutter and ribbon gutter. The gutters would ultimately connect to the existing RCFC and WCD curb inlet, which discharges to the Highland Springs Channel. The Proposed Project’s uses are not anticipated to affect drainage patterns or add substantial runoff that cannot be supported by existing RCFC and WCD Facilities. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

d) *Would the project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?*

**No Impact.** Due to the Project Site’s distance from the Pacific Ocean and any other significant body of water, tsunamis and seiches are not potential hazards in the vicinity of the Project Site. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

**3.11 LAND USE AND PLANNING**

11.	LAND USE/PLANNING Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**3.11.1 Environmental Setting**

The City and its spheres of influence contain significant tracts of undeveloped land. Development under the General Plan will largely affect undeveloped and rural areas within the City Sphere of Influence. Future development would result in intensified existing urban uses and convert open space into urban land. The General Plan’s Community Development Element establishes the policy statements to preclude or reduce the potential for disruption or division of established communities.

**3.11.2 Impact Analysis**

a) *Would the project physically divide an established community?*

**No impact.** The City’s General Plan Area has been subdivided into smaller Planning areas. The Project Site is part of the 6<sup>th</sup> Street Corridor Planning Area. Commercial and industrial uses are the predominant land uses within this Planning Area, with residential uses south of 8<sup>th</sup> street. The Project Site is currently vacant. The Proposed Project would be consistent with the General Plan designation and would serve nearby residential development. The physical

division of an established community is typically associated with construction of a linear feature, such as a major highway or railroad tracks, or removal of a means of access, such as a local road or bridge, which would impair mobility in an existing community or between a community and an outlying area. The Proposed Project is the development of a convenience store, gas station and quick-service restaurant with an attached drive-thru. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

- b) *Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?*

**No impact.** The Project Site has a current land use designation of Community Commercial (CC). With approval of the CUP, the Proposed Project would comply with applicable requirements for structures in the CC zone. The Proposed Project would not conflict with any land use plan, policy or regulation with the purpose of avoiding or mitigating an environmental effect. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

### 3.12 MINERAL RESOURCES

12.	MINERAL RESOURCES Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### 3.12.1 Environmental Setting

The General Plan Area is lacking in any known or identified mineral resources. Development under the General Plan will not restrict access to mineral resources outside of the General Plan Area. There may be accretions of aggregates along watercourses and drainage ways that can be valuable for local construction.

#### 3.12.2 Impact Analysis

- a) *Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

**Less than Significant Impact.** According to the California Department of Conservation, Mineral Land Classification map, the Project Site is located in the San Bernardino Production-Consumption (P-C) region, specifically in Special Report (SR) 143. The Project Site and its immediate vicinity occur within Mineral Resource Zone 3 (MRZ-3).<sup>31</sup> This zone is defined as

<sup>31</sup> California Department of Conservation. Mineral Land Classification Map SR 143 Plate 7.16.

an area containing mineral deposits with a significance that cannot be evaluated from available data. There are no known or identified mineral resources of regional or Statewide importance within the General Plan Area.<sup>32</sup> Additionally, development under the General Plan will not restrict access to mineral resources outside of the General Plan Area. The Proposed Project’s demand for mineral resources will be considered less than significant due to the abundance of available aggregate resources in the Southern California region. Mineral resource mining would not be compatible with the surrounding land uses and the General Plan designation for the Project Site. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- b) *Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

**Less than Significant Impact.** Analysis under the City General Plan concludes that development under the General Plan will result in a less than significant loss of available locally important mineral resource recovery site. There are no delineated sites of mineral resources within the General Plan Area. Undeveloped parts of the General Plan Area may yield sand, gravel and aggregate that can be used for local construction activities as long as mineral extraction does not conflict with other policies or land uses. The Project Site has a current zoning of Commercial Community and general land use designation of Community Commercial. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

**3.13 NOISE**

13.	<b>NOISE</b> Would the project result in:	<b>Potentially Significant Impact</b>	<b>Less than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
(a)	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c)	For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**3.13.1 Environmental Setting**

Highland Springs Avenue is designated as an Arterial Highway under the General Plan. 8th Street is a designated Major Highway and a proposed Arterial Highway. A Noise Impact Analysis, dated March 26, 2020, was prepared for the Proposed Project by Urban Crossroads to determine the

<sup>32</sup> City General Plan. Page 152.

potential noise impacts and the necessary noise mitigation measures, if any, for the Proposed Project (see Appendix H for report).

### 3.13.2 Impact Analysis

- a) *Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?*

**Less than Significant Impact.** Noise can be measured in the form of a decibel (dB), which is a unit for describing the amplitude of sound. The predominant rating scales for noise in the State of California are the Equivalent Continuous Sound Level ( $L_{eq}$ ), and the Community Noise Equivalent Level (CNEL), which are both based on the A-weighted decibel (dBA). The  $L_{eq}$  is the average of the sound level energy for a one-hour period and employs an A-weighted decibel correction that corresponds to the optimal frequency response of the human ear. The CNEL is based upon 24 one-hour  $L_{eq}$  measurements. The average noise levels for the late evening and early morning hours (the period between 10:00 PM and 7:00 AM) are weighted 10 decibels. This is to take into account a person's increased sensitivity to noise during the early morning and late evening periods. A decibel is a unit used for measuring the intensity of sound. Zero on the decibel scale represents the lowest limit of sound that can be heard by humans.

The Noise Impact Analysis was been prepared to satisfy applicable City of Beaumont standards and thresholds of significance based on guidance provided by Appendix H of CEQA guidelines.

#### Off-Site Traffic Noise Analysis

Traffic generated by the operation of the Project will influence the traffic noise levels in surrounding off-site areas. To quantify the off-site traffic noise increases on the surrounding off-site areas, the changes in traffic noise levels on 16 study-area roadway segments were calculated using the transportation related twenty-four hour community noise equivalent levels (CNEL) based on the change in the average daily traffic (ADT) volumes. The traffic noise levels provided in this analysis are based on the traffic forecasts found in the Traffic Impact Analysis prepared by Urban Crossroads, Inc. To assess the off-site noise level impacts associated with the Proposed Project, noise contour boundaries were developed for Existing 2020, and Opening Year Cumulative (OYC) 2021 conditions (see Tables 9 and 10). The analysis shows that the unmitigated Project-related traffic noise level increases under all with Project traffic scenarios are considered less than significant impacts at receiving land uses adjacent to the study area roadway segments. No mitigation measured are required.

**Table 9**  
**Existing 2020 with Project Traffic Noise Level Increases**

ID	Road	Segment	Noise-sensitive land use?	Project Increase (dBA) <sup>1</sup>	Noise Level Increase Significance Criteria <sup>2</sup>	Exceeded?
1	Pennsylvania Ave.	n/o 8th St.	Yes	0.1	1.5	No
2	Pennsylvania Ave.	s/o 8th St.	Yes	0.0	1.5	No
3	Xenia Ave.	n/o 8th St.	Yes	0.0	1.5	No
4	Allegheny St.	s/o 8th St.	Yes	0.9	5.0	No
5	Highland Springs Ave.	n/o Wilson St.	Yes	0.0	1.5	No
6	Highland Springs Ave.	s/o Wilson St.	No	0.1	5.0	No
7	Highland Springs Ave.	n/o Ramsey St.	No	0.1	5.0	No
8	Highland Springs Ave.	s/o Ramsey St.	No	0.1	3.0	No
9	Highland Springs Ave.	s/o I-10	No	0.0	3.0	No
10	8th St.	w/o Pennsylvania Ave.	Yes	0.1	3.0	No
11	8th St.	e/o Pennsylvania Ave.	Yes	0.3	3.0	No
12	8th St.	e/o Xenia Ave.	Yes	0.3	3.0	No
13	8th St.	e/o Driveway 1	Yes	0.4	1.5	No
14	Wilson St.	e/o Highland Springs Ave.	Yes	0.1	1.5	No
15	6th St.	w/o Highland Springs Ave.	No	0.1	5.0	No
16	Ramsey St.	e/o Highland Springs Ave.	No	0.1	3.0	No

<sup>1</sup> Community Noise Equivalent Levels (CNEL) at receiving land use. The CNEL is calculated at the boundary of the right-of-way of each Roadway and the property line of the receiving land use.

<sup>2</sup> Does the Project create an off-site transportation related noise level increase exceeding the significance criteria (Table 4-2 of Appendix H)? "RW" = Location of the respective noise contour falls within the right-of-way of the road. "MFR"= Multi-Family Residential; "SFR"= Single-Family Residential; "GC"= General Commercial; "LDR"= Low Density Residential; "CC"= Community Commercial; "PF"= Public Facilities; "PO"= Professional Office; "PFRI"= Public Facilities- Railroad/Interstate; "HDR"= High Density Residential; "MHP"= Mobile Home Parks.

**Table 10**  
**Opening Year 2021 with Project Traffic Noise Increases**

ID	Road	Segment	Noise-sensitive land use?	Project Increase (dBA) <sup>1</sup>	Noise Level Increase Significance Criteria <sup>2</sup>	Exceeded?
1	Pennsylvania Ave.	n/o 8th St.	Yes	0.0	1.5	No
2	Pennsylvania Ave.	s/o 8th St.	Yes	0.1	1.5	No
3	Xenia Ave.	n/o 8th St.	Yes	0.1	1.5	No
4	Allegheny St.	s/o 8th St.	Yes	0.8	5.0	No
5	Highland Springs Ave.	n/o Wilson St.	Yes	0.0	1.5	No
6	Highland Springs Ave.	s/o Wilson St.	No	0.1	3.0	No
7	Highland Springs Ave.	n/o Ramsey St.	No	0.1	5.0	No
8	Highland Springs Ave.	s/o Ramsey St.	No	0.1	3.0	No
9	Highland Springs Ave.	s/o I-10	No	0.0	3.0	No
10	8th St.	w/o Pennsylvania Ave.	Yes	0.1	1.5	No

ID	Road	Segment	Noise-sensitive land use?	Project Increase (dBA) <sup>1</sup>	Noise Level Increase Significance Criteria <sup>2</sup>	Exceeded?
11	8th St.	e/o Pennsylvania Ave.	Yes	0.2	1.5	No
12	8th St.	e/o Xenia Ave.	Yes	0.2	1.5	No
13	8th St.	e/o Driveway 1	Yes	0.2	1.5	No
14	Wilson St.	e/o Highland Springs Ave.	Yes	0.1	1.5	No
15	6th St.	w/o Highland Springs Ave.	No	0.0	5.0	No
16	Ramsey St.	e/o Highland Springs Ave.	No	0.1	3.0	No

<sup>1</sup> Community Noise Equivalent Levels (CNEL) at receiving land use. The CNEL is calculated at the boundary of the right-of-way of each Roadway and the property line of the receiving land use.

<sup>2</sup> Does the Project create an off-site transportation related noise level increase exceeding the significance criteria (Table 4-2 of Appendix H)? "RW" = Location of the respective noise contour falls within the right-of-way of the road. "MFR"= Multi-Family Residential; "SFR"= Single-Family Residential; "GC"= General Commercial; "LDR"= Low Density Residential; "CC"= Community Commercial; "PF"= Public Facilities; "PO"= Professional Office; "PFRI"= Public Facilities- Railroad/Interstate; "HDR"= High Density Residential; "MHP"= Mobile Home Parks.

### Operational Noise Analysis

For noise-sensitive residential properties, the City of Beaumont Municipal Code, Section 9.02.050, identifies base ambient noise level (BANL) stationary-source noise level limits for the daytime (7:00 a.m. to 10:00 p.m.) hours of 55 dBA  $L_{eq}$  and 45 dBA  $L_{eq}$  during the nighttime (10:00 p.m. to 7:00 a.m.) hours. For industrial and commercial land uses, the BANL is 75 dBA  $L_{eq}$  for the daytime hours and of 50 dBA  $L_{eq}$  during the nighttime hours. Section 9.40.050 states that actual decibel measurements exceeding the levels set forth hereinabove at the times and within the zones corresponding thereto shall be employed as the "base ambient noise level. In effect, when the ambient noise levels exceed the base exterior noise level limits, the noise level standard shall be adjusted as appropriate to encompass or reflect the ambient noise level.

Using reference noise levels to represent the expected noise sources from the Project Site, the operational analysis estimates the Project-related stationary-source noise hourly average  $L_{eq}$  levels at nearby sensitive receiver locations. Receiver locations are located in outdoor living areas (e.g., backyards) at 10 feet from any existing or proposed barriers or at the building façade, whichever is closer to the Project site. Distance is measured in a straight line from the project boundary to each receiver location.

- R1: Located approximately 114 feet north of the Project site, R1 represents vacant land. Traffic noise from 8<sup>th</sup> Street represents the primary noise source at this location.
- R2: Location R2 represents the existing San Gorgonio Memorial Hospital located approximately 196 feet east of the Project site and Highland Springs Avenue.
- R3: Location R3 represents the existing Westco Medical Supplies office use. The medical office use is located approximately 103 feet south of the Project site.
- R4: Location R4 represents the existing single-family residence located at 720 Allegheny Street approximately 296 feet south west of the Project site.

R5: Location R5 represents the existing Palm Grove Health Care Center skilled nursing facility located at 1665 E 8th Street approximately 71 feet south west of the Project site.

The typical activities associated with the Proposed Project are anticipated to include roof-top air conditioning units, trash enclosure activity, drive-thru speakerphone and gas station activity. The operational noise analysis shows that the Project will satisfy the City of Beaumont stationary-source exterior hourly average  $L_{eq}$  noise levels of 55 dBA  $L_{eq}$  daytime and 45 dBA  $L_{eq}$  nighttime noise level standards at all nearby receiver locations (see Table 11). Therefore, the Project-related operational noise level impacts are considered less than significant, and no mitigation measures are required.

**Table 11**  
**Operational Noise Level Compliance**

Receiver Location <sup>1</sup>	Project Operational Noise Levels (dBA Leq) <sup>2</sup>		Noise Level Standards (dBA Leq) <sup>3</sup>		Noise Level Standards Exceeded? <sup>4</sup>	
	Daytime	Nighttime	Daytime	Nighttime	Daytime	Nighttime
R1	45.9	44.3	55	45	No	No
R2	43.3	40.7	55	45	No	No
R3	47.0	42.1	55	45	No	No
R3	42.3	38.2	55	45	No	No
R4	48.5	43.6	55	45	No	No

<sup>1</sup> See Exhibit 9-A of Appendix H for the receiver locations.

<sup>2</sup> Proposed Project operational noise levels as shown on Tables 9-2 and 9-3 of Appendix H.

<sup>3</sup> Exterior noise level standards for noise sensitive residential land use, as shown on Table 4-2 of Appendix H.

<sup>4</sup> Do the estimated Project operational noise source activities exceed the noise level standards?

"Daytime" = 7:00 a.m. to 10:00 p.m.; "Nighttime" = 10:00 p.m. to 7:00 a.m.

### Construction Noise Analysis

Project construction noise level standards are typically described as exterior noise level limits in order to assess the potential impacts. Therefore, to describe the Project construction noise levels at off-site sensitive receiver locations, an exterior construction-related noise level threshold of 75 dBA  $L_{eq}$  is used. Since typical building construction will provide a Noise Reduction (NR) of approximately 20 dBA with "windows closed", an unmitigated exterior noise level standard of 75 dBA  $L_{eq}$  when measured at the building façade is used to describe the for noise sensitive residential uses. This exterior construction noise level standard represents the combination of the City of Beaumont 55 dBA  $L_{eq}$  interior noise level limit and the 20 dBA noise reduction associated with typical building construction.

Using sample reference noise levels to represent the planned construction activities of the Proposed Project, this analysis estimates the Project-related construction noise levels at nearby sensitive receiver locations. The Project-related short-term construction noise levels are expected to range from 53.2 to 70.8 dBA  $L_{eq}$  and will satisfy the acceptable 75 dBA  $L_{eq}$  threshold at all receiver locations (see Table 12). Therefore, based on the results of this analysis, all nearby sensitive receiver locations will experience less than significant impacts due to Project construction noise levels, and no mitigation measures are required.



**Table 12**  
**Construction Noise Level Compliance**

Receiver Location <sup>1</sup>	Construction Noise Levels (dBA Leq)		
	Highest Construction Noise Levels <sup>2</sup>	Threshold <sup>3</sup>	Threshold Exceeded? <sup>4</sup>
R1	69.2	75	No
R2	65.9	75	No
R3	69.3	75	No
R4	63.3	75	No
R5	70.8	75	No

<sup>1</sup> Noise receiver locations are shown on Exhibit 10-A of Appendix H.

<sup>2</sup> Highest construction noise level calculations based on distance from the construction noise source activity to nearby receiver locations as shown on Table 10-2 of Appendix H.

<sup>3</sup> Exterior construction noise level standard represents the combination of the City of Beaumont 55 dBA Leq interior noise level limit and the 20 dBA noise reduction associated with typical building construction. <sup>4</sup> Do the estimated Project construction noise levels exceed the construction noise level threshold?

b) *Would the project result in generation of excessive groundborne vibration or groundborne noise levels?*

**Less than Significant Impact.** There are several different methods that are used to quantify vibration. The peak particle velocity (PPV) is defined as the maximum instantaneous peak of the vibration signal. The PPV is most frequently used to describe vibration impacts to buildings but is not always suitable for evaluating human response (annoyance) because it takes some time for the human body to respond to vibration signals. Instead, the human body responds to average vibration amplitude often described as the root mean square (RMS). The RMS amplitude is defined as the average of the squared amplitude of the signal and is most frequently used to describe the effect of vibration on the human body. Decibel notation (VdB) is commonly used to measure RMS. Decibel notation (VdB) serves to reduce the range of numbers used to describe human response to vibration. Typically, ground-borne vibration generated by man-made activities attenuates rapidly with distance from the source of the vibration. Sensitive receivers for vibration include structures (especially older masonry structures), people (especially residents, the elderly, and sick), and vibration-sensitive equipment and/or activities

Ground-borne vibration levels from automobile traffic are generally overshadowed by vibration generated by heavy trucks that roll over the same uneven roadway surfaces. However, due to the rapid drop-off rate of ground-borne vibration and the short duration of the associated events, vehicular traffic-induced ground-borne vibration is rarely perceptible beyond the roadway right-of-way, and rarely results in vibration levels that cause damage to buildings in the vicinity. However, while vehicular traffic is rarely perceptible, construction has the potential to result in varying degrees of temporary ground vibration, depending on the specific construction activities and equipment used.

Ground-borne vibration levels resulting from construction activities occurring within the Project site were estimated by data published by the Federal Transit Administration (FTA). Construction activities that would have the potential to generate low levels of ground-borne

vibration within the Project site include grading. At distances ranging from 71 feet (at location R5) to 296 feet (at location R4) from Project construction activities (at the Project Site boundary), construction vibration levels are estimated to range from 54.8 to 73.4 VdB and will remain below the FTA Transit Noise and Vibration Impact Assessment maximum acceptable vibration criteria of 78 VdB for daytime residential uses at all receiver locations (see Table 13). Moreover, the vibration levels reported at the sensitive receiver locations are unlikely to be sustained during the entire construction period but will occur rather only during the times that heavy construction equipment is operating adjacent to the Project site perimeter. Therefore, the Project-related vibration impacts are considered less than significant during the construction activities at the Project Site, and no mitigation measures are required.

**Table 13**  
**Project Construction Vibration Levels**

Receiver Location <sup>1</sup>	Distance to Construction Activity (Feet)	Receiver Vibration Levels (VdB) <sup>2</sup>					Threshold VdB <sup>3</sup>	Threshold Exceeded? <sup>4</sup>
		Small Bulldozer	Jack-hammer	Loaded Trucks	Large Bulldozer	Highest Vibration Levels		
R1	114'	38.2	59.2	66.2	67.2	67.2	78	No
R2	196'	31.2	52.2	59.2	60.2	60.2	78	No
R3	103'	39.6	60.6	67.6	68.6	68.6	78	No
R4	296'	25.8	46.8	53.8	54.8	54.8	78	No
R5	71'	44.4	65.4	72.4	73.4	73.4	78	No

<sup>1</sup> Noise receiver locations are shown on Exhibit 10-A of Appendix H.

<sup>2</sup> Based on the Vibration Source Levels of Construction Equipment included on Table 6-5 of Appendix H.

<sup>3</sup> Source: FTA Transit Noise and Vibration Impact Assessment maximum acceptable vibration criteria.

<sup>4</sup> Does the vibration level exceed the maximum acceptable vibration threshold?

c) *For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

**Less than Significant Impact.** The Project Site is located approximately 5.2 miles southeast of the Banning Municipal Airport. The Project Site is neither within an airport land use plan, nor is it located within two miles of a public airport or public use airport.<sup>33</sup> The Proposed Project would not expose people residing or working in the project area to excessive noise levels. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

<sup>33</sup> Riverside County Information Technology GIS. Map My County.

**3.14 POPULATION AND HOUSING**

14.	<b>POPULATION AND HOUSING.</b> Would the project:	<b>Potentially Significant Impact</b>	<b>Less than Significant With Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
(a)	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**3.14.1 Environmental Setting**

According to the 2010 United States Census Bureau, the City of Beaumont had a population of 36,877. For 2018, the City was estimated to have a population of 49,241. The City is one of the fastest growing cities in Riverside County and in California. The Community Development Element of the City General Plan outlines the standards for development intensity and population density for each land designation.

**3.14.2 Impact Analysis**

a) *Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

**Less than Significant Impact.** The General Plan is not intended to induce population growth but rather, to identify the plans, policies and programs necessary to accommodate anticipated growth within the City and surrounding region. The population growth estimates based on the General Plan Update are consistent with SCAG growth forecasts. If there is a minor increase in population growth as a result of the implementation of the Proposed Project, this population growth would be accounted for in the General Plan and considered insignificant. The Proposed Project would require an estimate of four to six employees. It is anticipated that this demand for employment will be met by the existing local population. Short-term construction activities at the Project Site would not attract new employees to the area since a pool of construction labor exists in the region. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

b) *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

**No Impact.** The Project Site is currently vacant and does not contain housing that could potentially be displaced. The Project Site is designated “Community Commercial”, which is intended to serve adjacent neighborhoods. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

**3.15 PUBLIC SERVICES**

<b>PUBLIC SERVICES.</b>					
15.	Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c)	Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d)	Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e)	Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**3.15.1 Environmental Setting**

The City of Beaumont will oversee the development of adequate and dependable services to meet the needs of existing and future development (Community Development Element Policy 20). These services include fire protection, law enforcement, hospital/healthcare services and education.

**3.15.2 Impact Analysis**

a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection?*

**Less than Significant Impact.** The City of Beaumont contracts with the Riverside County Fire Department (RCFD) for Citywide services, including fire protection, public service and emergency medical aid response. Fire protection services are supplemented by the California Department of Forestry station in the City. Six County fire stations serve the city, with three stations based outside but near Beaumont’s boundaries. Fire Station No. 20, located at 1550 E. Sixth Street, is approximately 0.16 miles southwest of the Project Site. In order to minimize the need for additional fire station facilities, the Fire Department reviews all new development plans. Proposed projects are required to comply with applicable fire protection and prevention requirements, such as building setbacks, emergency access and interior sprinklers. Additionally, the Project Applicant will be required to pay a one-time mitigation fee to support the development of new fire station facilities under Beaumont City Ordinance 795 and a separate fee for emergency preparedness under City Ordinance 814. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

b) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental*

*impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection?*

**Less than Significant Impact.** The Beaumont Police Department provides police protection services in the area of the Project Site. The closest police station, located at 660 Orange Avenue, is approximately 1.5 miles southwest of the Project Site. According to the City General Plan, City General Fund revenues are typically used to provide and supplement police services, as required. Revenues from the Proposed Project would be allocated to finance an increased demand for police protection services. The Project Applicant would be required to pay a one-time basic service facility fee under City Ordinance 506. An increase in demand for police protection resulting from the Proposed Project's commercial use has been accounted for in the General Plan and would be considered insignificant. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- c) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for schools?*

**Less than Significant Impact.** The Project Site is located within the Beaumont Unified School District (BUSD). The increase in employment from the Proposed Project is anticipated to be fulfilled by the existing population. The Proposed Project is not anticipated to result in an increase in population growth within the area, thereby not increasing the number of students. The Project Applicant will be required to pay applicable development fees in support of public school facilities. This fee will be sufficient in mitigating potential impacts of the Proposed Project on schools. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- d) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for parks?*

**Less than Significant Impact.** The City shall improve the requirement of establishing five acres of parkland for every one thousand persons in conjunction with residential development.<sup>34</sup> The City of Beaumont and Cherry Valley Recreation and Park District own and operate park facilities. Population growth resulting from the implementation of the General Plan will lead to an increased demand for public parks. The City's Local Park Code and the State of California Quimby Act require new development to provide parkland dedications or appropriate fees in case the Proposed Project might have direct or indirect impacts on parks. The increase in employment from the Proposed Project is anticipated to be fulfilled by the local population. Therefore, the Proposed Project would not require the construction or expansion of parks to meet demands. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

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<sup>34</sup> City General Plan. Page 52.

- e) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for other public facilities?*

**Less than Significant Impact.** The Proposed Project is not anticipated to have a significant impact on public facilities/services because an increase in the City’s population is not anticipated with the Proposed Project. Furthermore, the Project Applicant’s payment of development impact fees will mitigate any potential impacts on public services. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

**3.16 RECREATION**

16.	RECREATION. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**3.16.1 Environmental Setting**

The General Plan’s Resource Management Element addresses open space and recreational resources. The City manages parks and recreational facilities to ensure these facilities stay in good condition. The City intends to increase the recreational facilities available to residents. The Project Site is primarily surrounded by commercial and residential development.

**3.16.2 Impact Analysis**

- a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

**Less than Significant Impact.** The implementation of the Proposed Project is not expected to lead to substantial population growth. As a result, the Proposed Project would not lead to substantial physical deterioration of neighborhood and regional parks or other recreational facilities. It would not require the construction or expansion of park or other recreational facilities to meet demands. The Project Applicant’s payment of required fees will serve to mitigate any potential impacts related to the use of existing parks and other recreational facilities from the Proposed Project. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

**No Impact.** The Proposed Project is a commercial development and its demand for employment is anticipated to be filled by the local population. It would not require the construction or expansion of recreational facilities to meet demands of residential development. Therefore, no impacts are identified or anticipated, and no mitigation measures are required.

**3.17 TRANSPORTATION**

17.	TRANSPORTATION. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes and pedestrian facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b)	Conflict or be inconsistent with CEQA Guidelines s § 15064.3, subdivision (b)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c)	Substantially increase hazards due to a geometric design feature (e. g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d)	Result in inadequate emergency access?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**3.17.1 Environmental Setting**

The Proposed Project is anticipated to open in 2021. Access to and from the Project Site would be via a right-in/right-out only driveway on 8<sup>th</sup> Street and another on Highland Springs Avenue. Regional access to the Project Site is available from the I-10 Freeway via Highland Springs Avenue. A Traffic Impact Analysis (TIA), dated March 9, 2020, was prepared for the Proposed Project by Urban Crossroads to provide an assessment of potential traffic impacts that may result from the Proposed Project and to identify traffic mitigation measures required to maintain the established Level of Service (LOS) standard for the elements of the impacted roadway system (see Appendix I for report).

**3.17.2 Impact Analysis**

a,b) Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes and pedestrian facilities? Conflict or be inconsistent with CEQA Guidelines s § 15064.3, subdivision (b)?

**Less than Significant with Mitigation Incorporated.** The Proposed Project is the development of a QSR, convenience store and gas station. It is a land use project that would allow commercial services to be more accessible to residents of the neighborhoods north and west of the Project Site. The Beaumont Transit Department plans to have a bus stop adjacent to the Project Site, so the Proposed Project would be easily accessible to residents.

The traffic study was prepared in accordance with the County of Riverside’s Traffic Impact Analysis Preparation Guide (August 2008), the California Department of Transportation (Caltrans) Guide for the Preparation of Traffic Impact Studies, and through consultation with

City of Beaumont staff during the scoping process. The LOS operations included in the TIA for study area intersections and freeway facilities are informational and are not anticipated to support Senate Bill 743, which would replace automobile delay-based LOS with vehicle miles traveled (VMT). A traffic study scoping package was reviewed and approved by the City of Beaumont and the City of Banning staff prior to the preparation of the traffic study to ensure that the TIA satisfies the City of Beaumont's requirements. The City of Beaumont has established LOS D as the minimum LOS for all roadways/intersections within the City. Therefore, any intersection operating at LOS E or F will be considered deficient for the purpose of the TIA. The City of Banning shall maintain peak hour LOS C or better on all local intersections.

Nine study area intersections, listed below, were evaluated in the TIA (see Exhibit 1-2 of Appendix I). This list includes intersections where the Proposed Project is anticipated to contribute 50 or more peak hour trips per the County of Riverside's traffic study guidelines. The 50-hour trip criterion is a traffic engineering rule of thumb that is accepted and widely used within the Riverside County for estimating a potential area of influence.

- Pennsylvania Av. & 8th St.
- Xenia Av. & 8th
- Allegheny St. & 8th St
- Driveway 1 & 8th St. – Future Intersection
- Highland Springs Av. & 8th St./Wilson St.
- Highway Springs Av. & Driveway 2 – Future Intersection
- Highland Springs Av. & 6th St./Ramsey St.
- Highland Springs Av. & I-10 WB Ramps
- Highland Springs Av. & I-10 EB Ramps

Trips generated by the Proposed Project have been estimated based on trip generation rates collected by the Institute of Transportation Engineers (ITE) Trip Generation Manual, (10th Edition, 2017). The Proposed Project is anticipated to generate a total of 1,100 trip-ends per day, 145 AM peak hour trips and 100 PM peak hour trips.

For the traffic study, potential deficiencies to traffic and circulation have been assessed for each of the following conditions: existing (2020), existing plus Proposed Project, opening year cumulative (2021) without Proposed Project, and opening year cumulative (2021) with Proposed Project. The following intersections are anticipated to operate at an unacceptable LOS during the peak hours under Opening Year Cumulative (2021) Without Project traffic conditions:

- Pennsylvania Avenue & 8th Street – LOS F AM peak hour; LOS E PM peak hour
- Highland Springs Avenue & 8th Street/Wilson Street– LOS D AM peak hour; LOS F PM peak hour
- Highland Springs Avenue & 6th Street/Ramsey Street– LOS D PM peak hour only

With the addition of traffic generated from the Proposed Project, there are no additional study area intersections anticipated to operate at an unacceptable LOS under Opening Year Cumulative (2021) With Project traffic conditions, in addition to the intersections identified under Opening Year Cumulative (2021) Without Project traffic conditions. There are no movements that are anticipated to experience queuing issues during the weekday AM or



weekday PM peak 95th percentile traffic flows for Opening Year Cumulative (2021) traffic conditions, consistent with Existing (2020) traffic conditions.

VMT Assessment: Removing LOS and congestion from CEQA and shifting to VMT as the metric for analyzing transportation impacts, is based on SB 743 which still preserves local government authority to make planning decisions (that is LOS and congestion can still be measured for planning purposes). VMT analysis is deemed beneficial for several reasons one of which is it is critical to achieving the State's GHG emissions reductions goals. It also aligns transportation analysis under CEQA with a number of state goals for planning, environmental protection, and improvement of human health. LOS traffic studies may be required for planning approvals but will no longer be part of the CEQA process as of July 1, 2020. The CalEEMod output from modeling the Proposed Project's air quality and greenhouse gas emissions show the project vehicle miles traveled, based on use to be 900,150 per year, or an average daily VMT of 2,466.26. The CalEEMod construction emissions were estimated based on parameters used to estimate construction emissions such as those associated with worker and vendor trips, and trip lengths. The operational mobile source emissions were calculated using the Traffic Impact Analysis prepared by Urban Crossroads, which determined that the Proposed Project would generate 1,100 total daily trips. Operational emissions do not exceed the SCAQMD's 3,000 MTCO<sub>2</sub>e threshold of significance.

Because the Proposed Project is consistent with the current land use designation of Community Commercial under the General Plan, the future emissions estimates of the City's Climate Action Plan therefore account for the implementation of the Proposed Project. The project emissions do not exceed thresholds for Greenhouse Gas emissions (see Section 3.8) and it will also meet Title 24 to lower GHG emissions.

The Proposed Project is not anticipated to require the construction of any other off-site improvements, but there are improvement needs identified at off-site intersections for future cumulative traffic analysis scenarios. Therefore, the Project Applicant's responsibility for the Project's contributions towards off-site deficient intersections is fulfilled through payment of fair share and/or payment into pre-existing fee programs (if applicable) that would be assigned to the future construction of the identified recommended improvements. The Project Applicant would be required to pay requisite fees and/or fair share contributions consistent with the City's requirements.

The following mitigation measures shall be implemented to minimize potential on-site/access impacts to a level below significant:

**Mitigation Measure T-1:** – Driveway 1 & 8th Street– install a stop control on the northbound approach and a right turn lane (driveway).

**Mitigation Measure T-2:** Highland Springs Avenue & Driveway 2 - install a stop control on the eastbound approach and a right turn lane (driveway).

**Mitigation Measure T-3:** 8th Street is an east-west oriented roadway located along the Project's northern boundary. According to the City of Beaumont Circulation Element, 8th Street is currently built out to its ultimate half-section. Curb, gutter, and sidewalk improvements are recommended, as needed for site access along the Project's frontage, consistent with the City's standards.

**Mitigation Measure T-4:** Highland Springs Avenue is a north-south oriented roadway located along the Project’s eastern boundary. According to the City of Beaumont Circulation Element, Highland Springs Avenue is currently built out to its ultimate half-section. Curb, gutter, and sidewalk improvements are recommended, as needed for site access along the Project’s frontage, consistent with the City’s standards.

With incorporation on these mitigation measures, the Proposed Project would be consistent CEQA guidelines and adhere to the established LOS standards of the City of Beaumont and City of Banning.

- c) *Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?*

**Less than Significant Impact.** The Proposed Project is the development of a gas station, convenience store and restaurant with an attached drive-thru. The Project Site includes a 35-inch driveway on 8<sup>th</sup> Street and another one on Highland Springs Avenue. The Proposed Project does not include geometric design features or incompatible uses that would substantially increase hazards. The Project Site is almost perfectly square-shaped and is not adjacent to windy roads. Furthermore, the 8<sup>th</sup> Street and Highland Springs Avenue intersection has traffic lights, which decreases potential safety hazards resulting from implementation of the Proposed Project. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- d) *Would the project result in inadequate emergency access?*

**Less than Significant with Mitigation Incorporated.** The Project Site includes a 35-inch driveway on 8<sup>th</sup> Street and another one on Highland Springs Avenue. The driveways are wide enough to allow evacuation and emergency vehicles simultaneous access. The City Fire Department shall have the authority to inspect the Project Site as often as necessary to ensure that there are no hazards violating fire safety, such as inadequate emergency access. Moreover, implementation of Mitigation Measures T-1 to T-4 will ensure potential significant impacts are reduced to less than significant.

**3.18 TRIBAL CULTURAL RESOURCES**

18.	TRIBAL CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section §21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

18.	TRIBAL CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
	ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**3.18.1 Environmental Setting**

In November 2019, McKenna et al. completed a Phase I Cultural Resources Investigation for the Project Site. The purpose of the assessment was to identify and document any tribal cultural resources as defined in Public Resources Code section 5020.1(k) that may potentially occur within the Project Site and to evaluate resources determined to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. The Pass Cahuilla, Desert Cahuilla and Mountain Cahuilla are the main Cahuilla populations associated with western Riverside County. Twenty-two Cahuilla villages were present in the larger Coachella Valley and San Gorgonio Pass, a relatively narrow valley associated with the Project Site and its surrounding area.

**3.18.2 Impact Analysis**

*a,i,ii) Would the project cause a substantial adverse change in a listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)? Would the project cause a substantial adverse change in a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?*

**Less than Significant Impact.** California Assembly Bill 52 (AB52) was approved by Governor Brown on September 25, 2014. AB52 specifies that CEQA projects with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource may have a significant effect on the environment. As such, the bill requires lead agency consultation with California Native American tribes traditionally and culturally affiliated with the geographic area of a proposed project, if the tribe requested to the lead agency, in writing, to be informed of proposed projects in that geographic area. The legislation further requires that the tribe-requested consultation be completed prior to determining whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project.

According to the City General Plan, the cultural remains of the Native American Cahuilla peoples have been found in numerous locations throughout the City and region. In November 2019, Mckenna et al. completed a Phase I Cultural Resources Investigation for the Proposed Project, which included communication with Native American tribes identified by the Native

American Heritage Commission (NAHC) as local Native American representatives wishing to be notified of projects in the area.

The Commission reported that the Sacred Lands File (SFL) has no recorded tribal cultural resources occurring in the project area. McKenna et al. staff also sent letters to Native American representatives identified by the Commission, requesting information pertaining to issues, concern, or resources they may be aware of. As of November 29, 2019, McKenna et al. has not received responses to letters sent to local Native American representatives who may have knowledge of cultural resources in the Project Site. The Morongo Band of Mission reservation is relatively close to the Project Site. The Morongo are likely to contact the City directly and will request copies of technical reports to review to ensure that no Native American resources will be impacted by the Proposed Project.

According to CEQA Guidelines, the identification of potential “tribal cultural resources” is beyond the scope of the study prepared by Mckenna et al. and needs to be addressed through government-to-government consultations between the City of Beaumont and the pertinent Native American groups pursuant to AB52. Letters were sent out to 15 tribal contacts informing them of the project and inviting to consult. Tribes’ requests for additional project information, coordination, or consultation with the Lead Agency, and/or Native American monitoring, have been acknowledged at the conclusion of the AB52 consultation with the City. One response has been received from the Torrez Martinez Band, stating that they do not have any concerns about the project and deferring to the Soboba Band as they are closer to the Project Site. No further consultation was requested, and the review period ended on June 22, 2020. No significant adverse impacts are identified or anticipated, and no mitigation measures are required.

**3.19 UTILITIES AND SERVICE SYSTEMS**

19.	UTILITIES/SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d)	Generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(e)	Comply with federal, state, and local management and reduction statutes and regulations related to solid wastes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

### 3.19.1 Environmental Setting

The City is serviced by the Beaumont/Cherry Valley Water District (BCVWD) for water treatment and delivery system. The City of Beaumont Wastewater Treatment Plant (WWTP) recycles wastewater made available to the community. Electrical service is provided by Sempra Energy Company, which will be able to provide service to future development within the City. The SoCal Gas Company provides basic residential and business gas services with no constraints to substantial future development. Landfill and recycling services are provided by Waste Management.

### 3.19.2 Impact Analysis

- a) *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or expansion of which could cause significant environmental effects?*

**Less than Significant Impact.** The implementation of the City's Sewer Master Plan will avoid the need for additional septic tank use within the General Plan Area. New development under the General Plan will be served through the City sewer system and wastewater treatment plant. The Project Site would be served by an existing sewer collection system with connection to an existing sewer lateral in Highland Springs Avenue. The BCVWD will provide water service to the Proposed Project. There is an existing 6-inch water line in 8th Street that the Proposed Project would connect to. Implementation of the Proposed Project would not require the construction of new water or wastewater treatment facilities or existing facilities.

Design review at the project level will ensure that the Proposed Project will not create nor modify drainage patterns that would impede or redirect flood flows. Implementation of the Proposed Project is anticipated to increase peak volume by 4,696 cubic feet (see Appendix G). As a result, an underground detention system with minimum storage volume of 4,700 cubic feet is proposed for peak attenuation. Implementation of the City Master Plan of Drainage ensures that future increases in the peak rates of runoff are managed and maintained within acceptable parameters. Furthermore, implementation of storm water Best Management Practices will ensure that the Proposed Project appropriately conveys storm water runoff without adversely impacting upstream or downstream drainage characteristics. Therefore, no construction or expansion of stormwater drainage facilities are required with implementation of the Proposed Project.

Southern California Edison (SCE) will provide basic electrical services to the Project Site. The Proposed Project will receive electrical power by connecting to SCE's existing power lines. Total electricity demand in SCE's service area is estimated to increase by approximately 12,000 Gigawatt Hour (GWh) between the years 2015 and 2026. Gigawatt hour is a unit of energy representing one billion watt hours. The commercial building sector of the Southern California Edison planning area consumed 37260.897803 Gigawatt Hour (GWh) of electricity in 2018.<sup>35</sup> The estimated electricity demand for the Proposed Project 0.2178114 GWh per year. The increase in electricity demand from the Proposed Project is insignificant compared to the projected electricity demand for SCE's entire service area.

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<sup>35</sup> California Energy Commission. California Energy Consumption Database.

The Project Site would be serviced by Southern California Gas Company (SoCalGas). According to the California Energy Commission, the natural gas consumption of the SoCalGas planning area commercial building sector was 937.882107 therms in 2018.<sup>36</sup> The Proposed Project's estimated natural gas demand is 0.00096611 therms per year; it would represent an insignificant percentage to the overall natural gas demand in SoCalGas's commercial building sector. The existing SoCalGas facilities are expected to sufficiently serve the increased demand of natural gas.

The Proposed Project will be served by AT&T for telecommunication services. AT&T continues to drive reductions in emissions and increases in resource efficiency and alternative energy deployment. The company will enable their customers to lead more sustainable lives by expanding access technology, further integrating sustainability solutions.<sup>37</sup> The Proposed Project is the development of a gas station, convenience store and QSR with an attached drive-thru use. It would not adversely impact or conflict with AT&T's sustainability goals.

Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

- b) *Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal dry and multiple dry years?*

**Less than Significant Impact.** The Project Site will be serviced by the BCVWD. The BCVWD's 2015 Urban Water Management Plan (UWMP) estimated the City's water demand for multi-family, commercial, industrial, institutional/governmental and other categories from the actual 2015 through projected 2040. At the time the UWMP was prepared, the population served by BCVWD was expected to nearly double by 2040-50, based on the City 2007 General Plan projected build-out population.

The Project Site has a current General Plan designation of Community Commercial (CC), and the Proposed Project would be consistent with this designation. Any increase in demand for water resulting from the development and operation of the proposed uses has been accounted for in BCVWD's supply and demand projections.

The Beaumont Groundwater Basin has large storage capacity for banked water.<sup>38</sup> BCVWD banks imported water in BCVWD's storage account in the Beaumont Basin when available from San Geronio Pass Water Agency (SGPWA) and as funds permit. This imported water can be extracted in future years when water allocations are insufficient to meet demands. Banking water in the storage account is critical to meeting demands during dry years. During wet years, BCVWD can bank State Project Water for dry years.

Water supplies will be able to meet demand until 2040 for normal years. However, water supplies will not be able to meet demands for single and multiple dry years until 2040. The

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<sup>36</sup> California Energy Commission. California Energy Consumption Database.

<sup>37</sup> AT&T. Progress Toward our 2020/2025 Goals. <https://about.att.com/ecms/dam/csr/sustainability-reporting/PDF/2017/ATT-Goals.pdf>.

<sup>38</sup> Beaumont-Cherry Valley Water District. 2015 Urban Water Management Plan.

deficit in supply is anticipated to be provided from previously banked water in the Beaumont Basin.<sup>39</sup>

The Proposed Project would be subject to the five (5) stages of action in the event of a water shortage. The District would declare a water shortage and impose voluntary water conservation on all its customers. Water demand projections rely on growth and population estimates from local land use plans. The Proposed Project is accounted for in the City General Plan and will not result in unaccounted water demand increases. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

Compliance with BCVWD's development conditions, as listed in the Preliminary Review, will ensure that the Proposed Project does not substantially decrease groundwater supplies or interfere substantially with groundwater recharge. The Proposed Project is required to conform to the City of Beaumont and County of Riverside Landscaping Ordinances that pertain to water efficient landscape requirements. In addition, as is required by BCVWD, landscaped areas which have turf shall have smart irrigation controllers and systems shall have automatic rain sensors. Landscaping in non-turf areas should be drought-tolerant with drip or bubbler irrigation systems. No significant impacts are identified or anticipated, and no mitigation measures are required.

- c) *Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

**Less than Significant Impact.** According to the City General Plan, the City will continue to provide for the development of wastewater treatment infrastructure to accommodate future demand. The Proposed Project has a General Plan land designation of Community Commercial and its development is included in the City's expected future growth. Using data provided from a similar operation in Riverside County where total average monthly water use is 21,000 gallons and assuming 50% of the total water used is for irrigation, an average of 10,500 gallons per month would be discharged to the sewer system. The total daily wastewater generated to be treated at the City's facilities would therefore be 345 gallons per day.

As of 2015, the Beaumont WWTP had a wastewater treatment capacity of 4 million gallons per day (MGD) which is not sufficient to accommodate all expected future growth within the city. The facility is planned to expand to provide a minimum treatment capacity of 8.0 MGD. The Project Applicant will be required to pay developer impact fees to finance treatment plant expansion. Upon completion of the facility expansion, the Beaumont WWTP would have a surplus wastewater capacity of approximately 5.5 MGD to serve existing and future demands. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

- d) *Would the project generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure?*

**Less than Significant Impact.** The nearest landfill to serve the Proposed Project is the Riverside County Lamb Canyon Landfill. During a permit review process in 2007, the landfill's

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<sup>39</sup> Beaumont-Cherry Valley Water District. 2015 Urban Water Management Plan.

capacity was increased, and the life of the facility was extended from 2024 to 2029. Wastes generated under build-out conditions will be directed to landfills with available capacity, as determined by the County. The General Plan EIR concludes that, upon implementation of the General Plan, compliance with the City’s adopted Source Reduction and Recycling Element (SRRE) target waste reduction and recycling goals, and proper management and disposal of waste streams would not result in a significant exceedance of permitted landfill capacities. The General Plan land use designation for the Project Site is Community Commercial (CC), and the Proposed Project would be developed in accordance with the requirements of this land use designation. Solid waste generation from the Proposed Project was accounted for in the General Plan and the City’s expected increase in waste generation. Additionally, the Proposed Project is required to comply with Chapter 8.12 Solid Waste Management of the City’s municipal code. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

e) *Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

**Less than Significant Impact.** The Riverside Countywide Integrated Waste Management Plan (CIWMP) was prepared in accordance with the California Integrated Waste Management Act of 1989 (AB 939). The SRRE is included in the CIWMP and analyzes the local wastestream to determine where to focus diversion efforts, including programs and funding. The City of Beaumont requires all development to adhere to all source reduction programs set forth in the SRRE for all the disposal of solid waste including yard waste. The Project would adhere to the SRRE and comply with all other applicable local, State, and federal solid waste disposal standards. Therefore, no significant adverse impacts are identified or anticipated, and no mitigation measures are required.

**3.20 WILDFIRE**

20.	<b>WILDFIRE.</b> If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**3.20.1 Environmental Setting**



Open space and undeveloped portions of the General Plan's Planning Area are at the highest risk for wildfires. However, since most of the Beaumont area consists of flat areas with sparse vegetation, the risk of wildfires is reduced. The City will continue to implement measures to reduce the potential for wildfires. The Project Site is not within a Very High Fire Hazard Severity Zone (VHFHSZ).

### 3.20.2 Impact Analysis

- a) *Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?*

**Less than Significant Impact.** Highland Springs Road is considered a major evacuation route. The Proposed Project does not require significant alternations to this evacuation route. The City General Plan's Circulation Element provides for appropriate evacuation routes and circulation throughout the General Plan Area to facilitate rapid response to emergency situations. Moreover, the General Plan provides for public education related to emergency conditions and emergency preparedness, response and evacuation plans. The City General Plan does not include elements that would conflict or interfere with adopted emergency response or evacuation plans. Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

- b,c) *Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?*

**Less than Significant Impact.** The Proposed Project is subject to environmental and building permit review procedures to reduce the risk of wildfires. The Project Site is relatively flat, with 2 to 5 percent slopes, and occurs at approximately 2603 to 2609 ft. in elevation. High winds are expected to cause potentially adverse effects within the General Plan Area. However, the implementation of the Proposed Project would reduce the risk of wildfires by eliminating the site's existing non-native grasses and providing a paved foundation. Moreover, the Project Site is surrounded by either vacant land, public facilities or commercial development and is not anywhere near an area of combustible vegetation. The risk of wildfires is low due to the lack of wildfire fuel factors. Riverside County Fire Department (RCFD) will review the final design to ensure the mitigation of fire hazards and minimal impacts to the environment. Additionally, the Project Site is not within a VHFHSZ.<sup>40</sup> Therefore, no significant impacts are identified or anticipated, and no mitigation measures are required.

- d) *Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability or drainage changes?*

**Less than Significant Impact.** The Project Site and its immediate vicinity is relatively flat and is not subject to post-fire slope instability. According to the City General Plan, peak rates of

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<sup>40</sup> Calfire. Fire Hazard Severity Zone Maps.

runoff will be managed within acceptable parameters throughout the implementation of the City Master Plan of Drainage and City Capital Improvement Programs. The implementation of associated storm water BMPs will ensure that the Proposed Project appropriately conveys storm water runoff without affecting upstream or downstream drainage characteristics. As a result, the Proposed Project will not expose people or structure to significant risks, such as downslope flooding or landslides. No significant impacts are identified or anticipated, and no mitigation measures are required.

**3.21 MANDATORY FINDINGS OF SIGNIFICANCE**

21.	MANDATORY FINDINGS OF SIGNIFICANCE.	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(a)	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(b)	Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects?)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(c)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**3.21.1 Impact Analysis**

a) *Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

**Less than Significant with Mitigation Incorporated.** The Project Site is not associated with any endangered species or any species of concern. Development of the Proposed Project would not cause fish or wildlife populations to drop below self-sustaining levels or restrict the movement/distribution of a rare or endangered species. The Proposes Project would not affect any threatened or endangered species or habitat. The Project Site is not within the Stephen’s Kangaroo Rat fee area nor is it required by the MSHCP to undergo burrowing owl surveys. The Project Site has very limited marginal nesting for ground-nesting bird species. Potential impacts to migratory/nesting bird species would be mitigated to a less than significant level with adherence to Mitigation Measure BIO-1.

There are potential impacts to cultural resources identified in the Phase I Cultural Resources Investigation prepared for the Project Site. Implementation of Mitigation Measures CR-1, CR-2 and GEO-4 will ensure potential impacts to cultural resources are reduced to less than significant level. Implementation of these Mitigation Measures would prevent the elimination of important examples of major periods of California history or prehistory.

- b) *Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects?)*

**Less than Significant with Mitigation Incorporated.** Cumulative impacts are defined as two or more individual affects that, when considered together, are considerable or that compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment that results from the incremental impact of the development when added to the impacts of other closely related past, present, and reasonably foreseeable or probable future developments. Cumulative impacts can result from individually minor, but collectively significant, developments taking place over a period. The CEQA Guidelines, Section 15130 (a) and (b), states:

(a) Cumulative impacts shall be discussed when the project’s incremental effect is cumulatively considerable.

(b) The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided of the effects attributable to the project. The discussion should be guided by the standards of practicality and reasonableness.

A cumulative project list was developed for the purposes of the Traffic Impact Analysis. Cumulative projects anticipated to contribute measurable traffic to study area intersections were included in the Opening Year Cumulative (2021) forecasts (see Appendix I, Table 4-2 for list of projects). The study area intersections are not anticipated to operate at an unacceptable Level of Service (LOS) under Opening year Cumulative (2021) with the addition of Proposed Project traffic.

Impacts associated with the Proposed Project would not be considered individually or cumulatively adverse or considerable. Impacts identified in this Initial Study can be reduced to a less than significant impact with implementation of Mitigation Measures T-1 to T-4.

- c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

**Less than Significant Impact.** The incorporation of the City of Beaumont policies, standards, and guidelines and proposed Mitigation Measures as provided in this Initial Study would ensure that the Proposed Project would have no substantial adverse effects on human beings, either directly or indirectly on an individual or cumulative basis. Due to geologic hazards within the area of the Project Site, the Proposed Project can directly and indirectly human beings by causing the risk of loss, injury or death. Implementation of Mitigation Measures GEO-1 to GEO-4 would enforce structural integrity and minimize the potential threats relating to geologic hazards. The City has established LOS D as the minimum LOS for all roadways/intersection

within the City. With the Project Applicant's payment of required fees and fair contributions, the Proposed Project would not significantly impact the City's circulation system. Furthermore, implementation of Mitigation Measures T-1 to T-4 would ensure safe access to and from the Project Site.

The Proposed Project would not conflict with South Coast Air Quality Management District's (SCAQMD) Air Quality Management Plan. The increases in emissions from construction and operations of the Proposed Project are below the SCAQMD threshold. Moreover, the Proposed Project would be required to comply with SCAQMD Rules 402 and 403 to minimize impacts posed by construction emissions. The noise generated from construction and operations of the Proposed Project would lead to noise level increases considered acceptable by City standards. Traffic generated by the operation of the Proposed Project will result in less than significant noise level increases at receiving land uses adjacent to the project area roadway segments.

Any potential adverse impacts identified can be reduced to a less than significant level with implementation of Mitigation Measures stated above.

## **REFERENCES**

AT&T. Progress Toward our 2020/202 Goals. <https://about.att.com/ecms/dam/csr/sustainability-reporting/PDF/2017/ATT-Goals.pdf>. Accessed May 1, 2020.

Beaumont-Cherry Valley Water District. *2015 Urban Water Management Plan*. <https://bcvwd.org/wp-content/uploads/2017/09/January-2017-Urban-Water-Management-Plan-Final.pdf>. Accessed 1/10/2020.

Calfire. Fire Hazard Severity Zone Maps. <https://osfm.fire.ca.gov/media/5907/beaumont.pdf>. Accessed on 11/26/19.

California Air Resources Board. California Greenhouse Gas Emissions from 2000 to 2017. [https://ww3.arb.ca.gov/cc/inventory/pubs/reports/2000\\_2017/ghg\\_inventory\\_trends\\_00-17.pdf](https://ww3.arb.ca.gov/cc/inventory/pubs/reports/2000_2017/ghg_inventory_trends_00-17.pdf). Accessed 12/11/2019.

California Department of Conservation. "Riverside County Important Farmland 2016 Sheet 1 of 3." [ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/riv16\\_w.pdf](ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/riv16_w.pdf). Accessed on 11/19/19.

California Department of Conservation. Fault Activity Map of California (2010). <http://maps.conservation.ca.gov/cgs/fam/>. Accessed on 11/20/19.

California Department of Conservation. Mineral Land Classification. [ftp://ftp.consrv.ca.gov/pub/dmg/pubs/sr/SR\\_143/PartVII/Plate\\_7-16.pdf](ftp://ftp.consrv.ca.gov/pub/dmg/pubs/sr/SR_143/PartVII/Plate_7-16.pdf). Accessed on 11/26/2019.

California Energy Commission. *2019 Building Energy Efficiency Standards*. [https://ww2.energy.ca.gov/title24/2019standards/documents/2018\\_Title\\_24\\_2019\\_Building\\_Standards\\_FAQ.pdf](https://ww2.energy.ca.gov/title24/2019standards/documents/2018_Title_24_2019_Building_Standards_FAQ.pdf). Accessed 1/20/2020.

California Energy Commission. Tracking Progress. [https://www.energy.ca.gov/sites/default/files/2019-05/energy\\_efficiency.pdf](https://www.energy.ca.gov/sites/default/files/2019-05/energy_efficiency.pdf). Accessed 12/6/2019.

City of Beaumont General Plan Map. <https://beaumontca.gov/DocumentCenter/View/66/Printable-General-Plan-Map?bidId=>. Accessed 11/18/2019.

City of Beaumont General Plan Update CEQA Findings. <https://beaumontca.gov/DocumentCenter/View/63/General-Plan?bidId=>. Accessed periodically.

County of Riverside Department of Environmental Health. California Accidental Release. <https://www.rivcoeh.org/HazMat/calarp>. Accessed 11/25/19.

Department of Toxic Substances Control. Hazardous Waste and Substances site list. <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=1905+business+center+dr+san+bernardino+ca+92408>. Accessed 11/25/19.

Federal Emergency Management Agency. National Flood hazard Layer. <https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>. Accessed 1/7/2020.

McLeod, Samuel A. 2018 Paleontological Resources for the Proposed 6<sup>th</sup> and Maple Septic Tank Conversion Project, McKenna et al. Project #1905, in the City of Beaumont, Riverside County, California. On file, McKenna et al., Whittier, California

Riverside County General Plan Safety Element.  
[https://planning.rctlma.org/Portals/14/genplan/2019/elements/Ch06\\_Safety\\_080619.pdf](https://planning.rctlma.org/Portals/14/genplan/2019/elements/Ch06_Safety_080619.pdf).  
Accessed 11/21/19.

Riverside County International Technology. Map My County. Accessed periodically.  
Sustainable Beaumont: The City's Roadmap to Greenhouse Gas Reductions.  
<https://www.beaumontca.gov/DocumentCenter/View/27815/Beaumont-Climate-Action-Plan?bidId=>. Accessed 12/11/2019

Riverside County Department of Waste Resources. Countywide Integrated Waste Management Plan. Accessed 2/10/2020.

South Coast Air Quality Management District. 2016 Air Quality Management Plan  
<http://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan/final-2016-aqmp>.  
Accessed March 13, 2020.

United States Census Bureau. *2010 Census of Population*. Accessed on 12/22/2019.  
<https://www.census.gov/quickfacts/fact/table/beaumontcitycalifornia/POP010210#POP0100>  
United States Department of Agriculture. Web Soil Survey. Accessed 11/22/19.

United States Department of Transportation, Bureau of Transportation Statistics. 2018. National Transportation Statistics 2018. Available at:  
<https://www.bts.gov/sites/bts.dot.gov/files/docs/browse-statistical-products-and-data/national-transportation-statistics/223001/ntentire2018q4.pdf>.

### **PROJECT-SPECIFIC REFERENCES**

Kimley-Horn and Associates, Inc. 8<sup>th</sup> and Highland Springs Preliminary Drainage Study. February 2020.

Kimley-Horn and Associates, Inc. Project Specific Water Quality Management Plan. February 2020.

McKenna et al., A Phase I Cultural Resources Investigations for a Commercial Development at 8<sup>th</sup> Street and Highland Springs Avenue in Beaumont, Riverside County, California. November 29, 2019.

Natural Resources Assessment, Inc. General Biological Assessment Beaumont Commercial Center. February 14, 2020.

Salem Engineering Group, Inc. Geotechnical Engineering Investigation. January 31, 2020.

Salem Engineering Group, Inc. Phase I Environmental Site Assessment. January 9, 2020.

Urban Crossroads, Inc. Traffic Impact Analysis. March 9, 2020.



**CITY OF BEAUMONT  
PLANNING DEPARTMENT  
DRAFT CONDITIONS OF APPROVAL**

**PLANNING COMMISSION DATE:** September 8, 2020

**CITY COUNCIL DATE:** October 6, 2020

**PROJECT NAME:** 8<sup>TH</sup> & HIGHLAND SPRINGS

**PROJECT NOS.:** PP2020-0276, CUP2020-0046, CUP2020-0047, PM2020-0007 (TPM37938) & ENV2020-0012

**DESCRIPTION:**

**APPLICANT:** Evergreen Devco, Inc.

**LOCATION:** Southwest corner of 8<sup>th</sup> Street and Highland Springs Avenue

**APN:** 419-150-034

**PROJECT**

Note: Any conditions revised at a hearing will be noted by ~~strikeout~~ (for deletions) and/or underline (for additions), and any newly added conditions will be added at the end of all conditions regardless of the Department originating the condition.

**STANDARD CONDITIONS**

1. The permit for the above referenced Conditional Use Permit and property consists of all Conditions of Approval herein. All Conditions of Approval for PP2020-0276, CUP2020-0046, CUP2020-0047 & PM2020-0007 (Tentative Parcel Map No. 37938) and other related approvals are still in effect.
2. The use hereby permitted is for the establishment of a gas station with a convenience store with a Type 20 Off-site sale of beer and wine, and one (1) drive-thru restaurant located on the southwest corner of 8<sup>th</sup> Street and Highland Springs Avenue.
3. The Community Development Director may approve minor modifications to the site plan that are in substantial conformance to the approved project and that do not increase impacts. All copies of the revised plans shall be dated and signed by the Director and made a part of the record.
4. The permittee shall defend, indemnify, and hold harmless the City of Beaumont, the Beaumont Redevelopment Agency, its agents, officers, consultants, and employees from any claims, action, or proceeding against the City of Beaumont or its agents, officers, consultants, or employees to attack, set aside, void, or annul, an approval of the City of Beaumont, its advisory agencies, appeal boards, or legislative body concerning Plot Plan PP2020-0276, Conditional Use Permit CUP

2020-0046, Conditional Use Permit CUP2020-0047, and Tentative Parcel Map No. 37938 (PM2020-0007). The City of Beaumont will promptly notify the permittee of any such claim, action, or proceeding against the City of Beaumont and will cooperate fully in the defense. If the City fails to promptly notify the permittee of any such claim, action or proceeding or fails to cooperate fully in the defense, the permittee shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City of Beaumont.

5. This approval is subject to the City of Beaumont Municipal Code Section 17.02.100 Conditional Use Permits and is subject to timing specified in Sections (J) Conditional Use Permit Time Limits, (K) Conditional Use Permit Lapse in Time, (L) Conditional Use Permit Renewal and (M) Lapsing in Conditional Use Permit.
6. This approval is subject to the City of Beaumont Municipal Code Section 17.02.170 Plot Plans and is subject to timing specified in Sections (I) Conditional Use Permit Time Limits and (J) Conditional Use Permit Lapse in Time.
7. This approval is subject to the City of Beaumont Municipal Code Section 16.32.040 Tentative Subdivision Maps and is subject to timing specified in Sections (B) Tentative Parcel Map Limits and (C) Tentative Parcel Map extensions of time.
8. The Planning Commission herewith grants a “certificate of public convenience and necessity” for Type 20 – Off-Sale of Beer and Wine for sales for the convenience store proposed on the southwest corner of 8<sup>th</sup> Street and Highland Springs Avenue.
9. Administrative Plot Plan and business license application review and approval are required prior to occupancy of the building or sales of any items.
10. The conditions as established by the State of California, Alcohol Beverage Control, shall be fully complied with in the operation of the business.
11. Occupancy inspections will be required prior to the start of operations by the Building & Safety, Planning, Police, and Fire Departments. All inspections shall be performed and approved before a Certificate of Occupancy will be issued by the Building and Safety Department.
12. If any of the conditions of approval are violated, or if the use otherwise become a public nuisance as set forth in the Beaumont Municipal Code, the conditional use permit may be revoked as prescribed in the Municipal Code.
13. For Sales Tax Purposes, this location shall be the “Point-of-Sale” for all transactions conducted.



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14. The Community Development Director shall monitor the subject use to ensure that the scale of the use does not exceed the limitations of the existing site improvements. In the event the Community Development Director determines that the scale of the use has exceeded site limitations, a hearing shall be scheduled before the Planning Commission to review the permit and consider modification or revocation thereof.
15. After 12 months of operation, the subject matter may, at the discretion of the Community Development Director, be scheduled for review by the Planning Commission. The Commission shall retain the authority to amend these conditions of approval at such time, or to modify the use or revoke the permit if substantial problems result from the operation.
16. The applicant shall be responsible for securing clearance, permits and approvals from all relevant agencies, including the Building Department, Fire Department, Health Department, ABC and any other necessary departments or agencies.
17. This permit shall be for the benefit of the applicant in whose name the permit was issued, for the specific approved location. The permit shall not be transferrable to another individual or location.
18. An anti-graffiti coating shall be provided on all block walls, and written verification from the developer shall be provided to the City of Beaumont Planning Department.

#### Service Stations

19. Per Table 17.05-1 of the Beaumont Municipal Code, gasoline service stations are parked at a minimum of one (1) space per 200 square feet of gross floor area.
20. Municipal Code Section 8.50.080 identifies service stations as a special use zone in regard to lighting. Prior to the issuance of a Building Permit, the applicant shall demonstrate that the proposed lighting installation:
  - A. Is not within a Residential Lighting Zone;
  - B. Utilizes fully shielded, side shielded and internally shielded light fixtures to the maximum extent practicable; and
  - C. Includes measures to mitigate light trespass and artificial sky glow.

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21. Outdoor lighting systems in the Commercial/Industrial zone shall be turned off or reduced in lighting by at least 50 percent beginning at 10:00 pm. or close of business, whichever is later, until dawn or the start of business, whichever is sooner. When possible, the lighting system shall be turned off rather than reduced in lighting level. Lighting shall be equipped with controls for photocell on and time off.
22. Conceptual signage has been included as part of this project but will require Planning and Building sign permits prior to installation. All service station signage shall be developed in conformance with the zoning ordinance of the Beaumont Municipal Code, Section 17.07.110.D.
23. The hours of operation for the gas station, convenience store and drive-thru restaurant shall be a 24-hour operation, 7 days a week.
24. Outdoor merchandise displays are not permitted as part of this project, with the exception of propane sales subject to plan check review and approval by the Planning, Fire and Building Departments.
25. No outdoor activities are permitted within the parking area without an approved Temporary Use Permit.
26. Outside operations shall be limited to the dispensing of petroleum products, water and air.
27. Outdoor storage of motor vehicles is prohibited.
28. No vehicles may be parked on sidewalks, parkways, driveways, or alleys.
29. No vehicles may be parked on the premises for the purpose of offer for sale.
30. Noise from bells or loudspeakers shall not be audible beyond the property line at any time.
31. Prior to the issuance of a Certificate of Occupancy, the applicant must complete and submit a hazardous waste generator application and obtain and operate under a hazardous waste generator permit for the County of Riverside Department of Environmental Health.
32. Alcohol sales for the convenience store only are included as part of Conditional Use Permit No. 2020-0047, and any future alcohol sales on the project site would

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be subject to the Beaumont Municipal Code, Section 17.03.120 and will require a Conditional Use Permit.

33. Future development beyond the gas station, convenience store and quick service restaurant proposed as part of PP2020-0276, CUP2020-0046, CUP2020-0047 & PM2020-0007, shall be required to apply for the appropriate planning entitlement application(s) and provide the required CEQA analysis.

### **BUILDING DEPARTMENT CONDITIONS**

34. It shall be unlawful for any person to engage in or permit the generation of noise related to landscape maintenance, construction including erection, excavation, demolition, alteration or repair of any structure or improvement, at such sound levels, as measured at the property line of the nearest adjacent occupied property, as to be in excess of the sound levels permitted under Chapter 9 of the Municipal Code, at other times than between the hours of 7:00 a.m. and 6:00 p.m. The person engaged in such activity is hereby permitted to exceed sound levels otherwise set forth in this Chapter for the duration of the activity during the above described hours for purposes of construction. However, nothing contained herein shall permit any person to cause sound levels to at any time exceed 55 dB(A) for intervals of more than 15 minutes per hour as measured in the interior of the nearest occupied residence or school.

### **FIRE DEPARTMENT CONDITIONS**

**With respect to the conditions of approval for the referenced project, the Fire Department requires the following fire protection measures be provided in accordance with Riverside County Ordinances and/or recognized fire protection standards:**

35. Fire Hydrants and Fire Flow: Prior to the issuance of building permits, plans for the water system shall be submitted to the fire department for review and approval. The water system shall be capable of delivering the required fire flow. Fire hydrant(s) location and spacing shall comply with the fire code. An approved water supply for fire protection during construction shall be made available prior to the arrival of combustible materials on site. Reference 2019 California Fire Code (CFC) 507.5.1, 3312, Appendices B and C.
36. Fire Department Access: Prior to building permit issuance, provide a site plan showing the fire lanes. Access roads shall be provided to within 150 feet to all

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portions of the exterior building walls and shall have an unobstructed width of not less than 24 feet. The construction of the access roads shall be all weather and capable of sustaining 60,000 lbs. over two axels for commercial developments. Approved vehicle access, either permanent or temporary, shall be provided during construction Ref. CFC 503.1.1, 3310.1 and 503.2.1.

37. Construction Permits Fire Department Review: Submittal of construction plans to the Office of the Fire Marshal for development, construction, installation and operational use permitting will be required. Final fire and life safety conditions will be addressed when the Office of the Fire Marshal reviews these plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code, and related codes, which are in effect at the time of building plan submittal.
38. Phased Construction Access: If construction is phased, each phase shall provide approved access for fire protection prior to any construction. Ref. CFC 503.1
39. Fire Sprinkler System: All new commercial structures 3,600 square feet or larger, including the proposed canopy structure, shall be protected with a fire sprinkler system. Ref CFC 903.2 as amended by the City of Beaumont.
40. Fire Alarm and Detection System: A water flow monitoring system and/or fire alarm system may be required and determined at time of building plan review. Ref. CFC 903.4, CFC 907.2 and NFPA 72
41. Knox Box and Gate Access: Buildings shall be provided with a Knox Box. The Knox Box shall be installed in an accessible location approved by the Office of the Fire Marshal. All electronically operated gates shall be provided with Knox key switches and automatic sensors for access. Ref. CFC 506.1
42. Addressing: All commercial buildings shall display street numbers in a prominent location on the address side and additional locations as required. Ref. CFC 505.1 and County of Riverside Office of the Fire Marshal Standard #07-01

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### **POLICE DEPARTMENT**

43. All exterior lighting on the site shall remain functional and be kept on during all hours of darkness. Exterior lighting shall be sufficient to illuminate the storefront during all hours of darkness. Any proposed outside lighting shall be in compliance with the City's Lighting Ordinance, Chapter 8.50, of the City of Beaumont Municipal Code.
44. The address of the business shall be clearly visible from the front of the building and shall be illuminated during hours of darkness.
45. There shall be no loitering permitted on the premises. It is the responsibility of the applicant to enforce no loitering.
  - A. Police officers, sheriff's deputies, and ABC investigators are sworn law enforcement officers (peace officers) with powers of arrest. Whether in plainclothes or uniform, peace officers have the legal right to visit and inspect any licensed premises at any time during business hours without a search warrant or probable cause. It is legal and reasonable for licenses to exclude the public from some areas of the premises. However, licensees cannot and must not deny entry to, resist, delay, obstruct or assault a peace officer (Sections 25616, 25753, and 25755 B&P 148 and 241(b) PC).
  - B. Operating Standards, Retail – The following requirements apply:
46. Post "No Loitering" signs upon written notice from the ABC.
47. Remove litter daily from the premises, adjacent sidewalks and parking lots under licensees' control and sweep/clean these areas weekly.
48. Remove graffiti from premises and parking lot.
49. Have no more than 33% of the windows covered with advertising or signs.
50. The convenience store and gas station shall install digital video surveillance camera system shall be strategically positioned to capture persons and vehicles entering/exiting the site. The surveillance system should have the capability of retaining video for a time period of at least 30 days.
51. The convenience store and gas station shall have security cameras operating at all times when the business is operating. Security camera quality, lighting and positioning must be capable of providing facial recognition in key areas in and

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around the facilities, including the parking lot area, during operational hours. During hours of operation, a staff member shall be present who has the authority to meet law enforcement's request to view and/or copy images captured on video surveillance system. All images must be recorded and retained for at least 30 days. The exact location and quantity of all security cameras shall be subject to approval by the Police Department prior to final occupancy.

52. The applicant shall comply with all applicable local, county, state and federal regulations, including the City's Municipal Code and the California Business and Professions Code (B&P).

## **PUBLIC WORKS**

### **GENERAL**

53. The following is a non-inclusive list of items that may be required by the Public Works Department:

#### A. Plans:

- i. Tentative Parcel Map
- ii. Parcel Map
- iii. Street Improvement Plan
- iv. Street Light Plan
- v. Landscape Plan offsite
- vi. Precise Grading Plan
- vii. Erosion Control Plan
- viii. Retaining wall Plan (for line and grade only)
- ix. Sewer Improvement Plan
- x. BCVWD Water Improvement Plan
- xi. Storm drain Improvement Plan
- xii. Onsite composite utility Plan
- xiii. Traffic Control Plan

#### B. Reports & Studies:

- i. Geotechnical Report
- ii. Soils Investigation Report w/ Infiltration study & Analysis
- iii. Stormwater Pollution Prevention Plan (SWPPP)

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- iv. Final Hydrology and Hydraulics Report
- v. Preliminary Water Quality Management Plan (P-WQMP)
- vi. Final Water Quality Management Plan (F-WQMP)
- vii. Offsite Improvement Engineer's Cost Estimate (ECE)
- viii. Grading & Pad Certification
- ix. Compaction Report

C. Permits and agreements:

- i. Permission to Grade and Construction agreements
- ii. Non-interference letters
- iii. WQMP Covenant and Agreement
- iv. City Grading Permit
- v. City Encroachment Permit
- vi. Performance Bond
- vii. Labor & Material Bond
- viii. Maintenance Bond

54. The design of public infrastructure elements shall conform to the requirements of the City General Plan, Water Quality Management Plan, Master Plans, City of Beaumont Standards, Riverside County Transportation Department (RCTD) Road Improvement Standards & Specification, Caltrans Standard Specifications and the Standard Specifications for Public Works Construction, current edition, as required by the City Engineer.
55. The design of private site improvements and grading work outside of road right of way shall conform to the latest edition of California Building Code and the City of Beaumont standards and practices.
56. All required plans and studies shall be prepared by a Registered Professional Engineer, Registered Professional Geologist or Registered Professional Surveyor in the State of California, and submitted to the Public Works Department for review and approval.
57. The Applicant shall coordinate with affected utility companies and obtain any permits as necessary for the development of this project.

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58. The Applicant is responsible for resolving any conflicts with existing or proposed easements. All easement(s) of record and proposed easements shall be shown on the final map, grading plan and improvement plans, where applicable.
59. The Applicant shall obtain an Encroachment Permit, as required, for all work within the public right-of-way.
60. Where survey monuments exist, such monuments shall be protected or shall be referenced and reset, pursuant to Business and Professions Code, Sections 8700 to 8805 (Land Surveyors Act).
61. The Applicant, at its sole expense, shall obtain all right-of-way or easement acquisitions necessary to implement any portion or condition of this project, including public improvements; off-site grading & construction; offsite street requirements; offsite sewer requirements; storm drain improvements; or any other requirement or condition.

#### MAPPING

62. PRIOR TO FINAL MAP RECORDATION: The applicant shall provide securities guaranteeing the payment of the cost for all public improvements. The securities shall include Faithful Performance and labor and materials for 100% of the approved Engineer's Cost Estimate (ECE).
63. PRIOR TO FINAL MAP RECORDATION: The Applicant shall comply with Government Code Section 66436(a)(3) before approval of the final map and shall provide "no objection" letters from all public entities or utilities to the satisfaction of the City Engineer.
64. PRIOR TO FINAL MAP RECORDATION: When changes to an approved Tentative Map are proposed, a Substantial Compliance Exhibit, in the same scale as the Tentative Map, shall be submitted for review and approval by the City Engineer.
65. PRIOR TO FINAL MAP RECORDATION: Monuments shall be provided in accordance with Section 8771 of the Business and Professions Code. Cross-ties shall be set in top of curbs and tie sheets shall be submitted to the Public Works Department. Per the Subdivision Map Act, Section 66496, internal monuments



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may be set at a later date if the applicant furnishes security guaranteeing the payment of the cost of setting such monuments.

66. PRIOR TO FINAL MAP RECORDATION: The applicant shall provide an easement over, across and which provides ingress and egress to all private water quality, stormwater and drainage basins, to be dedicated to the City, for ingress, egress and right to inspect unless otherwise directed by the City Engineer.
67. PRIOR TO FINAL MAP RECORDATION: The applicant shall show all right-of-way dedications necessary for the construction of all streets, on the Final Map, unless otherwise approved by the City Engineer, including but not limited to:
- A. 8th Street is designated as a Major Highway with a full-width dimension of 100-feet right-of-way to right-of-way (100-feet R/W width). The Applicant shall verify that the appropriate right-of-way exist and/or the Applicant shall dedicate all additional right-of-way necessary to achieve the required 50-foot half-width.
  - B. Highland Springs is designated as an Arterial Highway with a full-width dimension of 110-feet right-of-way to right-of-way (110-feet R/W width). The Applicant shall verify that the appropriate right-of-way exist and/or the Applicant shall dedicate all additional right-of-way necessary to achieve the required 55-foot half-width.
  - C. Any right-of-way required outside of the map boundary shall be dedicated per separate instrument, at the sole expense of the Applicant.
68. PRIOR TO FINAL MAP RECORDATION: The property line/right-of-way corner cutback at the southwest corner of the intersection of 8th Street and Highland Springs shall be verified and/or established, at the sole expense of the Applicant, per RCTD std. 805.

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### STREET IMPROVEMENTS

69. PRIOR TO ISSUANCE OF ENCROACHMENT PERMIT: The applicant shall provide securities guaranteeing the payment of the cost for all public improvements. The securities shall include Faithful Performance and labor and materials for 100% of the approved Engineer's Cost Estimate (ECE).
70. PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The Applicant shall deposit with the City, a fair share contribution for 16.3% (or as shown in the approved TIA) of the estimated cost at the time of deposit, to install traffic signals and construct all other necessary improvements to safely and adequately signalize the intersection at 8th Street and Pennsylvania. The signals shall be estimated based on RCTD Ordinance 461 Specifications. Additionally, the fair share contribution shall include the cost of all improvements necessary for the following TIA recommendations:
- A. Restripe the northbound approach to provide one left turn lane and one shared through-right turn lane.
  - B. Restripe the southbound approach to provide one left turn lane and one shared through-right turn lane.
  - C. Restripe the eastbound approach to provide one left turn lane and one shared through-right turn lane.
  - D. Restripe the westbound approach to provide one left turn lane and one shared through-right turn lane.
71. PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The Applicant shall replace any sidewalk, curb and gutter, drive approach, AC pavement or other improvement damaged during construction as determined necessary by the City Engineer.
72. PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The Applicant shall install a bus stop on the southbound portion of Highland Springs Ave, located south of, and immediately after the intersection of 8th Avenue. The bus stop shall be designed as a "Far-Side Stop" per the Bus Stop Design Guidelines of the

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Riverside Transit Agency or as directed by the Community Services Director and at a minimum include:

- A. Painted red curb as shown in figure 13: Curbside Stop Configuration for one bus
  - B. Bus stop sign as shown in figure 13: Curbside Stop Configuration for one bus
  - C. Bus Bench as shown in figure 19: Typical Bus Bench Design
  - D. An accessible 8ft x 20ft concrete area including sidewalk to allow for ADA compliant wheelchair loading/unloading pad.
  - E. Bus Shelter as shown in figure 20: Bus Shelter
73. PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The Applicant shall install public streetlights along the project frontage of perimeter streets, or as directed by the City Engineer, in accordance with the City of Beaumont Approved Street Lighting Specifications. The Applicant shall coordinate with Public Works before submitting street light plans.
74. PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The Applicant shall construct all drive approaches in accordance with RCTD std. 207A, Commercial Driveway.
75. PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The Applicant shall construct sidewalk adjacent to curb along 8th Street and Highland Springs, coincident with the project frontage, per RCTD std. 401. All conflicts with existing and proposed appurtenances must be shown on the plans and resolved in a manner consistent with ADA standards and requirements.
76. PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The Applicant shall work with staff to develop and implement traffic measures and/or devices to prohibit left turn maneuvers from the Eighth Street driveway.
77. PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The Applicant shall have a Geotechnical Engineer investigate the existing roadway section of all streets coincident with the project frontage. The geotechnical report shall

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recommend one, or a combination of, the following conditions based on the existing condition and minimum requirements:

- A. Perform a crack fill and slurry coat from street centerline to edge of gutter
  - B. Grind (0.17' Min.) and overlay from street centerline to edge of gutter
  - C. Full-section removal and replacement as necessary
78. PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The applicant shall verify that the existing curb ramp at the southwest corner of the intersection of 8th Street and Highland Springs meets current ADA requirements as stated in the California Building Code Title 24, current edition. The applicant shall correct all deficiencies.
79. PRIOR TO ISSUANCE OF ANY OCCUPANCY PERMIT (COO): The applicant shall design and install offsite landscaping and supporting irrigation system. All irrigation and landscaping associated with this project will be privately maintained.

#### SEWER IMPROVEMENTS

80. PRIOR TO ISSUANCE OF OCCUPANCY PERMIT (COO): The applicant shall construct sewer laterals from each structure to the nearest existing public sewer facility. The following sewer facilities are provided for reference only, the applicant shall be responsible to verify location, size, material and capacity:
- D. 8th Street- 10" VCP sewer per City Improvement Pan no. 433
  - E. Highland Spring Avenue- 8" sewer per City Improvement Plan no. 406
81. PRIOR TO ISSUANCE OF OCCUPANCY PERMIT (COO): The applicant shall connect proposed lateral to the existing sewer mains per EMWD std. SB-176.
82. PRIOR TO ISSUANCE OF OCCUPANCY PERMIT (COO): The applicant shall construct sewer laterals per EMWD std. SB-177 and State Department of Health requirements for water line and sewer line separations both horizontally and vertically.

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83. PRIOR TO ISSUANCE OF OCCUPANCY PERMIT (COO): The applicant shall design and construct onsite sewer per the latest edition of the California Plumbing Code (CPC) and City of Beaumont guidelines.
84. PRIOR TO CONNECTING TO A PUBLIC SEWERAGE SYSTEM: The applicant shall pay all applicable sewer connection fees.

#### WATER IMPROVEMENTS

85. PRIOR TO ISSUANCE OF OCCUPANCY PERMIT (COO): The applicant shall be responsible for obtaining potable water and reclaimed water for the development.
86. PRIOR TO ISSUANCE OF OCCUPANCY PERMIT (COO): The applicant shall comply with the requirements of the Beaumont Cherry Valley Water District.
87. PRIOR TO ISSUANCE OF OCCUPANCY PERMIT (COO): The applicant shall ensure all water valves and vault covers within paved areas are raised flushed with finished surface and painted after paving is completed.
88. PRIOR TO ISSUANCE OF OCCUPANCY PERMIT (COO): The applicant shall ensure all fire hydrants; air vacs and other above ground water facilities are placed outside of sidewalk areas. Water meter boxes and vaults, valve covers, etc. may be placed within sidewalks or paved areas provided such devices are set flush with the finished surfaces and are properly rated for chosen locations as approved by the City Engineer.
89. PRIOR TO ISSUANCE OF OCCUPANCY PERMIT (COO): The applicant shall ensure that water line locations follow the State Department of Health requirements for water line and sewer line separations both horizontally and vertically. If pertinent conditions do not allow for the required separations horizontally and vertically, the proposed separations shall be submitted to the City Engineer for review and approval.

#### GRADING AND DRAINAGE

90. PRIOR TO ISSUANCE OF A GRADING PERMIT: The stormwater generated within the development shall be captured into appropriate drainage facilities. The

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stormwater shall be treated per the requirements of the WQMP. The drainage facilities shall be designed to accommodate a 100-year storm flow event.

91. PRIOR TO ISSUANCE OF A GRADING PERMIT: A Hydrology/Hydraulics report shall be submitted to the Public Works department. The project/report shall:

- A. Follow the general guidelines set forth by Riverside County Flood Control and Water Conservation District's (RCFC&WCD) Hydrology Manual.
- B. Examine the 10-year and 100-year storm events utilizing the RCFC&WCD rational method. The 10-year storm flow shall not exceed the top of curb depth. 100-year storm flow shall not exceed the right-of-way line. If the 10-year storm flow exceeds the top of curb depth, underground storm drain facilities will be required. Underground storm drain facilities shall be designed to accommodate a 100-year storm flow;
- C. Examine the 2, 10 and 100-year storm frequencies in combination with the 1,3,6 and 24-hour storm durations utilizing the RCFC&WCD synthetic unit hydrograph method;
- D. Mitigate for increased runoff by directing drainage to a downstream facility that has sufficient capacity or mitigate the increased runoff onsite and/or as otherwise required by the City Engineer.

92. PRIOR TO ISSUANCE OF A GRADING PERMIT: The applicant shall design all storm drains, catch basins, and storm water structures with trash capture devices that conform with the approved trash capture list issued by the State Water Board.

93. PRIOR TO ISSUANCE OF A GRADING PERMIT: The applicant shall obtain a National Pollutant Discharge Elimination System (NPDES) Construction General Permit for stormwater discharges associated with construction activities as required by the California Water Resources Control Board.

94. PRIOR TO ISSUANCE OF A GRADING PERMIT: A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and submitted to the California Water Resources Control Board. The developer shall be responsible for implementation, monitoring, operation, and maintenance of the SWPPP until all improvements have been accepted by Public Works Department or construction is complete, whichever is later.

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95. PRIOR TO ISSUANCE OF A GRADING PERMIT: A copy of the Notice of Intent (NOI) and Waste Discharge Identification (WDID) number from the State Water Resources Control Board shall be provided to the Public Works Department.
96. PRIOR TO ISSUANCE OF A GRADING PERMIT: The applicant shall design temporary drainage facilities and erosion control measures to minimize erosion and silt deposition during the grading operation.
97. PRIOR TO ISSUANCE OF GRADING PERMIT: The applicant shall adhere to all Federal Emergency Management Agency (FEMA) regulations and requirements in the event that existing drainage patterns are affected by this development. The applicant shall submit to the City and to any governing Federal agency for review and approval, all necessary calculations. A portion of the project is within a Zone X- Other Flood Areas as shown on Flood Insurance Rate Map (FIRM) 06065C0812G.
98. PRIOR TO ISSUANCE OF A GRADING PERMIT: A final project-specific Water Quality Management Plan (F-WQMP) shall be submitted to Public Works Department. The WQMP shall incorporate, but not limited to, the following: site design BMP's, applicable source control BMP's, treatment control BMP's, long term operation and maintenance requirements, and inspection and maintenance checklist. Maintenance and funding requirements shall be outlined in the WQMP for the maintenance of the development BMP's. The post construction Best Management Practices (BMPs) outlined in the approved final project-specific WQMP shall be incorporated in the improvement plans.
99. CONCURRENT WITH GRADING OPERATIONS: Any grading and/or utility excavations and backfilling, both on and off site, shall be done under the continuous direction of a licensed geotechnical/civil engineer who shall obtain all required permits and submit reports on progress and test results to the City Engineer for review and approval as determined by the City. Upon completion of all soils related work, the geotechnical engineer shall submit a final report to the City Engineer for review and approval, which may require additional tests at the expense of the applicant.

PP2020-0276, CUP 2020-0046, CUP2020-0047 & PM2020-0007  
 Conditions of Approval  
 Page 18

100. PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY (COO): The Applicant shall provide adequate provisions to collect and convey all on-site drainage flows in a manner consistent with the historic drainage pattern and discharge in a manner which will not increase damage, hazard, or liability to adjacent or downstream properties.
101. PRIOR TO FOUNDATION TRENCHING: The applicant shall submit a soil compaction report to the City for review and approval.
102. PRIOR TO OBTAINING A BUILDING PERMIT: The applicant shall pay all applicable development fees as indicated on the fee schedule, current at the time of permit, available from the City, including, but not limited to the following:
  - A. Fire Protection Impact
  - B. Police Facilities Impact
  - C. Public Facility
  - D. Streets and Bridges Impact
  - E. Traffic Signal Impact
  - F. Railroad X'ing Impact
  - G. General Plan
  - H. Emergency Preparedness
  - I. Recycled Water Facility
  - J. Sewer Application
  - K. Sewer Disposal Facility Fee (Connection)
  - L. Lower Potrero Sewer
  - M. Southern Trunk Main Sewer
  - N. MSHCP
  - O. TUMF

### **MITIGATION MEASURES**

103. BIO-1. If construction is scheduled to occur between February 1 and August 31, a breeding bird survey following the recommended guidelines of the MBTA may be required to determine if nesting is occurring. A qualified biologist shall conduct a breeding bird survey no more than 30 days prior to the start of



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construction to determine if nesting is occurring. If occupied nests are found, they shall not be disturbed unless the qualified biologist verifies through non-invasive methods that either (a) the adult birds have not begun egg-laying and incubation; or (b) the juveniles from the occupied nests are capable of independent survival. If the biologist is not able to verify one of the above conditions, then no disturbance shall occur within a distance specified by the qualified biologist for each nest or nesting site. The qualified biologist will determine the appropriate distance in consultation with the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service.

104. CR-1: A qualified archaeologist shall oversee excavations in the younger alluvial deposits during the first two days of ground disturbance. If the archaeologist determines it necessary, an archaeological monitoring program shall be implemented. The monitoring program should be in accordance with current professional guidelines and protocols. The program should be flexible and account for changes in findings by treating resources in a professional manner and evaluated in accordance with current CEQA criteria.
105. CR-2: If any bones are uncovered during the course of project-related ground disturbance and the archaeologist determines that it is likely human, all appropriate cultural resources and health and safety laws will be followed and the developer will work with the NAHC-appointed Most Likely Descendent to determine appropriate measures for avoidance and preservation or other suitable treatment. CUL-1 Unanticipated Discovery of Prehistoric and Archaeological Resources.
106. GEO-1: Overexcavation and recompaction within the proposed building areas should be performed to a minimum depth of four (4) feet below existing grade or two (2) feet below proposed shallow footing bottom, whichever is deeper. The overexcavation and recompaction should also extend laterally to a minimum of 5 feet beyond the outer edges of the proposed footings.
107. GEO-2: Within pavement and canopy areas, it is recommended that the overexcavation and recompaction be performed to a minimum depth of one (1) foot below existing grade or proposed grade, whichever is deeper. The

PP2020-0276, CUP 2020-0046, CUP2020-0047 & PM2020-0007  
Conditions of Approval  
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overexcavation and recompaction should also extend laterally to a minimum of 2 feet beyond the pavement area.

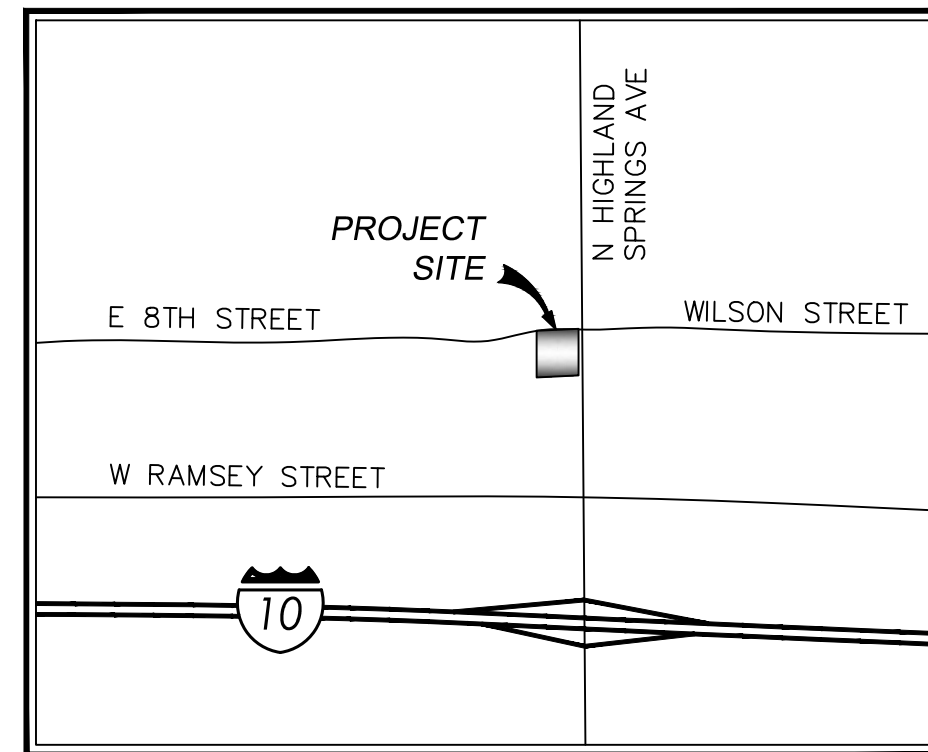
108. GEO-3: Prior to placement of fill soils, the upper 10 to 12 inches of native subgrade soils should be scarified, moisture-conditioned to no less than the optimum moisture content and recompacted to a minimum of 95% (90% for fine grained, cohesive soils) of the maximum dry density based on ASTM D1557 Test Method.
109. GEO-4: Deep excavations for utilities and underground storage tanks shall be monitored to detect and professionally collect any fossils uncovered without impeding development. If required a paleontological monitoring program shall be prepared and filed with the City.
110. WQ-1: The Project Proponent shall implement all permanent, structural BMPs and Operations BMPs as listed in the final WQMP to be approved by the City.
111. WQ-2: The ground immediately adjacent to the foundation shall be sloped away from the building at a slope of not less than 5 percent for a minimum distance of 10 feet.
112. WQ-3: Impervious surfaces within 10 feet of the building foundation shall be sloped a minimum of 2 percent away from the building and drainage gradients maintained to carry all surface water to collection facilities and off site. These grades should be maintained for the life of the project. Ponding of water should not be allowed adjacent to the structure. Over-irrigation within landscaped areas adjacent to the structure should not be performed.
113. WQ-4: Roof drains should be installed with appropriate downspout extensions out-falling on splash blocks so as to direct water a minimum of 5 feet away from the structures or be connected to the storm drain system for the development.
114. T-1: – Driveway 1 & 8th Street– install a stop control on the northbound approach and a right turn lane (driveway).

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Conditions of Approval  
Page 21

115. T-2: Highland Springs Avenue & Driveway 2 - install a stop control on the eastbound approach and a right turn lane (driveway).
116. T-3: 8th Street is an east-west oriented roadway located along the Project's northern boundary. According to the City of Beaumont Circulation Element, 8th Street is currently built out to its ultimate half-section. Curb, gutter, and sidewalk improvements are recommended, as needed for site access along the Project's frontage, consistent with the City's standards.
117. T-4: Highland Springs Avenue is a north-south oriented roadway located along the Project's eastern boundary. According to the City of Beaumont Circulation Element, Highland Springs Avenue is currently built out to its ultimate half-section. Curb, gutter, and sidewalk improvements are recommended, as needed for site access along the Project's frontage, consistent with the City's standards.

End of Conditions

# PLOT PLAN PP2020-0276, CONDITIONAL USE PERMIT CUP2020-0046 & CUP2020-0047, TENTATIVE PARCEL MAP PM2020-0007 SWC 8TH STREET AND HIGHLAND SPRINGS AVE CITY OF BEAUMONT, CA 92223



**VICINITY MAP**  
N.T.S.

**PROJECT ADDRESS**

PARCEL 1 (7-11):  
1687 E EIGHTH STREET, BEAUMONT, CA 92223  
  
PARCEL 2 (OSR):  
1675 E EIGHTH STREET, BEAUMONT, CA 92223

**ASSESSOR'S PARCEL NUMBER:**

419-150-034

**LEGAL DESCRIPTION:**

PARCEL 1 OF PARCEL MAP NO. 5570, AS SHOWN BY MAP ON FILE IN BOOK 10, PAGE 34 OF PARCEL MAPS, RIVERSIDE COUNTY RECORDS.

**BASIS OF BEARINGS:**

THE BASIS OF BEARINGS SHOWN HEREON ARE BASED ON THE CENTER LINE OF 8TH STREET, BEING SOUTH 89°10'30" WEST, AS SHOWN ON PARCEL MAP NO.5570 RECORDED OCTOBER 9, 1973 AS NO. 131938 IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY.

**BENCHMARK:**

CITY OF BEAUMONT BENCHMARK NO 07.A.82

LOCATED AT THE SOUTHEAST CORNER OF THE INTERSECTION OF OAK VALLEY PARKWAY AND PENNSYLVANIA AVENUE, 59.0 FEET SOUTHERLY AND 22.0 FEET EASTERLY OF THE CENTERLINE INTERSECTION. 1-3/8" BRASS CAP MONUMENT MARKED "CITY B.M. 7".

ELEVATION = 2678.277 U.S. SURVEY FEET (1982)

**PROJECT TEAM:**

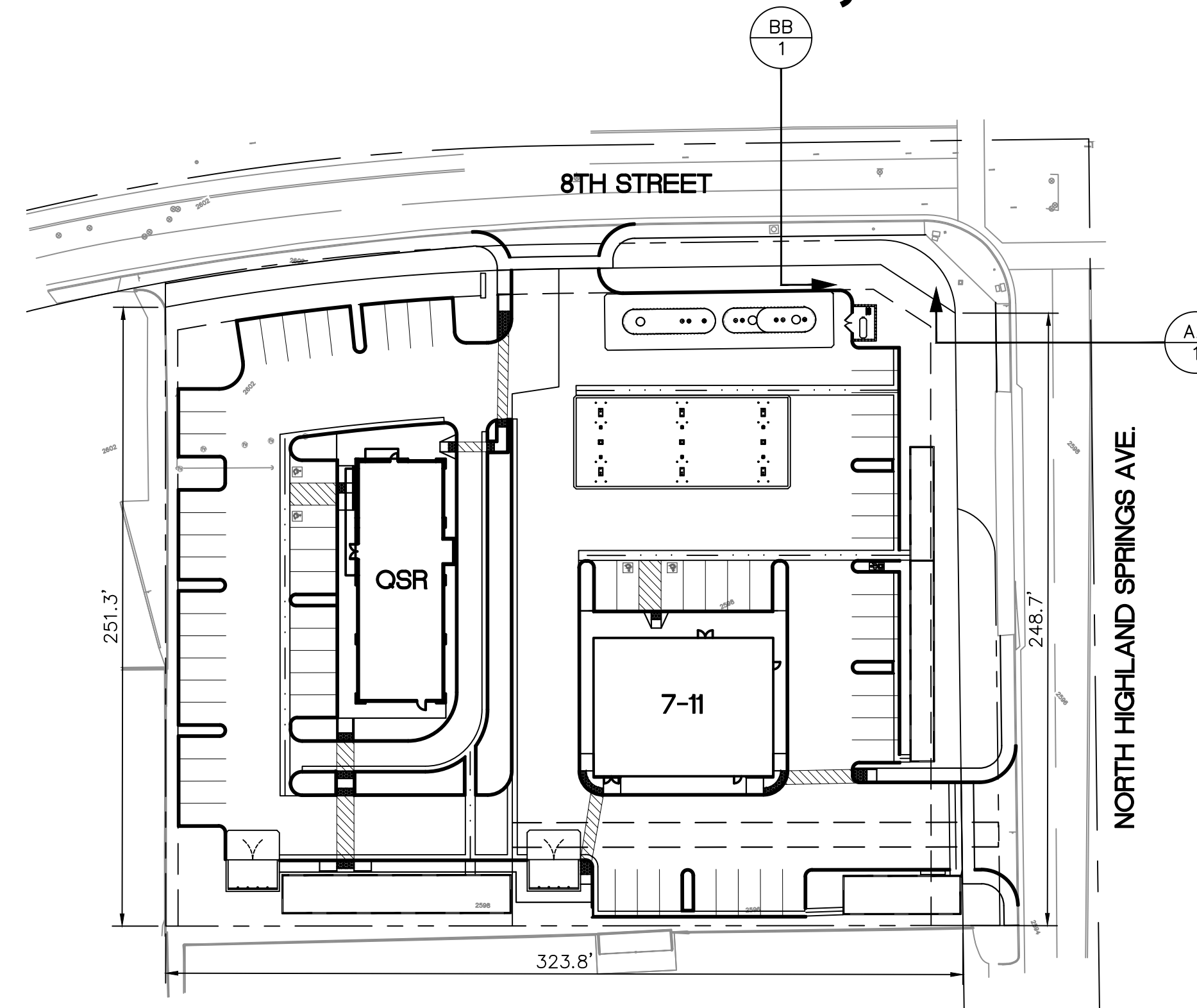
**APPLICANT**  
EVERGREEN DEVCO, INC.  
KAYTLIN FOX  
2390 EAST CANEKBAJ RD, 410  
PHEONIX, AZ 85016  
KFOX@EVGRE.COM  
602-808-8600

**SURVEYOR**  
KARN ENGINEERING  
SCOTT HARRY  
SCOTT.HARRY@KARNENGINEERING.COM  
760-728-1134

**OWNER**  
KY NGOC NGUYEN  
15521 SUNBURST LANE  
HUNTINGTON BEACH, CA 92647

**GEOTECHNICAL ENGINEER**  
SALEM ENGINEERING GROUP, INC.  
8711 MONROE COURT, SUITE A  
RANCHO CUCAMONGA CA 91730  
909-980-6455

**CIVIL ENGINEER:**  
KIMLEY-HORN  
401 B STREET, SUITE 600  
SAN DIEGO, CA 92101  
STEVEN.POLLOCK@KIMLEY-HORN.COM  
619-272-7112



**SITE MAP**  
N.T.S.

**SHEET INDEX:**

- 1 COVER SHEET
- 2 PRELIMINARY SITE PLAN
- 3 PRELIMINARY GRADING AND DRAINAGE PLAN
- 4 PRELIMINARY UTILITY PLAN
- 5 PRELIMINARY LANDSCAPE PLAN
- 6 7-ELEVEN FLOOR PLAN
- 7 7-ELEVEN ELEVATIONS
- 8 7-ELEVEN ELEVATIONS
- 9 OSR ELEVATIONS

**LEGEND:**

- PROPERTY LINE/PROJECT BOUNDARY
- RIGHT OF WAY
- EX. LOT LINE
- PROPOSED LOT LINE
- CENTERLINE
- EX. EASEMENT
- PROPOSED EASEMENT
- ROAD FLOW LINE
- SETBACK
- EX. CHAINLINK FENCE
- WATER LINE
- FIRE LINE
- SEWER LINE
- STORM LINE
- EDGE OF PAVEMENT
- EXISTING CURB AND GUTTER
- EXISTING WATER METER
- EXISTING ELECTRIC VAULT
- EXISTING SEWER MANHOLE
- EXISTING WATER VALVE
- EXISTING STORM DRAIN MANHOLE
- EXISTING FIRE HYDRANT
- EXISTING SIGN
- EXISTING POWER POLE

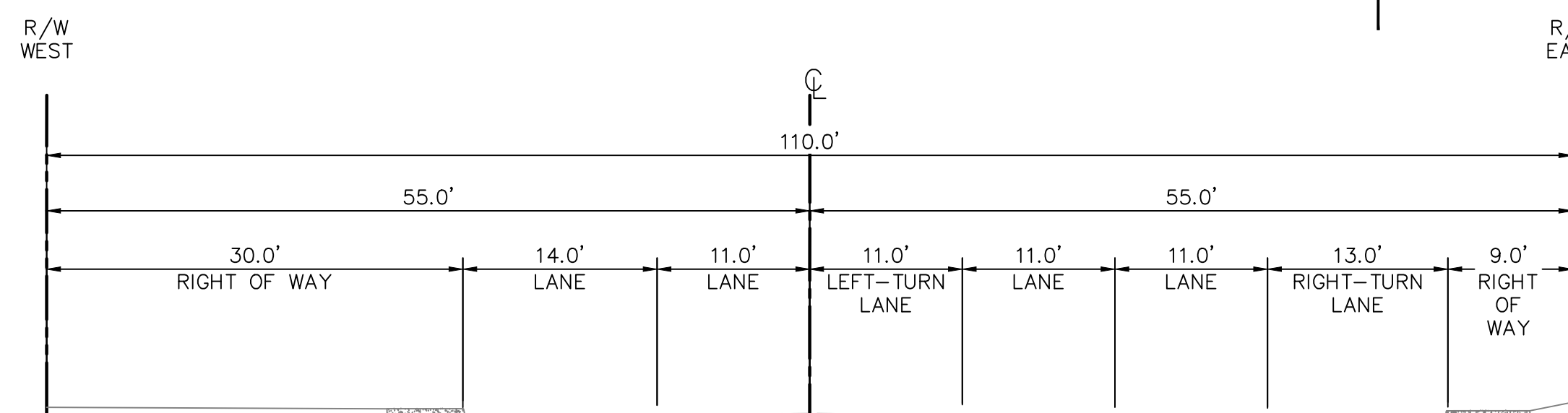
**PROJECT SUMMARY:**

THE PROJECT PROPOSES THE DEVELOPMENT OF A CONVENIENCE STORE OPERATING AN OFF-SALE ALCOHOLIC BEVERAGE LICENSE, GASOLINE SERVICE STATION, AND QUICK SERVICE/DRIVE THRU RESTAURANT.

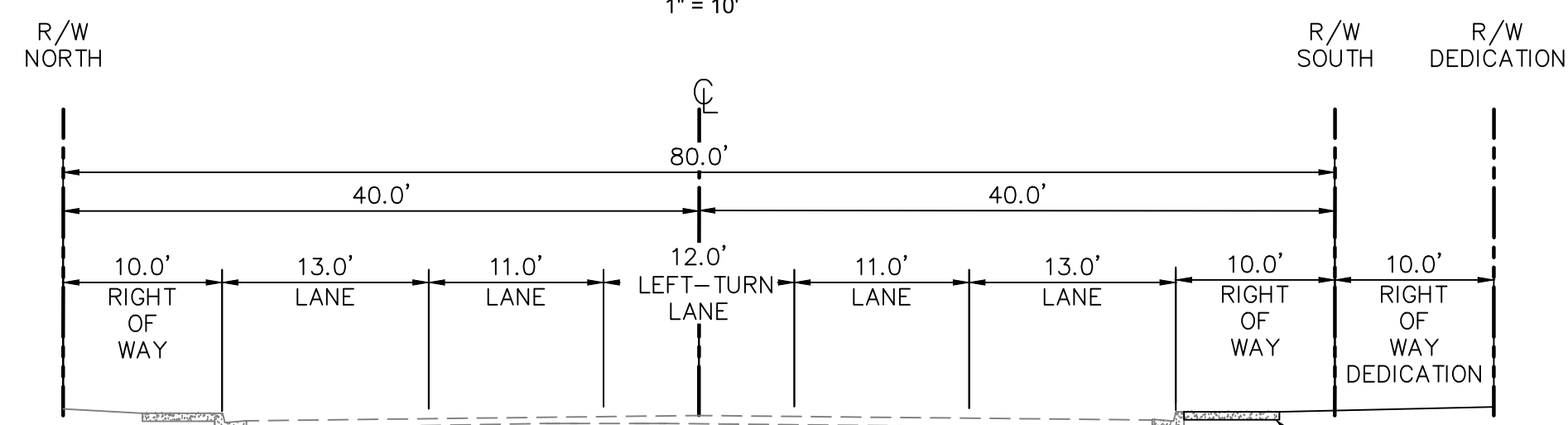
ZONING: CC - COMMUNITY COMMERCIAL

SETBACKS: 15' STREET FRONTAGE  
15' ABUTTING RESIDENTIAL

LANDSCAPE: 10' ALONG STREET FRONTAGES



**SECTION AA**  
NORTH HIGHLAND SPRINGS AVE.  
1" = 10"



**SECTION BB**  
8TH STREET  
1" = 10"

Kimley»Horn

401 B STREET, SUITE 600, SAN DIEGO, CA 92101  
PHONE: 619-234-9411  
WWW.KIMLEY-HORN.COM

KHA PROJECT  
DATE  
7/17/2020  
SCALE AS SHOWN  
DESIGNED BY: SP  
DRAWN BY: FH  
CHECKED BY: MB

Evergreen

Development | Services | Investments

LICENSED PROFESSIONAL  
REGISTERED PROFESSIONAL ENGINEER  
NOT FOR CONSTRUCTION  
CIVIL  
STATE OF CALIFORNIA  
DATE:

PLOT PLAN / CONDITIONAL USE PERMIT  
SWC 8TH STREET & NORTH HIGHLAND SPRINGS AVE

COVER SHEET

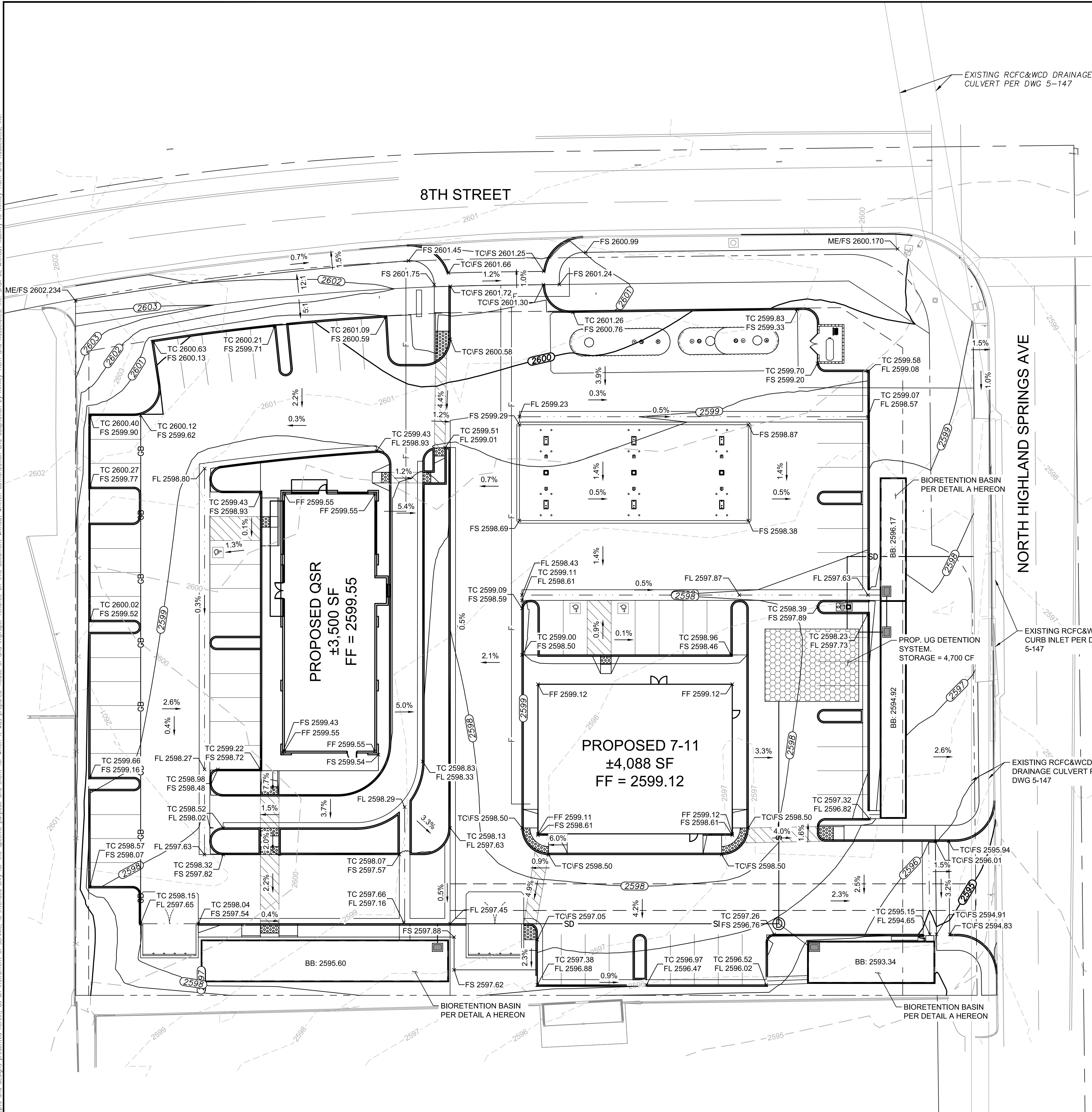
SHEET NUMBER  
1  
OF  
9

\\SDP\FR\CA\_SNO\SDNO\_106A\7-ELEVEN\_2\_RIVERSIDE\ITEMS\1 COVER SHEET.DWG 1/28/2020 PLOTTED BY: SCOTT HOFFMAN  
This document, together with the concepts and designs presented herein, is an instrument of service, and is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization and assentation by Kimley-Horn and Associates, Inc. and its without liability to Kimley-Horn and Associates, Inc.

No.	REVISIONS	DATE	BY



\\SDPDRVCA-SHOVISO-LBVA7-EEVEN\_2-RIVERSIDE\BIM & HIGHLAND - 104693\DESIGN\ELEMENTS\3 GRADING AND DRAINAGE\DWG 1/28/2020 PLOTTED BY: STEVEN POLLOCK  
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### ABBREVIATIONS

(X.XX)	EXISTING ELEVATION
X.XX	PROPOSED ELEVATION
ELEV	ELEVATION
EP	EDGE OF PAVEMENT
FF	FINISHED FLOOR ELEVATION
FL	FLOW LINE
FS	FINISHED SURFACE
GB	GRADE BREAK
HP	HIGH POINT
LP	LOW POINT
TC	TOP OF CURB
TG	TOP OF GRATE
TYP	TYPICAL
UST	UNDERGROUND STORAGE TANK

### NOTES

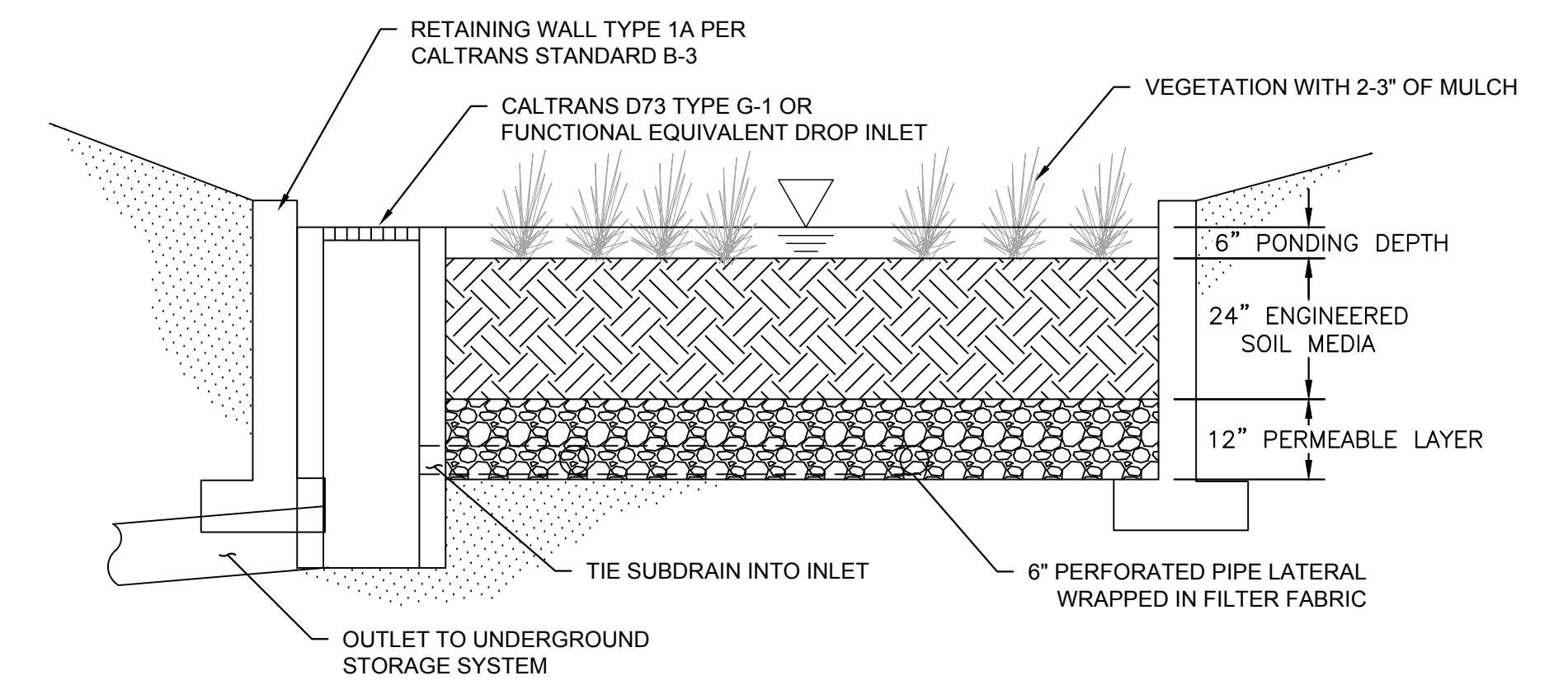
- CONTRACTOR TO VERIFY ALL EXISTING TOPOGRAPHY AND STRUCTURES ON THE SITE AND IMMEDIATELY NOTIFY THE ENGINEER OF ANY DISCREPANCIES PRIOR TO STARTING WORK.
- MAXIMUM SLOPE IN ACCESSIBLE PARKING SPACES AND LOADING ZONES SHALL NOT EXCEED 2.0% IN ALL DIRECTIONS.
- MAXIMUM RUNNING SLOPE SHALL NOT EXCEED 5% AND CROSS SLOPE SHALL NOT EXCEED 2% ON ALL SIDEWALKS AND ACCESSIBLE ROUTES.
- MATCH EXISTING ELEVATIONS AT THE PROPERTY LIMITS.
- EARTHWORK AND PAVING SPECIFICATION BASED ON GEOTECHNICAL REPORT.
- EARTHWORK QUANTITIES SHOWN HEREON ARE APPROXIMATE. QUANTITIES HAVE BEEN CALCULATED FROM EXISTING FINISHED GRADES TO PROPOSED SUBGRADE. QUANTITIES FOR PROPOSED UTILITIES OR REMOVAL OF EXISTING UTILITIES/SUBSTRUCTURES HAVE NOT BEEN INCLUDED.
- THE PROPOSED PROJECT WILL COMPLY WITH ALL THE REQUIREMENTS OF THE CURRENT RIVERSIDE COUNTY STORM WATER STANDARDS MANUAL BEFORE A GRADING OR BUILDING PERMIT IS ISSUED. IT IS THE RESPONSIBILITY OF THE OWNER/DESIGNER/APPLICANT TO ENSURE THAT THE CURRENT STORM WATER PERMANENT BMP DESIGN STANDARDS ARE INCORPORATED INTO THE PROJECT.
- THE SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD ADOPTED ORDER NO. R8-2010-0033, NPDES NO. CAS618033, NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES PERMIT AND WASTE DISCHARGE REQUIREMENTS FOR THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, THE COUNTY OF RIVERSIDE, AND THE INCORPORATED CITIES OF RIVERSIDE COUNTY WITHIN THE SANTA ANA REGION). THIS PROJECT WILL BE REQUIRED TO ADHERE TO THE RIVERSIDE COUNTY FLOOD CONTROL STORMWATER STANDARDS IN EFFECT AT THE TIME OF APPROVAL OF MINISTERIAL PERMIT. THE CURRENT STORM WATER DEVELOPMENT REGULATIONS BECAME EFFECTIVE ON JANUARY 29, 2010 AND THIS PROJECT WILL BE SUBJECT TO THOSE REGULATIONS.

### LEGEND

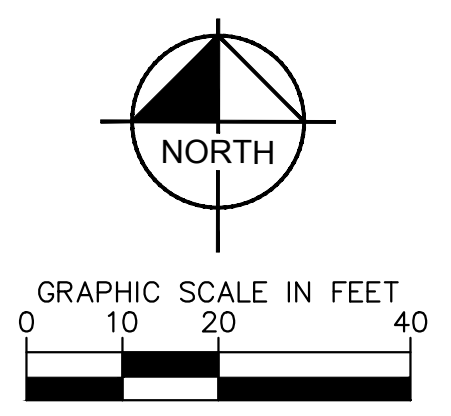
	PROPERTY LINE
	PROPOSED STORM DRAIN
	EXISTING CONTOUR
	PROPOSED CONTOUR
	GRADE BREAK
	RIDGE LINE
	GRATED INLET
	PROPOSED SPOT ELEVATION
	EXISTING SPOT ELEVATION
	PROPOSED SLOPE
	EXISTING SLOPE

### EARTHWORK RESULTS

GRADED AREA (ACRES):	2.22
CUT (CU. YD.):	2809
FILL (CU. YD.):	574
<b>NET CUT (CU. YD.):</b>	<b>2035</b>
MAX CUT DEPTH (FT):	3.6
MAX FILL DEPTH (FT):	2.2
UST EXCAVATION (CU. YD.):	1177
UST MAX CUT DEPTH (FT):	15
<b>SITE TOTAL CUT (CU.YD.):</b>	<b>3212</b>

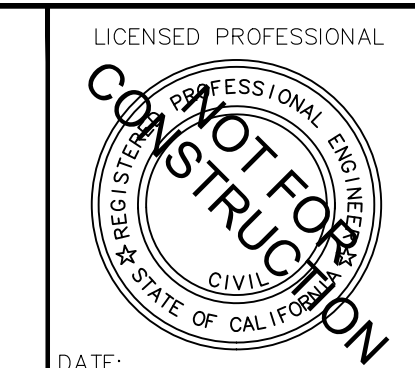


TYPICAL BIORETENTION/ DETENTION BASIN PER RCFC D LID DESIGN HANDBOOK  
NTS



401 B STREET, SUITE 600, SAN DIEGO, CA 92101  
PHONE: 619-234-9411  
WWW.KIMLEY-HORN.COM

KHA PROJECT
DATE 7/17/2020
SCALE AS SHOWN
DESIGNED BY: SP
DRAWN BY: FH
CHECKED BY: MB



PLOT PLAN / CONDITIONAL USE PERMIT  
SWC 8TH STREET & NORTH HIGHLAND SPRINGS AVE  
**PRELIMINARY GRADING AND DRAINAGE PLAN**

SHEET NUMBER  
**3 OF 9**

No.	REVISIONS	DATE	BY

### LEGEND

- PROPERTY LINE
- LOT LINE
- CENTERLINE
- SETBACK LINE
- PROPOSED STORM DRAIN
- PROPOSED SEWER
- EXISTING SEWER
- PROPOSED WATER
- EXISTING WATER
- PROPOSED FIRE WATER
- EXISTING GAS
- WATER METER
- STORM DRAIN MANHOLE
- GRATE INLET
- SANITARY SEWER MANHOLE
- GREASE INTERCEPTOR
- BUILDING POINT OF CONNECTION
- BACKFLOW PREVENTER
- PERMAVOID 150 UNDERGROUND DETENTION FACILITY

### UTILITY PURVEYORS

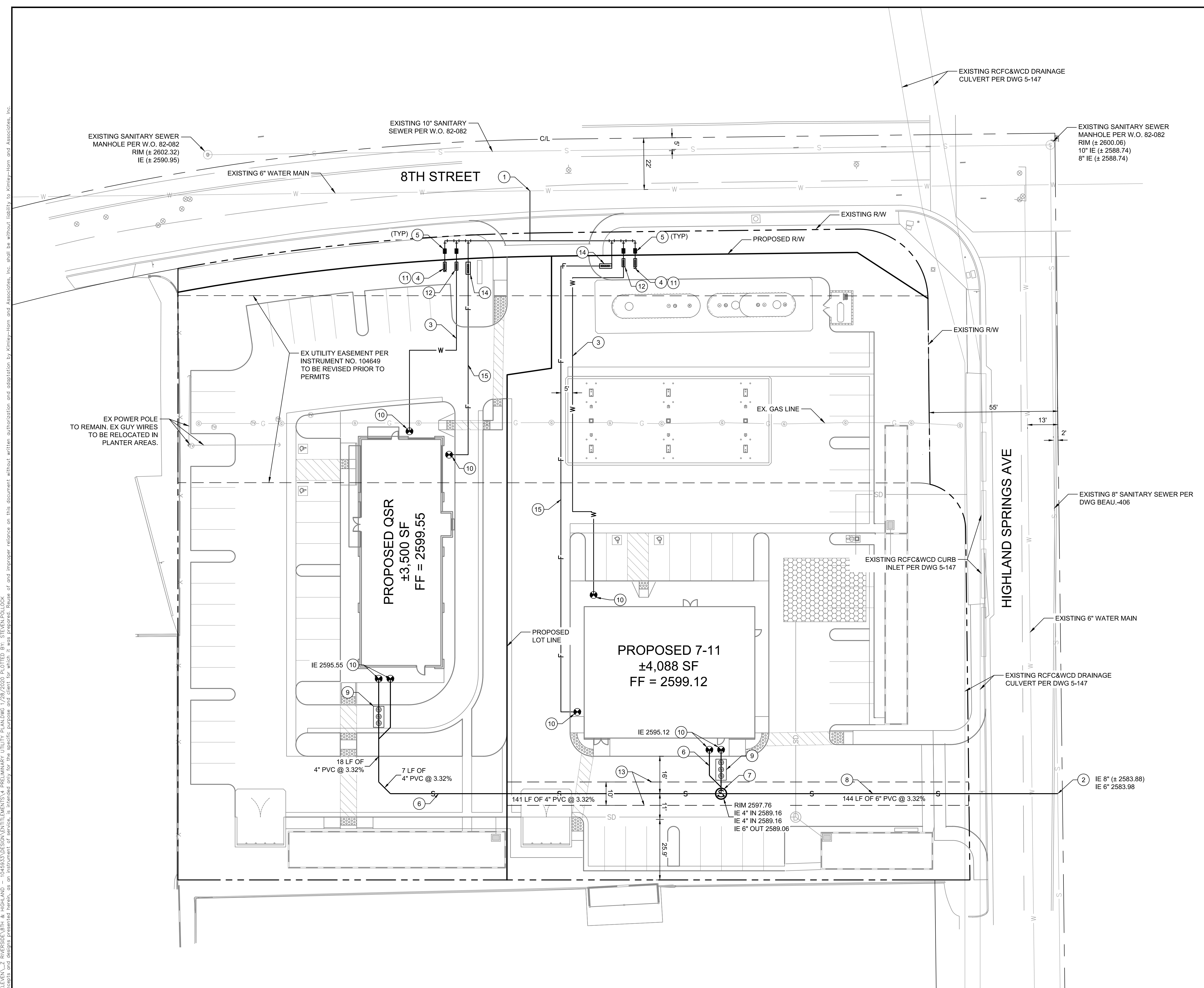
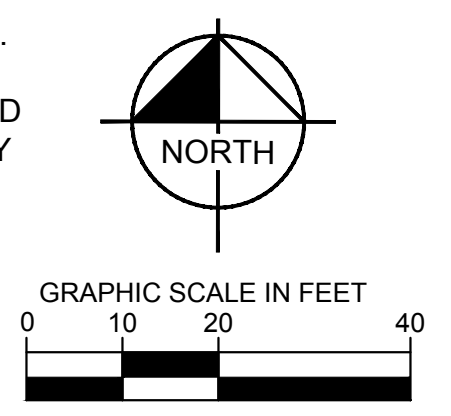
STORM: CITY OF BEAUMONT/RIVERSIDE COUNTY FLOOD CONTROL  
 WATER: BEAUMONT-CHERRY VALLEY WATER DISTRICT  
 SEWER: CITY OF BEAUMONT  
 GAS: SOCAL GAS COMPANY  
 ELECTRICITY: SOUTHERN CALIFORNIA EDISON

### CONSTRUCTION NOTES

- 1 CONNECT TO EXISTING 6" WATER MAIN
- 2 CONNECT TO EXISTING 8" SEWER MAIN
- 3 PROPOSED 1" DOMESTIC WATER SERVICE
- 4 PROPOSED 1" IRRIGATION SERVICE
- 5 PROPOSED 3/4" WATER METER
- 6 PROPOSED 4" PVC SANITARY SEWER PIPE
- 7 PROPOSED SANITARY SEWER MANHOLE
- 8 PROPOSED 6" PVC SANITARY SEWER PIPE
- 9 GREASE INTERCEPTOR PER SEPARATE PLANS
- 10 BUILDING POINT OF CONNECTION
- 11 REFER TO SEPARATE LANDSCAPE PLANS FOR CONTINUATION
- 12 PROPOSED 1" BACKFLOW PREVENTER
- 13 PROPOSED 10' PRIVATE SEWER EASEMENT FOR THE BENEFIT OF PARCEL 2 TO BE COVERED IN THE CC&R'S
- 14 PROPOSED FIRE SPRINKLER CONNECTION BACKFLOW PREVENTER
- 15 PROPOSED FIRE SERVICE FOR BUILDING FIRE SPRINKLER SYSTEM

### NOTES

1. UTILITY SIZES SHOWN ARE PRELIMINARY AND WILL BE CONFIRMED DURING FINAL DESIGN.
2. STORM DRAIN SHOWN FOR REFERENCE. REFER TO SHEET 3 - PRELIMINARY GRADING AND DRAINAGE PLAN FOR INFORMATION.
3. EXISTING UTILITY INFORMATION WAS OBTAINED FROM RECORD DRAWINGS AND AS-BUILT DOCUMENTS. CONTRACTOR TO VERIFY EXISTENCE, LOCATION, SIZE, AND MATERIAL PRIOR TO CONSTRUCTION.



\\SDP\FR\CA\_SNO\SD\10469\3\DESIGN\ITEMS\1\4 PRELIMINARY UTILITY PLAN.DWG 1/28/2020 PLOTTED BY: STEVEN POLLOCK  
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No.	REVISIONS	DATE	BY

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 PHONE: 619-234-9411  
 WWW.KIMLEY-HORN.COM

KHA PROJECT

DATE  
7/17/2020

SCALE AS SHOWN

DESIGNED BY: SP

DRAWN BY: FH

CHECKED BY: MB

**Evergreen**

Development | Services | Investments

LICENSED PROFESSIONAL

DATE:

PLOT PLAN / CONDITIONAL USE PERMIT

SWC 8TH STREET & NORTH HIGHLAND SPRINGS AVE

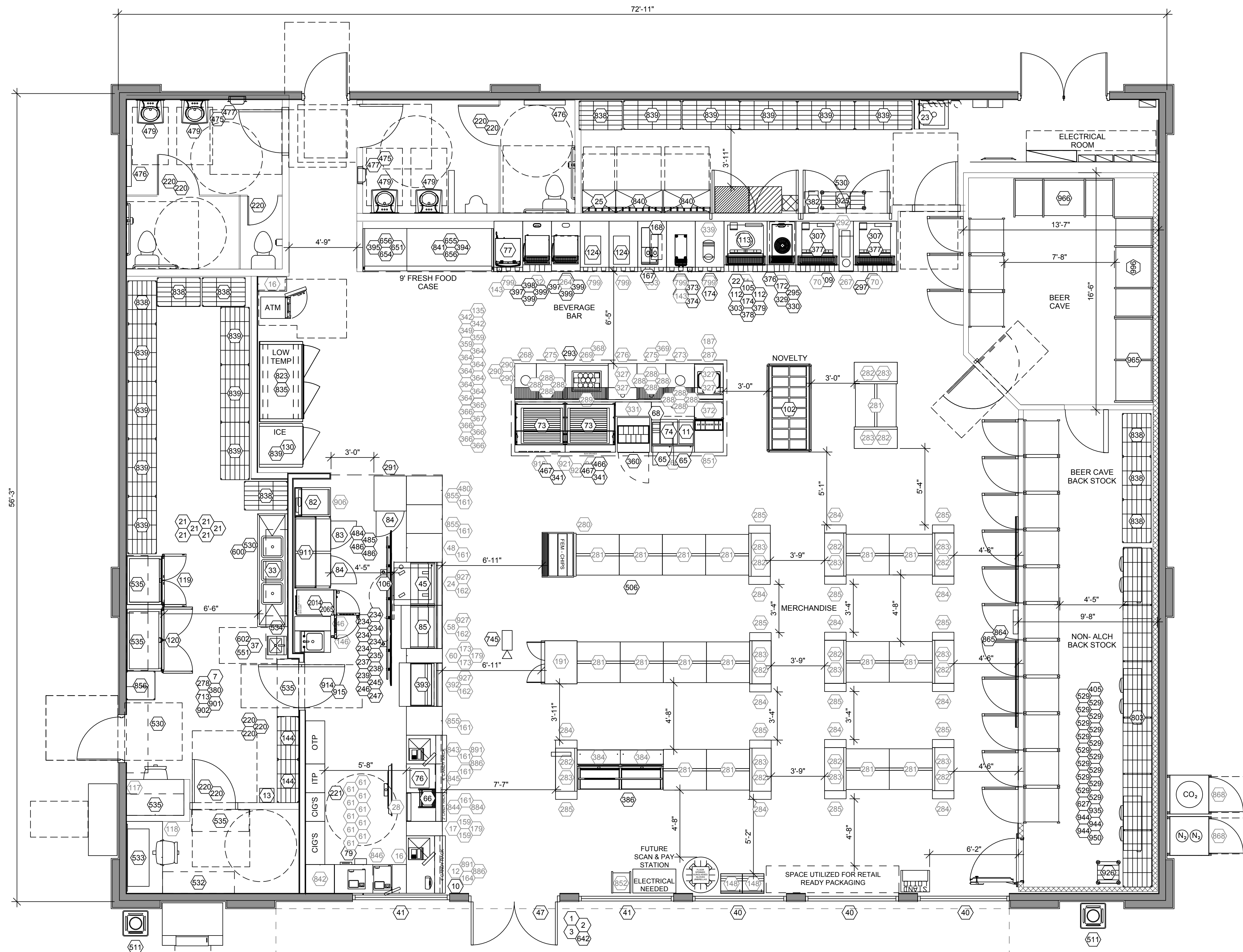
**PRELIMINARY UTILITY PLAN**

SHEET NUMBER

**4**

OF

**9**



**LAYOUT INFORMATION**

ROLLER GRILLS	2 (SELF SERVE)
SANDWICH CASE	9'
ALC. VAULT DOORS	3
NON ALC. VAULT DRS	11
LOW TEMP DOORS	2
ICE MERCH. DOORS	1
NOVELTY CASE	1
BAKERY CASE	1 (LG)
SLURPEE BARRELS	8

GONDOLA UNITS (60"H)	38
END CAPS (60"H)	13
POWER WINGS	(20) - NOT IN TOTAL
LOW WALLS (36"H)	00
HIGH WALLS (72"H)	00
TOTAL	51

TOTAL SQ FT	= 4,100 SF
SALES FLOOR AREA	= 2,382 SF

GAS: YES      LIQUOR: NO  
 BEER: YES     WINE: YES

OCCUPANCY LOAD (>49) = 43  
 TRAVEL DISTANCE (<200) = 108'  
 COMMON PATH OF TRAVEL (<75) = 48'  
 RESTROOMS REQUIRED = 2  
 EXITS REQUIRED = 2

OVERHEAD SHELVES = 50 FT  
 FLOOR SHELVES = 71 FT

**WALL TYPE LEGEND**

EXISTING WALL	
EXISTING COLUMN	
NEW WALL	
NEW PARTIAL HEIGHT WALL	
NEW COOLER WALL	

**OCCUPANCY CALCULATION**

MERCHANDISE	2084 SF	/	60	=	35 PEOPLE
KITCHEN / SALES	298 SF	/	200	=	2 PEOPLE
STORAGE/ BACK ROOM	1299 SF	/	300	=	5 PEOPLE
OFFICE	81 SF	/	100	=	1 PERSON
RESTROOM	338 SF	/	N/A	=	0 PEOPLE

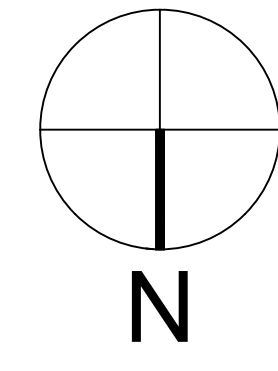
**1045933 - BEAUMONT, CA - LAYOUT 2**

SWC 8TH STREET & HIGHLAND SPRINGS RD  
 BEAUMONT, CA

SCALE: 1/4"=1'-0"

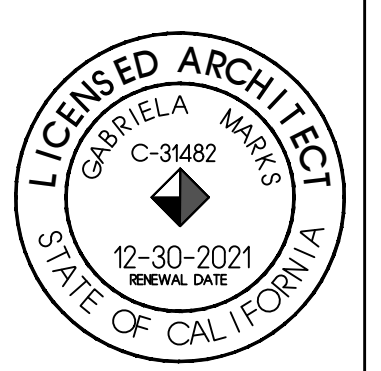
APPROVED: YES  NO   
 00/00/19

12/17/19



architecture  
 interior design  
 retail  
 restaurants  
 space planning  
 master planning  
 leed accredited  
 casp

2643 fourth ave.  
 san diego ca 92103  
 619-702-9448



**marks architects 2020**  
 ALL REPORTS, PLANS AND DOCUMENTS  
 PREPARED BY MARKS ARCHITECTS  
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 MARKS ARCHITECTS AND IS INTENDED  
 FOR USE FOR THIS SPECIFIC PROJECT  
 ONLY.

DATE ISSUED	5.8.20



SWC 8TH STREET &  
 HIGHLAND SPRING RD  
 BEAUMONT, CA

STORE #1045933

SHEET #

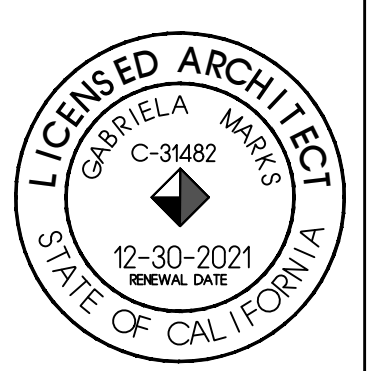
6  
 OF  
 9





architecture  
interior design  
retail  
restaurants  
space planning  
master planning  
lead accredited  
cosp

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san diego ca 92103  
619-702-9448



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FOR USE FOR THIS SPECIFIC PROJECT  
ONLY.

DATE ISSUED: 5.8.20

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SWC 8TH STREET &  
HIGHLAND SPRING RD  
BEAUMONT, CA

STORE #1045933

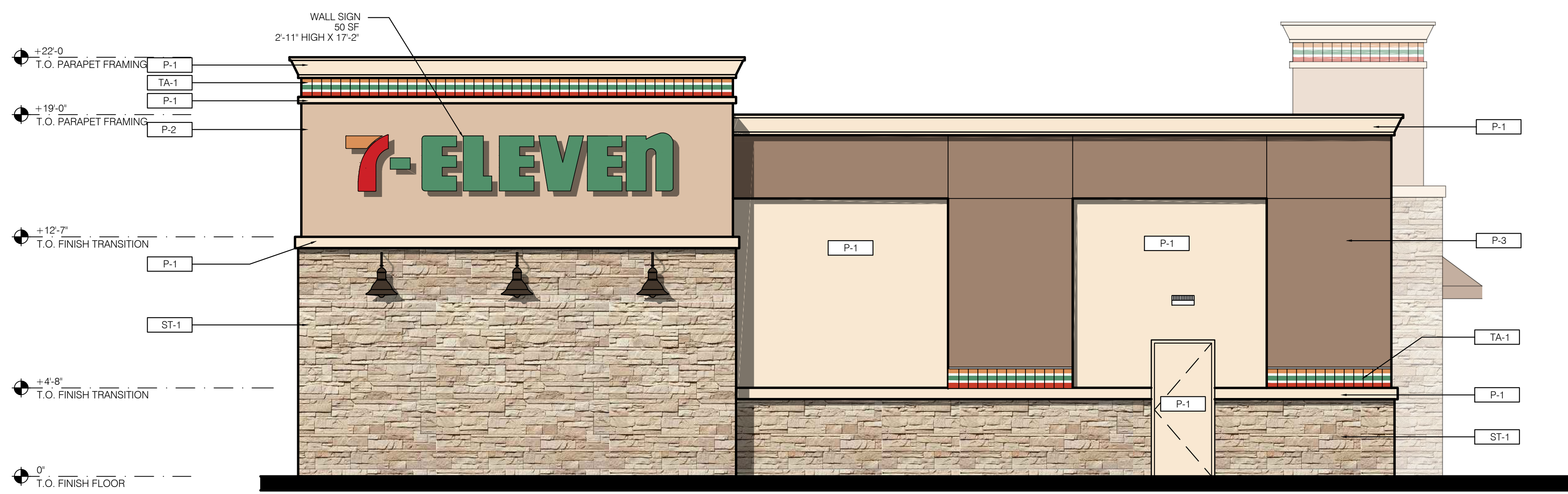
SHEET #

7  
OF  
9



### NORTH ELEVATION

1/4" = 1'-0"



### EAST ELEVATION

1/4" = 1'-0"

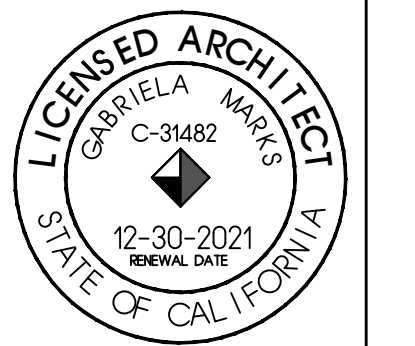
### FINISH NOTES

- P-1** ICI #2010, "SHELL WHITE"
- P-2** ICI #431, "ANTIQUE BISQUE"
- P-3** ICI #327, "NUTRIA"
- ST-1** EL DORADO STONE VENEER  
CUT COARSE STONE  
COLOR: OYSTER
- TA-1** TILE ACCENT 1  
DAL TILE  
NATURAL HUES - GLAZED CERAMIC  
QH93 CANDY APPLE 3X6  
PEARL WHITE QH63 2X4  
QH94 SUNSET 3X6  
QH29 SPRING GREEN 3X6
- AW-1** STOREFRONT COLOR DARK BRONZE
- AW-1** SUNBRELLA FABRIC: CANVAS TEAK



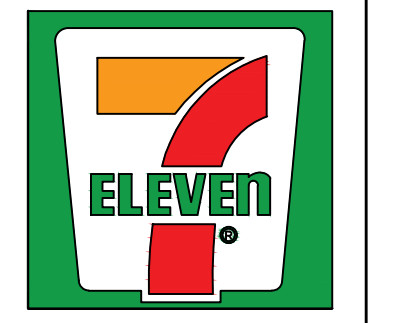
architecture  
interior design  
retail  
restaurants  
space planning  
master planning  
leed accredited  
cosp

2643 fourth ave.  
san diego ca 92103  
619-702-9448



**marks architects 2020**  
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MARKS ARCHITECTS AND IS INTENDED  
FOR USE FOR THIS SPECIFIC PROJECT  
ONLY.

DATE ISSUED	5.8.20

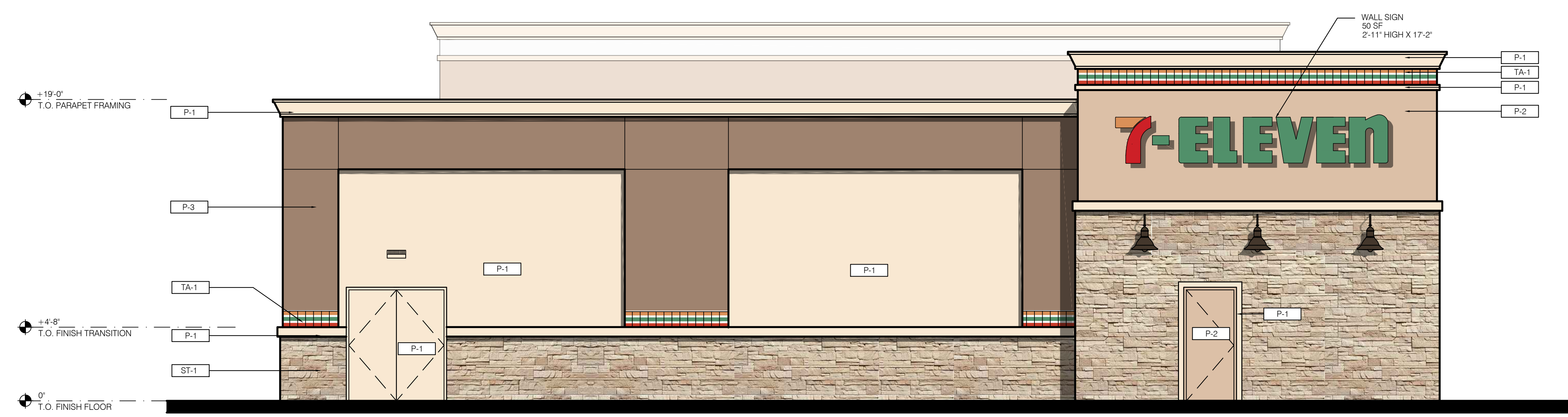


SWC 8TH STREET &  
HIGHLAND SPRING RD  
BEAUMONT, CA

STORE #1045933

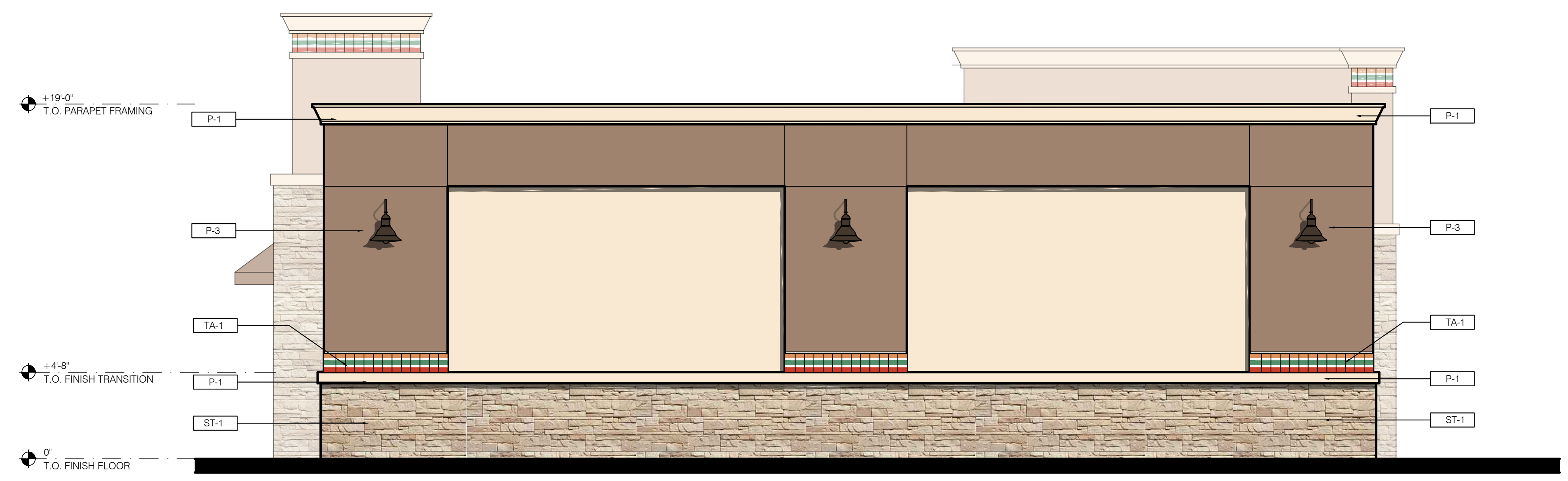
SHEET #

8  
OF  
9



### SOUTH ELEVATION

1/4" = 1'-0"



### WEST ELEVATION

1/4" = 1'-0"

### FINISH NOTES

- P-1 ICI #2010. 'SHELL WHITE'
- P-2 ICI #431. 'ANTIQUÉ BISQUE'
- P-3 ICI #327. 'NUTRIA'
- ST1 EL DORADO STONE VENEER  
CUT COARSE STONE  
COLOR: OYSTER
- TA1 TILE ACCENT 1  
DAL TILE  
NATURAL HUES - GLAZED CERAMIC  
QH93 CANDY APPLE 3X6  
PEARL WHITE QH63 2X4  
QH94 SUNSET 3X6  
QH29 SPRING GREEN 3X6
- AL1 STOREFRONT COLOR DARK BRONZE
- AW-1 SUNBRELLA FABRIC- CANVAS TEAK

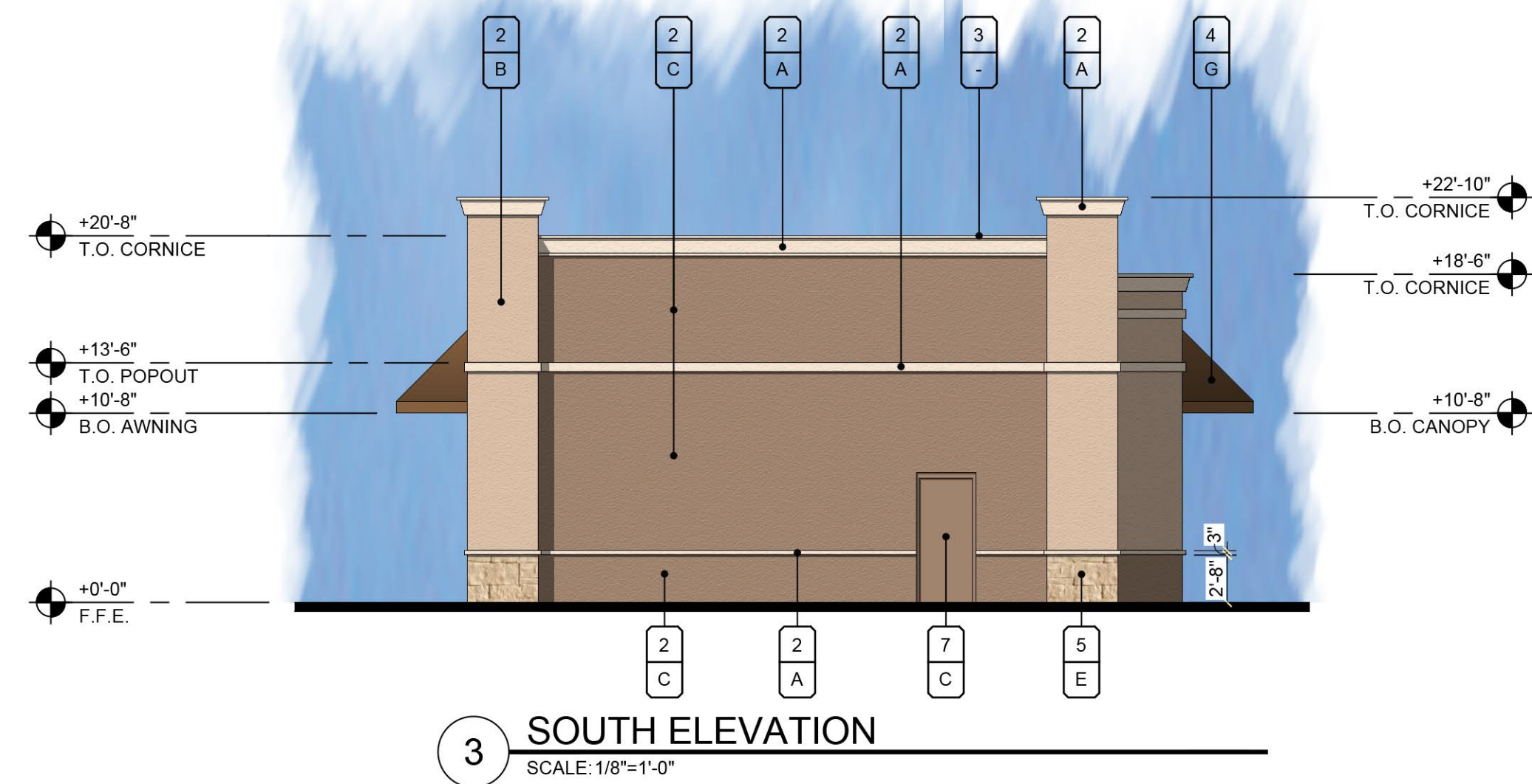
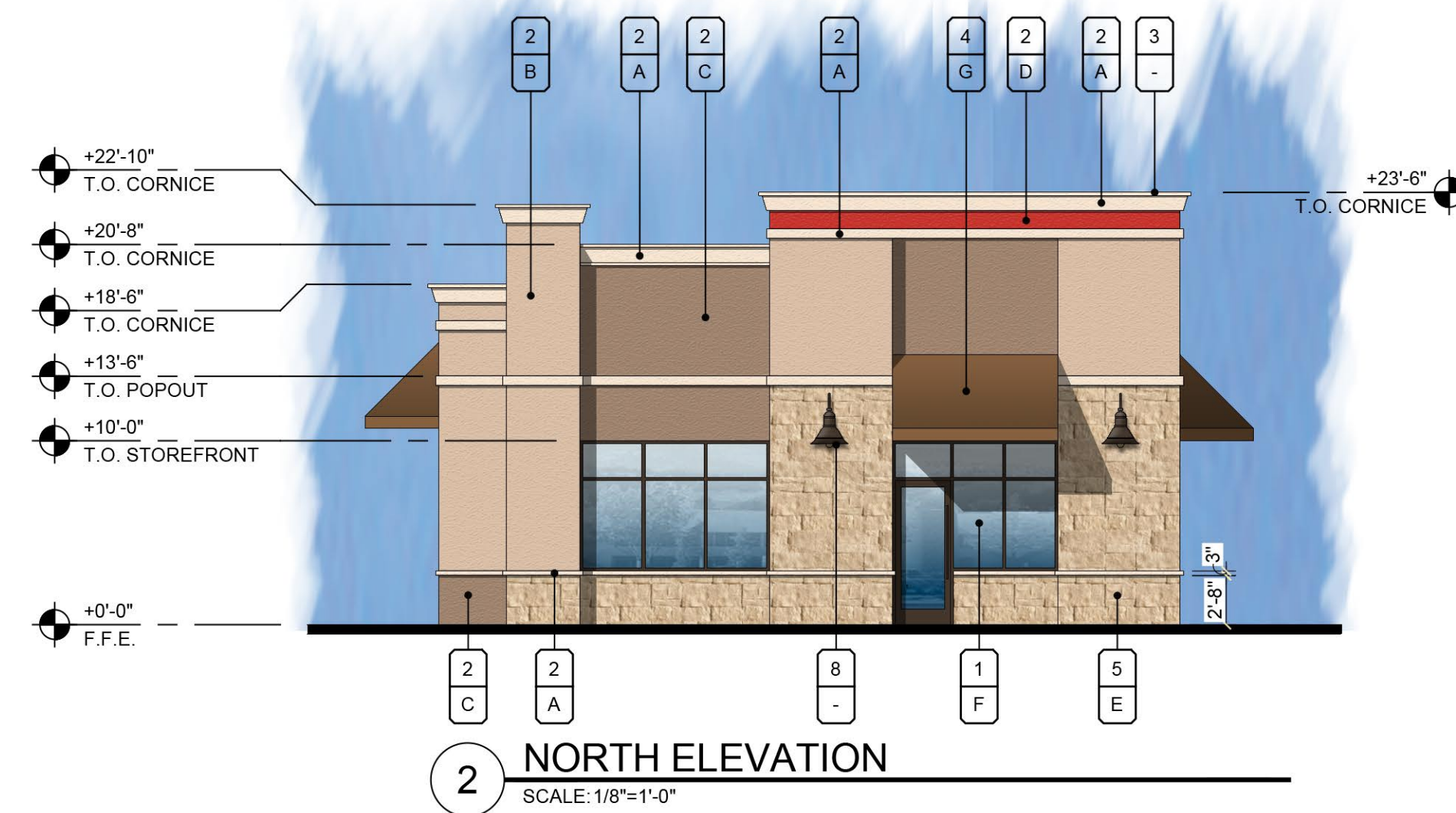
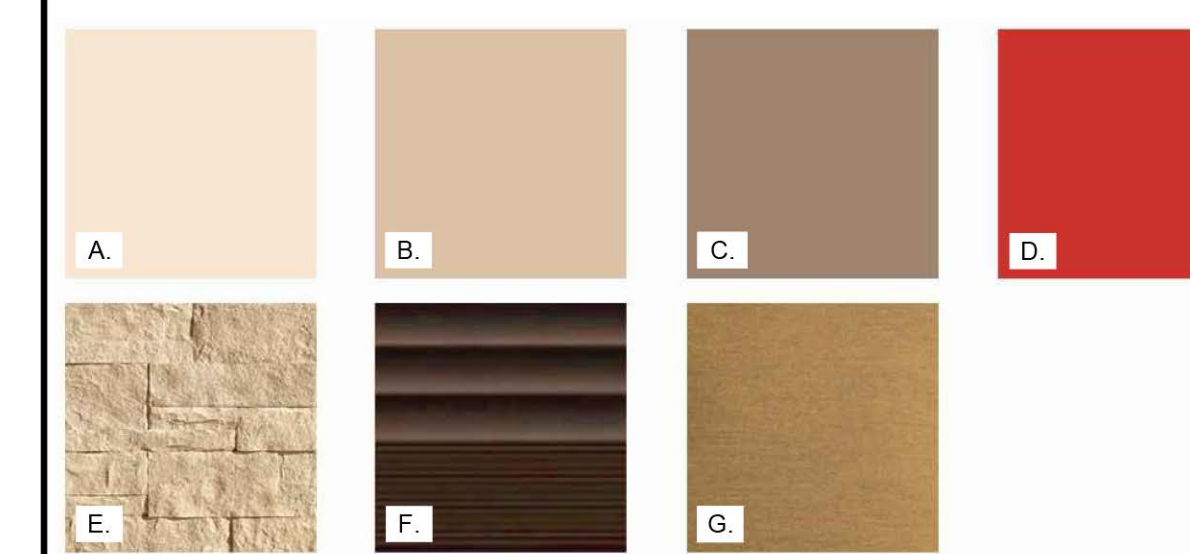
### MATERIAL/COLOR SCHEDULE

- MATERIALS**
1. DARK BRONZE ALUMINUM FRAME WITH 1" CLEAR LOW-E INSULATED GLAZING
  2. INTEGRAL COLOR E.I.F.S. FINISH
  3. 22 GA. METAL COPING
  4. FABRIC AWNING
  5. PRE-MANUFACTURED STONE VENEER
  6. DRIVE THRU WINDOW
  7. HOLLOW METAL DOOR AND FRAME - PAINTED
  8. WALL SCONCE

- COLORS**
- by ICI (or Equal):
- A. 2010 "Shell White"
  - B. 431 "Antique Bisque"
  - C. 327 "Nutris"
  - D. 170 "Skyrocket Red"
- by Oldcastle Storefront System (or Equal):
- F. DARK BRONZE ANODIZED
- by Sunbrella (or Equal):
- G. "Canvas Teak"

by El Dorado Stone (or Equal):

E. Cut Course Stone "Oyster"



# CONCEPTUAL ELEVATIONS

SWC 8th Street & Highland Springs Ave  
Beaumont, California

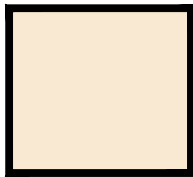
06.08.2020  
Project No.: 19148



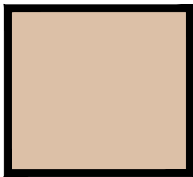
4650 E. Cotton Center Boulevard Phoenix, AZ 85040  
602.395.1000 www.verticaldesignstudios.com



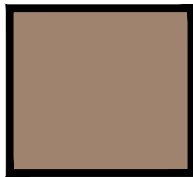
**NORTH ELEVATION**



P-1  
ICI #2010. "SHELL WHITE"



P-2  
ICI #431. "ANTIQUÉ BISQUE"



P-3  
ICI #327. "NUTRIA"



ST-1  
EL DORADO STONE VENEER  
CUT COARSE STONE  
COLOR: OYSTER



TA1  
TILE ACCENT 1  
DAL TILE  
NATURAL HUES - GLAZED CERAMIC  
QH93 CANDY APPLE  
PEARL WHITE QH63  
QH94 SUNSET  
QH29 SPRING GREEN

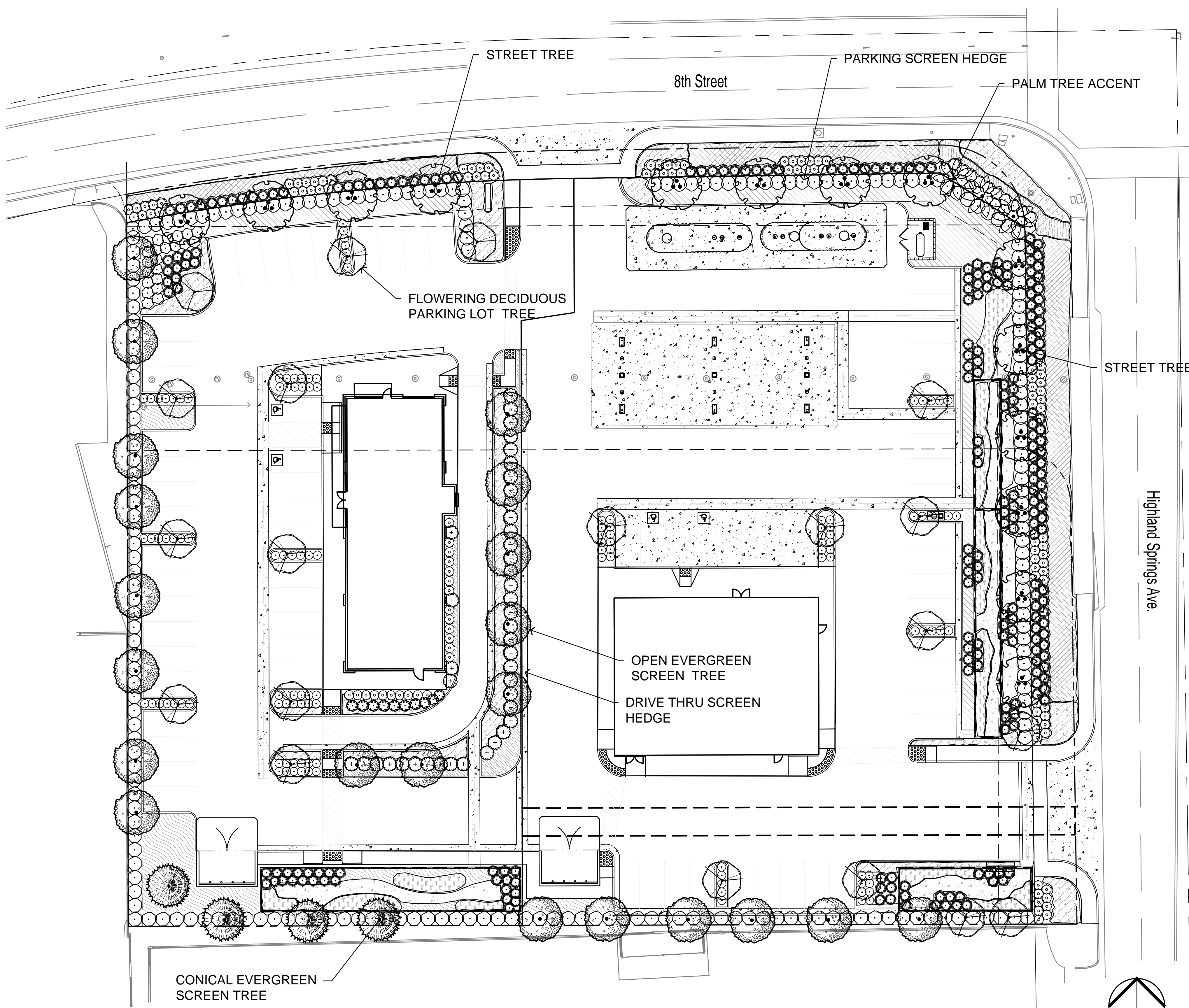


STORE #1042071  
CLINTON KEITH AND  
MITCHELL DR MURRIETA CA



6.1.20

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**PLANT SCHEDULE**

TREES	BOTANICAL / COMMON NAME	CONT	CAL	PF	QTY
	Acacia stenophylla / Shoestring Acacia	15 Gal.		L	21
	Cercidium x 'Desert Museum' / Thornless Palo Verde	24" Box		L	14
	Cercis occidentalis / Western Redbud	24" Box		L	20
	Cupressus arizonica glabra 'Blue Ice' / Arizona Cypress	24" Box		L	4
	Phoenix dactylifera 'Medjool' / Date Palm	12 BTF		L	3
SHRUBS	BOTANICAL / COMMON NAME	CONT	PF	QTY	
	Berberis thunbergii 'Cherry Bomb' / Cherry Bomb Barberry	5 Gal.	L		43
	Callistemon viminalis 'Little John' / Dwarf Weeping Bottlebrush	5 Gal.	L		121
	Elaeagnus pungens 'Marginata' / Silver-Edge Elaeagnus	5 Gal.	L		113
	Grevillea x 'Noellii' / Grevillea	5 Gal.	L		10
	Leucophyllum frutescens 'Green Cloud' TM / Green Cloud Texas Ranger	5 Gal.	L		42
	Muhlenbergia capillaris 'Pink Cloud' / Pink Muhly	1 Gal.	L		240
	Russelia x 'St. Elmo's Fire' TM / St. Elmo's Fire Russelia	1 Gal.	L		112
	Westringia fruticosa 'Wynabbie Gem' / Wynabbie Gem Coast Rosemary	5 Gal.	L		108
SHRUB AREAS	BOTANICAL / COMMON NAME	CONT	PF	QTY	
	Achillea millefolium 'Moonshine' / Yarrow	1 gal	L		615
	Carex pansa / Sanddune Sedge	1 Gal.	M		330
	Cotoneaster horizontalis / Rock Cotoneaster	1 gal	L		113
	Gaura lindheimeri 'Siskiyou Pink' / Siskiyou Pink Gaura	1 gal	M		56
	Juncus patens / California Gray Rush	1 Gal.	L		205
GROUND COVERS	BOTANICAL / COMMON NAME	CONT	PF	QTY	
	Lonicera japonica 'Halliana' / Halls Honeysuckle	1 gal	L		365
	Myoporum parvifolium 'Pink' / Trailing Myoporum	1 gal	L		229
	Senecio mandraliscae 'Blue Chalk Sticks' / Blue Chalk Sticks	FLATS	L		234

**PLANTING NOTES:**

**SOIL TEST**  
 AFTER SOIL HAS BEEN SET IN PLACE & PRIOR TO ANY SOIL PREPARATION, THE CONTRACTOR SHALL FURNISH SOIL TESTS OF THE SITE FOR AGRICULTURAL FERTILITY AND TO DETERMINE PROPER SOIL AMENDMENTS. TEST ARE TO BE PERFORMED BY A MEMBER OF THE CALIFORNIA ASSOCIATION OF AGRICULTURAL LABORATORIES USING ORGANIC FERTILIZER AND SOIL CONDITIONERS DERIVED FROM COMPOSTED HIGHER PLANT FORMS WITH COPIES SENT TO THE OWNER, CITY OF LANDSCAPE ARCHITECT & LANDSCAPE ARCHITECT, PRIOR TO INSTALLATION.

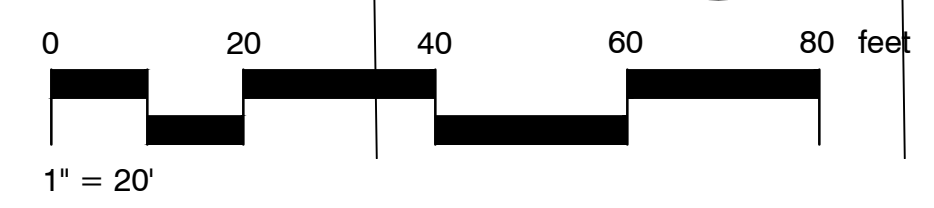
**SOIL PREPARATION**  
 THE FOLLOWING IS PROVIDED FOR BID PURPOSES ONLY AND SHALL BE MODIFIED AS NECESSARY GIVEN THE RESULTS OF THE SOILS TEST. THE CONTRACTOR SHALL BE PREPARED TO PROVIDE DELIVERY SLIPS AND EMPTY FERTILIZER BAGS ON SITE FOR VERIFICATION OF MATERIAL.

**TOP DRESSING**  
 ALL SHRUBS AND GROUNDCOVER AREAS ARE TO BE TOP DRESSED WITH 3" THICK LAYER OF DECOMPOSED GRANITE AND/OR 3/4" DECORATIVE ROCK UNLESS OTHERWISE SPECIFIED.

- BACKFILL MIX FOR USE OF PLANTING ALL TREES, SHRUBS & VINES  
 INCORPORATE TRI-C HUMATE @ 5-6 LBS/CU.YD OF BACKFILL MIX
- PLANT TABLET FOR ALL TREES, SHRUBS, VINES AND GROUNDCOVERS:  
 (22-48) TRI-C MYCO TABS FOR ALL BOX SIZED TREES 24" BOX OR LARGER  
 (2) TRI-C MYCO TABS PER 1 GALLON STOCK  
 (8) TRI-C MYCO TABS TABLETS PER 5 GALLON STOCK  
 (16) TRI-C MYCO TABS PER 15 GALLON STOCK  
 (1) TRI-C MYCO TABS FOR EACH GROUNDCOVER HOLE  
 INSTALL TRI-C MYCO TABLETS PER MFG. RECOMMENDATIONS  
 AVAILABLE THROUGH:  
 TRI-C ORGANICS 1-800-927-3311

ALL PLANTER AREAS ARE TO RECEIVE AN AUTOMATIC IRRIGATION CONSISTING OF LOW VOLUME POINT TO POINT OR DRIP LINE DRIP IRRIGATION, WEATHER BASED SMART IRRIGATION CONTROLLER AND FLOW SENSING.

"Landscaping for the project shall be designed to comply with the City of Beaumont's Water Efficient Landscape Ordinance and with the Guidelines for Implementation of the Water Efficient Landscape Ordinance."



**CONCEPTUAL LANDSCAPE PLAN**

**Kimley»Horn**  
 401 B STREET, SUITE 600, SAN DIEGO, CA 92101  
 PHONE: 619-234-9411  
 WWW.KIMLEY-HORN.COM

KHA PROJECT	
DATE	
SCALE AS SHOWN	
DESIGNED BY: SP	
DRAWN BY: FH	
CHECKED BY: MB	

**Evergreen**  
 Development | Services | Investments



SWC 8TH STREET & HIGHLAND SPRINGS AVE  
 CONCEPTUAL LANDSCAPE PLAN

SHEET NUMBER	L1.0
OF	1

**Wda!** Wilson Davis Associates  
 Landscape Architecture  
 2825 Litchfield Dr.  
 Riverside, CA 92503  
 Ph.(951) 353-2436

Wda! Job No. 20003 8/25/2020

No.	REVISIONS	DATE	BY



Approved By: \_\_\_\_\_

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Job Location: 1045933  
8th & Highland Spring,  
Beaumont, CA 9223

Date: January 20, 2020



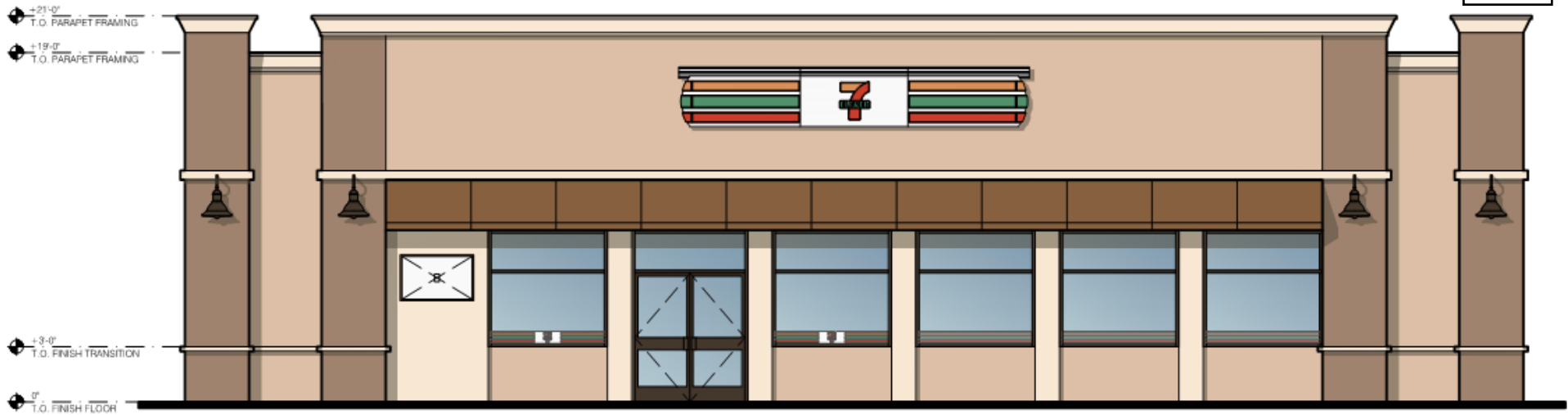
D-ORDER# 100643.03 TDP

Project Mgr.: Jenny Hodges

jenny.hodges@cummingsigns.com

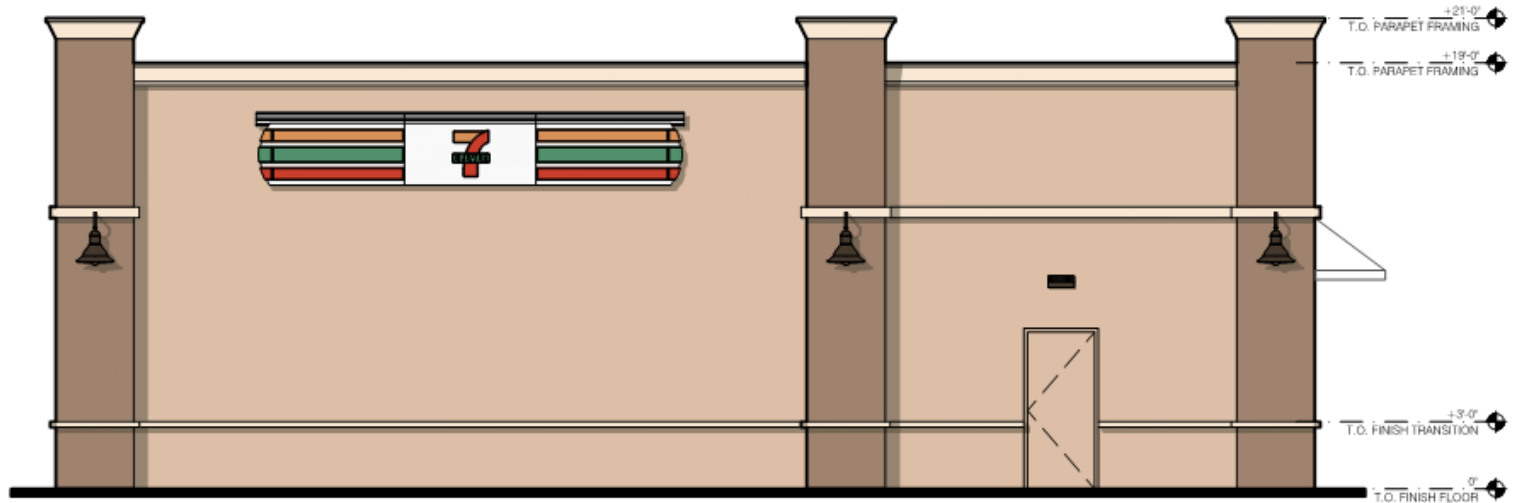
Page: 1 of 12

Item 9.



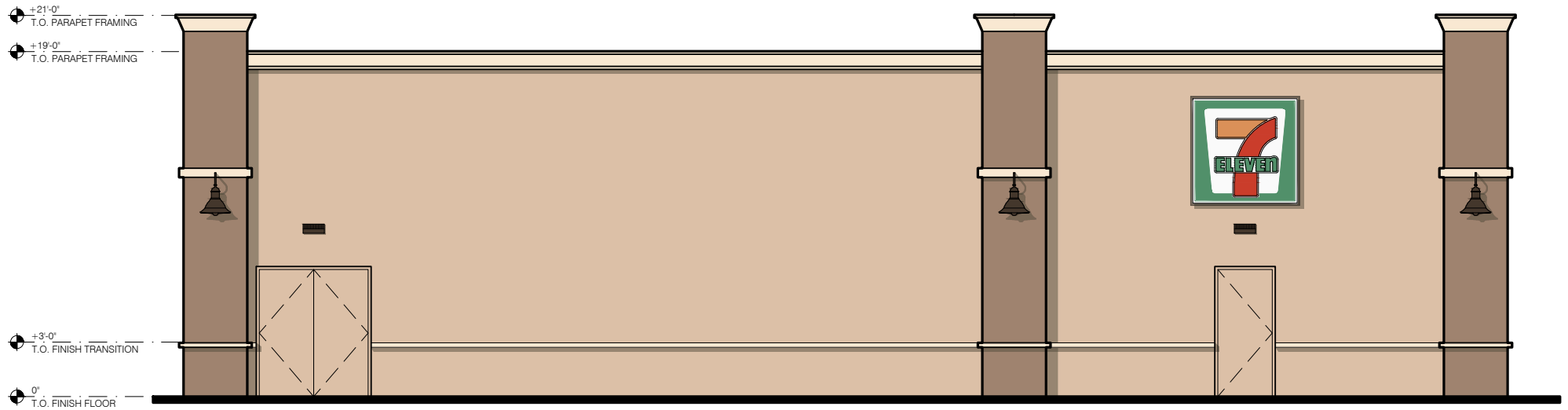
**PROPOSED: 52.5 SQ. FT.**  
**ALLOWED: 73 SQ. FT.**

**NORTH ELEVATION** 1/4" = 1'-0"



**PROPOSED: 52.5 SQ. FT.**  
**ALLOWED: 56 SQ. FT.**

**EAST ELEVATION** 1/4" = 1'-0"



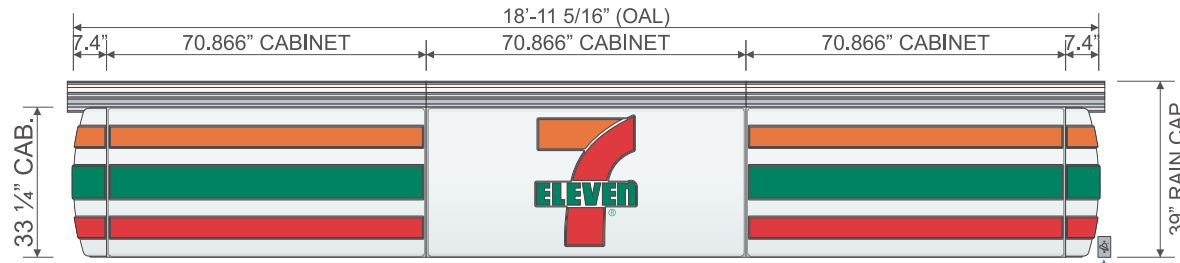
**PROPOSED: 36 SQ. FT.**

**SOUTH ELEVATION** 1/4" = 1'-0"



A

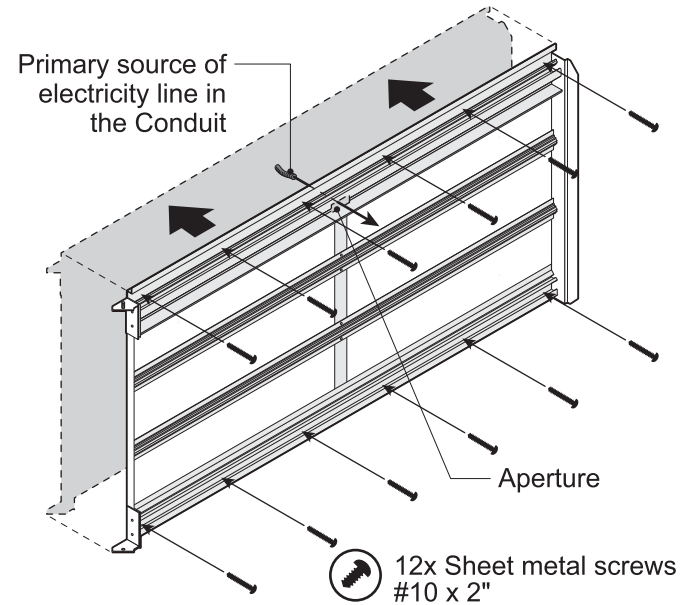
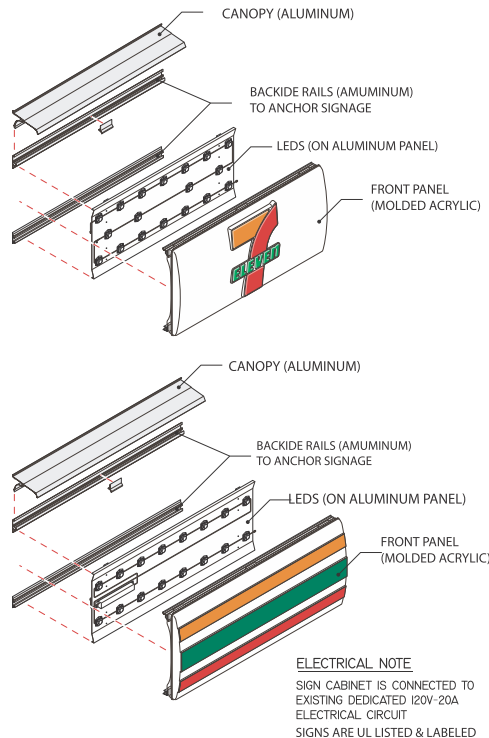
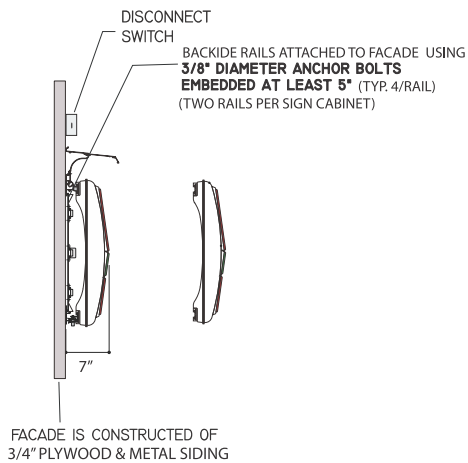
FASCIA SIGNAGE MANUFACTURED BY TATEYAMA  
 THIS ARTWORK NOT TO BE USED FOR PRODUCTION. Item 9.



**Display Square Footage (Cabinet): 52.5**

**ELECTRICAL NOTE:** EXPOSED EXTERIOR 20 AMP WEATHERPROOF ELECTRICAL DISCONNECT REQUIRED WITHIN VISUAL RANGE OF SIGN REQUIRED FOR EVERY 16 AMPS OF SIGNAGE. ACTUAL NUMBER OF CIRCUITS TO BE DETERMINED BY A LICENSED ELECTRICAL CONTRACTOR. ACTUAL LOCATION OF BOX MAY VARY. CIRCUITS AND SWITCH TO BE PROVIDED BY OTHERS. INPUT VOLTAGE - 120V ALL SIGNAGE WILL BE (U.L.) 48STD COMPLIANT.

**SIGN CABINET & WALL MOUNT DETAIL**

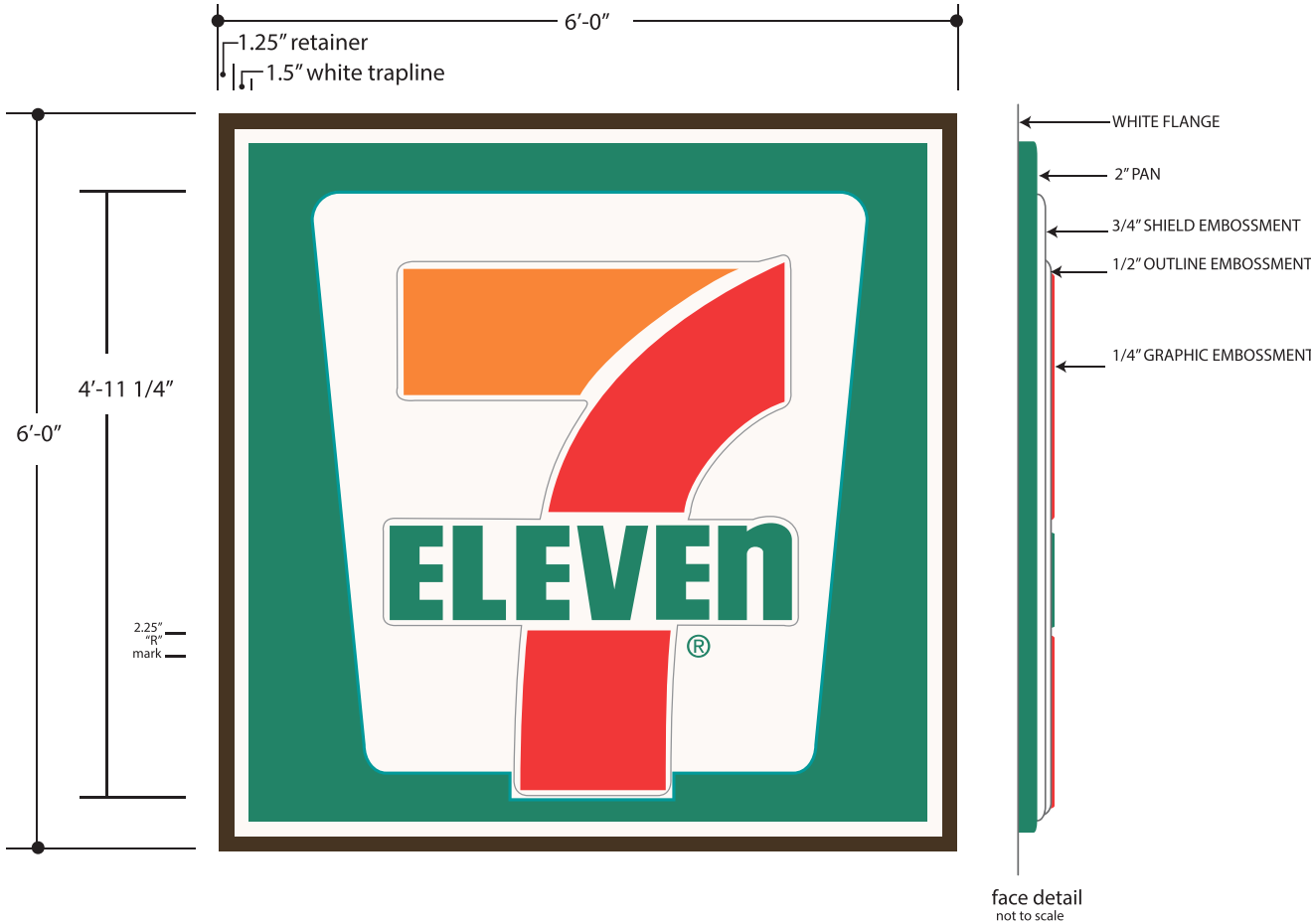


**Job Location:** 1045933  
 8th & Highland Spring,  
 Beaumont, CA 9223  
**Date:** January 20, 2020








**D-ORDER#** 100643.03 TDP  
**Project Mgr.:** Jenny Hodges  
 jenny.hodges@cummingsigns.com  
 Page: 4 of 12

**B**



- SINGLE FACE INTERNALLY ILLUMINATED WALL SIGNS.
- LED ILLUMINATION.
- 5 1/2" EXTRUDED ALUMINUM CABINET & RETAINERS PAINTED BRONZE.
- FORMED POLYCARBONATE FACES WITH EMBOSSED GRAPHICS.
- TRAPLINE PROPORTIONAL TO LOGO FIELD.
- WALL SIGNS TO UTILIZE SAME TOOLING AS PYLON FAMILY.

-  3M 3630-26
-  3M 3630-33
-  3M 3630-44
-  WHITE
-  BRONZE

Job Location: 1045933  
8th & Highland Spring,  
Beaumont, CA 9223  
Date: January 20, 2020



D-ORDER# 100643.03 TDP  
Project Mgr.: Jenny Hodges  
jenny.hodges@cummingsigns.com  
Page: 5 of 12



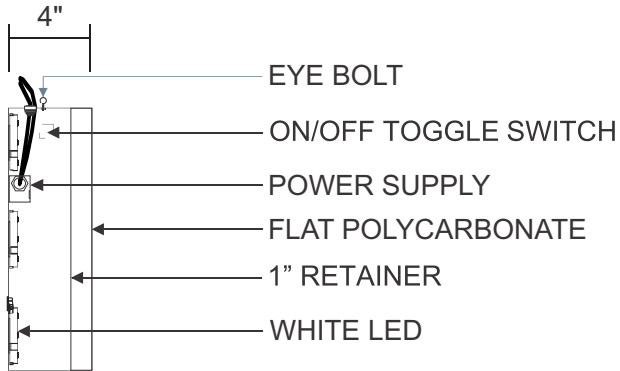
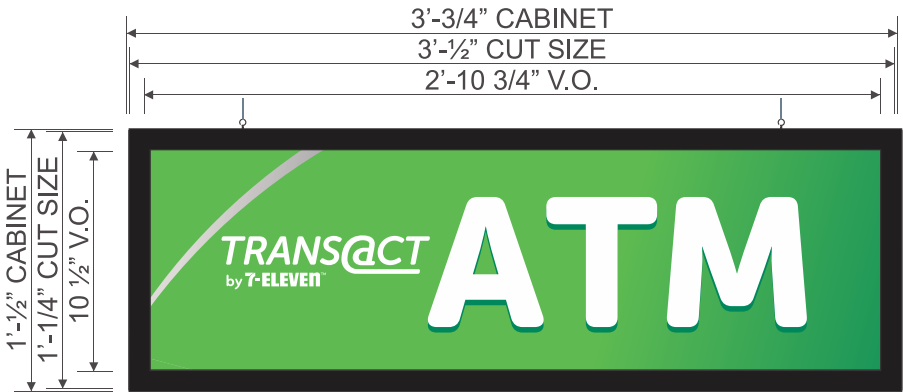
Item 9.

SPECIFICATIONS  
 SF INTERNALLY ILLUMINATED HANGING SIGN (INTERIOR)

CABINET:  
 EXTRUDED ALUMINUM PAINTED DURANODIC BRONZE 313E

FACE:  
 3/16" THICK FLAT WHITE POLYCARBONATE WITH 1ST SURFACE DIGITAL PRINT IMAGE.

ILLUMINATION:  
 GE WHITE LED



SHOWN FOR PERMITTING PURPOSES ONLY. SIGN PROVIDED BY FCTI.

Display Square Footage (Cabinet): 3.2

Job Location: 1045933  
 8th & Highland Spring,  
 Beaumont, CA 9223  
 Date: January 20, 2020



D-ORDER# 100643.03 TDP  
 Project Mgr.: Jenny Hodges  
 jenny.hodges@cummingsigns.com  
 Page: 6 of 12



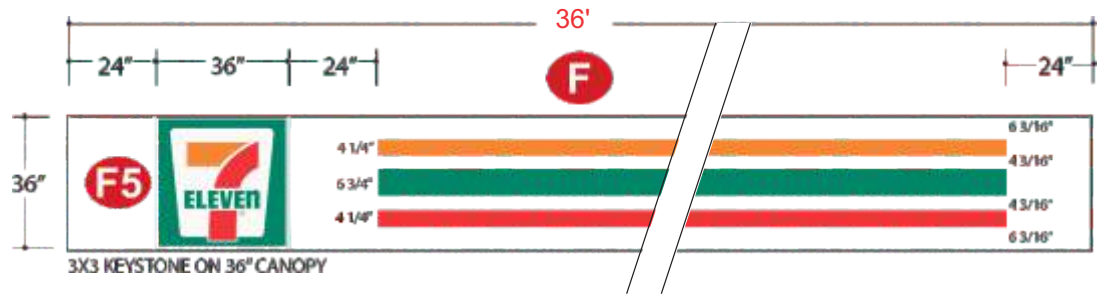
WINDOW VINYL GRAPHICS.  
 VINYL GRAPHICS TO BE APPLIED SECOND SURFACE ONTO DESIGNATED STORE WINDOWS.

**NOTE:** WINDOW GRAPHICS KITS TO BE PROVIDED AND INSTALLED BY OTHERS. NOT PART OF CUMMINGS RESOURCES SCOPE OF WORK.  
**NOTE :** FOR FULL INSTALLATION INSTRUCTIONS, REFER TO 7-ELEVEN SIGNAGE MANUAL.



EAST (FACING N. HIGHLAND SPRINGS RD.)

WEST

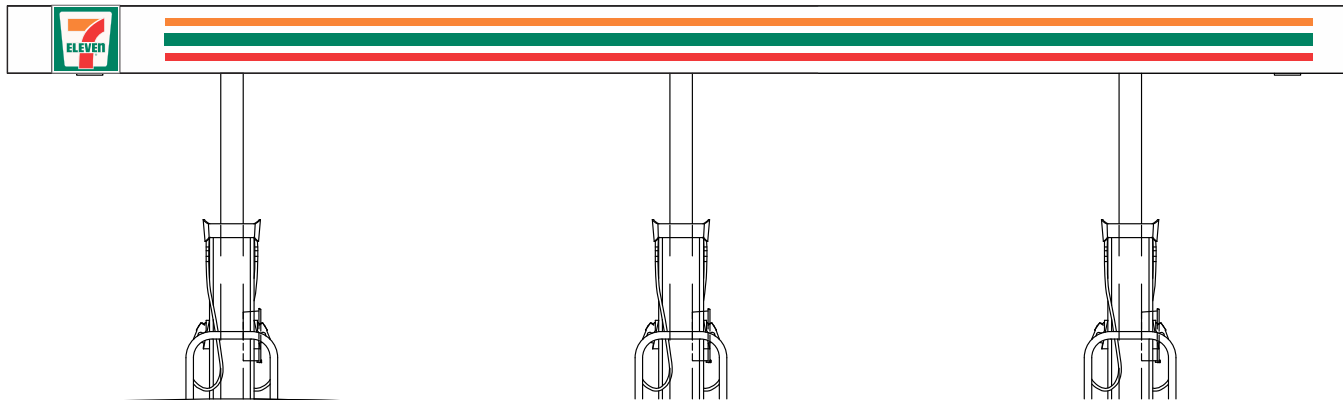


- PMS 341C
- PMS 485C
- PMS 165C
- WHITE

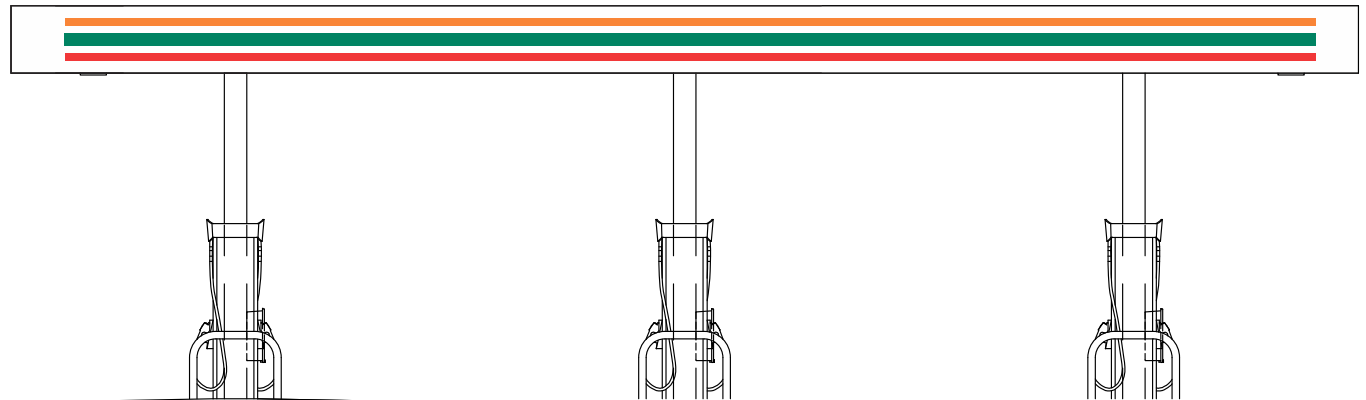
**Job Location:** 1045933  
 8th & Highland Spring,  
 Beaumont, CA 9223  
**Date:** January 20, 2020



**D-ORDER#** 100643.03 TDP  
**Project Mgr.:** Jenny Hodges  
 jenny.hodges@cummingsigns.com  
 Page: 8 of 12



NORTH (FACING E 8TH ST.)



SOUTH (FACING STORE)



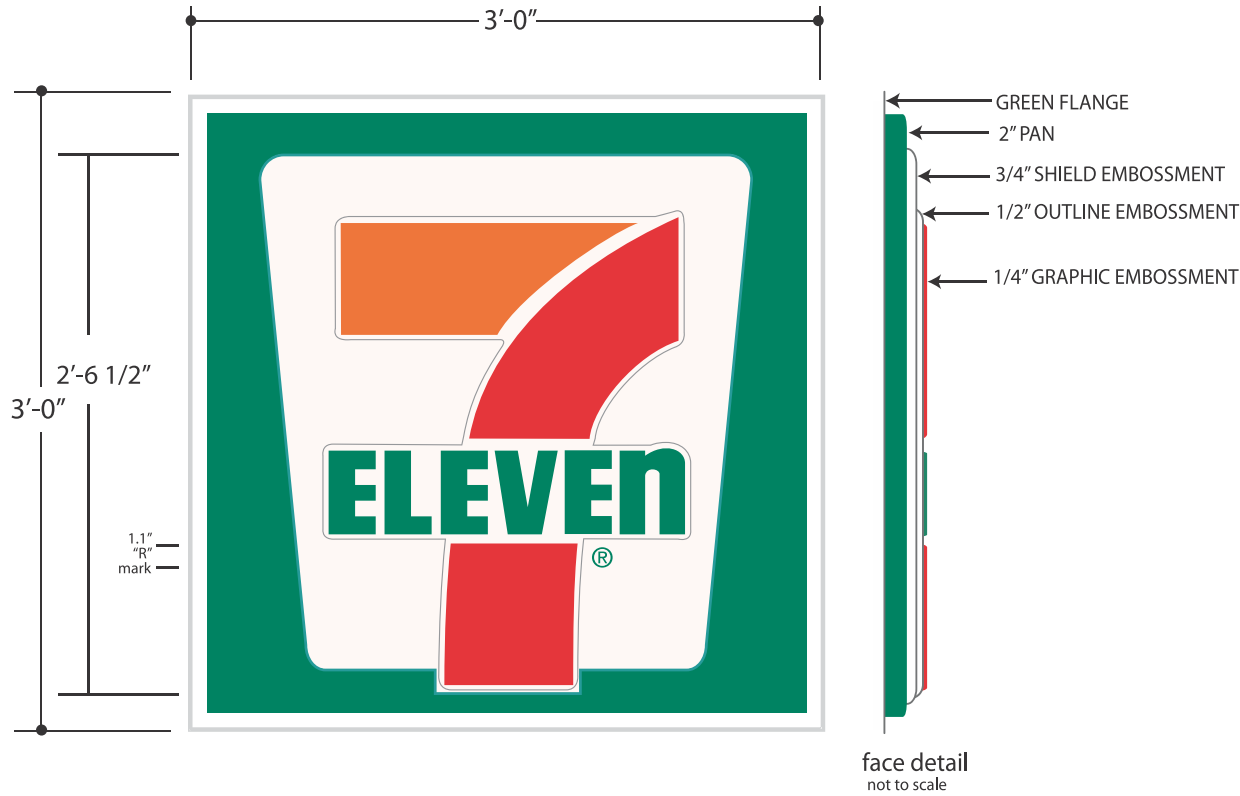
- PMS 341C
- PMS 485C
- PMS 165C
- WHITE

**Job Location:** 1045933  
 8th & Highland Spring,  
 Beaumont, CA 9223  
**Date:** January 20, 2020







**D-ORDER#** 100643.03 **TDP**  
**Project Mgr.:** Jenny Hodges  
 jenny.hodges@cummingsigns.com  
 Page: 9 of 12

**F5**



- SINGLE FACE INTERNALLY ILLUMINATED CANOPY SIGNS.
- LED ILLUMINATION.
- ALUMINUM CABINET PAINTED WHITE.
- 1" ALUMINUM RETAINERS PAINTED WHITE.
- FORMED ACRYLIC FACES WITH EMBOSSED GRAPHICS.

-  PMS 341C
-  PMS 485C
-  PMS 165C
-  WHITE

**Display Square Footage (Cabinet): 9**

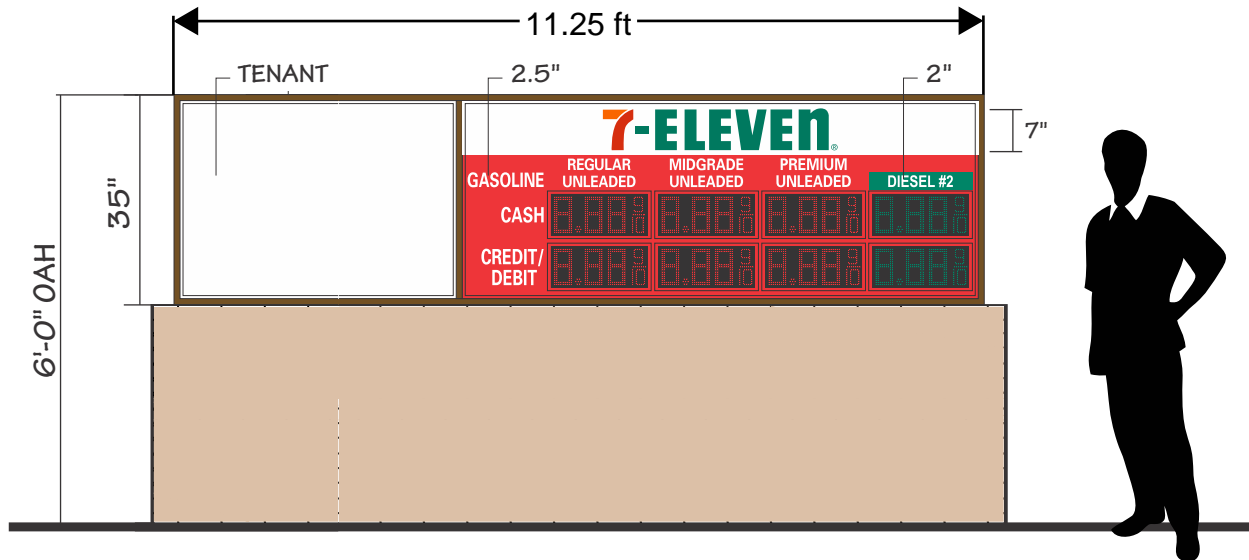
**Job Location:** 1045933  
 8th & Highland Spring,  
 Beaumont, CA 9223  
**Date:** January 20, 2020



**D-ORDER#** 100643.03 TDP  
**Project Mgr.:** Jenny Hodges  
 jenny.hodges@cummingsigns.com  
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M1

**ENGINEERING REQUIRED**



**SF INTERNALLY ILLUMINATED MONUMENT SIGN:**

**CABINET:** 8" DEEP EXTRUDED ALUMINUM PAINTED DURANODIC BRONZE

**RETAINERS & DIVIDER BARS:** FAB. ALUM. PAINTED DURANOIC BRONZE

**TENANT FACES:** PAN-FORMED POLYCARBONATE

**7-ELEVEN / FUEL PRICE FACE COMBO:** PAN-FORMED POLYCARBONATE WITH WHITE TOP SECTION WITH 1ST SURFACE 7-ELEVEN VINYLs AND RED BOTTOM SECTION WITH CLEAR WINDOWS FOR FUEL PRICE DIGITS. WHITE COPY. 6" RED &N GREEN DIGITAL PRICERS

**ILLUMINATION:** LED

**BASE:** STUCCO TO MATCH BUILDING

Display Square Footage (Cabinet): 32

Job Location: 1045933  
8th & Highland Spring,  
Beaumont, CA 9223

Date: January 20, 2020



D-ORDER# 100643.03 TDP

Project Mgr.: Jenny Hodges

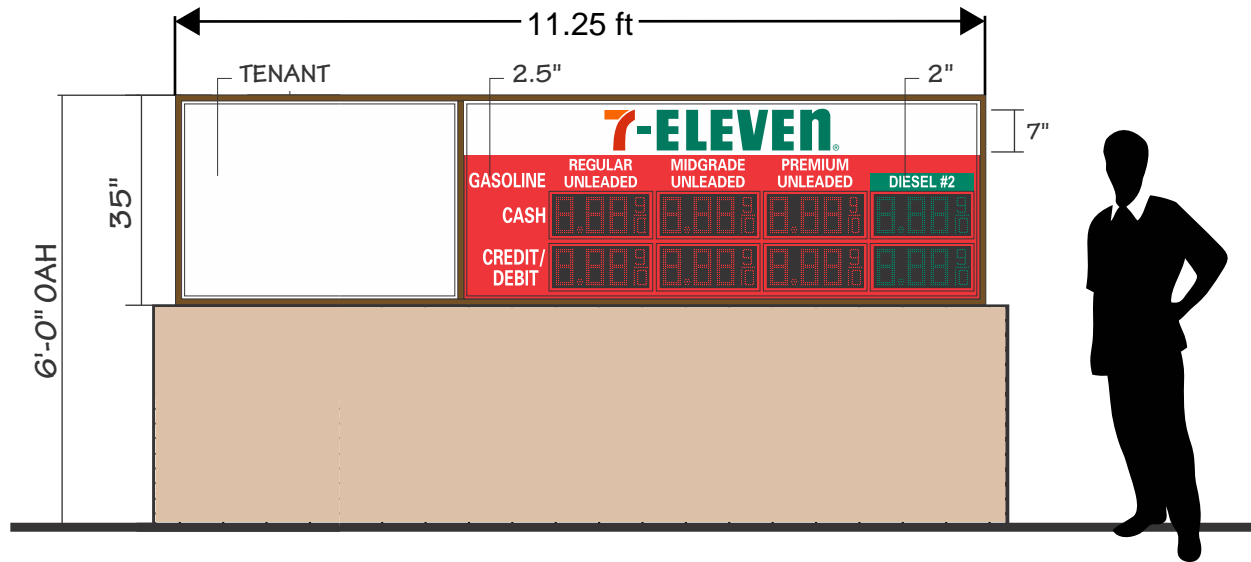
jenny.hodges@cummingsigns.com

Page: 11 of 12



M2

**ENGINEERING REQUIRED**



**SF INTERNALLY ILLUMINATED MONUMENT SIGN:**  
**CABINET:** 8" DEEP EXTRUDED ALUMINUM PAINTED DURANODIC BRONZE

**RETAINERS & DIVIDER BARS:** FAB. ALUM. PAINTED DURANOIC BRONZE

**TENANT FACES:** PAN-FORMED POLYCARBONATE

**7-ELEVEN / FUEL PRICE FACE COMBO:** PAN-FORMED POLYCARBONATE WITH WHITE TOP SECTION WITH 1ST SURFACE 7-ELEVEN VINYL AND RED BOTTOM SECTION WITH CLEAR WINDOWS FOR FUEL PRICE DIGITS. WHITE COPY. 6" RED & N GREEN DIGITAL PRICERS

**ILLUMINATION:** LED

**BASE:** STUCCO TO MATCH BUILDING

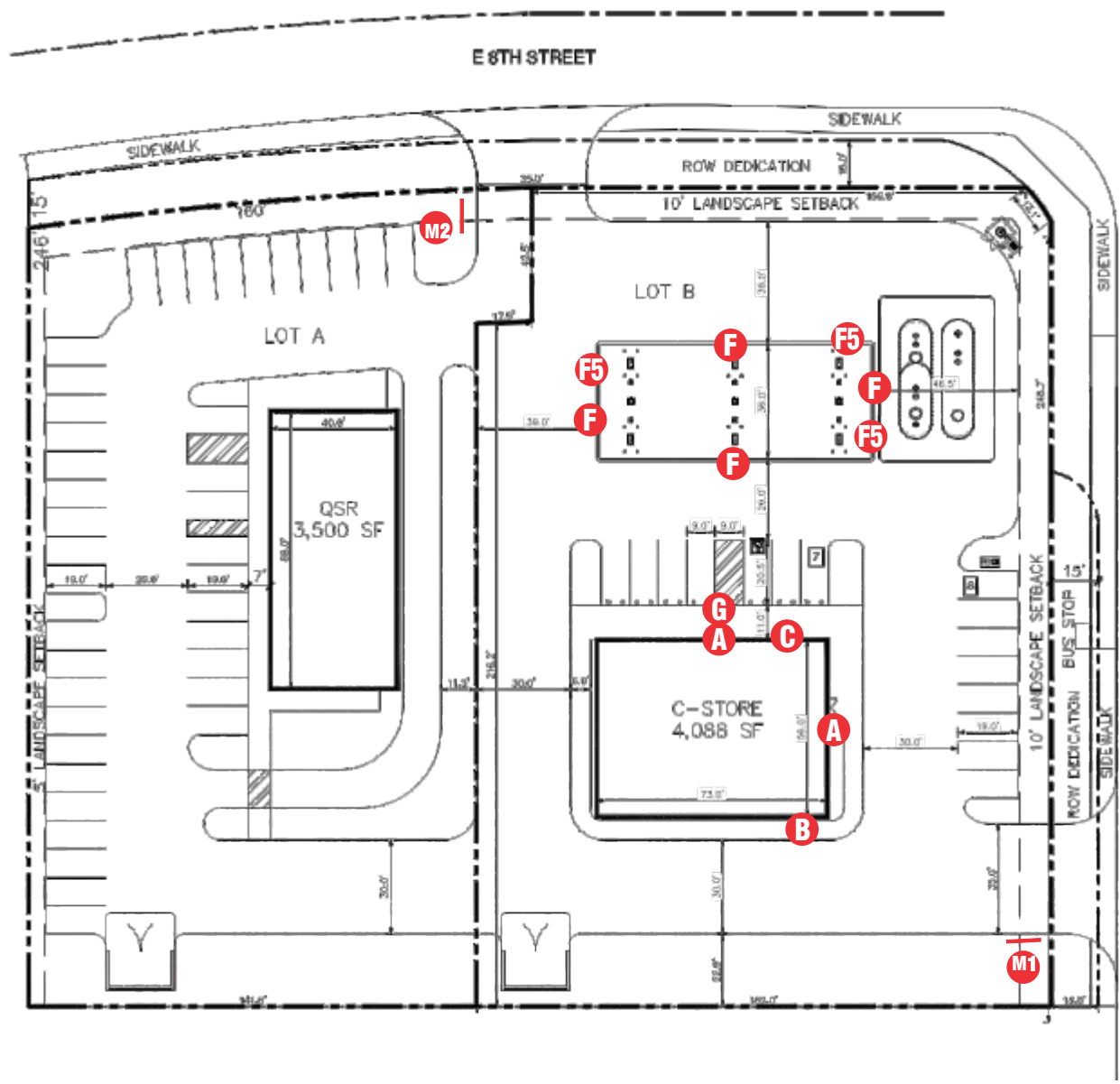
**Display Square Footage (Cabinet): 32**

**Job Location:** 1045933  
 8th & Highland Spring,  
 Beaumont, CA 9223

**Date:** January 20, 2020



**D-ORDER# 100643.03 TDP**  
**Project Mgr.: Jenny Hodges**  
 jenny.hodges@cummingsigns.com  
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PRODUCT LIST			
SQ. FT.	QTY	ITEM	
<b>EXTERIOR BUILDING SIGNS</b>			
A	52.5	2	TATEYAMAS
B	36	1	W37 WALL SIGN
<b>INTERIOR SIGNS AND WINDOW VINYLs</b>			
C	3.2	1	ATM HANGING SIGN (INTERIOR)
G	N/A	TBD	WINDOW VINYLs
<b>EXTERIOR GROUND SIGNS</b>			
M	30	2	DF MONUMENT SIGNS
<b>FUEL CANOPY SIGNS</b>			
F5	9	3	SF CANOPY SIGN (MAIN ID KEYSTONE)
F	N/A	4	TRI-STRIPE VINYL SETs



Job Location: 1045933  
 8th & Highland Spring,  
 Beaumont, CA 9223  
 Date: January 20, 2020



D-ORDER# 100643.03 TDP  
 Project Mgr.: Jenny Hodges  
 jenny.hodges@cummingsigns.com  
 Page: 12 of 12

**LEGAL DESCRIPTION:**

PARCEL 1 OF PARCEL MAP NO. 5570, AS SHOWN BY MAP ON FILE IN BOOK 10, PAGE 34 OF PARCEL MAPS, RIVERSIDE COUNTY RECORDS.

**ASSESSOR'S PARCEL NUMBER:**

419-150-034

**EXISTING EASEMENTS/EXCEPTIONS:**

SEE PRELIMINARY TITLE REPORT BY FIRST AMERICAN TITLE INSURANCE COMPANY, ORDER NO. NCS-96442-PHX1 DATED NOVEMBER 12, 2019. ITEMS LISTED BELOW ARE SHOWN IN THE PRELIMINARY TITLE REPORT AND PLOTTABLE ITEMS ARE DENOTED THUS: # WITH LOCATIONS KEYPED THE SAME HEREON.

12 EASEMENTS, COVENANTS AND CONDITIONS CONTAINED IN THE DEED FROM J. DREW FUNK, J.D. REID, PEARL J. GRANT, AND EDWARD CRYER, AS GRANTOR, TO FRANK W. CHAMBERS, A SINGLE MAN, AS GRANTEE, RECORDED JANUARY 31, 1946 AS BOOK 715, PAGE 142 OF OFFICIAL RECORDS. REFERENCE BEING MADE TO THE DOCUMENT FOR FULL PARTICULARS.

EASEMENT TO BE VACATED PER SEPARATE INSTRUMENT.

13 EASEMENTS, COVENANTS AND CONDITIONS CONTAINED IN THE DEED FROM J. DREW FUNK AND RUBY M. FUNK, AS GRANTOR, TO WILLIAM CAMERON AND JANET CAMERON, HUSBAND AND WIFE, AS JOINT TENANTS, AS GRANTEE, RECORDED APRIL 27, 1948 AS BOOK 904, PAGE 477 OF OFFICIAL RECORDS. REFERENCE BEING MADE TO THE DOCUMENT FOR FULL PARTICULARS.

EASEMENT TO BE VACATED PER SEPARATE INSTRUMENT.

14 AN EASEMENT FOR UTILITIES AND INCIDENTAL PURPOSES, RECORDED NOVEMBER 13, 1962 AS INSTRUMENT NO. 104649 OF OFFICIAL RECORDS.

IN FAVOR OF: COUNTY OF RIVERSIDE  
AFFECTS: AS DESCRIBED THEREIN

EASEMENT TO BE VACATED PER SEPARATE INSTRUMENT.

15 AN EASEMENT FOR ROAD AND INCIDENTAL PURPOSES, RECORDED AUGUST 31, 1970 AS INSTRUMENT NO. 85601 OF OFFICIAL RECORDS.

IN FAVOR OF: CITY OF BEAUMONT  
AFFECTS: AS DESCRIBED THEREIN

EASEMENT TO REMAIN.

16 A DEDICATION FOR PUBLIC ROADS PURPOSES PER DOCUMENT RECORDED NOVEMBER 6, 1975 AS INSTRUMENT NO. 138162 OF OFFICIAL RECORDS IS A DEDICATION OF REAL PROPERTY THAT WAS ACCEPTED BY RESOLUTION OF THE CITY COUNSEL FO BEAUMONT ON OCTOBER 13, 1975. THIS AREA IS INCLUDED IN THE LEGAL DESCRIPTION WITHIN EXHIBIT A OF COMMITMENT NO. NCS-964442-PHX.

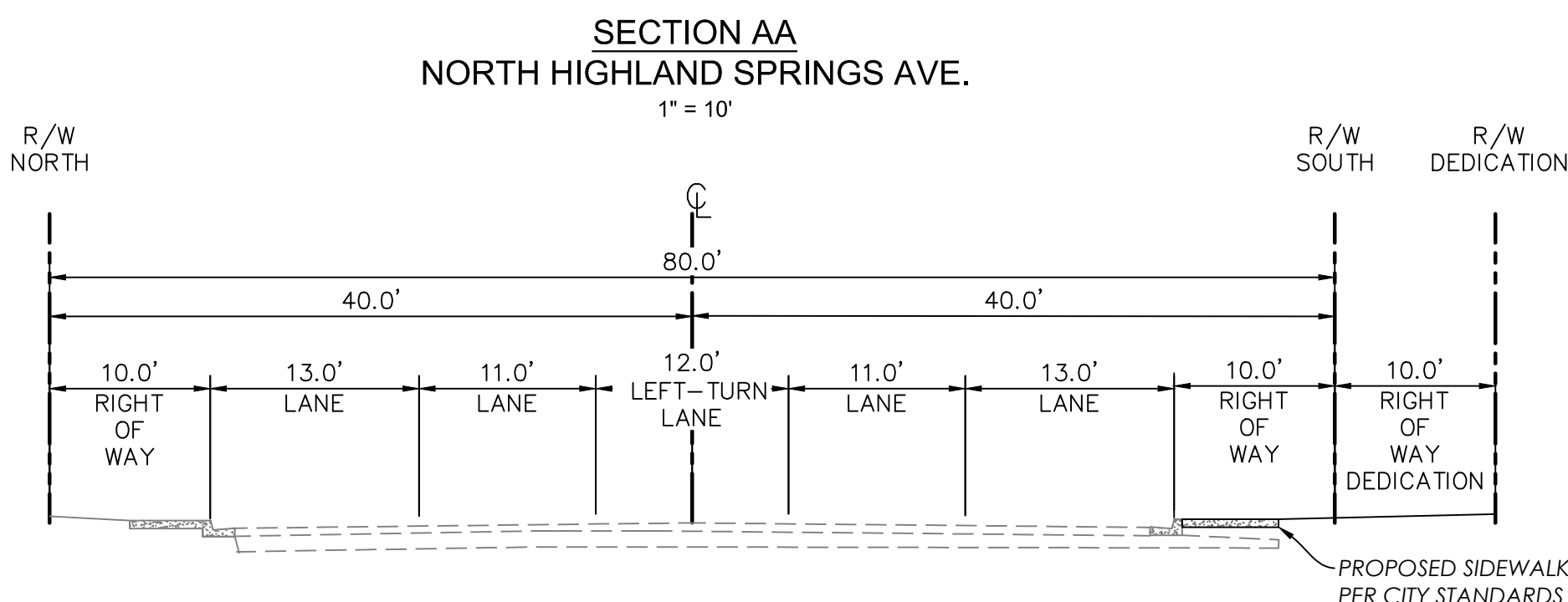
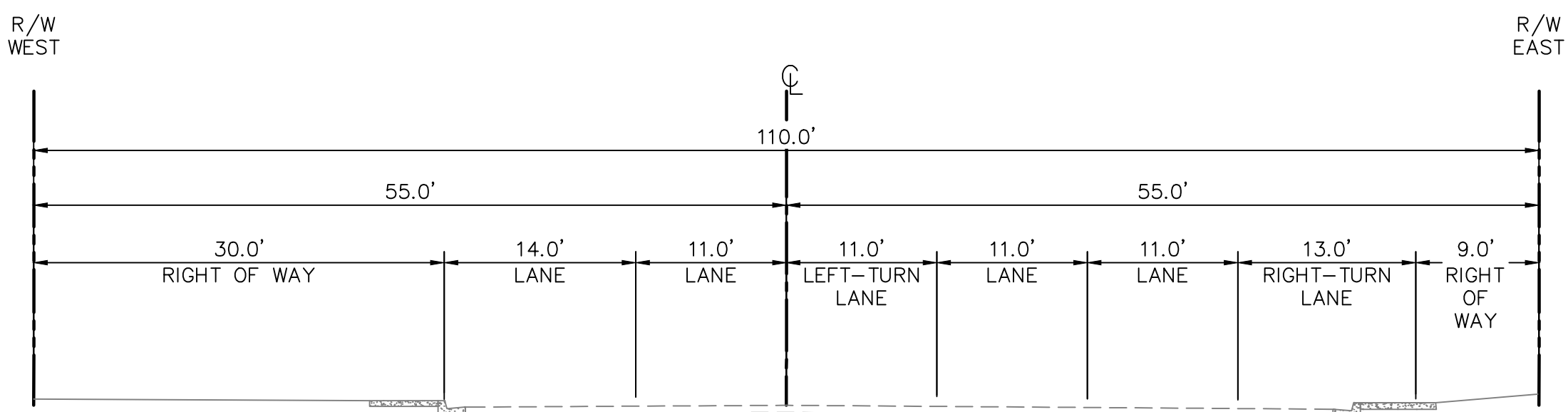
EASEMENT TO REMAIN.

**BASIS OF BEARING:**

THE BASIS OF BEARINGS SHOWN HEREON ARE BASED ON THE CENTER LINE OF 8TH STREET, BEING SOUTH 89°10'30" WEST, AS SHOWN ON PARCEL MAP NO. 5570 RECORDED OCTOBER 9, 1973 AS NO. 131938 IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY.

**LEGEND:**

PROPERTY BOUNDARY/ RIGHT OF WAY  
CENTERLINE  
PROPOSED LOT LINE  
EASEMENT



**ZONING DATA:**

GENERAL PLAN DESIGNATION: COMMUNITY COMMERCIAL  
EXISTING ZONE: CC - COMMUNITY COMMERCIAL  
EXISTING LAND USE: VACANT  
PROPOSED ZONE: CC - COMMUNITY COMMERCIAL  
PROPOSED LAND USE: COMMERCIAL  
FLOOD ZONE DESIGNATION: ZONE X - MINIMAL FLOOD HAZARD  
FEMA FLOOD MAP: PANEL T03SR01WS11, CITY OF BEAUMONT 060247

SETBACKS  
STREET FRONTAGE 25'  
REAR NONE  
INTERIOR SIDE NONE

**PROJECT NARRATIVE:**

THE PROPOSED PROJECT IS A SUBDIVISION OF 1 EXISTING PARCEL INTO 2 PROPOSED PARCELS. IN ADDITION, THIS PROJECT REQUIRE A RIGHT OF WAY DEDICATION FOR 8TH STREET. NO OTHER PUBLIC EASEMENTS ARE CONTEMPLATED TO BE REQUIRED.

EXISTING NUMBER OF LOTS: 1  
EXISTING ACREAGE: 2.08 ACRES / 90,742.04 SQ. FT  
PROPOSED NUMBER OF LOTS: 2  
TOTAL SUBDIVISION ACREAGE: 2.01 ACRES / 87,419.96 SQ. FT  
PROPOSED DEDICATION: 0.08 ACRES / 3,322.08 SQ. FT

**SITE DESIGN REFERENCE:**

CIVIL SITE DESIGN INCLUDING, BUT NOT LIMITED TO, GRADING, DRAINAGE, STORMWATER MANAGEMENT, AND UTILITIES ARE DEPICTED ON PLOT PLAN PP2020-0276 PREPARED BY KIMLEY-HORN.

**PROPOSED LOT SUMMARY:**

PARCEL 1: 1.14 ACRES / 49,565.09 SQ. FT  
PARCEL 2: 0.87 ACRES / 37,854.87 SQ. FT  
LOT A: 0.08 ACRES / 3,322.08 SQ. FT  
TOTAL: 2.08 ACRES / 90,742.04 SQ. FT

**PROPOSED EASEMENT DEDICATIONS:**

A 10' RIGHT OF WAY DEDICATION FOR 8TH STREET

**UTILITY PURVEYORS:**

SEWER: CITY OF BEAUMONT PUBLIC WORKS  
WATER: CHERRY VALLEY WATER DISTRICT  
GAS: SOUTHERN CALIFORNIA GAS CO.  
ELECTRIC: SO. CAL. EDISON CO.  
PHONE: AT&T  
STORM: CITY OF BEAUMONT/RIVERSIDE COUNTY FLOOD CONTROL DISTRICT

**ABBREVIATIONS:**

AC ACRE  
APN ASSESSOR'S PARCEL NUMBER  
BLDG BUILDING  
CL CENTERLINE  
DED DEDICATION  
ESMT EASEMENT  
EX EXISTING  
LS LANDSCAPE  
NLY NORTHERLY  
PL PROPERTY LINE  
POC POINT OF CONNECTION  
PROP/PR PROPOSED  
R/W RIGHT-OF-WAY  
S/W SIDEWALK  
S'LY SOUTHERLY  
SF SQUARE FEET  
TYP TYPICAL

**TENTATIVE PARCEL MAP NO. 37938**

IN THE CITY OF BEAUMONT, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

July 10, 2020

SUBDIVISION AREA: 2.08 ACRES

APN: 419-150-034

**OWNER**

KY NGOC NGUYEN  
15521 SUNBURST LANE  
HUNTINGTON BEACH, CA 92647

**APPLICANT**

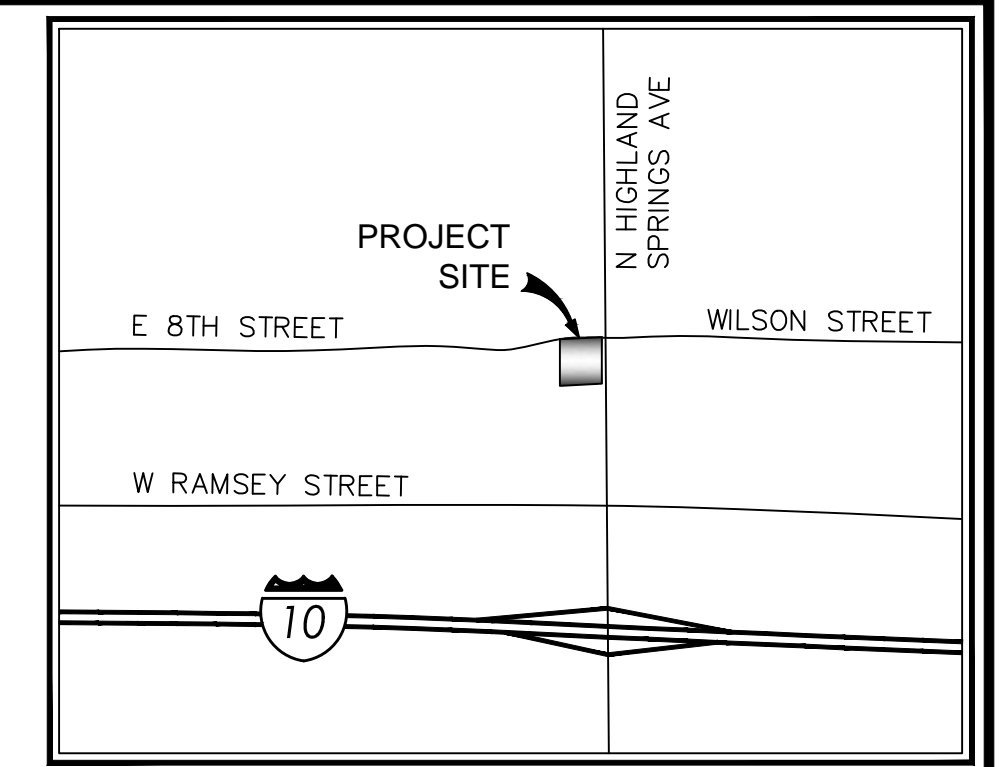
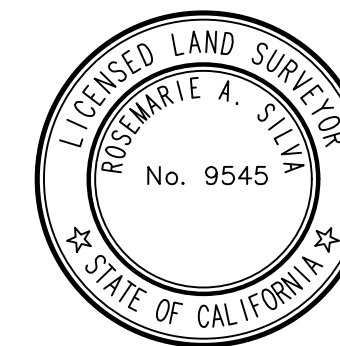
EVERGREEN DEVCO, INC.  
2390 EAST CAMELBACK RD, SUITE 410  
PHEONIX, AZ 85016

**SURVEYOR OF RECORD:**

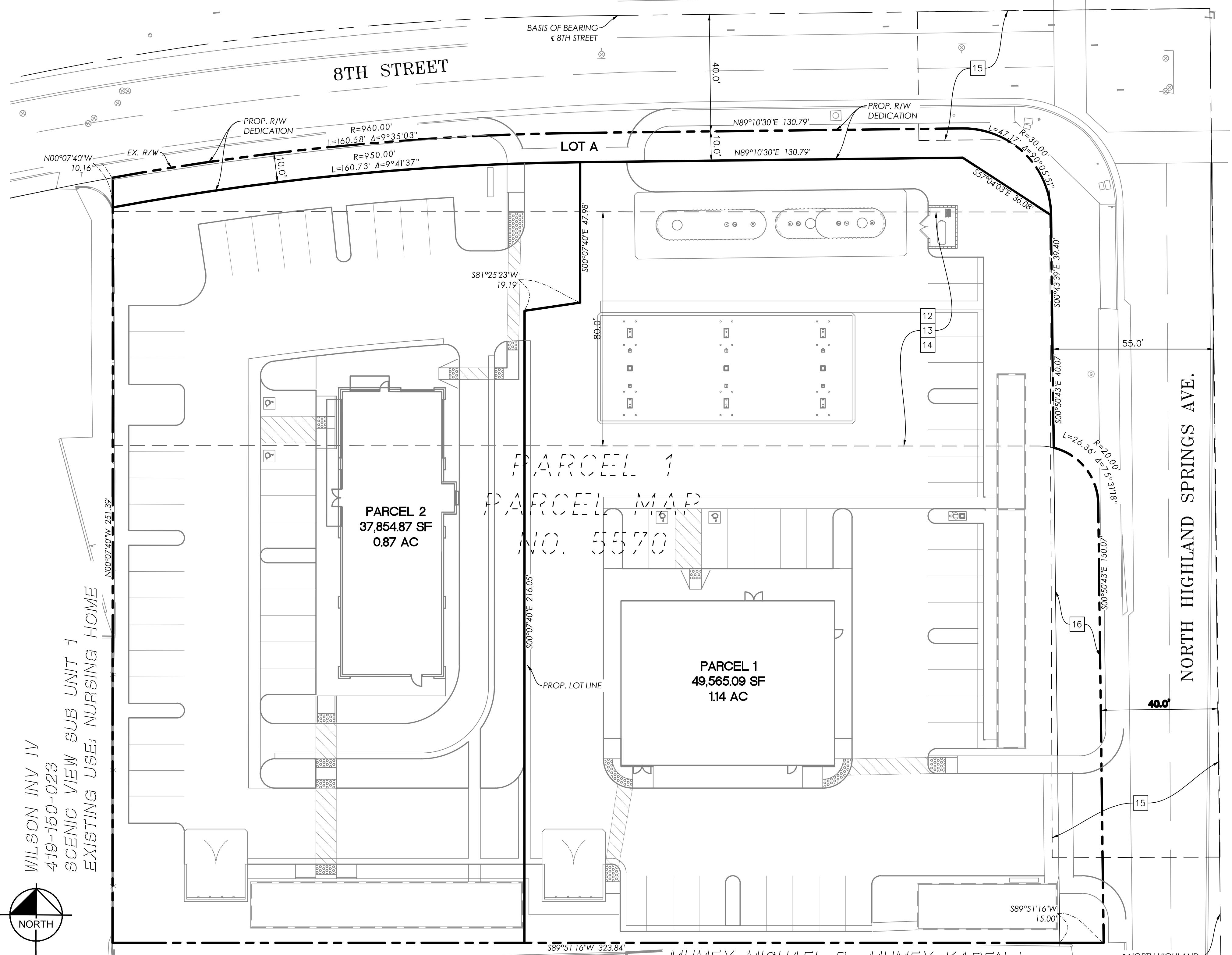
ROSEMARIE SILVA  
KIMLEY-HORN AND ASSOCIATES  
401 B STREET SUITE 600  
SAN DIEGO, CA 92101-4218  
TELEPHONE: (619) 272-7198

*Rosemarie Silva*

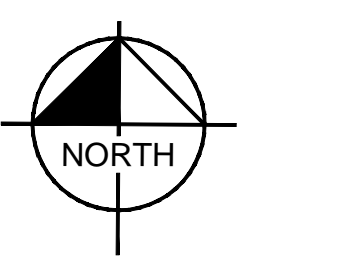
3-18-2020  
DATE



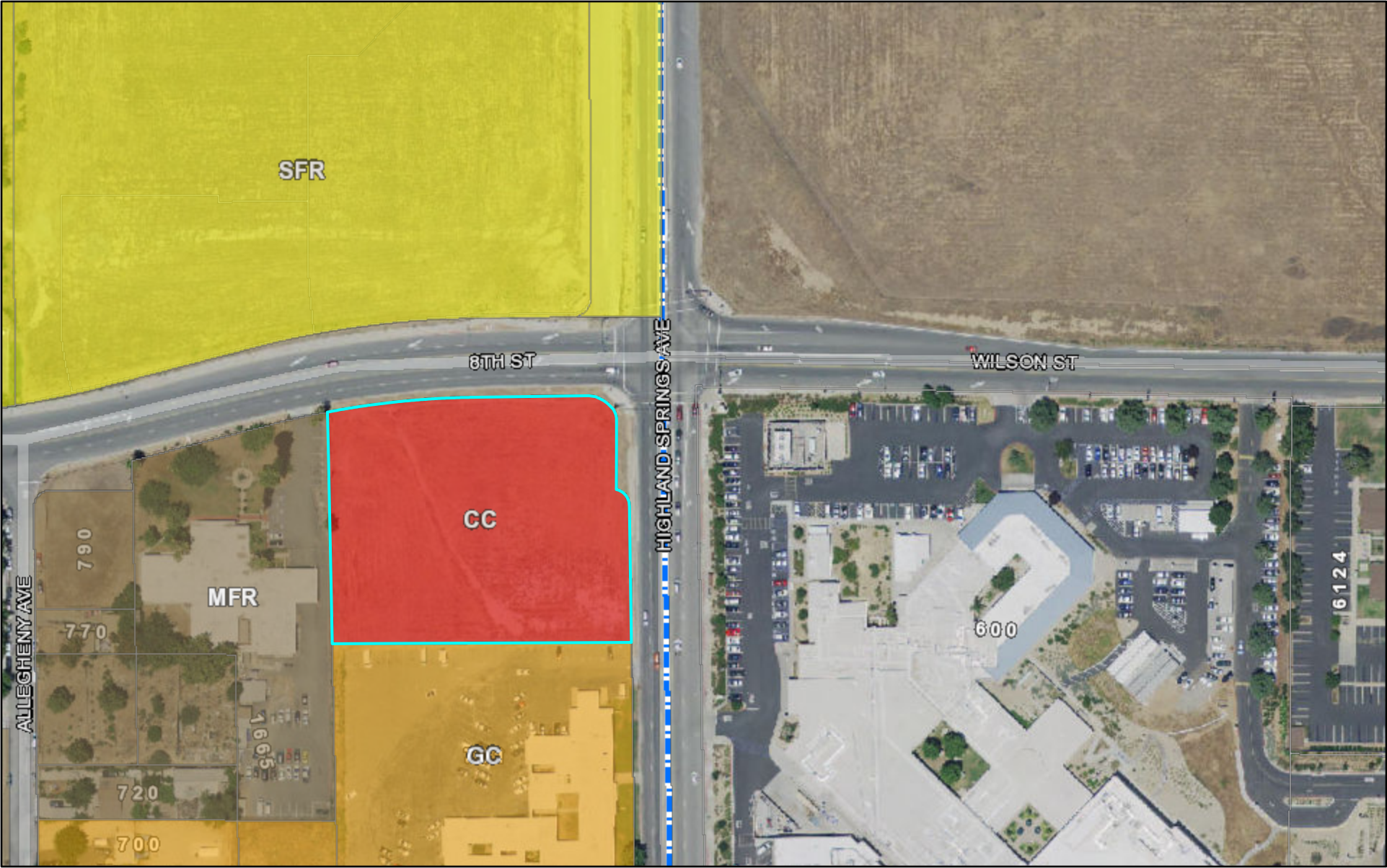
VICINITY MAP  
N.T.S.



WILSON INV IV  
419-150-023  
SCENIC VIEW SUB UNIT 1  
EXISTING USE: NURSING HOME



MUMEY MICHAEL R., MUMEY KAREN L.  
419-150-035, PARCEL 2, PM NO. 5570  
EXISTING USE: RETAIL MEDICAL SUPPLIES



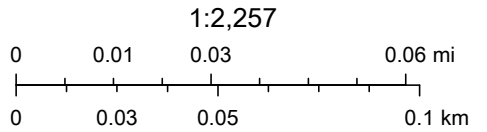
9/2/2020 11:49:38 AM

General Plan

- Rural Residential
- Single-Family Residential

- Multi-Family Residential
- General Commercial
- Community Commercial
- Industrial
- Commercial Industrial Overlay
- Urban Village Overlay

- Beaumont Avenue Overlay
- Public Facilities
- Recreation and Conservation



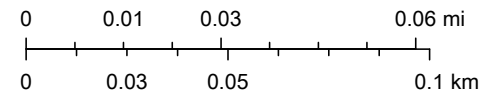


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Zoning

- |                           |                    |                          |                          |
|---------------------------|--------------------|--------------------------|--------------------------|
| Rural Residential         | Specific Plan Area | Commercial Community     | Beaumont Avenue Overlay  |
| Residential Single-Family | Commercial General | Commercial Manufacturing | Mineral Resource Overlay |
| Residential Multi-Family  | Manufacturing      | Public Facilities        |                          |

1:2,257



PP2020-0276 CUP2020-0046 CUP2020-0047 PM2020-0007 Aerial

Item 9.



Legend

- County Centerline Names
- County Centerlines
- Blueline Streams
- City Areas
- World Street Map



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Notes

0 869 1,739 Feet

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August 27, 2020

Via Email

City of Beaumont  
550 E. 6<sup>th</sup> Street  
Beaumont, CA 92223  
951-769-8520

**Re: SWC 8<sup>th</sup> Street & Highland Springs Avenue, Beaumont, CA  
Project Compliance, Compatibility and Design  
Finding of Public Convenience or Necessity (PCN)**

Evergreen Devco, Inc. (“Applicant”) is requesting approval of a Plot Plan, Conditional Use Permits (alcohol sales, gas station, and drive-thru restaurant), PCN and Tentative Parcel Map to develop an approximately 3,500 square-foot quick service restaurant (QSR) with drive-thru, a gas station with six (6) fuel dispensers, and an approximately 4,088 square-foot convenience store on a 2.08-acre parcel in the City of Beaumont, Riverside County.

PROJECT LOCATION/GENERAL INFORMATION

The Project Site is located on the southwest corner of Highland Springs Avenue and East 8<sup>th</sup> Street. The existing parcel is described as Assessor’s Parcel No. 419-150-034. The Project Site is currently undeveloped, vacant land and will be split into two lots via Tentative Parcel Map.

PROPOSED DRIVE-THRU RESTAURANT/PARCEL 2:

Parcel 2 will consist of a QSR with an attached drive-thru and thirty-six (36) parking spaces, two (2) of which will be handicap-accessible. The proposed QSR may operate 24 hours a day, 7 days per week, including deliveries. Deliveries may be made to the west, south or east side of the building. Roughly 25 to 30 employees will be employed by the restaurant.

The QSR structure height is proposed to be 20’-8” to the parapet with tower elements at approximately 22’-10”. The restaurant provides a drive-thru lane with approximately 8 car stacking capacity. The drive-thru lane proposes screening using a mixture of trees and shrubs.

PROPOSED FUEL STATION/LOT B:

Parcel 1 will consist of a gas station with six (6) fuel dispensers and twelve (12) fueling positions, and a convenience store with thirty-three (33) parking spaces, two (2) of which will be handicap-accessible. The site design also proposes two (2) 20K-gallon underground storage tanks (USTs) and one (1) Healy Tank (clean air separator). One of the USTs will hold 20K-gallons of Premium Unleaded Gasoline and 12K-gallons of Diesel.



The proposed fuel station and convenience store may operate 24 hours a day, 7 days per week with roughly 4 to 6 employees. Deliveries may range from 5PM to 1AM. Vendor delivery trucks, including deliveries from separate vendors such as Coke, Pepsi, Budweiser, and others are scheduled to each deliver once a week. The convenience store will receive additional corporate deliveries every other week. The underground storage tanks are scheduled to be refilled twice per week. The Delivery location is anticipated to be on the west side of the convenience store building.

Currently proposed structure heights are approximately 19’ to the parapet with tower elements at approximately 23’-10” for the convenience store and 18.5’ for the fuel station canopy.

ARCHITECTURAL INFORMATION

There will be cohesive architectural elements between the two proposed developments reflected in the use of materials, detailing, lighting and tower elements with varied heights and recesses to achieve visual interest. The project will use earth tones and include stucco and stone veneer facades, aluminum finishes and fabric awnings. See included elevations for more detail.

LANDSCAPE INFORMATION

Approximately 26% of the total site is proposed to be landscaped. Landscaping is proposed on the northern and eastern boundaries, as well as throughout the parking and drive aisle areas within the site. The project includes a varied mixture of trees and shrubs to provide visual interest and a comfortable environment for future customers. See included landscape plan for more detail.

EXISTING/SURROUNDING USE INFORMATION

The Project Site has a current land use zoning and General Plan designation of Community Commercial (CC). The CC land use designation is characterized by commercial shopping centers that serve adjacent neighborhoods. The surrounding uses of the project site consist of:

	Use	General Plan Designation	Zoning Designation
North	Commercial Office	Single-Family Residential	Specific Plan Area
South	Commercial Medical Services	General Commercial	Community General
East	Hospital	Public Facilities – Hospital (City of Banning)	PF-H
West	Nursing Facility	Multi-Family Residential	Residential Multi-Family

The development has been designed to be consistent with all current General Plan and Zoning Land Use requirements and in a manner compatible with the surrounding uses. Site lighting will be provided to adequately provide visibility without polluting neighboring properties with unnecessary illumination. The project is not expected to contribute to any excessive noise and will maintain operations in a manner not to unnecessarily disturb neighboring properties.

ACCESS INFORMATION

Access to the Project Site is provided by one (1) right-in/right-out only 35-foot driveway on 8<sup>th</sup> Street and one (1) right-in/right-out only 35-foot driveway on Highland Springs Avenue. A traffic analysis was

conducted to find that off-site improvements to the adjacent streets unnecessary for proper traffic circulation. The applicant is however, paying fair share fees, in addition to required TUMF fees, to the City to improve traffic conditions at nearby intersections.

#### SIGNAGE INFORMATION

The Proposed Project includes the installation of two (2) six-foot tall illuminated monument signs. Signage on each frontage will consist of a shared monument sign with fuel pricing. See site plan for proposed locations and sign package for more information. The proposed signage meets California State Law as detailed in the Business and Professions Code, Article 12, Section 13531 requiring pricing signage to be clearly visible from all streets when located at an intersection.

#### PROPOSED ALCOHOL SALES INFORMATION/PCN FINDINGS

The project is proposing the sale of alcohol in the proposed convenience store. The project has requested an Off-Sale Type 20 ABC License (beer and wine only).

#### Census Tract Information

The Project Site is in census tract 438.18. Based on current population, two off-sale alcohol licenses are permitted, and four licenses exist. Therefore, the Department of Alcoholic Beverage Control requires a finding of public convenience or necessity to permit a beer and wine license at our store.

For informational purposes, the four existing off-sale licenses include three type-21 licenses and one type-20 license located south of the Project Site.

#### **Public Convenience or Necessity Findings:**

##### Proximity to Sensitive Land Uses

The proposed use is located over 600 feet, as measured from the proposed property line to property line, from any existing public or private schools, public parks, and places of worship. The property is located over 1,500 feet from the Sundance Elementary School, over 900 feet from River at the Pass Church and 1,300 feet from the Church of Latter-Day Saints in Banning. The nearest park is Mountain View Park and is approximately 2,600 feet from the project site, however there is a tot lot located approximately 1,300 feet from the site. Both parks are located within the Sundance Specific Plan.

##### Community Input

7-Eleven has conducted its Public Notice of Application to allow for community comments and feedback. Additionally, through the City's planning process, the public has been provided notice of the proposed development, including its request for allowed alcohol sales. No formal public/residential protests or comments were received as of the date of this letter.

### Provide convenient products and services for rapidly growing area

The Project Site is in a rapidly expanding area with a large number of new developments underway in both Beaumont and Banning. The Sundance Corporate Center is under development across 8<sup>th</sup> Street including a mix of office and retail uses. Additionally, as part of the Sundance, Butterfield, and other developments underway near the Project Site, over 7,000 new residential units are slated for construction. All of these new developments will greatly benefit from 7-Eleven's new location providing convenient and needed services to new and current residents and employees in the area.

### Safety and Security

The safety and security of 7-Eleven's stores are paramount to the success of its operations and its commitment to keeping the community safe. The issuance of a beer and wine license to 7-Eleven will not contribute to or aggravate any existing crime in the area. 7-Eleven's highly experienced operations and management team intend to operate this store with the highest of safety and security standards. 7-Eleven's team is skilled in maintaining great communication with law enforcement, and other agencies meant to prevent crime and support community safety.

In order to provide a safe and convenient location for its customer and employees 7-Eleven employs several measures to increase security and reduce any potential crime as a result of its operations. Those measures are detailed below:

1. **Onsite and In Store Security:** To ensure the convenience store and overall site is adequately monitored, and to provide security to its employees and customers, 7-Eleven installs interior and exterior digital video cameras throughout its store and site. Trained security dispatchers regularly monitor store and site activity and will dispatch emergency personnel as needed. Additionally, store employees can dispatch emergency assistance via in-store alarm buttons and remotes.
2. **Age-Restricted Sales:** 7-Eleven, Inc. requires all its stores to completely comply with federal, state, county, and city laws and ordinances regulating buying and selling age-restricted products. In order to maintain the highest level of adherence to these laws, 7-Eleven stores are equipped with state-of-the-art point of sale systems including age identification technology to eliminate human error in age identification or invalid documentation upon the sale of tobacco and alcohol products. Employees are trained to use proper communication and actions when refusing age-restricted product sales to a customer due to lack of valid identification, attempted under-age purchase, intoxication, evidence of second-party sale, or other restrictions.

Employees are also provided comprehensive training to properly manage age-restricted sales in addition to general workplace awareness, handling store emergencies, managing the cash drawer, addressing shoplifting and robberies, anti-money laundering: The Patriot Act, working safely, and preventing fraud.

3. **Inventory Control:** Proper inventory control is essential to ensure against thievery or fraud, 7-Eleven stores conduct regular audits to ensure inventory levels are accurate and to proactively manage and address potential inconsistencies.
  
4. **Alcohol Sales Restricted Hours:** 7-Eleven will adhere to California State law requiring the sale of beer and wine only to occur between 6:00am and 2:00am. Proper controls followed by every employee are put into place to ensure that this restriction is enforced, including locking of refrigerator doors and policies for employees to follow in the event that a customer attempts to purchase outside of the allowed window.

It is 7-Eleven's intention to operate this gas station and convenience store with the highest level of safety and security as demonstrated in the above measures. This store is not expected to be a detriment to its community's safety. Based on these findings we ask you to approve the Certificate of Public Convenience or Necessity to permit a Type-20 Beer and Wine License at this location.

Thank you for your consideration.

Regards,



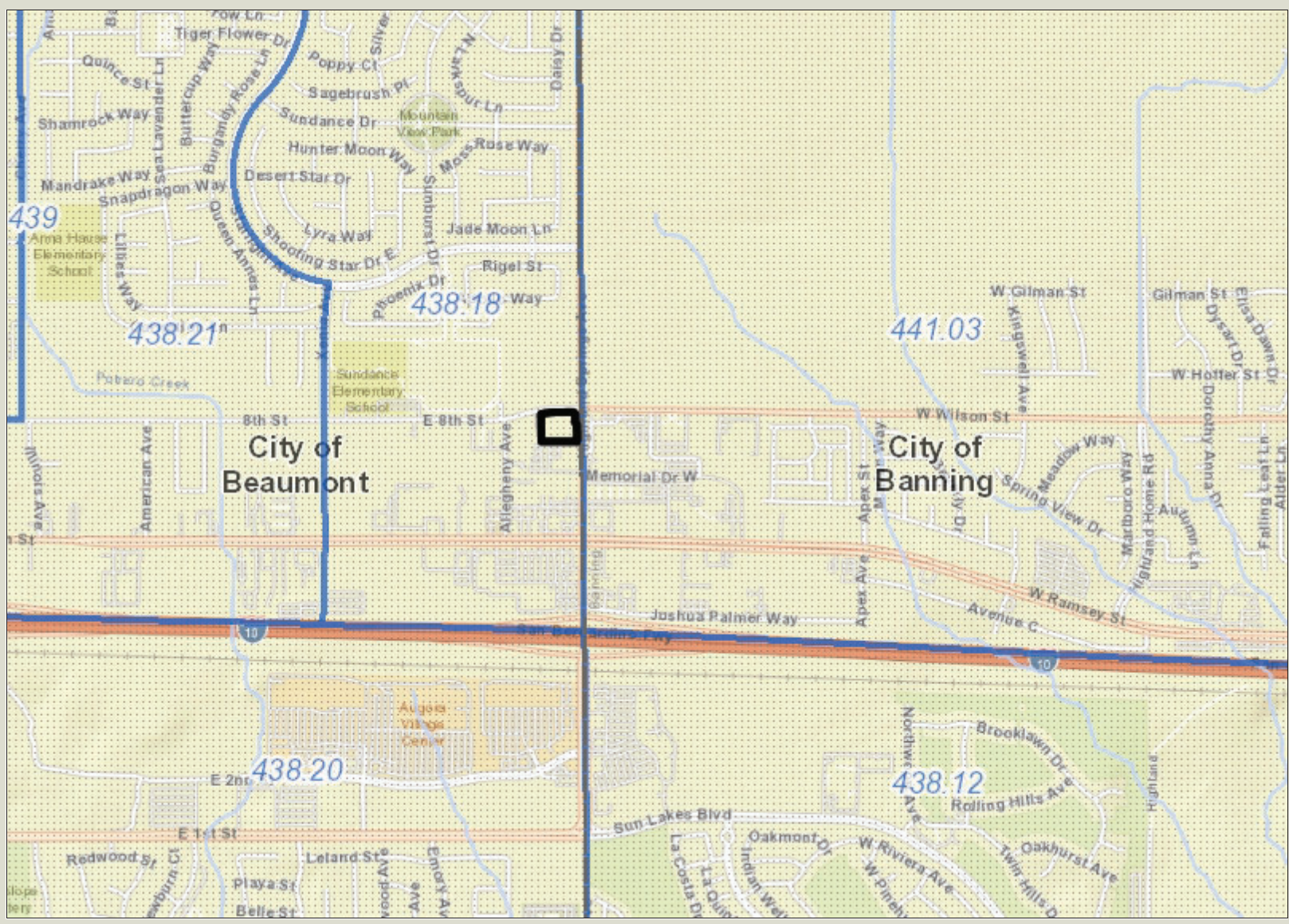
Kaytlin Fox  
Evergreen Devco, Inc.

Cc: Laura Ortiz, Steven Pollock, Cheryl Tubbs

License Nu	Status	License Ty	Orig.	Iss. Date	Expir. Date	Premises Addr.	Business Name
112877	ACTIVE	21		11/10/1981	7/31/2021	1661 E 6TH ST, BEAUMONT, CA 92223 Census Tract: 0438.18	STATER BROS MARKETS 86
318718	ACTIVE	21		6/5/1996	6/30/2021	1691 E 6TH ST, BEAUMONT, CA 92223 Census Tract: 0438.18	FOOD 4 LESS 386
420734	ACTIVE	47		6/30/2006	5/31/2020	1585 E 6TH ST, BEAUMONT, CA 92220 Census Tract: 0438.18	APPLEBEES NEIGHBORHOOD GRILL & BAR
469984	ACTIVE	20		10/22/2008	9/30/2020	1696 E 6TH ST, BEAUMONT, CA 92223-2510 Census Tract: 0438.18	BEAUMONT GAS MART
516858	ACTIVE	41		1/17/2012	12/31/2020	1661 E 6TH ST, STE B, BEAUMONT, CA 92223-5763 Census Tract: 0438.18	PHO 92
543165	ACTIVE	21		5/29/2014	4/30/2021	501 HIGHLAND SPRINGS AVE, BEAUMONT, CA 92223-2541 Census Tract: 0438.18	HIGHLAND SHELL
604502	ACTIVE	41		8/28/2019	7/31/2021	1680 E 6TH ST, STE B, BEAUMONT, CA 92223-5756 Census Tract: 0438.18	FUEGO CRAVINGS

# Census Tract Boundaries

Item 9.



## Legend

- Census Tracts
- Blueline Streams
- City Areas
- World Street Map



**\*IMPORTANT\*** Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

## Notes



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# THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100  
Riverside, CA 92507  
951-684-1200  
951-368-9018 FAX

## PROOF OF PUBLICATION (2010, 2015.5 C.C.P)

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: 8th and Highland /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

**09/25/2020**

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: September 25, 2020  
At: Riverside, California



Legal Advertising Representative, The Press-Enterprise

BEAUMONT, CITY OF / LEGAL  
550 E SIXTH ST  
BEAUMONT, CA 92223

Ad Number: 0011413196-01

P.O. Number:

Ad Copy:



## LEGAL ADVERTISEMENT

**NOTICE IS HEREBY GIVEN**, that the City of Beaumont will conduct public hearings to consider the matter described below. The City Council's public hearing will be held at 6:00 p.m. on Tuesday, October 6, 2020 at 550 East Sixth Street, Beaumont, California.

**PLOT PLAN 2020-0276, TENTATIVE PARCEL MAP 37938 (PM2020-0007), CONDITIONAL USE PERMIT 2020-0046, CONDITIONAL USE PERMIT 2020-0047, (8TH & HIGHLAND SPRINGS)**, Conduct a public hearing regarding a request for the construction and operation of a commercial development on an approximately 2.08-acre site, to construct and operate a gas station with six (6) fuel pumps with 12 dispensers, a 3,096 square foot canopy, 4,088 square foot convenience store with an off-sale general license (type 20) for the sale of beer and wine, and a 3,500 square foot drive-thru restaurant; and the subdivision of 2.08 acres into two (2) lots located on the southwest corner of 8th Street and Highland Springs Avenue (APN 419-150-034) in the Community Commercial (CC) Zone. The adoption of a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program pursuant to the California Environmental Quality Act will be considered, based upon the proposed findings that the project will not have a significant impact upon the environment, with incorporated mitigation (ENV2020-0012) (SCH# 2020070513).

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 made 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**

Project documents are on file and are available for public review on the City's website <http://beaumontca.gov/1135/8th-Street-Highland-Springs-planner> at [ckendrick@beaumontca.gov](mailto:ckendrick@beaumontca.gov)

The applicant for this project is **Evergreen Devco, Inc.**

Public comments will be accepted using the following by 1) Written comments will be accepted via email and will be read aloud during the corresponding item of the meeting. Comments can be submitted any time 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, 3) In person comments subject to the adherence of the applicable health order and social distancing requirements. Public comments shall not exceed (3) minutes unless otherwise authorized by City Council.

Carole Kendrick  
Senior Planner

Press-Enterprise: 9/25

Item 9.





## Staff Report

**TO:** City Council

**FROM:** Carole Kendrick, Senior Planner

**DATE:** October 6, 2020

**SUBJECT:** **Hold a Public Hearing and Consider the Adoption of a Final Extension of Ordinance No. 1111, an Interim Urgency Ordinance for a Temporary Moratorium Prohibiting Public Storage Facilities, Moving and Storage Establishments, Automobile Parking Facilities (Including Recreational Vehicles), Truck Stops and Terminals, and Building Storage Yards.**

---

### Background and Analysis:

On October 15, 2019, the City Council adopted Interim Urgency Ordinance No. 1111 for a moratorium on public storage facilities, moving and storage establishments, automobile parking facilities, recreational vehicle parking, truck stops and terminals and building storage yards. On November 19, 2019, the City Council adopted Ordinance No. 1114 for an extension of ten (10) months and fifteen (15) days of the temporary moratorium.

Staff is recommending City Council approve the final extension of one (1) year to Ordinance No. 1111 for a moratorium on public storage facilities, moving and storage establishments, automobile parking facilities, recreational vehicle parking, truck stops and terminals and building storage yards in order to allow staff to complete the general plan update which is anticipated to be completed in late 2020.

The extension will also allow staff to determine the appropriate zoning and development standards for public storage facilities, moving and storage establishments, automobile parking facilities, recreational vehicle parking, truck stops and terminals and building storage yards that are consistent with the goal and policies of the general plan and the economic development strategic plan.

The proposed extension is the final extension allowed under Government Code Section 65858. This ordinance will put a hold on the issuance of any entitlements or permits for

new applications which do not have a complete application after the effective date of the ordinance.

**Fiscal Impact:**

Staff time to prepare this report and legal counsel consultation is approximately \$500.

**Recommended Action:**

Hold a Public Hearing, and  
Waive the full reading and adopt by title only “One (1) Year Extension of Ordinance No. 1111 Being an Interim Urgency Ordinance of The City of Beaumont, Enacting A Temporary Moratorium Prohibiting Public Storage Facilities, Moving and Storage Establishments, Automobile Parking Facilities (Including Recreational Vehicles), Automobile Parking Facilities, Truck Stops and Terminals and Building Storage Yards, Pursuant to Government Code Section 65858” to become effective immediately.

**Attachments:**

- A. Interim Urgency Ordinance

**ORDINANCE NO. \_\_\_\_\_**

**ONE YEAR EXTENSION OF ORDINANCE NO. 1111 BEING AN INTERIM URGENCY ORDINANCE OF THE CITY OF BEAUMONT, ENACTING A TEMPORARY MORATORIUM PROHIBITING PUBLIC STORAGE FACILITIES, MOVING AND STORAGE ESTABLISHMENTS, AUTOMOBILE PARKING FACILITIES (INCLUDING RECREATIONAL VEHICLES), TRUCK STOPS AND TERMINALS AND BUILDING STORAGE YARDS, PURSUANT TO GOVERNMENT CODE SECTION 65858.**

**THE CITY COUNCIL OF THE CITY OF BEAUMONT DOES ORDAIN  
AS FOLLOWS:**

**WHEREAS**, on October 15, 2019, the City Council of the City of Beaumont adopted as an urgency measure Interim Ordinance No. 1111 temporarily restricting the granting of any building permit, business permit, conditional use permit, or any entitlement for establishing or expanding any public storage facilities, moving and storage establishments, automobile parking facilities, truck stops and terminals and building material yards anywhere in the City of Beaumont; and

**WHEREAS**, pursuant to Government Code section 65858(a), Interim Ordinance No. 1111 shall be of no further force and effect 45 days from its date of adoption, November 29, 2019, unless otherwise extended after notice and public hearing pursuant to Government Code section 65090; and

**WHEREAS**, on November 8, 2019, staff published notice of a public meeting to consider an extension of Interim Ordinance No. 1111(Ordinance No. 1114) in accordance with Government Code Section 65090;

**WHEREAS**, on November 19, 2019, the City Council of the City of Beaumont adopted urgency measure Interim Ordinance No. 1114 to extend the temporary restriction of granting of any building permit, business permit, conditional use permit, or any entitlement or expanding any public storage facilities, moving and storage establishments, automobile parking facilities, truck stops and terminals, a building material yards in the City of Beaumont for an additional ten (10) months and fifteen (15) days, commencing on November 29, 2019; and

**WHEREAS**, on September 25, 2020, the staff published notice of a public hearing to consider an extension of Interim Ordinance 1111 in accordance with Government Code Section 65090;

**WHEREAS**, on October 6, 2020, the City Council received a report from staff dated October 6, 2020 requesting that the City Council extend the term of Interim Ordinance No. 1111 beyond November 29, 2019 for one (1) year and describing the measures taken to alleviate the condition which led to the adoption of Interim Ordinance No. 1111; and

**WHEREAS**, on October 6, 2020, the City Council held a duly noticed public hearing and took testimony regarding Interim Ordinance No. 1111; and

**WHEREAS**, after considering the report from staff and hearing public comments, the City Council finds that the causes for adopting the interim ordinance have not been alleviated, and that there is a current and immediate threat to the public health, safety, and welfare of the City to justify an extension of Interim Ordinance No. 1111 for an additional year, commencing on October 15, 2020; and

**WHEREAS**, an extension of Interim Ordinance No. 1111 requires a four-fifths vote of the City Council for adoption.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BEAUMONT DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** The City Council finds and determines the foregoing recitals to be true and correct and hereby incorporates them into this ordinance.

**SECTION 2.** Interim Ordinance No. 1111, adopted by the City Council on October 15, 2019, and Interim Ordinance No. 1114, adopted on November 19, 2019, is hereby extended for an additional one (1) year period, commencing from October 15, 2020, and ending on October 15, 2021.

**SECTION 3.** This Ordinance, extending Interim Ordinance No. 1111, shall be introduced, passed and adopted at one and the same meeting and shall become effective immediately.

**SECTION 4.** If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, such invalidity or unenforceability shall not affect the validity or enforceability of the remaining sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases of this ordinance, or its application to any other person or circumstance. The City Council of the City of Beaumont hereby declares that it would have adopted each section,

subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases hereof be declared invalid or unenforceable.

**SECTION 5.** The City Clerk shall certify that this Interim Ordinance was passed, approved and adopted by the City Council of the City of Beaumont at a regular meeting thereof held October 6, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Rey Santos, Mayor

Attest: \_\_\_\_\_  
Deputy City Clerk

Approved as to form:

\_\_\_\_\_  
John O. Pinkney, City Attorney

# THE PRESS-ENTERPRISE

1825 Chicago Ave, Suite 100  
Riverside, CA 92507  
951-684-1200  
951-368-9018 FAX

## PROOF OF PUBLICATION (2010, 2015.5 C.C.P)

Publication(s): The Press-Enterprise

PROOF OF PUBLICATION OF

Ad Desc.: 2nd Extension /

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above entitled matter. I am an authorized representative of THE PRESS-ENTERPRISE, a newspaper in general circulation, printed and published daily in the County of Riverside, and which newspaper has been adjudicated a newspaper of general circulation by the Superior Court of the County of Riverside, State of California, under date of April 25, 1952, Case Number 54446, under date of March 29, 1957, Case Number 65673, under date of August 25, 1995, Case Number 267864, and under date of September 16, 2013, Case Number RIC 1309013; that the notice, of which the annexed is a printed copy, has been published in said newspaper in accordance with the instructions of the person(s) requesting publication, and not in any supplement thereof on the following dates, to wit:

**09/25/2020**

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Date: September 25, 2020  
At: Riverside, California



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## LEGAL ADVERTISEMENT

**NOTICE IS HEREBY GIVEN**, that the City of Beaumont will conduct public hearings to consider the matter described below. The City Council's public hearing will be held at 6:00 p.m. on Tuesday, October 6, 2020 at 550 East Sixth Street, Beaumont, California.

**ONE (1) YEAR EXTENSION OF ORDINANCE NO. 1111 BEING AN INTERIM URGENCY ORDINANCE OF THE CITY OF BEAUMONT, ENACTING A TEMPORARY MORATORIUM PROHIBITING PUBLIC STORAGE FACILITIES, MOVING AND STORAGE ESTABLISHMENTS, AUTOMOBILE PARKING FACILITIES (INCLUDING RECREATIONAL VEHICLES), TRUCK STOPS AND TERMINALS AND BUILDING STORAGE YARDS, PURSUANT TO GOVERNMENT CODE SECTION 65858.**

The purpose of the Ordinance is to extend a moratorium for one (1) year on applications and permits for Public Storage Facilities, Moving and Storage Establishments, Automobile Parking Facilities, Truck Stops and Terminals and building material yards. This ordinance applies to all applications for Public Storage Facilities, Moving and Storage Establishments, Automobile Parking Facilities, Truck Stops and Terminals and building material yards in any zone within the City of Beaumont.

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 made 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**

Public comments will be accepted using the following by 1) Written comments will be accepted via email and will be read aloud during the corresponding item of the meeting. Comments can be submitted any time 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, 2) Phone-in comments will be accepted by joining a conference line prior to the corresponding item of the meeting, 3) In person comments subject to the adherence of the applicable health order and social distancing requirements. Public comments shall not exceed (3) minutes unless otherwise authorized by City Council.

Press-Enterprise: 9/25

Item 10.



## Staff Report

**TO:** City Council  
**FROM:** Kristine Day, Assistant City Manager  
**DATE:** October 6, 2020  
**SUBJECT:** **Public Hearing to Adopt Resolution Amending the Prior Year Capital Improvement Plan and the 5 Year FY 21-25 Capital Improvement Plan**

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### **Background and Analysis:**

At its September 15, 2020, meeting the City Council directed City staff to amend the FY21-25 Capital Improvement Plan (CIP) by incorporating additional projects and reallocating certain funding and to present the amendments at the October 6, 2020 meeting. Below is a summary of changes for consideration.

#### Potrero Fire Station (Project 2017-028)

This amendment modifies the source of funding by the allocation of restricted, unexpended bond proceeds from prior year issuances in the amount of \$3,984,954.85 toward design and construction of the Potrero Fire Station. These funds are in lieu of the unobligated General Fund reserve dollars that were originally allocated. With this amendment, the Potrero Fire Station Project funding sources will be as follows.

Fire Station DIF	\$4,100,000.00
Bond Proceeds	\$3,984,954.84
General Fund Reserves	<u>\$ 565,045.20</u>
	\$8,650,000.04

#### Street Improvement Program (Project R-05)

Modifying the Potrero Fire Station funding sources provides the opportunity to reprogram the unobligated General Fund reserve funds to enhance the Street Improvement Program. As discussed by the City Council, the CIP amendment allocates \$3.5 million from the General Fund reserves to significantly expand the City's street improvement plans. City staff estimates that an additional 36 lane miles can be improved with these additional funds. Provided that this amendment is approved City

staff anticipates awarding a construction contract on October 20, 2020, with construction to commence immediately.

#### Stewart Park Improvements (Project P-10)

The CIP amendment also allocates an additional \$2.0 M of CFD pay-go funds for the redevelopment of Stewart Park. Planned park improvements in the park consist of a concrete walking trail throughout the length of the park, picnic pavilions throughout the park, additional playground equipment with shade structures, parking facilities, connection of the park across Tenth Street, and landscaping. These improvements will make Stewart Park a community icon, increase overall usage of the park, and serve as a major component for downtown revitalization.

#### PLC Lift Station Upgrade Construction Project (Project 2019-010)

Staff has been working with the City's design engineer who is preparing bid documents for a PLC Lift Station Upgrade Project. After more in depth evaluation of the existing system and the operational concerns of the lift station, it is imperative the City replace many more electrical components than originally anticipated and provide for redundancy in the SCADA system to prevent overflows at the lift stations. Both items have added significant cost to the estimate of the project but provide the city a decreased risk of potential fines from overflows/spills. Staff is recommending adding \$350,000 to the project budget from the CFD funds for a total project allocation of \$700,000.

#### **Fiscal Impact:**

Financial impacts are outlined above and in the exhibits to the resolution.

#### **Recommended Action:**

Hold a Public Hearing, and

Waive the full reading, and adopt by title only, "A Resolution of the City Council of the City of Beaumont Amending the Five-Year Capital Improvement Plan for Fiscal Years 2021/2022 – 2024-2025 and Related Prior Year CIP Project List."

#### **Attachments:**

- A. Resolution
- B. Exhibit A to Resolution
- C. Exhibit B to Resolution



**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BEAUMONT  
AMENDING THE FIVE-YEAR CAPITAL IMPROVEMENT PLAN FOR FISCAL  
YEARS 2021/2022-2024/2025 AND RELATED PRIOR YEAR CIP PROJECT LIST**

**WHEREAS**, the City Council of the City of Beaumont adopted the City’s Five-Year Capital Improvement Plan for Fiscal Years 2021/2022 through 2024/2025 (“CIP”) and the Prior Year CIP Project List on June 2, 2020 at a duly noticed public hearing, as defined below;

**WHEREAS**, the Prior Year CIP Project List is a culmination of the prior years’ CIP projects, status and funding sources;

**WHEREAS**, the City Council desires to amend the City’s Five-Year Capital Improvement Plan for Fiscal Years 2021/2022 through 2024/2025 (“CIP”) and the Prior Year CIP Project List;

**WHEREAS**, the proposed amendments to the CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2021/2022-2024/2025 are intended to reallocate \$3,500,000 of the unrestricted General Fund Reserve dollars to enhance the Mid-Year Street Improvement Program and allocate an additional \$2,000,000 to the redevelopment of Stewart Park project from the CFD funds,

**WHEREAS**, these amendments are detailed in **Exhibit “A”** attached hereto and made a part hereof;

**WHEREAS**, the proposed amendments to the Prior Year CIP Project List are intended to allocate available restricted bond proceeds of \$3,984,954.85 toward design and construction of the Potrero Fire Station in place of unrestricted General Fund Reserve dollars and add \$350,000 to the PLC Lift Station Upgrade Construction Project budget from the CFD funds for a total project allocation of \$700,000;

**WHEREAS**, these amendments are detailed in **Exhibit “B”**, attached hereto and made a part hereof;

**WHEREAS**, pursuant to Government Code, section 66002, the City duly gave public notice of the public hearing of the proposed amendments to the CIP and Prior Year CIP Project List, a copy of which has been on file with the City Clerk Board at least 10 calendar days prior to the City Council’s commencement of such public hearing; and

**WHEREAS**, the City Council desires to amend the CIP and Prior Year CIP Project List as set forth herein;

**NOW, THEREFORE BE IT RESOLVED BY THE BEAUMONT CITY COUNCIL AS FOLLOWS:**

**Section 1.** The City Council hereby approves and adopts the amendment to the Capital Improvement Plan for Fiscal Years 2021/2022 through 2024/2025, a copy of which is attached hereto as Exhibit “A” and made a part hereof by this reference.

**Section 2.** The City Council hereby approves and adopts the amendment to the Prior Year CIP Project List, a copy of which is attached hereto as Exhibit “B” and made a part hereof by this reference.

**Section 3.** The Capital Improvement Plan shall be updated annually by the City Council pursuant to California Government Code, section 66002, or as otherwise provided by law.

**Section 4.** This Resolution shall take effect immediately upon its passage and adoption.

**MOVED, PASSED, and ADOPTED** this \_\_\_\_ day of October, 2020, by the following vote:

- AYES:**
- NOES:**
- ABSTAIN:**
- ABSENT:**

By: \_\_\_\_\_  
Rey Santos, Mayor  
City of Beaumont

ATTEST:

By: \_\_\_\_\_  
Steve Mehlman, City Clerk  
City of Beaumont

**EXHIBIT A**

**EXHIBIT B**

Five Year Capital Improvement Plan FY 21-25

**Funding Source: TUMF**

Project Name	Project Number	FY20/21	FY21/22	FY22/23	FY23/24	FY24/25	Future Funding	TOTAL
<b>TOTAL</b>		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

**Funding Source: Basic Services DIF**

Project Name	Project Number	FY20/21	FY21/22	FY22/23	FY23/24	FY24/25	Future Funding	TOTAL
New City Hall							\$ 18,000,000	\$ 18,000,000
<b>TOTAL</b>		\$ -	\$ -	\$ -	\$ -	\$ -	\$ 18,000,000	\$ 18,000,000

**Funding Source: Road & Bridge DIF**

Project Name	Project Number	FY20/21	FY21/22	FY22/23	FY23/24	FY24/25	Future Funding	TOTAL
Oak Valley Parkway Expansion I10-Desert Lawn Phase 2	R-01	\$ 600,000						\$ 600,000
2nd Street Extension Construction							\$ 5,000,000	\$ 5,000,000
1st Street Widening Penn to Beaumont Ave Design & Construction							\$ 1,600,000	\$ 1,600,000
<b>TOTAL</b>		\$ 600,000	\$ -	\$ -	\$ -	\$ -	\$ 6,600,000	\$ 7,200,000

**Funding Source: Traffic Signal DIF**

Project Name	Project Number	FY20/21	FY21/22	FY22/23	FY23/24	FY24/25	Future Funding	TOTAL
Citywide Traffic Signal Upgrade & Capacity Improvement Phase 1	R-02	\$ 150,000						\$ 150,000
Citywide Traffic Signal Upgrade & Capacity Improvement Phase 2			\$ 150,000					\$ 150,000
Citywide Traffic Signal Upgrade & Capacity Improvement Phase 3				\$ 150,000				\$ 150,000
Citywide Traffic Signal Upgrade & Capacity Improvement Phase 4					\$ 150,000			\$ 150,000
Citywide Traffic Signal Upgrade & Capacity Improvement Phase 5						\$ 150,000		\$ 150,000
<b>TOTAL</b>		\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ 150,000	\$ -	\$ 750,000

**Funding Source: Community Park DIF**

Project Name	Project Number	FY20/21	FY21/22	FY22/23	FY23/24	FY24/25	Future Funding	TOTAL
Stewart Park Splash Park	P-01	\$ 1,145,000						\$ 1,145,000
<b>TOTAL</b>		\$ 1,145,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,145,000

**Funding Source: Neighborhood Park DIF**

Project Name	Project Number	FY20/21	FY21/22	FY22/23	FY23/24	FY24/25	Future Funding	TOTAL
Rangel Park Splash Park	P-02	\$ 500,000						\$ 500,000
Nicklaus Park Splash Park	P-03	\$ 850,000						\$ 850,000
<b>TOTAL</b>		\$ 1,350,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 1,350,000

**Funding Source: Regional Park DIF**

Project Name	Project Number	FY20/21	FY21/22	FY22/23	FY23/24	FY24/25	Future Funding	TOTAL
Sports Park Field Lighting & Field Expansion	P-04	\$ 1,000,000						\$ 1,000,000
Nicklaus Park Field Lighting & Field Expansion	P-05	\$ 900,000						\$ 900,000
<b>TOTAL</b>		<b>\$ 1,900,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 1,900,000</b>

**Funding Source: Recreation Facilities DIF**

Project Name	Project Number	FY20/21	FY21/22	FY22/23	FY23/24	FY24/25	Future Funding	TOTAL
Sports Park Support Building for Leagues	P-06	\$ 300,000						\$ 300,000
Nicklaus Park Support Building for Leagues	P-07	\$ 300,000						\$ 300,000
Nicklaus Park Skate Park	P-08	\$ 300,000						\$ 300,000
<b>TOTAL</b>		<b>\$ 900,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 900,000</b>

**Funding Source: Fire Station DIF**

Project Name	Project Number	FY20/21	FY21/22	FY22/23	FY23/24	FY24/25	Future Funding	TOTAL
<b>TOTAL</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

**Funding Source: Police Facilities Mitigation DIF**

Project Name	Project Number	FY20/21	FY21/22	FY22/23	FY23/24	FY24/25	Future Funding	TOTAL
New Police Station Feasibility Study	PS-01	\$ 250,000						\$ 250,000
<b>TOTAL</b>		<b>\$ 250,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 250,000</b>

**Funding Source: Public Safety CFD**

Project Name	Project Number	FY20/21	FY21/22	FY22/23	FY23/24	FY24/25	Future Funding	TOTAL
<b>TOTAL</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

**Funding Source: CFD**

Project Name	Project Number	FY20/21	FY21/22	FY22/23	FY23/24	FY24/25	Future Funding	TOTAL
Stewart Park Redevelopment	P-10	\$ 2,000,000						\$ 2,000,000
Police Station Renovations - Roof, HVAC, Carpet	PS-02	\$ 250,000						\$ 250,000
Fire Station Rehab	PS-03	\$ 250,000						\$ 250,000
Playground Shade Covers - Phase 1	P-09	\$ 250,000						\$ 250,000
Stewart Park Skate Park	P-10	\$ 250,000						\$ 250,000
Rangel Park - Ball Field Lights, Electrical and Playground	P-11	\$ 500,000						\$ 500,000
Playground Shade Covers - Phase 2			\$ 250,000					\$ 250,000
Downtown Plaza				\$ 1,500,000				\$ 1,500,000
<b>TOTAL</b>		<b>\$ 1,500,000</b>	<b>\$ 250,000</b>	<b>\$ 1,500,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 5,250,000</b>



<b>TOTAL</b>		\$ 300,000	\$ 816,000	\$ 741,480	\$ -	\$ -	\$ 3,150,000	\$ 5,007,480
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**Funding Source: Asset Forfeiture**

Project Name	Project Number	FY20/21	FY21/22	FY22/23	FY23/24	FY24/25	Future Funding	TOTAL
<b>TOTAL</b>		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

**Funding Source: CDBG Grants**

Project Name	Project Number	FY20/21	FY21/22	FY22/23	FY23/24	FY24/25	Future Funding	TOTAL
Rangel Park Improvement Project Phase 2	P-11	\$ 130,000						\$ 130,000
Citywide Street Improvements 21/22 - CDBG			\$ 130,000					\$ 130,000
Citywide Street Improvements 22/23 - CDBG				\$ 130,000				\$ 130,000
Citywide Street Improvements 23/24 - CDBG					\$ 130,000			\$ 130,000
Citywide Street Improvements 24/25 - CDBG						\$ 130,000		\$ 130,000
<b>TOTAL</b>		\$ 130,000	\$ 130,000	\$ 130,000	\$ 130,000	\$ 130,000	\$ -	\$ 650,000

**Funding Source: General Fund**

Project Name	Project Number	FY20/21	FY21/22	FY22/23	FY23/24	FY24/25	Future Funding	TOTAL
2020 Mid Year Street Enhancement	R-05	\$ 3,500,000						\$ 3,500,000
Storm Drain Facilities							\$ 1,000,000	\$ 1,000,000
Storm Drain Master Plan							\$ 500,000	\$ 500,000
<b>TOTAL</b>		\$ 3,500,000	\$ -	\$ -	\$ -	\$ -	\$ 1,500,000	\$ 5,000,000

**Funding Source: Wastewater**

Project Name	Project Number	FY20/21	FY21/22	FY22/23	FY23/24	FY24/25	Future Funding	TOTAL
I&I Rehabilitation Project - Phase 1	WW-01	\$ 200,000						\$ 200,000
I&I Rehabilitation Project - Phase 2			\$ 200,000					\$ 200,000
I&I Rehabilitation Project - Phase 3				\$ 200,000				\$ 200,000
Wastewater Rate Study			\$ 200,000					\$ 200,000
<b>TOTAL</b>		\$ 200,000	\$ 400,000	\$ 200,000	\$ -	\$ -	\$ -	\$ 800,000

Streets/ Roads	R
Parks	P
Public Safety	PS
Community Development	CD
Transit	T
Wastewater	WW



**City of Beaumont  
Prior Year CIP Projects**

Project #	Project Name	Budget Allocation	Status	Funding Source
104	CF104 City Hall and BLDG B	\$ 1,000,000	Open	Basic Services DIF
2016-001	Oak Valley/I-10 Traffic Signals	\$ 1,490,500	Close	Road & Bridge DIF, Traffic Signal DIF, Grant
2016-003	Potrero Interchange- Phase 1 & 2	\$ 66,600,664	Phase 1 Complete, Phase 2 Seeking Funds	Grants/ Developer Contributions
2016-004	General Plan Update	\$ 850,000	In progress	General Fund/ GP DIF
2017-001	Pennsylvania Avenue/Ramp Additions	\$ 3,950,000	In design	Road & Bridge DIF
2017-002	Oak Valley Pkwy Rehab	\$ 1,191,660	close	Road & Bridge DIF
2017-005	WWTP Exp PH 1 & Advanced R	\$ 67,235,187	In construction	Bonds, WW DIF, Recycled Water DIF, CFD
2017-006	Brine Pipeline to San Bernardino	\$ 40,572,639	In construction	Bonds, WW DIF, Recycled Water DIF, CFD
2017-008	Lift Stations Assessment	\$ 250,000	Close	WW Funds
2017-009	Pennsylvania Widening	\$ 4,018,000	In Design	TUMF, Road & Bridge DIF
2017-010	6th Street Rehab & Beautification	\$ 50,000	Close	Traffic Signal DIF
2017-012	Pennsylvania Ave/UPR Grade Separation	\$ 1,500,000	In Design	Railroad DIF
2017-013	California Ave/UPR Grade Sep	\$ 1,500,000	Close	Railroad DIF
2017-014	Highland Springs/1st St Storm Dr	\$ 175,000	Close	Road & Bridge DIF
2017-016	Beaumont Ave Signalization	\$ 1,000,000	Close	Traffic Signal DIF
2017-023	Potrero Interchange PH 2	\$ 27,000,000	Close	Grants/ Developer Contributions
2017-027	Oak Valley/I-10 Interchange Design	\$ 7,000,000	Design	TUMF, Grants
2017-028	Potrero Fire Station	\$ 8,650,000	Design	Fire Station DIF, General Fund, Bonds
2017-CF100	City Hall Campus Plan	\$ 200,000	Close	Basic Services DIF
2018-001	Slurry Seal 18-19	\$ 600,000	Construction	SB1, Measure A
2018-003	Street Rehab - Alley	\$ 34,476	Construction	Alley DIF
2018-004	Beaumont Ave Reconstruction	\$ 1,953,000	Construction	SB1, Measure A
2018-005	Rangel Park	\$ 521,470	Construction	CDBG
2018-006	Park and ROW Upgrades 18-19	\$ 300,000	Close	CFD
2018-007	Recycle Water Feasibility Study	\$ 100,000	Close	Recycled Water DIF
2018-008	Oak Valley Pkwy PH2	\$ 500,000	Close	Road & Bridge DIF
2018-009	Seneca Springs Lift Station- Feasibility Study	\$ 100,000	Close	Wastewater Fund
2018-010	Seneca Springs Lift Station Design & Construction	\$ 200,000	Construction	Wastewater Fund
2019-001	Slurry Seal 19-20	\$ 1,000,000	Construction	SB1, Measure A
2019-002	Street Rehab 19-20	\$ 466,647	Construction	SB1, Measure A
2019-003	Park and ROW Upgrades 19-20	\$ 300,000	Close	CFD
2019-004	CNG Station	\$ 1,941,795	Design	Grants
2019-005	Police Annex	\$ 41,300	Close	Grants, Forfiture
2019-006	City Hall Council Chambers	\$ 325,000	Close	PEG Funds
2019-007	PD Server Room	\$ 54,000	Close	General Fund/ CFD Public Safety
2019-008	Housing Element Update	\$ 90,000	RFP	Close
2019-009	2nd Street Extension Feasibility / Design	\$ 200,000	RFP	Road & Bridge
2019-010	PLC Upgrade Construction	\$ 700,000	Not Started	WW Funds, CFD
2019-011	CMOM	\$ 100,000	Close	WW Funds
2019-012	WQMP & WWTP Permit	\$ 50,000	In process	WW Funds
2019-013	Wastewater Master Plan	\$ 350,000	In process	WW Funds
2019-015	Security Infrastructure Upgrades	\$ 40,000	Close	General Funds
2019-016	EV Charging Station	\$ 371,870	Construction	Grants
2019-017	Beaumont Ave Signalization	\$ 795,000	Close	Traffic Signal DIF
2019-018	PLC Upgrade Design	\$ 50,000	Design	WW Funds
2019-019	Beaumont Master Drainage Plan - Line 2 Stage 1	\$ 5,000,000	Design	Grant



## Staff Report

**TO:** City Council  
**FROM:** Rey Santos, Mayor  
**DATE:** October 6, 2020  
**SUBJECT:** Consideration of Approval of Resolution in Support of California Citizens for Local Control Volunteer Organization

---

### Background and Analysis:

The California Citizens for Local Control, a volunteer organization, has contacted the City seeking support in the form of resolution to form an alliance of cities that concur with the organization's mission statement (Attachment A).

A resolution has been prepared for consideration of adoption by City Council (Attachment B).

### Fiscal Impact:

There is no fiscal impact at this time.

### Recommended Action:

City Council discussion and consideration of approving by title only, "A Resolution of the City Council of the City of Beaumont, California In support of the California Citizens for Local Control."

### Attachments:

- A. Mission Statement
- B. Resolution

# Mission Statement

## **California Citizens FOR Local Control**

### Volunteer Organization

Our mission is to spread awareness and enlist support to ensure that Cities can continue to manage their own land use and zoning issues. We must not allow the State Legislature to mandate changes to our Cities that will remove local control and be detrimental to our communities.

We do this by reaching out to California City Elected Officials to educate and enlist them to our cause. Our activities include, but are not limited to, signing onto petitions, having Cities pass resolutions in support of our efforts, and seeking out allies for possible legal action against the State and/or to promote efforts for a ballot initiative to legislate the desired results.

With this alliance of City Elected Officials working together as one, we stand a better chance of having our message resonate loud and clear to all groups that proclaim to support us.

**WE WILL NOT STAND FOR THIS LOSS OF LOCAL CONTROL AND UNFUNDED MANDATES** being imposed upon us by our State.

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF BEAUMONT, CALIFORNIA  
IN SUPPORT OF THE CALIFORNIA CITIZENS FOR LOCAL CONTROL**

WHEREAS, the legislature of the State of California has proposed a number of bills addressing a range of housing issues; and

WHEREAS, the majority of these bills usurp the authority of local jurisdictions to determine for themselves the land use policies and practices that best suit their cities and residents and instead impose mandates that do not take into account the needs and differences of jurisdictions throughout the State, as well as imposing unfunded mandates on jurisdictions for actions that are not in their best interests; and

WHEREAS, for example, the ability of jurisdictions to determine for themselves which projects require review beyond a ministerial approval, what parking requirements are appropriate for various locales within their jurisdiction, what plans and programs are suitable and practical for each community rather than having these decisions imposed upon cities without regard to the circumstances of each individual city is a matter of great import to the City of Beaumont; and

WHEREAS, the City Council of the City of Beaumont feels strongly that our local government is best able to assess the needs of our community and objects to the proliferation of State legislation that deprives us of that ability; and

WHEREAS, the California Citizens for Local Control is a volunteer organization whose mission is to spread awareness and enlist support to ensure that cities can continue to manage their own land use and zoning issues.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BEAUMONT, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. That the City Council registers its equally strong opposition to the current practice of the State legislature of proposing and passing multitudes of bills that directly impact and interfere with the ability of cities to control their own destiny through use of the zoning authority that has been granted to them; and

SECTION 2. That the City Council declares that, should the State continue to pass legislation that attacks local municipal authority, control, and revenue the City of Beaumont will support actions such as a ballot measure that would limit the State's ability to control local activities and strengthen local democracy and authority; and

SECTION 3. That the City Council states its support of the California Citizens for Local Control volunteer organization and its efforts for protecting local control for cities.

SECTION 4. This resolution shall take effect as of the date of its passage and adoption.

**PASSED, APPROVED AND ADOPTED** at a regular meeting of the City Council of the City of Beaumont, California, held on the 6<sup>th</sup> day of October, 2020, by the following roll call vote:

- AYES
- NOES
- ABSENT
- ABSTAIN

\_\_\_\_\_  
Rey Santos, Mayor

ATTEST:

\_\_\_\_\_  
Steven Mehlman, City Clerk





## Staff Report

**TO:** City Council  
**FROM:** Jeff Mohlenkamp, Finance Director  
**DATE:** October 6, 2020  
**SUBJECT:** **Approval of Requisitions Greater than \$25,000 in Accordance with the City of Beaumont Purchasing Ordinance**

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### **Background and Analysis:**

Purchases for goods and services that will exceed \$25,000 are being presented for approval by City Council as set forth in the City's purchasing ordinance. City staff has identified certain vendors for which charges are likely to exceed \$25,000 for FY2021.

Attachment A provides a list of vendors and expected upper limit of payments to the vendors during Fiscal Year 2021. All listed payments to these vendors are established within existing budget authority.

If the City Council approves these vendors to receive payment, staff will prepare requisitions that will create formal purchase orders to be utilized throughout the Fiscal Year 2021.

### **Fiscal Impact:**

All potential payments listed in this agenda items are already included within the City budget. This item provides an efficient method to expedite the work of the City.

### **Recommended Action:**

Approve listed vendors to receive payment over \$25,000 and up to the amount specified in Attachment A.

### **Attachments:**

- A. List of vendors

**List of Vendors likely to receive payments exceeding \$25,000 during FY 2020-21**

<b>Vendor Name</b>	<b>Vendor #</b>	<b>Payment Total in FY 2020</b>	<b>Estimated Expenditure in FY 2021</b>	<b>Purpose of Expenditure</b>
POLYDYNE, INC.	2072	\$ 109,165.83	\$ 140,000.00	Chemicals and Supplies
XYLEM WATER SOLUTIONS, INC	2556	\$ 49,500.92	\$ 100,000.00	WWTP Equip/maintenance/supplies
VULCAN MATERIALS	2518	\$ 18,767.27	\$ 35,000.00	Asphalt Company
HOME DEPOT/CREDIT SERVICES	1632	\$ 52,899.11	\$ 26,000.00	Maintenance Supplies
O'REILLY AUTO PARTS	2009	\$ 40,552.07	\$ 50,000.00	Auto parts and supplies
NAPA AUTO PARTS	1984	\$ 29,159.14	\$ 30,000.00	Auto parts and supplies
WAXIE SANITARY SUPPLY	3422	\$ 28,354.43	\$ 30,000.00	Building maintenance supplies
DOUBLE MAP	1437	\$ 24,960.00	\$ 26,000.00	GPS Mapping software for buses
HOWARD'S	1638	\$ 23,892.75	\$ 50,000.00	Weed abatement
PRUDENTIAL OVERALL SUPPLY	3652	\$ 20,072.76	\$ 40,000.00	Uniforms
XYLEM DEWATER SOLUTIONS, INC	2555		\$ 75,000.00	WWTP Equip/maintenance/supplies
GALLADE	1554		\$ 75,000.00	Chemicals for WWTP
HACH	1603		\$ 45,000.00	WWTP Equip/maintenance/supplies
USA BLUEBOOK	3515		\$ 40,000.00	Dept Supplies for WWTP
EVANS-HYDRO INC	1495		\$ 35,000.00	WWTP Equip/maintenance/supplies





## Staff Report

**TO:** City Council  
**FROM:** Elizabeth Gibbs, Community Services Director  
**DATE:** October 6, 2020  
**SUBJECT:** Phase II Findings of the Comprehensive Operations Analysis

---

### Background and Analysis:

In October 2019, City Council awarded a contract to Moore & Associates, Inc. (M&A) to perform a Comprehensive Operations Analysis (COA) of the City's public transit fixed routes, commuter routes, and paratransit services. The scope of services included three phases with the first phase being data collection and analysis, which was presented to City Council on May 19, 2020.

The second phase of the COA includes an analysis of operating and capital funding; a fare equity analysis; goals, objectives, and performance standards; and finally, service recommendations. Below is a summary of the consultant's submitted Phase II findings.

### Operating and Capital Funding Analysis

The City of Beaumont is presently categorized as rural (under 50,000 population), which means that 10% of operating costs must come from fare revenue and other locally generated funds. The consultant anticipates that the 2020 Census will reflect an increase in population to more than 50,000, moving Beaumont into the small urban city category as defined by the TDA. This will automatically increase Beaumont's fare revenue requirement to 20% of operating costs. The TDA allows agencies five years to realize this threshold; Beaumont will be required to meet the 20% revenue threshold by FY2021.

Recommended operational funding suggestions to help Beaumont reach the required 20% revenue threshold include a combination of programs. Such programs include revenue from the electric vehicle charging station, the proposed compressed natural gas fueling station, a fare increase, route guarantees, partner contributions, Measure A funds, and contributions from the City's general fund. Partner opportunities come from agencies that directly benefit from the service being provided, such as the school

district, neighboring cities in which Beaumont provides sole public transit services, and businesses located in key commercial and industrial areas.

### Fare Equity Analysis

Beaumont's fare structure falls in the middle when compared with other agencies' fare schedules. Where Beaumont charges \$1.25 for a single ride, OmniTrans charges \$2 and RTA \$1.75. On the lower end, Banning charges \$1.15 and Sunline \$1.00. Beaumont could increase its base fare by 20% to \$1.50 which would increase Beaumont's fare to 30% higher than Banning's existing fare. It is the opinion of the consultant that there is opportunity for fare elasticity and that Banning, and Sunline are both underpriced.

Any fare increase has the potential to cause a loss of ridership. The Simpson-Curtin Rule states that for every 3% fare increase, ridership will drop by 1%. Should Beaumont increase the fare by 20%, the number of passengers will decrease by 6.67% but would result in an overall 12% increase of fare revenue.

An introduction of a fare increase is best suited to occur with a service or schedule change, introduction of a new service area, response to a disaster, or when other transportation options are available. Special attention should be made to ensure that multi-ride options offer value and savings versus the cash fare.

### Goals, Objectives, and Performance Standards

The City of Beaumont's General Plan contains goals related to the transit program. Goals include increased connectivity and coordination with other agencies and operators. Beaumont Transit needs to ensure future transit demands are met through various strategies that include working with other City departments and developers to create 'transit ready' developments.

### Service Recommendations

- *Ensure service information is accurate, consistent and effectively distributed.*  
Digital schedules and route maps should always be current, and any printed material comes from the digital version. A new schedule and map should be generated to reflect new branding and make old printed material easier to identify.
- *Develop a driver relief policy that does not negatively impact service.*

Current schedules do not have enough time for driver breaks, especially if the route is running late. Schedules and routes need to be revised to allow for adequate break time without sacrificing service delivery. The consultant offers three options to satisfy this recommendation: 1) utilize an existing facility such as Walmart, the hospital or Beaumont Civic Center as a break area or construct a small restroom/break facility at the Walmart Transfer Station; 2) Include a passenger area into the new admin building on Fourth Street, although this area is not currently served by routes; and 3) Identify a centrally located location that can be incorporated into existing routes for breaks and passenger waiting.

- *Develop a vehicle fueling policy and schedule.*

Fueling is done mid-route which means passengers must alight the bus to fuel. To avoid negative service impacts, it is recommended that buses be fully fueled at the start of their shift. Second shift drivers could take their own bus out on route to relieve first shift, or drivers could swap out buses. Either way, passengers should not have to wait while a bus is fueled.

- *Determine how to address service to Calimesa.*

Beaumont's commuter links are the only transit service in Calimesa. Calimesa is within the Riverside Transit Agency's service area and Calimesa does not contribute funding to operate their service. It is recommended that Beaumont work with RCTC, RTA and Calimesa regarding a reasonable contribution to help support and sustain the commuter service.

- *Ensure all stops are served per the published schedule, unless marked as 'drop-off only.'*

At the end of the route, drivers often bypass the last stops when there are no passengers on board. It is logical to assume that if there are no passengers to drop off at the last stops, then no one is waiting for the bus either. However, schedules should reflect that it is 'drop-off only' if that is the policy.

- *Implement a 20% fare increase.*

Beaumont is moving into the 20% farebox recovery ratio mandate. A fare increase will bring in additional revenue. Suggestions of a robust public information outreach to show the value of multi-use passes is encouraged.

- *Work with private employers and develop partnerships.*

It is reasonable to approach employers and commercial development managers to help fund expanded service to business parks developing near Fourth Street. Working with employers and conducting a survey of employees would help to determine the type of service that should be provided.

- *Eliminate the flag stop policy.*

All flag stops should be eliminated because they potentially erode on-time performance. All stops should be marked and located no closer than  $\frac{3}{4}$  mile.

- *Improve service reliability.*

Building in enough recovery time ensures that there is not a cascading effect of late trips throughout the day. Time points that were serviced late generally occurred in the afternoon on most routes suggestive that small late trips in the morning cascaded into the afternoon. Retiming current routes and building in additional time is suggested.

- *Incorporate school service into regular local service.*

Providing school service is problematic and consumes an inordinate amount of resources. Incorporation of school service as a deviation eliminates the need for dedicated vehicles and drivers for school runs. Route 7 is problematic because there is not a need for transit service in the area outside of school transportation. To continue this transportation service, it is recommended that Beaumont request a contribution from the school district for the operation.

- *Improve service along Highland Springs Ave.*

No service is provided north of Eighth Street along Highland Springs Avenue by either Beaumont or Banning transit operations. With the new housing developments, it is recommended that Route 3 be amended. Amendments to Route 3 will require coordination and approval of the City of Banning.

- *Improve connectivity between Banning and Beaumont.*

This can be achieved in two ways. First, carefully coordinate timed transfers at the two transfer points to facilitate travel in both directions. Second, allow for closed-door service between city limits and the intended destination to not 'poach' passengers.

- *Extend service to the Crossroads Logistics Center/Rolling Hills Business Park.*

Further insight into the type of service is required before implementing expansion into the area. A vanpool could be a solution, or a properly timed modification to Route 4. Beaumont should work with employers to determine the level of service desired and explore opportunities for partnerships and financial support.

- *Work with Sunline and RCTC to minimize duplication.*

Although Sunline's proposed Route 10 and Beaumont's Commuter Link 120 both travel to San Bernardino, it is stated by Sunline that Beaumont passengers are not going to CSUSB, which is Sunline's destination. However, Beaumont's passengers could take Sunline Route 10 as an alternative. It is suggested that Beaumont work with RCTC to resolve duplication of service with Sunline.

- *Rebrand and update vehicles and signage.*

It is suggested that to differentiate itself from Banning, Beaumont should develop a unique color scheme and brand for the vehicles, signage, etc. to give Beaumont a fresh new look and promote a new image.

- *Prepare a fleet replacement plan to address transition to zero-emission fleet.*

Since Beaumont does not receive federal transportation funding, there is not a written vehicle replacement plan in place. It is recommended that Beaumont create a replacement plan that includes the definition of useful life for each asset type, the likely replacement year, and details its plan for transition to battery electric vehicles.

In conclusion, M&A is currently developing an action plan that will be presented to City Council for discussion and input at the next regularly scheduled meeting.

**Fiscal Impact:**

There is no fiscal impact.

**Recommended Action:**

Receive and file.

# City of Beaumont Transit

## SYSTEM MAP

### Legend

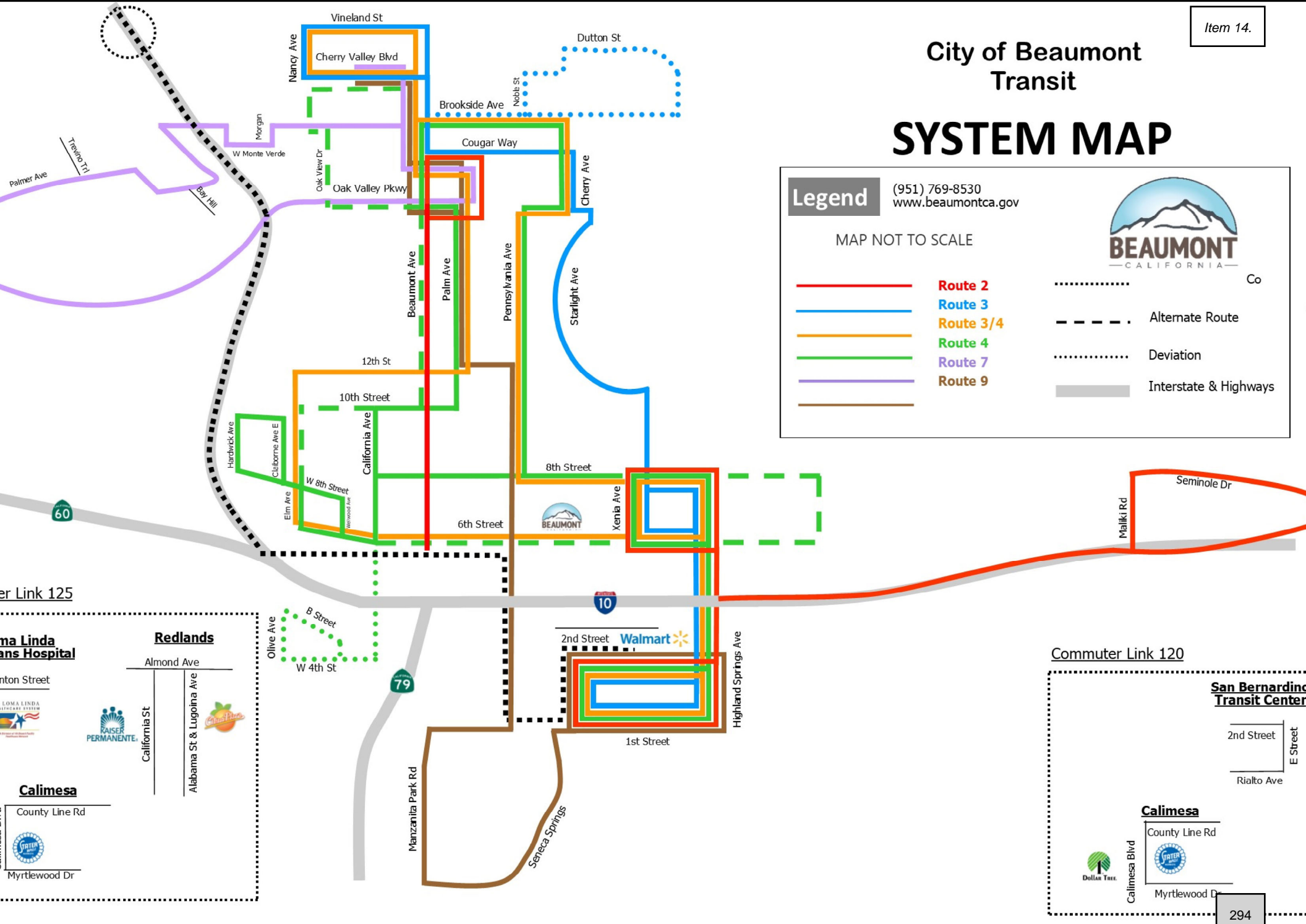
(951) 769-8530  
www.beaumontca.gov



MAP NOT TO SCALE

- Route 2**
- Route 3**
- Route 3/4**
- Route 4**
- Route 7**
- Route 9**

- Co
- Alternate Route
- Deviation
- Interstate & Highways





## Staff Report

**TO:** City Council  
**FROM:** Elizabeth Gibbs, Community Services Director  
**DATE:** October 6, 2020  
**SUBJECT:** Beaumont Transit Branding and Logo Campaign

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### Background and Analysis:

In July 2019, the cities of Beaumont and Banning entered into an interagency service agreement and subsequently reaffirmed it in July of this year. As part of the discussions during the negotiation of that agreement, staff from both cities agreed to implement new branding that is separate and distinct to each agency, ultimately moving away from the old “Pass Transit” branding.

Beaumont staff retained the services of a consultant that had previously responded to a request for proposals for design services that included a much broader scope of work. JPW Communications (JPW) agreed to finish the design concepts started by staff for an amount of \$6,000. JPW worked with City staff from Transit and the City’s Public Information Officer, using the in-house designs and color schemes as a starting point, to create a logo and bus wrap conceptual artwork for City Council review and approval (Attachments A-C).

The proposed Beaumont Transit logo fits well within the City’s existing main brand. Elements of the new design include utilization of approved City colors; utilization of accessory brand elements; and complimentary fonts. Staff also required JPW to create a logo that includes elements previously used on the existing and popular Commuter Link route (Attachment C). The proposed logo creates a seamless transition to a contemporary new look for Beaumont Transit, while enforcing the current Beaumont City brand.

### Fiscal Impact:

Riverside County Transportation Commission (RCTC) has approved State Transit Assistance (STA) funding, project 20-03, for a logo and branding update in the amount of \$100,000 to pay for the project. No general fund monies will be used on this project.

**Recommended Action:**

Approve the attached artwork as Transit's official logo and branding campaign.

**Attachments:**

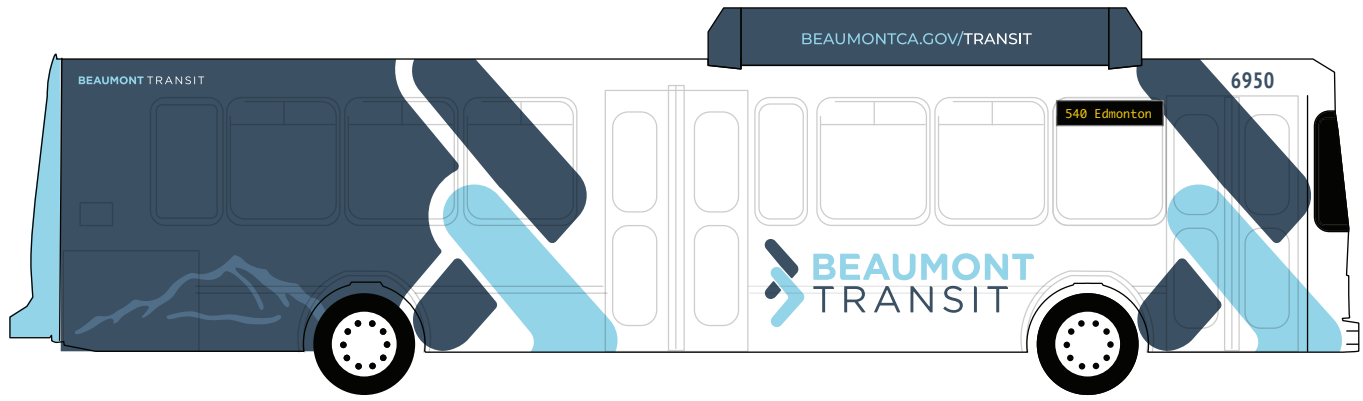
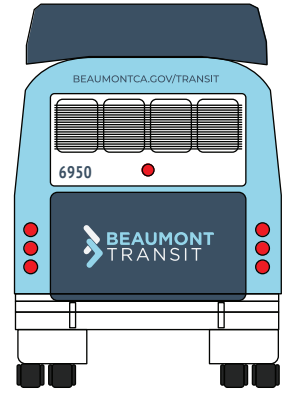
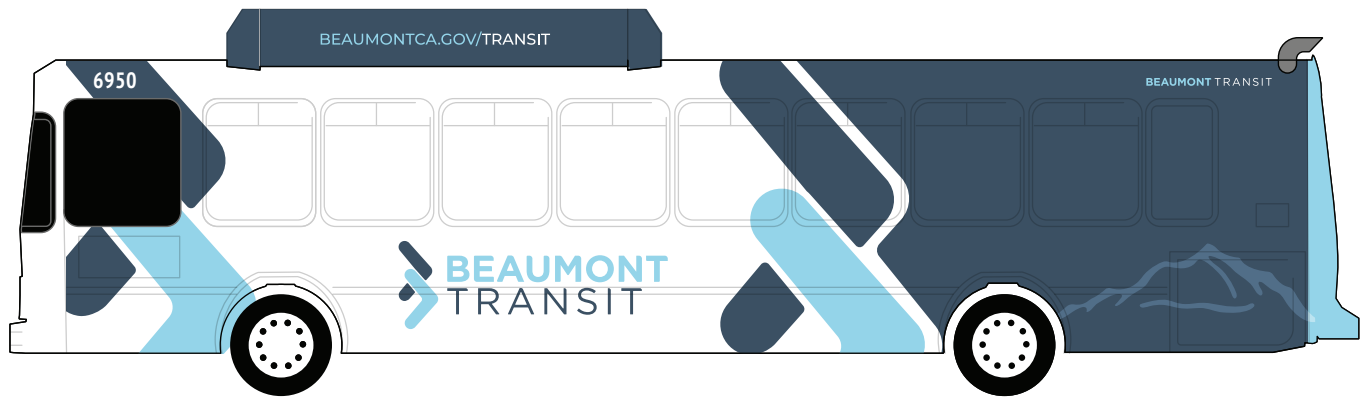
- A. Logo
- B. Fixed Route Conceptual Artwork
- C. Commuter Link Conceptual Artwork

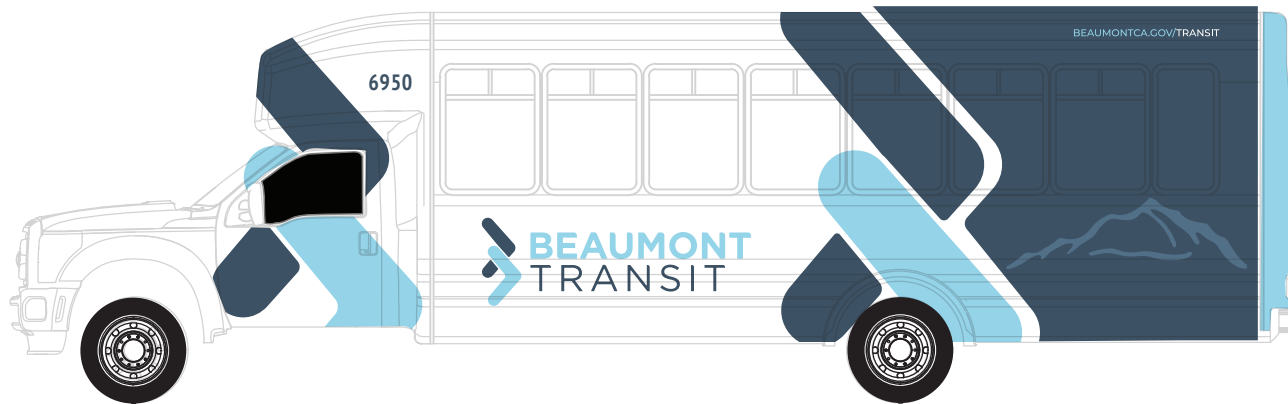
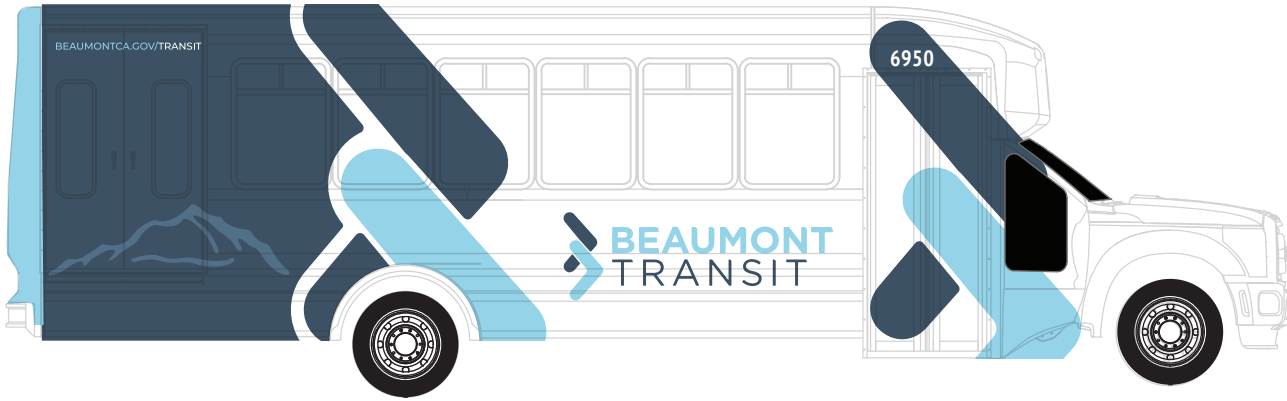


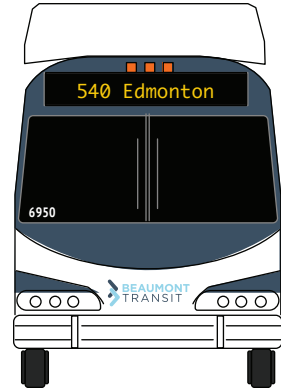
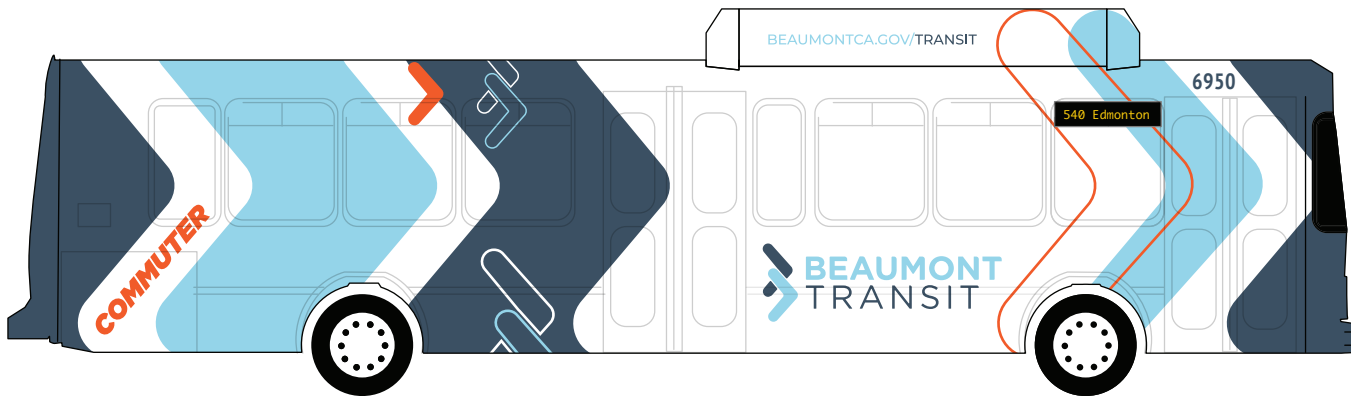
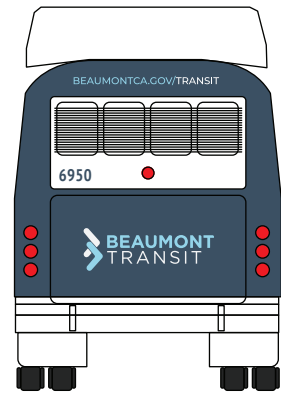
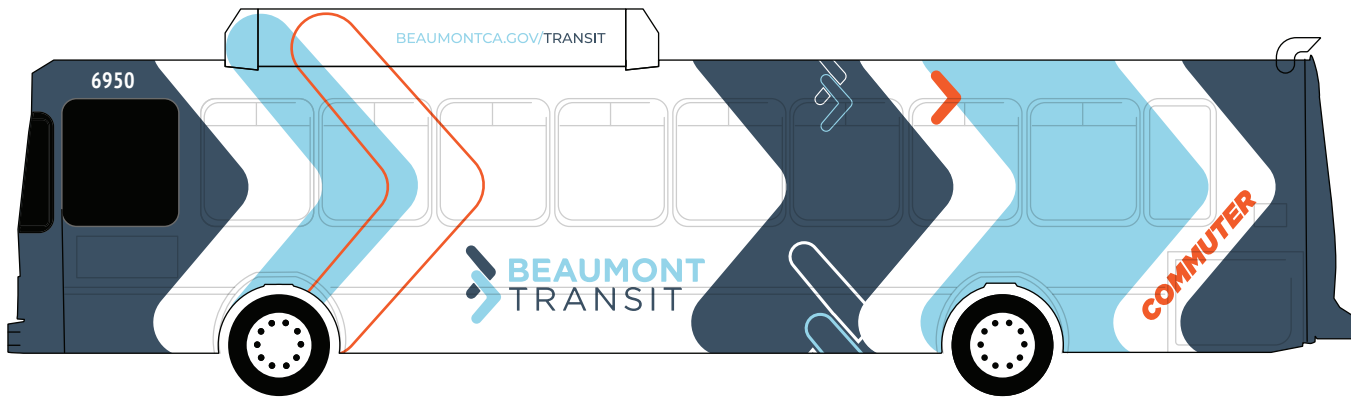


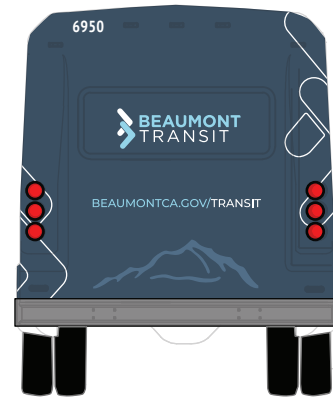
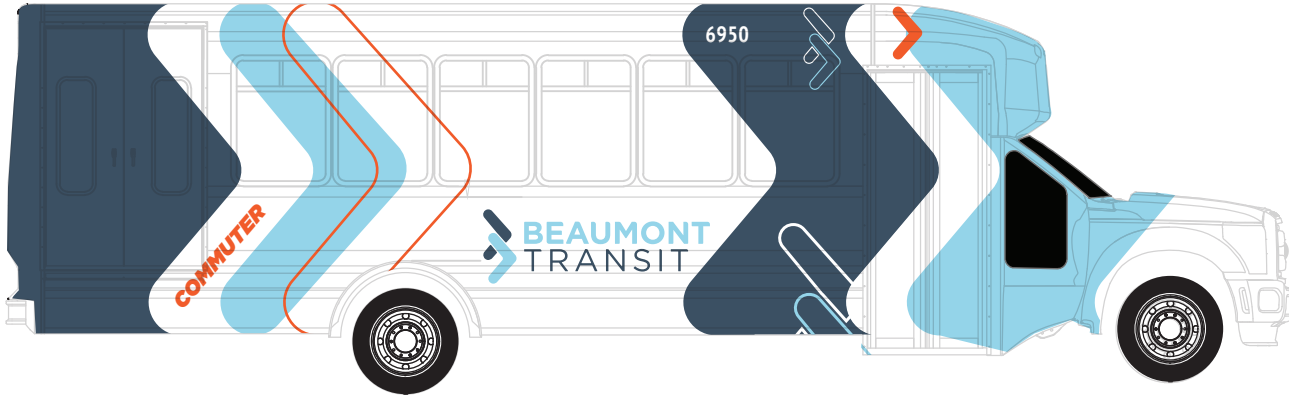


**BEAUMONT** TRANSIT











## Staff Report

**TO:** City Council  
**FROM:** Sean Thuilliez, Chief of Police  
**DATE:** October 6, 2020  
**SUBJECT:** **Beaumont Police Department Proposal for Reserve Officer Program**

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### **Background and Analysis:**

The primary purpose of the Reserve Police Officer Program is to provide the community with an auxiliary unit of trained, competent police officers. These officers supplement our regular personnel and can be used in the event of an emergency when manpower is critical.

Community involvement and, most of all, support are two vital elements in the operation of any law enforcement agency. A successful Reserve Police Officer Program, being made up of citizen volunteers from within the community, stands as a symbol of the Beaumont Police Department's commitment to partnership and teamwork in preventing crime.

As with most municipal budgets, the City of Beaumont has not been immune from the effects of the recession followed by the COVID-19 pandemic. An anemic general fund results in less funding for the police department which most often results in impacts to the service delivery model of the department. The population of Beaumont continues to grow, and the resources of the department become stretched as a result of growing demands and increasing complexities.

The Police Department recommends the implementation of a Reserve Police Officer Program. A reserve program is a volunteer organization comprised of men and women who are sworn peace officers while on duty. The authority and duties of a reserve officer are outlined in sections 830.6 and 832.6 of the California Penal Code.

Police reserve officers are non-paid volunteers who serve at the will of the Chief of Police. They are professionally trained and duly sworn law enforcement personnel who perform general law enforcement duties including investigations, responding to calls, traffic control, enforcement of laws, special event assignments, and crime prevention

programs. Reserve officers must serve a minimum of 20 hours of service each month to maintain status.

The Reserve Officer Program will be a vital asset to the department. A robust reserve officer program will cultivate a culture of service and partnership within the community and will augment resources which are used for the reduction and prevention of crime in the City. This program is the finest example of true community policing and public safety through partnerships.

There are many benefits to not only the officers, but to the community by ensuring officers remain on the street. The reserves can augment patrol on the weekends and do prisoner transports, and as a result, officers will remain in service, in the field and available to respond to calls and conduct enforcement activities.

The reserve officers are always under the supervision of a regular police officer, but after proper training, they may provide support services such as: prisoner transports—could take up to four hours of time, traffic control, public event security, crime scene and evidence security, patrol with a full-time police officer, crime prevention and other various administrative functions.

***What is the difference between designated and non-designated Level I reserve officer?***

The authority of a “designated” Level I reserve includes the full powers and duties of a peace officer as provided by a Penal Code section 830.1. A Level I reserve is “designated” by authority of a city ordinance or a county resolution. [Penal Code section 830.6(a)(2)]

The authority of a “non-designated” Level I reserve shall extend only for the duration of assignment to specific police functions. [Penal Code section 830.6(a)(1)]

***What is the supervision requirement for Level II reserve officers?***

Level II reserve officers assigned to the prevention and detection of crime and the general enforcement of the laws of this state must be under the immediate supervision of a peace officer who has completed the basic training course for deputy sheriffs and police officers (Regular Basic Course) prescribed by the Commission on Peace Officer Standards and Training. Level II reserve officers may be assigned, without immediate supervision, to those limited duties that are authorized for level III reserve officers. [832.6(a)(2) PC]



"Prevention and detection of crime and the general enforcement of laws" refers to the peace officer authority of a Level I or Level II reserve officer assigned to investigate crime, or patrol a geographic area and personally handle the full range of requests for police services, and take enforcement action on the full range of law violations for which the reserve's department has enforcement responsibility.

"Immediate supervision for Level II reserves" means the reserve officer acts under the direction of a peace officer who has completed the basic training course for deputy sheriffs and police officers prescribed by the Commission, and is routinely in the physical proximity of and available to the reserve officer; however, allowance is permitted for necessary temporary separations.

***What are the selection requirements to be appointed as a reserve officer?***

Reserve officers are required to meet the same selection standards as regular officers. [Commission Regulations 1950-1955]

***If a reserve officer wants to become a regular officer with the same department, does POST require the reserve officer to undergo a new background investigation, medical, and psychological evaluation?***

No, provided that the department has documentation verifying that the officer has previously met the current minimum selection requirements and have worked continuously for the department since the time of initial appointment.

***What are the training requirements for reserve officers?***

*Level II Reserve Officer*

Module III 144 hours

Module II 189 hours

Total: \*333\* hours

*Level I Reserve Officer*

Module III 144 hours

Module II 189 hours

Module I 394 hours

Total: \*727\* hours

The entry-level training requirement for Level I may also be met by successful completion of either the intensive or extended format of the regular basic course.

***What are the field training requirements for reserve officers?***

All Level I reserve officers, upon completing the regular basic course or its equivalent, shall complete a POST-approved field training program prior to working alone in a

general law enforcement assignment. The field training program shall be delivered over a minimum of 10 weeks (400 hours).

***Do reserve officers have to complete Continuing Professional Training?***

Level I and II reserve officers shall satisfy the same Continuing Professional Training (CPT) requirement as full-time regular officers.

***Are reserve officers required to complete Racial Profiling Training?***

Penal Code section 13519.4(f) states that every law enforcement officer in this state shall participate in the training.

**Fiscal Impact:**

The financial impact of the reserve officer program is straight forward; costs associated with the hiring process is approximately \$3,000.

New officer uniforms are approximately \$2000, including uniforms, ballistic vest, equipment belt and accessories, handcuffs, name plates, flashlights, etc.

In return for providing hours of uncompensated service to the community, the department would provide a uniform cleaning allowance of \$50 a month.

In the rare event their appearance is required in court; a maximum \$100 would be allocated to the reserve police officer for his/her court appearance.

For FY 2021, costs will be covered through asset forfeiture funds. Costs will be budgeted directly through the General Fund for the ensuing years. Some of the costs may be offset by a reduction in overtime and enhanced patrol services.

**Recommended Action:**

Receive and file.

**Attachments:**

A. Draft Policy

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## Reserve Officers

### 350.1 PURPOSE AND SCOPE

The Beaumont Police Department Reserve Unit was established to supplement and assist regular sworn police officers in their duties. This unit provides professional, sworn volunteer reserve officers who can augment regular staffing levels.

### 350.2 SELECTION AND APPOINTMENT OF POLICE RESERVE OFFICERS

The Beaumont Police Department shall endeavor to recruit and appoint to the Reserve Unit only those applicants who meet the high ethical, moral and professional standards set forth by this department.

#### 350.2.1 PROCEDURE

All applicants shall be required to meet and pass the same pre-employment procedures as regular police officers before appointment.

Before appointment to the Police Reserve Unit, an applicant must have completed, or be in the process of completing, a POST approved basic academy or extended basic academy.

#### 350.2.2 APPOINTMENT

Applicants who are selected for appointment to the Police Reserve Unit shall, on the recommendation of the Chief of Police, be sworn in by the Chief of Police and take a loyalty oath to observe and obey all of the laws of the land and to carry out their duties to the best of their ability.

#### 350.2.3 COMPENSATION FOR POLICE RESERVE OFFICERS

Compensation for reserve officers is provided as follows:

All reserve officer appointees are issued two sets of uniforms and all designated attire and safety equipment. All property issued to the reserve officer shall be returned to the Department upon termination or resignation. Reserves shall receive a yearly uniform allowance equal to 25% of that of regular officers. Reserve officers receive hourly compensation consistent with the figures outlined in the most current "Classification and Salary Schedule."

#### 350.2.4 EMPLOYEES WORKING AS RESERVE OFFICERS

Qualified employees of this department, when authorized, may also serve as reserve officers. However, the Department must not utilize the services of a reserve or volunteer in such a way that it would violate employment laws or labor agreements (e.g., a detention officer working as a reserve officer for reduced or no pay). Therefore, the Reserve Coordinator should consult the Department of Human Resources prior to an employee serving in a reserve or volunteer capacity (29 C.F.R.553.30).

### 350.3 DUTIES OF RESERVE OFFICERS

Reserve officers assist regular officers in the enforcement of laws and in maintaining peace and order within the community. Assignments of reserve officers will usually be to augment the

## Reserve Officers

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Operations Division. Reserve officers may be assigned to other areas within the Department as needed. Reserve officers are required to work a minimum of 16 hours per month.

### 350.3.1 POLICY COMPLIANCE

Police reserve officers shall be required to adhere to all departmental policies and procedures. The policies and procedures manual will be made available to each reserve officer upon appointment and he/she shall become thoroughly familiar with these policies.

Whenever a rule, regulation, or guideline in this manual refers to a sworn regular full-time officer, it shall also apply to a sworn reserve officer unless by its nature it is inapplicable.

### 350.3.2 RESERVE OFFICER ASSIGNMENTS

All reserve officers will be assigned to duties by the Reserve Coordinator or his/her designee.

### 350.3.3 RESERVE COORDINATOR

The Chief of Police shall delegate the responsibility for administering the Reserve Officer Program to a Reserve Coordinator.

The Reserve Coordinator shall have the responsibility of, but not be limited to:

- (a) Assignment of reserve personnel
- (b) Conducting reserve meetings
- (c) Establishing and maintaining a reserve call-out roster
- (d) Maintaining and ensuring performance evaluations are completed
- (e) Monitoring individual reserve officer performance
- (f) Monitoring overall Reserve Program
- (g) Maintaining liaison with other agency Reserve Coordinators

## 350.4 FIELD TRAINING

Penal Code § 832.6(a)(2) requires Level I reserve officers, who have not been released from the immediate supervision requirement per Policy Manual § 350.4.7, to work under the immediate supervision of a peace officer who possesses a Basic POST Certificate.

### 350.4.1 TRAINING OFFICERS

Officers of this department, who demonstrate a desire and ability to train reserve officers, may train the reserves, subject to Watch Commander approval.

### 350.4.2 PRIMARY TRAINING OFFICER

Upon completion of the Academy and/or appointment, reserve officers will be assigned to a primary training officer. The primary training officer will be selected from members of the Field Training Officer (FTO) Committee. The reserve officer will be assigned to work with his/her primary training officer until such time as there is a change made by the FTO Coordinator(s).

## Reserve Officers

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### 350.4.3 FIELD TRAINING MANUAL

Each new reserve officer will be issued a Field Training Manual at the beginning of his/her Primary Training Phase. This manual is an outline of the subject matter and/or skills necessary to properly function as an officer with the Beaumont Police Department. The reserve officer shall become knowledgeable of the subject matter as outlined. He/she shall also become proficient with those skills as set forth in the manual.

### 350.4.4 COMPLETION OF THE PRIMARY TRAINING PHASE

At the completion of each phase of training, the primary training officer will meet with the FTO Coordinator. The purpose of this meeting is to discuss the progress of the reserve officer in training.

If the reserve officer has progressed satisfactorily, he/she will then proceed to subsequent phases of training. If he/she has not progressed satisfactorily, the FTO Coordinator will determine the appropriate action to be taken.

### 350.4.5 COMPLETION OF THE FORMAL TRAINING PROCESS

When a reserve officer has satisfactorily completed all phases of formal training, he/she will no longer be required to ride with a reserve training officer. The reserve officer may now be assigned to ride with any officer as directed by the Watch Commander.

## 350.5 SUPERVISION OF RESERVE OFFICERS

Reserve officers who have attained the status of Level II shall be under the immediate supervision of a regular sworn officer (Penal Code 832.6(a)(2)). The immediate supervision requirement shall also continue for reserve officers who have attained Level I status unless special authorization is received from the Reserve Coordinator with the approval of the Division Commander.

### 350.5.1 SPECIAL AUTHORIZATION REQUIREMENTS

Reserve officers certified as Level I may, with prior authorization of the Reserve Coordinator and on approval of the Division Commander, be relieved of the "immediate supervision" requirement. Level I reserve officers may function under the authority of Penal Code § 832.6(a)(1) only for the duration of the assignment or purpose for which the authorization was granted.

In the absence of the Reserve Coordinator and the Division Commander, the Watch Commander may assign a certified Level I reserve officer to function under the authority of Penal Code § 832.6(a)(1) for specific purposes and duration.

### 350.5.2 RESERVE OFFICER MEETINGS

All reserve officer meetings will be scheduled and conducted by the Reserve Coordinator. All reserve officers are required to attend scheduled meetings. Any absences must be satisfactorily explained to the Reserve Coordinator.

### 350.5.3 IDENTIFICATION OF RESERVE OFFICERS

All reserve officers will be issued a uniform badge and a Department identification card. The uniform badge shall be the same as that worn by a regular full-time officer. The identification card

## Reserve Officers

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will be the standard identification card with the exception that "Reserve" will be indicated on the card.

### 350.5.4 UNIFORM

Reserve officers shall conform to all uniform regulation and appearance standards of this department.

### 350.5.5 INVESTIGATIONS AND COMPLAINTS

If a reserve officer has a complaint made against him/her or becomes involved in an internal investigation, that complaint or internal investigation may be investigated by the Reserve Coordinator, at the discretion of the Operations Division Commander.

Reserve officers are considered at-will employees. Government Code § 3300 et seq. applies to reserve officers with the exception that the right to hearing is limited to the opportunity to clear their name.

Any disciplinary action that may have to be administered to a reserve officer shall be accomplished as outlined in the Policy Manual.

### 350.5.6 RESERVE OFFICER EVALUATIONS

While in training reserves will be continuously evaluated using standardized daily and weekly observation reports. The reserve will be considered a trainee until all of the training phases have been completed. Reserves having completed their field training will be evaluated annually using performance dimensions applicable to the duties and authorities granted to that reserve.

## 350.6 FIREARMS REQUIREMENTS

Penal Code § 830.6(a)(1) designates a reserve officer as having peace officer powers during his/her assigned tour of duty, provided the reserve officer qualifies or falls within the provisions of Penal Code § 832.6.

### 350.6.1 CARRYING WEAPON ON DUTY

Penal Code § 830.6(a)(1) permits qualified reserve officers to carry a loaded firearm while on duty. It is the policy of this department to allow reserves to carry firearms only while on duty or to and from duty.

### 350.6.2 CONCEALED FIREARMS PROHIBITED

No reserve officer will be permitted to carry a concealed firearm while in an off-duty capacity, other than to and from work, except those reserve officers who possess a valid CCW permit. An instance may arise where a reserve officer is assigned to a plainclothes detail for his/her assigned tour of duty. Under these circumstances, the reserve officer may be permitted to carry a weapon more suited to the assignment with the knowledge and approval of the supervisor in charge of the detail.

Any reserve officer who is permitted to carry a firearm other than the assigned duty weapon may do so only after verifying that the weapon conforms to departmental standards. The weapon must be

## *Reserve Officers*

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registered by the reserve officer and be inspected and certified as fit for service by a departmental armorer.

Before being allowed to carry any optional firearm during an assigned tour of duty, the reserve officer shall have demonstrated his/her proficiency with said weapon.

When a reserve officer has satisfactorily completed all phases of training (as outlined in Policy Manual § 350.4), he/she may be issued a permit to carry a concealed weapon. The decision to issue a concealed weapon permit will be made by the Chief of Police with input from the Reserve Program Coordinator and administrative staff. In issuing a concealed weapon permit a reserve officer's qualification will be individually judged. A reserve officer's dedication to the program and demonstrated maturity, among other factors, will be considered before a concealed weapon permit will be issued. Once issued, the concealed weapon permit will be valid only for as long as the reserve officer remains in good standing with the Beaumont Police Department Reserve Officer Program.

### **350.6.3 RESERVE OFFICER FIREARM TRAINING**

All reserve officers are required to maintain proficiency with firearms used in the course of their assignments. Reserve officers shall comply with all areas of the firearms training section of the Policy Manual.

### **350.7 EMERGENCY CALL-OUT FOR RESERVE PERSONNEL**

The Reserve Coordinator shall develop a plan outlining an emergency call-out procedure for reserve personnel.



## Staff Report

**TO:** City Council  
**FROM:** Kari Mendoza, Administrative Services Director  
**DATE:** October 6, 2020  
**SUBJECT:** **Authorize Fourth Amendment to the City Manager Employment Agreement**

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### **Background and Analysis:**

The City Council and City Manager engage in labor negotiations on an annual basis as it relates to the anniversary of the hire date with the City, October 31, 2016. The result of those negotiations is reflected in the attached fourth amendment to the City Manager employment agreement. Changes include extending his term as City Manager and to provide for increased at will severance.

### **Fiscal Impact:**

There is no increase to the FY 20/21 budget as a result of these changes.

### **Recommended Action:**

Authorize the Mayor to execute the Fourth Amendment to the City Manager Employment Agreement.

### **Attachments:**

- A. Fourth Amendment to the City Manager Employment Agreement.



**FOURTH AMENDMENT**  
**TO**  
**CITY MANAGER EMPLOYMENT AGREEMENT**

This Fourth Amendment to the CITY MANAGER EMPLOYMENT AGREEMENT ("Employment Agreement") is made and entered into this 6<sup>th</sup> day of October 2020, by and between the City of Beaumont ("City") and City Manager Todd Parton (Employee").

WHEREAS, the parties entered into the Employment Agreement on October 31, 2016; and

WHEREAS, the parties entered into a First Amendment to the Employment Agreement on November 7, 2017; and

WHEREAS, the parties entered into a Second Amendment to the Employment Agreement on January 15, 2019; and

WHEREAS, the parties entered into a Third Amendment to the Employment Agreement on November 5, 2019; and

WHEREAS, the Employment Agreement provides that the Employee will be evaluated annually; and

WHEREAS, the parties wish to amend the terms of the Employment Agreement and First, Second and Third Amendments to extend the Employment Agreement term by three years and to provide for an increased at will severance.

NOW, THEREFORE, it is mutually agreed as follows:

- A. The above recitals are incorporated herein by this reference.
- B. Section 1.2 of the Employment Agreement shall be amended to read as follows:

1.2 Effective Date of Agreement/Term. The term of EMPLOYEE's employment shall commence on October 31, 2016 (the "Effective Date") and shall continue for a term of ten years thereafter with a termination date of 5:00 p.m. on October 30, 2026, unless terminated sooner as provided for herein. Nothing in this Agreement shall prevent, impair, limit or otherwise interfere with the right of the COUNCIL to terminate the services of EMPLOYEE at any time for cause or without cause as further set forth in Section 6 below.

- C. Section 6.1 of the Employment Agreement shall be amended to read as follows:

6.1 Termination by CITY for Convenience and Without Cause.

- (a) EMPLOYEE is appointed and serves at the pleasure of the COUNCIL

as an at-will employee. COUNCIL may terminate EMPLOYEE at any time for convenience and without cause. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the COUNCIL and CITY to terminate this Agreement and the employment of EMPLOYEE, with or without cause or for convenience. CITY shall pay EMPLOYEE for all services through the effective date of the termination, and EMPLOYEE shall have no right to additional compensation or payment, except as provided below in this section.

(b) In the event EMPLOYEE is terminated by the COUNCIL without cause at or during such time that EMPLOYEE is willing and able to perform his duties under this Agreement, then in that event, CITY agrees to pay EMPLOYEE a severance equal to the lesser of the base salary due EMPLOYEE under the remaining term of this Agreement or twelve (12) months base salary (whichever is less), provided EMPLOYEE has executed a full and final release of any and all actual or potential claims (including Civil Code Section 1542 release) that EMPLOYEE has or could have against the CITY, its officials, employees and agents. Notwithstanding anything herein to the contrary, the maximum severance that EMPLOYEE may receive under this Agreement shall not exceed the limitations provided in Government Code Sections 53260-53264, or other applicable law.

Other than as amended above, all other terms of the Employment Agreement and amendments thereto shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Fourth Amendment to City Manager Employment Agreement as of the day and year first written above.

**“CITY”**  
CITY OF BEAUMONT

**“EMPLOYEE”**  
TODD PARTON

By: \_\_\_\_\_  
Rey Santos, Mayor

By: \_\_\_\_\_  
Todd Parton, City Manager

**ATTEST:**

By: \_\_\_\_\_  
City Clerk

**APPROVED AS TO FORM:**

By: \_\_\_\_\_  
John O. Pinkney, City Attorney



## Staff Report

**TO:** City Council  
**FROM:** Todd Parton, City Manager  
**DATE:** October 6, 2020  
**SUBJECT:** Establishment of the City of Beaumont COVID-19 Household Assistance Grant Program

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### Background and Analysis:

On August 18, 2020, the City Council approved a budget amendment for FY2021 that allocated funds for the City of Beaumont COVID-19 Relief Program. This program includes an allocation of \$100,000 for a household assistance grant program to provide relief to those households that are experiencing financial hardships due directly to the COVID-19 pandemic. City staff has provided a Household Assistance Grant Program (HAGP) for City Council consideration.

The HAGP provides financial assistance to households that can demonstrate a loss of income since March 1, 2020. This loss of income could result from reduced pay, furloughs, or layoffs. Furthermore, reduced household income must not exceed 80% of the Riverside County Median Income (approximately \$58,000 per year or \$4,800 per month).

Applicants must be able to demonstrate that Beaumont has been their primary place of residence since January 1, 2020, and must provide evidence of their loss of revenue. Qualified households would be eligible for a one-time grant of \$500 for households with one member or \$1,500 for households with two or more members. There is no restriction on the use of funds.

The ad hoc committee would review applications to determine those that qualify. City staff anticipates that the first call for grant applications would run from November 1 through November 15 with determination of grant awards being made by October 1, 2020.

City staff also anticipates developing a program that can be implemented and monitored with existing City resources. Ideally, there would be no need to purchase special software, hire outside consultants or service providers, or outsource any of the work.

**Fiscal Impact:**

City estimates that preparation of this report cost approximately \$2,500.

**Recommended Action:**

City Council establish the Household Assistance Grant Program as presented.

**Attachments:**

- A. City of Beaumont – Household Assistance Grant Program Summary
- B. City of Beaumont – Household Assistance Grant Program Application

## **City of Beaumont Household Assistance Grant Program**

### **Introduction**

Beginning in March 2020, many Beaumont families began to experience significant economic impacts and hardships caused by the COVID-19 pandemic. Many businesses were forced to close their doors or restrict their hours of operations due primarily to State and County health orders. As a result, Beaumont households experienced reductions in income, furloughs or layoffs. Even though these orders have been abated to some degree over the past several months, many businesses remain closed or remain subject to severe restrictions on operations which continue to exacerbate the economic impacts on households throughout the community.

Strong, viable neighborhoods are the backbone of the community. By assisting those households that have been hardest hit by the COVID-19 pandemic the City of Beaumont is helping to ensure that quality of life and economic viability are protected. The Beaumont City Council has created a Household Assistance Grant program to aid certain households who have experienced negative economic impacts since March 1, 2020, and has made \$100,000 available for disbursement through the program.

This grant program is targeted toward households in the City of Beaumont that can demonstrate income losses since March 1, 2020. Qualified households may be eligible to receive a one-time grant in the amount ranging from \$500 for single member households to \$1,500 for households with families of two or more.

### **Who Qualifies?**

Households must meet specific criteria including those listed below to be eligible for consideration:

1. Must be a permanent resident of the City of Beaumont who has resided in the City since January 1, 2020.
2. Must be able to demonstrate income loss due to the COVID-19 pandemic from no earlier than March 1, 2020.
3. Household members for whom income is to be considered must be at least 18 years of age.
4. Combined household income can not exceed 80% of the adjusted median income for Riverside County.

### **What Kind of Assistance is Provided?**

Successful grant recipients will receive a one-time grant award in the amount of \$500 for a household with one permanent resident or a one-time grant in the amount of \$1,500 for a household with more two or more permanent residents.

There is not restriction on the use of funds by the grant recipient(s).

### **When Will Grants be Awarded?**

Grant applications will be accepted from November 1, 2020, through the close of business on November 15, 2020. Successful grant awards will be determined by December 1, 2020, and disbursed thereafter.

**How Will Grants be Awarded?**

This is a non-competitive grant with awards being made based on qualifications. A random drawing will be conducted should the number of qualified applicants exceed the funding available. Should a drawing be required it will be conducted on a random basis via YouTube.

**Is A Household Disqualified If It Has Received County, State or Federal Financial Assistance?**

Households who have already received financial assistance from any other County, State or Federal program are not disqualified. However, preference will be given to those households who have not received financial assistance through another program.

**What Else Do I Need to Know?**

Additional criteria and requirements may be found in the Household Assistance Grant Program Application.

**What Must be Submitted?**

The following items must be submitted for an application to be considered complete and eligible for consideration:

- 1. Completed Grant Application with Signature(s), and
- 2. All Documents/Evidence to Support Information Provided by the Applicant on the Grant Application.

Hard copies of completed grant applications with wet signatures must be submitted to the City of Beaumont by the application deadline. No digital copies will be accepted.

**Who May I Contact?**

For more information contact \_\_\_\_\_, \_\_\_\_\_, at [www.\\_\\_\\_\\_\\_.@beaumontca.gov](http://www._____.@beaumontca.gov) or call 951-769-8520.

**City of Beaumont - COVID-19 Pandemic Relief Program  
APPLICATION FOR HOUSEHOLD ASSISTANCE**

**Applicant Name:** \_\_\_\_\_

**Current Address:** \_\_\_\_\_

**Phone Number:** \_\_\_\_\_ **Email Address:** \_\_\_\_\_

**RESIDENCY**

List Place(s) of Residence Since January 1, 2020:

Address	Dates Occupied		Rental		Landlord (if Applicable)	
	From	To	Yes	No	Name	Number

**Total number of people living in the household:** \_\_\_\_\_

Household Composition (List head of household and all other members of the household. Provide the relationship of each member to the head of household):

Member's Full Name	Relationship to Head of Household	Date of Birth	Age

**How did you hear about this program?** \_\_\_\_\_

**SELF DECLARATION OF INCOME**

What is the total average current monthly income of *all household members over the age of 18*? \_\_\_\_\_

Fill in the Monthly Total line using calculations specified below.

Use the last thirty days income to calculate the average current monthly income, including wages, salaries and tips; other income like alimony, child support; and unemployment, Social Security, AFDC or other benefits. Make sure all income sources are listed below and employer name is complete for every member of the household over the age of 18.

Monthly Total (add all income sources listed below):

Household Member's Full Name	Employer Name and/or Other Source(s) of Income	Current Monthly Income Before Taxes	Last Date Worked if Unemployed	If family assistance is received, how often and how much?
<b>TOTAL MONTHLY INCOME</b>				

**CURRENT EMPLOYMENT INFORMATION**

Household Member's Full Name	Employer		Dates Employed	Job Title	Contact Name and Number for Employment Verification
	Name	Address			

Which, if any, of the above household members had layoff, furlough, reduced hours or lost wages related to COVID-19? Please list below the employer and other relevant information as well as providing written confirmation from the employer.

*If you are self-employed, please include the name of the business and band statements from a prior period showing self-employment income and statements from current period showing loss of income with explanation below:*

Household Member's Full Name	Employer		Dates Employed	Job Title	Contact Name and Number for Employment Verification
	Name	Address			

**APPLICATION CERTIFICATION:**

I and all other parties 18 years of age and older understand that the above information is being collected to determine whether I/we are eligible to receive household assistance. The City of Beaumont is hereby authorized to verify all information provided with this application.

**FRAUD STATEMENT:** The information provided with this application is true and correct.

Head of Household Signature

Date:

Co-Applicant Signature(s) (All other household members over the age of 18 for which benefits are to be calculated)

Date:





## Staff Report

**TO:** City Council

**FROM:** Todd Parton, City Manager

**DATE:** October 4, 2020

**SUBJECT:** **Review of Local Emergency Declaration Established via the Adoption of City of Beaumont Resolution No. 2020-07 Adopted on March 17, 2020**

### Background and Analysis:

On March 17, 2020, the City Council passed and approved Resolution No. 2020-07 ("Resolution") which authorized the City Manager to execute a declaration of the existence of a local emergency in the City of Beaumont. Approval of the Resolution was in response to the declaration by the World Health Organization (WHO) of the COVID – 19 pandemic, Governor Gavin Newsom's declaration of a state of emergency for all California, and the increase of infections within the City of Beaumont and the immediate area.

The emergency declaration must be reviewed every 60 days in order to determine whether conditions exist for its continuance. This emergency declaration was reviewed by the City Council on August 4, 2020, and was not modified.

The City Council's adoption of Resolution No. 2020-07 established the existing emergency declaration and empowered the City Manager to:

1. Make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency;
2. Obtain vital supplies, equipment and such other properties found lacking and needed for the protection of life and property, and to bind the City for the fair value thereof;
3. Require emergency services of any City officer or employee, and, in the event of the proclamation of a state of emergency in Riverside County, to command the aid of as many citizens of Beaumont as is deemed necessary by the City Manager for the execution of the City Manager's duties; such persons shall be

entitled to all privileges, benefits and immunities as are provided by state law for registered disaster service workers;

4. Requisition necessary personnel or material to any City department or agency; and
5. Execute all ordinary duties and powers of the City Manager as well as special powers conferred by the Beaumont Municipal Code, by resolution or emergency plan adopted by the City Council, and all other powers conferred by the City Council and any other lawful authority.

As of the time that this memorandum was prepared, there had been no significant cessation of the conditions that originally warranted the adoption of Resolution No. 2020-07. The COVID – 19 pandemic originally declared by the WHO was still in place, Governor Newsom’s emergency declaration remained in effect, and new cases of infection were still being diagnosed within Beaumont’s immediate area.

Should Beaumont’s emergency declaration remain in effect, it will be brought back to the City Council for consideration no later than December 1, 2020. Should the City Council desire that a local emergency declaration is no longer required, an amending resolution will be presented for City Council consideration at the next regular City Council meeting of October 20, 2020, or earlier at a special meeting convened by the City Council for that purpose.

**Fiscal Impact:**

There are no costs resulting from the continuation of a local state of emergency. City staff estimates that preparation of this report cost to be approximately \$75.

**Recommended Action:**

City staff recommends that there be no change regarding the local emergency declaration. This is due to the fact that there have been no significant changes in the original conditions, a State emergency declaration remains in effect and local emergency declaration helps to ensure that Beaumont remains eligible for federal and state emergency aid.

**Attachments:**

- A. City of Beaumont Resolution No. 2020-07

**RESOLUTION NO. 2020-07**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BEAUMONT  
AUTHORIZING THE CITY MANAGER TO EXECUTE A DECLARATION OF THE  
EXISTENCE OF A LOCAL EMERGENCY IN THE CITY OF BEAUMONT**

**WHEREAS**, the health, safety, and welfare of persons in Beaumont are presently at risk due to the increasing number of cases of the coronavirus (COVID-19) across the state; and

**WHEREAS**, the World Health Organization declared COVID-19 a pandemic; and

**WHEREAS**, on March 4, 2020 California Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for broader spread of COVID-19; and

**WHEREAS**, the increase of reported cases and deaths associated with COVID-19 has also prompted the County of Riverside on March 10, 2020 to proclaim a local and public health emergency; and

**WHEREAS**, on March 15, 2020 California Governor Newsom held a press conference to announce that individuals 65 and older or vulnerable to COVID-19 must practice home isolation and bars, night clubs, wineries, and breweries should close in California while restaurants should run at 50% capacity to maximize social distancing; and

**WHEREAS**, the City Council desires to protect the health, safety, and welfare of the public and residents of the City of Beaumont;

**NOW, THEREFORE BE IT RESOLVED BY THE BEAUMONT CITY COUNCIL AS FOLLOWS:**

**Section 1.** The City Council hereby declares a local emergency by way of this resolution and by way of authorizing the City Manager to execute and issue the attached Declaration of the Existence of a Local Emergency (“Declaration”). The City Manager is authorized to make any amendments and/or modifications to the attached Declaration he deems necessary to protect the health, safety, and welfare of the public and issue further orders as necessary or appropriate.

**Section 2.** The local emergency shall remain in effect until such time that the Council determines that the emergency conditions have been abated.

**Section 3.** This Resolution shall take effect immediately upon its passage and adoption.


**MOVED, PASSED, and ADOPTED** this 17th day of March, 2020, by the following vote:

**AYES:** White, Martinez, Carroll, Lara, Santos

**NOES:**

**ABSTAIN:**

**ABSENT:**

By:   
\_\_\_\_\_  
Rey Santos, Mayor  
City of Beaumont

**ATTEST:**

By:   
\_\_\_\_\_  
Nicole Wheelwright, City Clerk  
City of Beaumont

**DECLARATION OF THE EXISTENCE OF A LOCAL EMERGENCY  
CITY OF BEAUMONT**

March 17, 2020

**WHEREAS**, Beaumont Municipal Code section 2.28.020 empowers the City Manager, to proclaim the existence or threatened existence of a local emergency when the City is exposed to an actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within the City; and

**WHEREAS**, the City Manager of the City of Beaumont, does hereby find that:

1. Threatened existence of conditions of extreme peril to the health and safety of persons in Beaumont are present as a result of the increasing spread of novel coronavirus (COVID-19) across the state; and
2. The federal Centers for Disease Control and Prevention has confirmed multiple cases of individuals who have severe respiratory illness caused by a novel coronavirus, called COVID-19, as well as deaths caused by this illness; and
3. The World Health Organization declared COVID-19 a pandemic; and
4. On March 4, 2020 California Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for broader spread of COVID-19; and
5. The increase of reported cases and deaths associated with COVID-19 has also prompted the County of Riverside on March 10, 2020 to proclaim a local and public health emergency; and
6. On March 15, 2020 California Governor Newsom held a press conference to announce that individuals 65 and older or vulnerable to COVID-19 must practice home isolation and bars, night clubs, wineries, and breweries should close in California while restaurants should run at 50% capacity to maximize social distancing; and
7. A proclamation of a local emergency will assist in a coordinated public health response to reduce transmission and illness severity, provide assistance to health care providers, coordinate and mitigate public services that may be disrupted from this emergency, and mitigate any other effects of this emergency on the citizens of the City; and
8. Under California Government Code section 8630(b) and Beaumont Municipal Code section 2.28.040, a proclamation of local emergency must be ratified by the City Council within seven (7) days to remain in effect.

**NOW, THEREFORE, IT IS HEREBY DECLARED**, that a local emergency now exists throughout the City; and

**IT IS FURTHER DECLARED AND ORDERED** that during the existence of said local emergency, the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law, ordinances, and resolutions of the City of Beaumont; and

The local emergency shall remain in effect until such time that the Council determines that the emergency conditions have been abated; and

**IT IS FURTHER DECLARED AND ORDERED** that, without limiting the nature of the foregoing, the City Manager or his designee pursuant to Chapter 2.28 of the Beaumont Municipal Code, is empowered:

(A) To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency;

(B) To obtain vital supplies, equipment, and such other properties found lacking and needed for the protection of life and property, and to bind the City for the fair value thereof;

(C) To require emergency services of any City officer or employee and, in the event of the proclamation of a state of emergency in Riverside County, to command the aid of as many citizens of this community as he deems necessary in the execution of his duties; such persons shall be entitled to all privileges, benefits and immunities as are provided by state law for registered disaster service workers;

(D) To requisition necessary personnel or material to any City department or agency; and

(E) To execute all of his ordinary power as City Manager, all of the special powers conferred upon him by Chapter 2.12 of the Beaumont Municipal Code or by resolution or emergency plan pursuant thereto adopted by the City Council, all powers conferred upon him by any statute, by any agreement approved by the City Council, and by any other lawful authority.

March 14, 2020

  
\_\_\_\_\_  
Todd Parton,  
City Manager

**APPROVED AS TO LEGAL FORM:**

  
\_\_\_\_\_  
John O. Pinkney, City Attorney



#ACITYELEVATED

CITY OF BEAUMONT  
DEPARTMENT PROJECTS  
SCHEDULE UPDATES  
September 22, 2020



## CITY CLERK'S OFFICE PROJECT SCHEDULE September 2020

- **2020 Municipal Election**
  - Nomination Period – COMPLETE
  - Public Examination Period of Campaign Docs – IN PROGRESS
- **Records Indexing**
  - Records inventory and clean up – IN PROGRESS
  - Laserfiche user-friendly clean up – IN PROGRESS
- **Public Records Requests for the Month of August**

### Public Records Requests for the Month

Requestor	No. of Requests	Date Received	Response Date	Response Update	Status	Staff Time Allocated
Acqdata	1	Aug 3, 2020	Aug 3, 2020		Complete	.25 hrs
G. Saylor	1	Aug 3, 2020	July 3, 2020		Complete	.25 hrs
E. Raasch	1	Aug 6, 2020	Aug 17, 2020		Complete	.75 hrs
C. Peters	8	Aug 9, 2020	Aug 17, 2020		Complete	2 hrs +legal
F. Garcia	1	Aug 9, 2020	Aug 9, 2020		Complete	.75 hrs
K. Likes	2	Aug 17, 2020	Aug 20, 2020		Complete	.50 hr
D. Venturina	2	Aug 25, 2020	Sept 1, 2020		Complete	1.25 hrs
J. Sondh	1	Aug 25, 2020	Aug 26, 2020		Complete	.50 hrs

### Extended Time Required Public Records Requests

Requestor	No. of Requests	Requested Documents	Date Received	Response Update	Status	Staff Time Allocated	Costs Associated



Monthly Totals for August

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No. of Requests	No. of Completed Requests	Staff Time Allocated
<b>17</b>	<b>17</b>	<b>6.25 hrs</b>

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COMMUNITY  
DEVELOPMENT



## COMMUNITY DEVELOPMENT UPDATE September 2020

- General Plan Update – Update to Beaumont’s General Plan, Downtown Specific Plan, Environmental Impact Report, and Zoning Map update.
  - Draft GPU, zoning consistency and Downtown Plan scheduled to begin public review process 8/18/20
  - Draft EIR review period began 09/08/20
  - Public hearings scheduled PC 10/27/2020, CC 11/3/2020 & 11/17/2020
- Housing Element Update – Proposals received 9/17/2020. Interviews scheduled for the week of September 28<sup>th</sup>. Item for award of contract anticipated 10/20/2020
- Ordinance Updates
  - Accessory Dwelling Unit Ordinance Update to comply with State law – will be updated utilizing SB2 funding, possibly in conjunction with Housing Element Update
  - Other ordinances for discussion:
    - Landscape Ordinance Amendment, Food Trucks, Small Cell
- MSHCP – Western Riverside County Multiple Species Habitat Conservation Plan
  - Ongoing - Staff meets regularly with RCA, IERCD and USFWS to discuss mitigation in the Pass Area.
- Planning Commission
  - Next meeting of the Planning Commission is October 13, 2020.
  - Special Planning Commission meeting scheduled October 27, 2020 for the General Plan Update.
- SB2 - Grant application
  - GRANT AWARDED: LEAP Grant funding (round two of SB2 funding) in the amount of \$150,000. Staff is waiting for contract from State of CA HCD
  - GRANT AWARDED - \$160,000. Contract has been executed and submitted to HCD for completion. Staff is working with the State on a timeline and procedures for utilizing funds.
- SCAG
  - GRANT AWARDED – \$100,000. Kick-off meeting held June 9, 2020. Data collection is complete. Public outreach plan is being developed. Anticipated time to completion of Parking Strategies Study is 12 months.
- Building and Safety Department Data
  - <http://www.ci.beaumont.ca.us/DocumentCenter/View/2428>



## Project Status Report

Project Number	Date Submitted	Applicant	Project Location	Project Description	Project Status	Anticipated PC Hearing Date	Anticipated CC Hearing Date
CUP2017-0001	05/24/2017	Colorado River Mobile Homes, LLC	36805 Brookside Ave.	Brookside RV Storage	Continued at applicants request	Continued indefinitely per applicants request	NA
SP2019-0003, PLAN2019-0283, PLAN2019-0284, ENV2019-0008	04/08/2019	JRT BP 1LLC	West of Jack Rabbit Trail, south of SR-60	Annexation, Specific Plan, GPA, EIR for development of 622 acres	Kick-off meeting 5-2-2019 NOP under review, scoping meeting held 09/17/20	2021	2021
CUP2109-0033&34 PP2019-0209	06/03/2019	Jaswinder Singh Sondh	NWC Pennsylvania Ave & I-10	Proposed gas station, C-market with alcohol sales, quick service restaurant and car wash	Staff review of proposed revisions, CEQA review, CalTrans issues		NA
PP2017-0017	06/15/2017	MCF Community Church	1406 E. 6 <sup>th</sup> Street	Church and multi-purpose building	Resubmittal received, DRC review complete	10/13/20	NA
PP2019-0222 PM2019-0006 CUP2019-0037 & 38	07/30/2019	Ari Miller, Santiago Holdings	NWC Beaumont Ave & Oak Valley Pkwy	Retail center w/possible grocery anchor, drive-thru restaurants, retail & gas station	Staff review, site plan revisions submitted, pending CEQA revisions		NA
CUP2019-0042 CUP2019-0043	12/4/19	Beyond Food Mart, Inc.	SWC Pennsylvania & 6 <sup>th</sup> St.	Fuel Station, Foodmart, Carwash	Staff review, CEQA review	Tentatively 11/10/20	NA
ENV2019-0009	07/18/2019	ASM Beaumont Potrero Logistics	s/o SR 60 e/o Hidden Canyon just west of Potrero	Industrial development ~500K sf, would require annexation for small piece of land & entitlement process (ASM)	NOP/EIR Scoping Meeting held June 4, 2020	2021	2021
CUP2020-0045	03/27/2020	Ramona's Mexican Restaurant	Ramona's Mexican Restaurant	Ramona's Custom Brews	Comments sent to applicant, pending revisions, On Hold per applicants request		NA

Item 20.



CUP2020-0046 &0047	04/01/2020	Evergren Dev Co	SWC 8th Street & Highland Springs	Gas Station, C-Market	Staff Review, Environmental document preparation	September 8, 2020	October 6, 2020
CUP2020-0048 &V2020-0079	05/12/2020	Sovereign Health	210 W. 6th Street	Residential Care Drug Rehabilitation Facility (supportive housing)	Comments addressed	10/13/20	NA
CUP2020-0049 & PP2020-0280	05/12/2020	Ali Harb	655, 675 & 695 Highland Springs	Remodel and new construction	Comments provided to applicant, awaiting resubmittal	Fall 2020	NA
CUP2020-0052	08/04/2020	Carrie Long	60 S. Palm	Pet Resort (Kennels & related facilities)	Scheduled for DRC	Fall 2020	NA

### Inquiries/Discussions/Not Filed

Location	Description
North side of Xenia between 6 <sup>th</sup> and 8 <sup>th</sup>	Market rate, multi-family apartment project 100+ units proposed
Oak Valley Parkway & Golf Club Drive	Restaurants & Retail Center
E/S of Potrero N/O SR 60 (Denley)	Mixed use development with residential, commercial & retail SP, EIR & Tract Maps required
South of 1 <sup>st</sup> Street at termination of Viele including property to the west and south	Mixed use development with residential, commercial/retail and possible industrial on outer edge. Annexation, GPA, SP, EIR & Tract Maps required
Beaumont Avenue & 1 <sup>st</sup> Street	38-acre mixed use development with apartments, modular homes & retail/commercial – would require GPA, SP, Tract Map, MND or EIR (Thrifty Oil)
East side of SR79 south of the City limits	~350 acres, request may include annexation for development of industrial and business park
South side of 3 <sup>rd</sup> Street west of Beaumont Avenue, East of Euclid Avenue	6 industrial buildings, 3 for warehouses and 3 for multi-tenant commercial use

# COMMUNITY SERVICES/ TRANSIT



## COMMUNITY SERVICES/TRANSIT PROJECT LIST September 2020

### **Parks and Recreation**

- Community Services Director completed the Certified Parks and Recreation Professional certification (CPRP) through the National Recreation and Parks Association (NRPA)
  - Asst. Director will be testing for the CPRP in the coming months
- Virtual programming for Seniors
  - Fit after 50 classes via Zoom - every Monday and Wednesday
  - Cricut classes – Facebook page created and first video uploaded
- Virtual recreation programs
  - Story walks – completed
  - Where Waldo – completed
  - Miles with Mila Virtual Fun Run – underway
  - Fall Leaf Project – scheduled for 9/22/20
  - Lego Wars Week – scheduled for 9/28/20
- Second employee passed irrigation certification test
- Grounds Maintenance Lead employee set to retire Oct. 9<sup>th</sup>
  - In-house recruitment underway
- Go Time Inc.- Mobil app for public to pay directly for use of field lights at parks – installation scheduled for end of September

### **Grounds Maintenance - Parks**

- All playgrounds, basketball courts, and restrooms closed at all parks
  - New signs with COVID language installed
  - Dog park at Nicklaus Park opened to public and COVID language signs installed
- Mt. View Park (Sundance)
  - Playground slide needs repair – completed
- Sunny Hills Park
  - Concrete remove and replace – sidewalk uplifted by trees
- Palmer Park
  - Concrete – sidewalk uplifted by trees
  - Gopher removal - ongoing
- Sports Park
  - Gopher removal - ongoing
- DeForge Park
  - Playground vandalized – parts on order
- Rangel Park
  - Ballfield lighting
    - Working with Musco lighting on bid

### **Grounds Maintenance – Rights-of-Way**

- Landscape architect hired to design conceptual plans for medians on 6<sup>th</sup> St between Highland Springs and Illinois
  - Will schedule for CC review and approval
- City-wide tree trimming/maintenance contract
  - Sundance area – completed
  - Champions Dr – completed
  - Rangel Park - completed
  - First St. – completed
  - Cougar Way – Scheduled for the week of 9/21/20
  - 6<sup>th</sup> St medians – scheduled after Cougar Way
  - Year-to-date green waste recycled - 228 tons

### **Grounds Maintenance – Open Space and City-owned Lots**

- Weed Abatement Program
  - Working with CDF first before using a contractor
    - CDF completed Marshall Creek and Cherry Ave channel
    - CDF started Seneca Springs open space area but were called away to a fire
  - Other lots scheduled and/or completed by outside contractors:
    - End of Ring Ranch Rd, slope behind houses-completed
    - Potrero Blvd - completed
    - Highland Springs Ave N of Oak Valley to Starlight-completed
    - Oak Valley Golf Course City-owned area – contract awarded week of 9/21/2020
    - Desert Lawn hedge trimming – scheduled for 9/24/2020

### **Building Maintenance**

- Building maintenance staff assigned to custodial services due to contract cancellation July 1<sup>st</sup>
  - Awarded a temporary contract to a custodial cleaning company – set to begin October 1st
- Civic Center marquee
  - Contract awarded – YESCO Company
- PD automated gate – contract awarded for new gate system. Work set to begin in October
- PD and Fire facility roofs
  - Sole source vendor video'd the roof of both buildings and drafted a recommendation
  - RFP being developed for publication

### **Transit**

- Systemwide service reduced to three routes due to COVID-19
  - Additional routes to be added back into service effective Oct 13th
- Kick off new route Casino Express Monday to Friday



- Free fares for passengers continues due to COVID – however, LCTOP grant will used for passenger fares effective Oct 13<sup>th</sup> with the addition of more service
- Passengers boarding from rear doors to protect drivers due to COVID-19
- Passengers trips reduced by 80% due to COVID-19
- Exploring decontamination system for all buses
- Comprehensive Operations Analysis – Phase 3 underway
- Park N Ride program – waiting on delivery of signs from CalTrans
- Bus Shelter Project-
  - Working with PW staff to prepare design plans using in-house staff
- CNG Fueling Station
  - Working with So Cal Gas on Preliminary Site Eval
  - Survey of parcel needed - completed
- New Branding and Logo
  - JPW awarded contract to finish design of branding and logo.
  - Will be presented to Council October 6<sup>th</sup>

### **Community Services Grants Awarded**

- SCIP- Electric vehicle charging station -\$240,000 – completion of grant is pending
- MSRC – Electric Vehicle Charging Station - \$31,870 – completion of grant is pending
- MSRC- CNG Station- \$200,000
- LCTOP –
  - \$129,943- Passenger amenities (FY 18/19)- (bus shelters at Walmart, Wells Fargo and Library)
  - \$93,346 – Free Fare Promotion (FY 19/20)
- Volkswagen Mitigation Fund- Electric Vehicle Rebate Program
  - \$160,000 per vehicle rebate available
  - 2 vehicles will be ordered in FY 21

### **Community Services Grant Opportunities**

- Per Capita- Prop 68
  - Minimum \$200,000 up to 8.5 million
  - Applications Due December 2021
  - Focus is on creating a recreational feature
  - Only park that qualifies is Stewart Park
- Statewide Park Development and Community Revitalization Program (SPP)
  - Application due December 2020
  - Minimum \$200,000 up to 8.5 million
  - Focus is to renovate or create a recreational feature
  - Can be used to acquire land for a new park and have at least one recreational feature on it when grant period closes in March 2025

# ECONOMIC DEVELOPMENT



## ECONOMIC DEVELOPMENT PROJECT SCHEDULE September 2020

### RFPs Underway

None

### Major Projects

#### **Covid-19 Response**

- Back to Business Committee
  - Business Survey
  - Resident Survey
  - Business Outreach
  - Stay updated with State Guidelines and Reopening plans
  - COVID-19 Complaint Business Package
  - Small Business Grant Program
  - Outdoor Seating, Barricades and Shade Structures
  - Household Assistance Grant Program
- Major Employer Discussions
  - ICON is seeing a huge increase in orders and shipping
  - Wolverine is down, but they have no reduced workforce
  - CJ Foods and Rudolph Foods still operating
  - Priority Pallet is down in some respects and has seen an increase in others, they are still doing well
  - Local grocery stores need additional employees
- Business Resource Information is available on City website
  - Reopening plan guidance docs for each industry
  - Disaster loans
  - Utility benefit info
  - Small business development assistance
  - Programs to help small business retool and adapt their business plan and strategy
- Beaumont Eats program
- Help local business avoid scams
- Revised sales tax projections and project absorption for FY21
  - Expand modeling on sales and property taxes for impacts from COVID-19
  - Update recession indicator model with new datasets
- Legislative Review of State and Federal mandates and programs related to COVID-19
- Participation in multiple webinars and resource discussions
  - CA Chamber
  - Governor's Office of Business – Entrepreneur Task Force
  - Talent Talks hosted by UCR and EPIC SBDC
  - Riverside County Supervisors Resource Talks
  - CA Association of Economic Development
  - International Economic Development Council
  - CA League of Cities
- Virtual webinar completed with Riverside County to educate public on their \$10,000 small business grant program – recording available on the City's YouTube.

### **Retail Recruitment Strategy**

- Review of information and needs associated with establishment of the program
- Retail recruitment has changed, and the City's efforts must adapt to stay competitive
- Continue to review and come up with ideas on streamlining permit process
- RFP complete and was approved by the Economic Development Committee
- RFP set to be published September 1, 2020

### **Economic Development Strategic Plan**

- Partnership established with UCR for business and entrepreneur development
- Potential partnership with CVEP for business development and resource seminars
- Partnerships developed for datasets and review of statistics
  - UCR
  - Working on MSJCC
- Working on Targeted Industry Groups
  - Fulfillment centers, high-tech manufacturing, additive manufacturing, healthcare, renewable energy sources, logistics technology clusters
  - Hotels, entertainment outlets, sit-down restaurants, retail businesses
- Monthly workforce training events held each month on 2<sup>nd</sup> Thursday

### **Downtown Campus/Facilities Master Plan Project**

- Pending Downtown Specific Plan Update

### **Sales Tax and Property Tax Review**

- Review and analyze quarterly sales tax and annual property tax revenues
- Make suggestions and action plans on results
- Targeted sectors, business outliers and discrepancies
- Growth projections
- Incorporate this data into the multi-year fiscal model and annual budget
- Property tax dataset from years 2000-2018 – completed
- Working through revenue models based on home sales and sales tax updates

### **Economic Fiscal Impact Model Review (part of General Plan Update)**

- Review inputs and test model
- Run various test projects to determine calibration
- Include new refuse contract and VLF data

### **Budget Modeling and Review**

- Working with city manager to develop a robust and sound fiscal model based on a true data set that can be trusted
- The model will be able to project future revenues and growth projections to make better financial choices today
- Working on economic indicator review for downturn/recession planning opportunities
- Partnership with Claremont McKenna College Professor in Economics Dr. Keil
- Developing commercial /industrial absorption model with revenues
- Working on expense model per development type
- Recession indicator model
- New required revenues model under development, based on new fiscal forecast deficit in 2024
- Models being revised to account for COVID-19 effects

- At-Risk Business Model being developed to determine budget impacts of potential closures
- Recession Indicator Model previously created being reviewed to track leading indicators
- CARES ACT Funding to local cities – options and ideas

#### Coordination with Multiple Departments on Projects

- Work on current / future projects, capital projects, Capital Improvement Plan, Design Review Committee, review of Planning applications and projects
- Serve as city liaison for private industry for each city department

#### Economic Development Committee – 9/09/20

- Meeting was held but several items on the agenda were tabled due to the absence of Economic Development Manager Kyle Warsinski
- Committee discussed Smart City Plan and a sub-committee was formed to explore this concept
- Next meeting is scheduled for October 14, 2020

#### Lobbyist Services and Grant Writing

- Track legislation, lobby on city's behalf, gain access to funding and grants
- Coordinates meetings with City Council, staff and legislators or key department staff in CA or DC
- Working with Townsend on funding opportunities and availability
- 2020 Legislation Session tracking has begun
- Tracking State and Federal mandates and programs related to Covid-19
- Beaumont does not qualify for Downtown Broadband Master Plan grant through EDA

#### Foreign Trade Zone

- Working with City of Palm Springs to potentially expand their zone to include Beaumont
- Develop strategy to work through US Customs to get the approval of alternative site framework application
- Working on next steps. Palm Springs has not made this a top priority.
- Meeting set for this week or next week

#### Business Retention and Expansion Events

- Programming next series of events and training seminars
- Partnering with UCR, RivCo EDA and Coachella Valley Economic Partnership
- Contact small companies in need of assistance and resources
- Retraining Program

#### Potrero Interchange PH2

- Meeting with Federal EDA to discuss funding availability
- Meeting with RCTC to discuss project status

#### Cooperative Meetings with Beaumont Chamber of Commerce

- Discuss meeting/event schedule for remainder of year
- Partner to create value added business events

## **Current Development Projects (building now)**

### **Sundance Corp Center**

- Building 1 and 2 almost completed
- Building 3 under construction
- Working to fill remaining retail/in-line space

### **San Gorgonio Specific Plan**

- Commercial property between 1<sup>st</sup> and 2<sup>nd</sup> streets from Kohls to Center Pointe (across from Walmart)
- Most attraction efforts are completed: Last Building is finalizing Deal with National Paint Retailer
- Building in progress are Cinema West, Ulta Beauty, Planet Fitness, Jersey Mike's, El Mariachi Mexican Take-Out, Bright Now Dental, America's Best Contact & Eyeglasses
- Now open are Grocery Outlet, In-N-Out, Raising Cane's, Five Below, AT&T Store
- Building is continuing and most tenants are still planning on opening this year.
- Working to determine if some tenants will be delayed or change plans on opening.

## **Major Development Projects - Potential**

### **Denley – Beaumont Village Specific Plan**

- 300-acre specific plan with Commercial/Residential/ Mixed use project
- Between Oak Valley Parkway and SR 60, east of Potrero Blvd.
- Project meetings on-going as of January 2020
- Entire project is not included in BCVWD Urban Water Management Plan

### **Crossroads Logistics - Amazon**

- Amazon construction completed and facility is now in operation
- Partnered with City to hold Hiring Event at City Hall
- Event was held 8/24 – 9/11
- Revised job numbers from Amazon is now 3,300 for this facility
- Initial projection was 750-1000 direct jobs created

### **Hidden Canyon Logistics**

- McDonald Property Group is new owner
- Had multiple meetings with interested parties (developers and end users)
- Working to attract targeted industry groups per the EDSP

### **Commercial property at Oak Valley Parkway / Beaumont Avenue**

- Working with landowner and broker to attract key tenants for the center
- Current leads are Farmer Boys, 7-Eleven with gas, drive-thru Starbucks

### **Commercial property at Oak Valley Parkway / Desert Lawn Drive**

- Project submitted with new Gas Station and Drive Thru restaurant

### **Commercial property at Eighth Street / Highland Springs Avenue**

- Small 1.5-acre site
- Current leads are 7-Eleven with gas and quick service restaurant or national tire store

### **Other Project Leads**

Miscellaneous leads for projects that I have worked on in the last 12 months. These range from simple phone calls to complete meetings with developers, architects and engineers.

- Commercial property at Oak Valley Parkway / I-10
- Commercial property at Oak Valley Parkway / Golf Club Drive
- Commercial property at Beaumont Avenue / 1<sup>st</sup> Street
- Commercial property at Pennsylvania / 6<sup>th</sup> Street
- Commercial property at Pennsylvania / 1<sup>st</sup> Street
- Commercial property at 6<sup>th</sup> Street and Xenia Avenue
- Residential property at 6<sup>th</sup> Street and Xenia Avenue

**Other Items**

- Hotel Incentive Package
- City Incentive Package/Policy
- Downtown Parking Ordinance
- Top 10 Commercial Broker meeting program
- Development of Chamber of Commerce partnership
- US EDA – Potrero PH2 Grant
- Food Truck Ordinance review
- Young Professional Networking Program
- Business of the month program with Chamber of Commerce



## FINANCE DEPARTMENT PROJECTS UPDATE September 2020

### SPECIAL PROJECTS

- Tyler software
  - Incode 9 upgrade to Utility Billing 10 and Cashiering 10 - Completed the upgrade and system went live on June 8, 2020
  - Upgrade to Energov is complete. We are working out a few items.
  - Exploring alternative solution to Business License software needs
  - Tracking Accounts receivable through Tyler
  - Debt management software – Sympro Software acquired- installation scheduled for last week in September 2020.
- FEMA grant – application submitted successfully by the City. Costs associated with responding to the Covid-19 emergency are being tracked and documented. The City has submitted several projects and anticipates a couple more submittals before the end of the calendar year
- CARE (COVID Relief Fund) – the City is eligible to receive up to \$635K in Federal Funding through the State. Staff are coordinating with the City Council to secure recovery of these funds. A budget amendment is scheduled for August 18<sup>th</sup> to receive funds and to establish a General Fund COVID Relief Program. The City received the first 1/6<sup>th</sup> payment and has submitted an application for reimbursement of the entire \$635K. We will monitor and report on future receipts.
- FY 19-20 Audit – RAMS firm was selected and approved by City Council. Interim fieldwork was completed during the week July 13- 17, 2020. End of year fieldwork is scheduled for October 2020. Staff are targeting taking the completed audit to Council in January 2021.
- 2019-20 Overhead Allocation and Transfers – All Overhead allocations are to be completed on a quarterly basis – 4<sup>th</sup> quarter has been completed.
- New processes and procedures
  - Cal Card application has been approved. Policies and procedures are developed, and cards have been issued to the Wastewater team and to the Police Department as well as Administration. We will review how the plan is functioning through August and then determine whether to proceed with further card distribution to other departments.
  - Investment policy – has been reviewed and approved by the City Council. The next step is to select one or more investment advisors and move forward with the investment strategy as governed by the policy.
- Compliance with Developer Agreements
  - KHOV
    - Fee credits for prepaid Sewer Capacity DIF reconciled monthly (overpayment has been identified – refund to developer completed)
    - Park fee credits reconciled monthly
    - All Bond proceeds available to KHOV for 2016-4 have been paid



- Pardee
  - Park fee credits and prepaid DIF reconciled monthly.
  - IA 8F bonds issued and proceeds sent to Pardee.
  - Pardee was billed and has paid prepayment for FY 2021 after DIF and TUMF credits were included in the computations.
  - Pardee requested and was paid the Paygo funds from IA 8F
- RSI
  - Fee credits for prepaid Road and Bridge DIF completed
- Compliance with TUMF Credit Agreements
  - Pardee
    - Potrero Phase II
    - Pennsylvania Widening
    - Oak Valley Interchange
  - Lassen
    - 4th Street Extension (Grading)
  - Crossroads
    - 4th Street Extension (Paving)
- Processing of CFD Prepayment Requests
  - Program restarted October 2017
  - Process “dark” from 6/1 through 9/30 for tax roll assessment processing
  - Received #16 requests to date (one received in Sept 2018)
  - Received #15 full payoffs to date
    - Total \$254,980.21 for debt service
    - Total \$10,739.38 for future facilities
  - All funds transferred to Trustee for retirement of bonds
  - Bonds retired to date = \$136,000
- Management of Existing Bonds
  - Special District Report for Beaumont Finance Authority Due 01/31/20 – COMPLETED 01-29-20.
  - Next Debt Service Payment Due 03-1-20 - COMPLETED
- Refunding Bond Issuance completed for IA 8C and IA 17B
- Bonds issued for CFD 2019-1
- SCO Filings Due for FY20
  - Streets and Roads due 12/01/20 – TO BE COMPLETED BY THALES
- AQMD FY19 Filing - COMPLETED AND APPROVED – 04/07/20, Next audit will be for FY21
- File City Budget with the County of Riverside – Due 07/01/20
- CFD Assessments Costs (Parks/Maintenance/Administration)
  - Reporting CFD Revenues Generated by IA – Recording in the general ledger as received from the County of Riverside
    - Segregation of funds: #250 Administration, #255 Maintenance, #260 Public Safety, #265 Facilities, #510 Pay-Go, #840 Bond Debt Service, #850 BFA, #855 BPIA
  - Demonstrate Means/Methods for CFD Fund Allocations – Working on best way to identify/capture data:
    - Park Maintenance
    - Parkway Maintenance
    - Public Safety
    - Other

- IA 8F – Bonds issued – net proceeds approx. \$12.3 million sent to Pardee in compliance with settlement agreement and acquisition agreement. The vast majority is a return of DIF and TUMF fees.
- Pardee – pay go reimbursement request filed for Area 2016-2 – request of \$340,726 – under review
- Pension Liability Analysis and Options – reviewed by CC at the March 3, 2020 meeting – options for pension trust to be discussed in September or October 2020.
- FY 20/21 Budget
  - Budget adopted on June 2, 2020
  - Budget book preparation is underway and expected to be finalized in August 2020. Some delays were experienced due to Covid-19.
  - Budget book draft delivered to the City Manager – anticipated completion and release by early October 2020

### ONGOING WORK

Bank reconciliations (all banks and trustee accounts)

**NOTE: Citibank Operating Account reconciled through 07/31/20  
Payroll and Workers Comp Accts reconciled through 8/31/20  
All other accounts reconciled through 08/31/20.  
All Trustee accounts reconciled through 04/30/20**

Daily cash receipts data transfer into the general ledger

Weekly accounts payable processing

Timely recording of payroll and related entries

Review and reconciliation of all DIF monthly

Review, reporting of MSHCP and TUMF monthly

General ledger review and reclassifications as needed

Review of budget to actual activities

Monthly financial reporting to Finance Committee and City Council

Review and analysis of Project accounting monthly

- Review of project budgets to CIP
- Reconciliation of revenues recorded
- Reconciliation of expenses incurred with Public Works
- Reconciliation with general ledger entries

Development of Policies and Procedures (continuous)

Transparency

- General ledgers are redacted and uploaded
- Wilmington Trust statements are being held due to redaction issues-ONLY available to view over the counter
- Paid vendor invoices are scanned and uploaded to portal within reasonable time frame
- Bank statements and reconciliations uploaded for FY19 and through January 2020
- All Bond fund requisitions are redacted and uploaded

### UPCOMING PROJECTS

Grant management processes and coordination (see next section)

Business license program management

Inventory management – revise processes

Travel Policy – needs to be created

Internal Service Fund exploration

Further Automation of Accounts Payable and Accounts Receivable processing

Personnel Management Module (project to implement and further automate processes to manage human resources and payroll) – project to begin in early 2021

A complete review of all financial policies will be undertaken during FY 2021 to determine missing elements and needed updates.

## **GRANTS**

The Community Development Department took on the task of tracking all grants received by the City and coordinated with the Finance Department. A complete listing of existing Grants and projected Grants was provided to the Finance Committee and City Council in June 2020. This listing will be updated and maintained.

# INFORMATION TECHNOLOGY



## INFORMATION TECHNOLOGY PROJECT SCHEDULE September 2020

### **Tyler Upgrades – IN PROGRESS**

- Customer service portal for online permits.
- Utility billing online options – completed.
- Testing Open Edge interface for credit card processing.

### **Firewalls and Switches – IN PROGRESS**

- Implementation of switches completed 90%.
- PD segmentation is completed.

### **Wastewater Plant –IN PROGRESS**

- Fortinet Firewall deployed.
- Site is connected via VPN to City Hall.
- Surface Pros installed and given to Staff.
- 6 Wireless access points being installed
- Hach is working on wireless issues.

### **Tyler Technologies–IN PROGRESS**

- Incode 10 migration utility billing completed.
- New software SYMPRO going online with Incode 10 for Finance.
- Energov upgrade in progress for Community Services Portal Online.

### **CAD\RMS System for Public Safety (PD)– IN PROGRESS**

- DOJ application is submitted. DOJ to return information if needed.
- DOJ approved CLETS application – testing 9/22 – 9/24.
- New CF-33s Toughbook approved and ready for install of 7 more.
- AT&T Vesta upgrade and training completed.
- New Internet line for Riv Co installed.
- Mark 43 set to go live September 30.

### **Albert Chatigny Community Center Wifi–IN PROGRESS**

- Contract vendor selected
- Site walk scheduled for 9/24. Expect pricing following week.

### **Disaster Recovery–IN PROGRESS**

- Discussion and planning of Business continuity and Disaster Recovery options.
- Prepping for Ransomware upgrade – mid year budget adjustment.
- Need internal assessment and a good open discussion about security.

### **IT Strategic Plan – IN PROGRESS**

- Creating an IT strategic plan for City Manager.
- Provide GIS assessment.
- Security status and needs.
- Identify needs for City of Beaumont post Covid-19. Will include in strategy.
- Looking at options to bring a third party for holistic assessment of needs.

### **Zoom Meetings – IN PROGRESS**

- Submitted know how and best tips for security within Zoom.
- Identified some issues but mitigated by zoom.
- Provide a workshop for better understanding of product.

**Covid-19 Measures – *IN PROGRESS***

- HR provided a list of users and locations for space requirements.
- Zoom application for meetings working well.
- Verizon bridge completed.
- Personal thermostat provided for front lobby use.
- Cameras and microphones being deployed for desktops.
- 10 laptops purchased to replace Council/EOC laptops that were deployed for remote work.

# PUBLIC INFORMATION



## PUBLIC INFORMATION PROJECTS UPDATE September 2020

- Updating Communications Strategic Plan from 2018
  - Including a new section regarding social media polices for departments and staff
- Developing tools to increase subscriptions to City Manager Monthly email
- Updating online content and marketing for return of full-service Transit
- Developing Virtual State of the City script and event program
- Social media content
  - COVID
  - SCE power outage/Flex Alerts
  - Public Hearing Notices
  - Etc.
- Military Banner Program – Finalizing 1 of 2 Fall installations
- ID cards for PD – Designing new ID cards with current law enforcement identification information for all sworn personnel.
- Miscellaneous
  - Managing Shop Safe Pledge Program
  - Ideas for inclusion in the monthly City Manager Report are due the last week of each month.
  - Ribbon cutting ceremony for Rangel Park restrooms/snack bar
  - Continuously updating internal applications and forms for branding
- Upcoming Events
  - Nothing!!!



# PUBLIC WORKS



## PUBLIC WORKS UPDATE September 2020

- Pavement Rehabilitation
  - Project Notice of Completion accepted by CC September 1<sup>st</sup>.
  - Engineering currently in planning stage for FY 20/21 Pavement Management Program.
  
- Sewer System Master Plan
  - Data request from Consultant has been completed and fulfilled.
  - Mesa Lift station survey is complete, consultant preparing accurate “as-built” record drawings and is at 95% development.
  - City-wide Hydraulic Model initial draft has been received and is under review.
  - Lift Station assessment draft has been received and is under review.
  - Population and development projections are at 95% development.
  - Data collection and assessment of Wastewater System is 98% complete.
  - System wide condition/capacity assessments 80% complete.
  
- 2020 Street Maintenance and Rehabilitation Project
  - In coordination with CC item from 09/01 regarding allocation of bond proceeds, staff has prepared a bid package to rehabilitate several City streets, primarily in the downtown area.
  - The project is currently being advertised with a bid due date of 10/02.
  - Staff intends to take a construction contract to CC for approval at the 10/20 meeting.
  - Expected duration of construction is anticipated to be 60± days.
  
- Highland Springs Interchange
  - Cooperative Agreement with the City, RCTC, and Banning for the preparation of a Project Study Report (PSR) for the Highland Springs Interchange Project approved
  - RCTC is the lead in preparing the report with input from both the City of Beaumont and Banning.
  - Funding for the PSR from WRCOG settlement.
  - Project Traffic Forecasting and Operational Analysis (TFOA) has been submitted and comments received from Caltrans being currently addressed. Second submittal is with Caltrans with comments expected by end of week per project update meeting on 09/22.
  - Completion of PSR is expected to be June of 2021.
  
- Potrero Phase 2 ~ N/C
  - Staff looking at potential further phasing of interchange ramp construction. Potential modifications include revising proposed 6 ramp interchange (4 on-

- ramps & 2 off-ramps) to a 4-ramp interchange and delaying additional 2 on-ramps to future date in which traffic volumes warrant construction.
  - Staff also looking at other grant opportunities, potential funding solutions.
  - Trade Corridor Enhancement Program (TCEP) grant application has been submitted. \$33M has been requested and awardment of grant expected to be by end of calendar year.
- Highland Springs Signal Timing
  - Staff working with the City of Banning on an MOU to coordinate signal timing of 6 intersections along Highland Springs to help alleviate congestion.
  - Concurrence has been received, and three-party MOU between Banning, Beaumont, and Caltrans expected to go to CC for approval in October.
  - Following three-party MOU will be a maintenance agreement between Beaumont and Banning which is currently undergoing final review from legal.
- Pennsylvania Avenue Widening
  - Technical studies have been prepared, which now includes completion of Traffic Impact Analysis which needed to comply with Vehicle Miles Traveled (VMT) criteria.
  - Environmental consultant released to prepare CEQA document in June. Expected 4-6 month preparatory duration.
  - Updated packages have been submitted to both UPRR and Cal Trans
    - Comments have been received and are being responded to.
- Pennsylvania Avenue Railroad Grade Separation ~ No Change
  - Consultant directed to perform cost analysis for Riverside County Flood Control District master plan storm drain improvements as part of project. Staff able to get Flood Control to authorize up to \$5.3M in current budget.
    - Proposed design allows improvements to stay within Pennsylvania Ave., potentially avoiding significant environmental constraints associated with realigning outside City right-of-way. Feasibility is being confirmed.
  - Consultant is working on the 35% plans, specifications, and engineering.
  - Current contract has limited consultants' obligation to 35% design. Staff is searching for additional funding to engage consultant to complete design.
- Pennsylvania Avenue Interchange
  - Staff has had several meetings lately regarding traffic analysis and future compliance with Vehicle Miles Traveled (VMT) guidelines.
  - Caltrans will allow City to be lead agency for environmental clearance which should help facilitate project.
  - Staff has been able to obtain Caltrans concurrence regarding project study radius and intersection identification. City will not be required to include projects outside of our jurisdiction. Additionally, the recently completed traffic model runs for our General Plan can be utilized for study horizon year data saving time and cost of additional modeling.
  - Traffic Operations Analysis Report (TOAR) being revised to include recent General Plan traffic model runs.

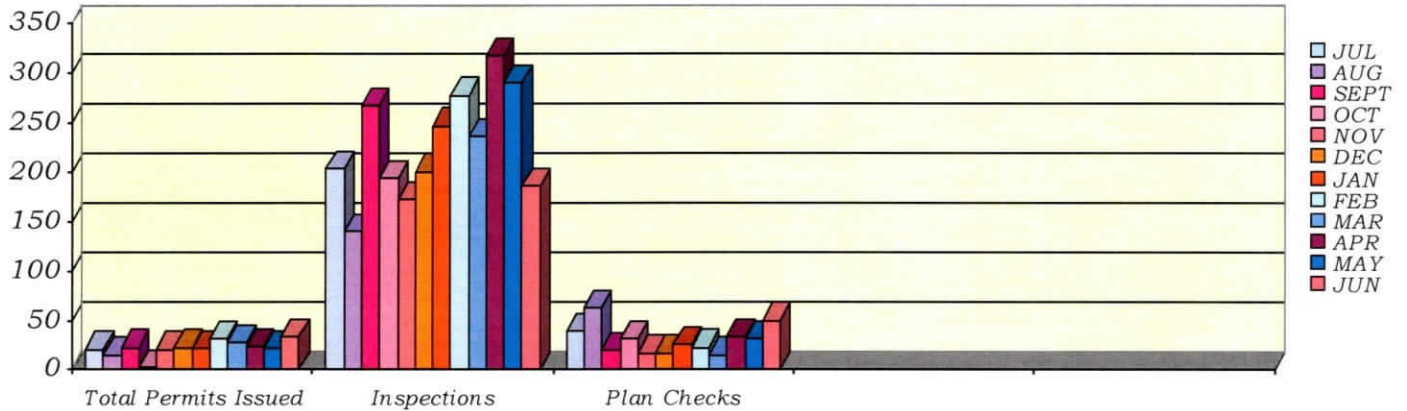
- West Side Fire Station
  - Consultant has submitted for second review of complete design package (Civil, Architectural, and Landscape) which are currently in review and will be returned by 09/30.
  - Several environmental studies and reports are currently underway, including:
    - Habitat Assessment and Constraints Analysis
    - Biological Resources Report
    - Determination of Biologically Equivalent or Superior Preservation (DBESP)
    - Jurisdictional Delineation
  
- Line 2, Stage 1 Drainage Project
  - Cooperative funding agreement was approved by CC on 09/01 and is now awaiting approval from Riverside County Board of Supervisors
  - Beaumont staff and Riverside County Flood Control (RCFC) interviewed the top 3 consultants the week of 09/14-09/18
  - RCFC providing memo to clarify design storm water flows to be utilized moving forward. Upon receipt staff will provide to top 3 firms and ask for updated cost proposal in hopes of proceeding with Professional Services Agreement in late October.
  
- By the Numbers ~ Running 12 month total of permits and inspections
  - Includes the following:
    - Encroachment permits issued.
    - Offsite improvement permits associated with residential developments issued.
    - Offsite improvement permits associated with commercial developments issued.
    - Commercial development inspections.
    - Residential development inspections.
    - Commercial development plan checks.
    - Residential development plan checks.



# PUBLIC WORKS

## MONTHLY PERMIT INFORMATION

### RUNNING 12 MONTHS



	SEPT	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG
<b>Permit Information</b>												
Encroachment - Issued	22	2	18	19	19	29	27	24	22	31	19	12
Residential Improvements	1	1	3	1	3	2	0	0	0	2	1	3
Commercial Improvements	0	0	0	3	0	0	1	0	0	1	1	0
<b>TOTAL</b>	23	3	21	23	22	31	28	24	22	34	21	15
<b>Inspections</b>												
Commercial	122	95	62	32	21	60	67	183	106	79	97	53
Residential	144	98	110	168	225	217	169	134	184	106	106	87
<b>TOTAL</b>	266	193	172	200	246	277	236	317	290	185	203	140
<b>Plan Checks</b>												
Commercial	8	18	10	9	6	5	5	10	18	21	12	14
Residential	12	13	7	8	20	18	10	24	14	29	27	49
<b>TOTAL</b>	20	31	17	17	26	23	15	34	32	50	39	63

FY 20/21  
 FY 19/20

***This information gathered from monthly reports and inspection records. Permits issued as of August 31, 2020***