

CITY COUNCIL CLOSED & REGULAR SESSION

550 E. 6th Street, Beaumont, CA

Tuesday, February 04, 2020 - 6:00 PM

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 5:01 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 Legal Counsel – Anticipated Litigation: Significant Exposure to litigation pursuant to Government Code Section 54956.9(d)(2): Claims of Maria Kritzberger & Estate of Darren R. Kritzberger

Motion by Council Member Martinez

Second by Council Member Carroll

To deny the claims.

Approve by unanimous vote.

2. Conference with Legal Counsel Existing Litigation-Pursuant to Government Code Section 54956.9(d)(1): Urban Logic v. City of Beaumont et. al. Case No. RIC 1797201

No reportable action.

Adjourn to Regular Session

REGULAR SESSION - 6:00 PM

CALL TO ORDER at 6:03 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: *see above*

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

California Highway Patrol 2019 Review

CalTrans Report of State Highway Projects

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.

Public Comment opened at 6:29 p.m.

A. Worthen - *Thanked the City for hosting and being part of coordination of the Veteran's Expo.*

H. Liaw - *Representing the Morongo Golf Course invited the community to attend the upcoming Symetra Tour.*

L. Kimball - *Asked for a status of playground shades requested, asked if the CFDs can be lowered and an update to the bus stop seating request.*

N. Hall - *Asked questions about public safety in the event of a natural disaster.*

Public Comment closed.

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. Minutes

Recommended Action:

Approve Minutes dated January 21, 2020.

- 2. Tentative Tract Map No. 37696 (TM2019-0005) for a Request to Subdivide 13.51 Acres into 62 Single Family Residential Lots with a Minimum Lot Size of 4,947 Square Feet and Nine (9) Lettered Lots Located Within Planning Area 25 of the Oak Valley Specific Plan (Fairway Canyon) on the East Side of Tukwet Canyon Parkway, North of San Timoteo Canyon Road and South of Champions Drive**

Recommended Action:

Approve Tentative Tract Map No. 37696 (TM2019-0005) subject to the development agreement and the attached conditions of approval.

- 3. Tentative Tract Map No. 37698 (TM2019-0006) for a Request to Subdivide 22.09 Acres into 126 Single Family Residential Lots with a Minimum Lot Size of 3,800 Square Feet and 16 Lettered Lots Located Within Planning Area 25 of the Oak Valley Specific Plan (Fairway Canyon) on the East Side of Tukwet Canyon Parkway, North of San Timoteo Canyon Road and South of Champions Drive**

Recommended Action:

Approve Tentative Tract Map No. 37698 (TM2019-0006) subject to the development agreement and the attached conditions of approval.

- 4. Tentative Tract Map No. 37697 (TM2019-0007) for a Request to Subdivide 13.19 Acres into 73 Single Family Residential Lots With a Minimum Lot Size of 4,950 Square Feet and Eight (8) Lettered Lots Located Within Planning Area 25 of the Oak Valley Specific Plan (Fairway Canyon) on the East Side of Tukwet Canyon Parkway, North of San Timoteo Canyon Road and South of Champions Drive**

Recommended Action:

Approve Tentative Tract Map No. 37697 (TM2019-0007) subject to the development agreement and the attached conditions of approval.

- 5. Performance Bond Acceptance and Security Agreement for SDC Fairway Canyon, LLC. Tract 31462 Street and Storm Drain Improvements**

Recommended Action:

Accept the following bond and security agreement:

- Performance bond No. 1001124446 for storm drain improvements for Tract 31462

- 6. Bond Exoneration for Bond Nos. 2264721, 41383375, 2264727 and 2264722 for K. Hovnanian Homes Tract 33096-13**

Recommended Action:

Accept Maintenance Bond No. 3085345 to replace Performance Bond No. 2264721,

Accept Maintenance Bond No. 41394539 to replace Performance Bond No. 41383375, and

Accept Maintenance Bond No. 3085344 to replace Performance Bond No. 2264727.

- 7. Request for Facility and Staff Fee Waiver – Beaumont Cherry Valley Rotary Club Celebrate Reading and the Arts**

Recommended Action:

Consider waiver of facility use and staff fees requested by Beaumont Cherry Valley Rotary Club in the amount of \$860.00, and
Consider waiver of a \$500 deposit for the use of the gymnasium at the CRC.

8. Request for Facility and Staff Fee Waiver – Soroptimist International of Beaumont-Banning

Recommended Action:

Consider waiver of facility use and staff fees requested by Soroptimist International of Beaumont-Banning in the amount of \$710, and
Consider waiver of a \$500 deposit for the use of the gymnasium at the Beaumont Civic Center.

9. Request for Destruction of Retention Met Records

Recommended Action:

Waive the full reading and adopt by title only, “A Resolution of the City of Beaumont Authorizing Destruction of Certain Records in Accordance with the Records Retention Schedule Adopted by City Council.”

10. Approval of the Assignment and Assumption of Improvement and Credit/Reimbursement Agreement Transportation Uniform Mitigation Fee Agreement between Lassen Development Partners, LLLP and MPLDII Inland Empire, LLC and Approval of the Assignment and Assumption of City of Beaumont Hidden Canyon Amended and Restated Facilities and Fee Credit Agreement between Lassen Development Partners, LLLP and MPLD II Inland Empire, LLC

Recommended Action:

Staff recommends approval of the Assignment and Assumption of Improvement and Credit/Reimbursement Agreement Transportation Uniform Mitigation Fee Agreement between Lassen Development Partners, LLLP and MPLDII Inland Empire, LLC and Approval of the Assignment and Assumption of City of Beaumont Hidden Canyon Amended and Restated Facilities and Fee Credit Agreement between Lassen Development Partners, LLLP and MPLD II Inland Empire, LLC.

11. Cherry Avenue Street Improvement Project Acceptance

Recommended Action:

Approve and authorize the Mayor to sign the attached certificate of acceptance for the Cherry Avenue Street Improvement Project.

Motion made by Council Member Martinez

Seconded by Council Member White

Voting Yea: Council Member White, Council Member Martinez, Council Member Carroll,

**Mayor Pro Tem Lara, Mayor Santos
To approve the Consent Calendar.**

PUBLIC HEARINGS

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

ACTION ITEMS

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

- 12.** Acceptance of Irrevocable Offer of Dedication of Easement for Streetlight Maintenance and Acceptance of Streetlight Maintenance in the Four Seasons Community

Recommended Action:

Approve the Irrevocable Offer of Dedication of Easement for Streetlight Maintenance, and
Approve the Certificate of Acceptance of Streetlight Maintenance.

Treasurer Baron Ginnetti recused himself on this item as he resides in the area of discussion.

Public Comment period

M. Martin - Expressed concerns regarding street lights and the City's maintenance of them.

Motion made by Mayor Pro Tem Lara

**Seconded by Council Member White. Voting Yea: Council Member White, Council Member Martinez, Council Member Carroll, Mayor Pro Tem Lara, Mayor Santos
To approve the Irrevocable Offer of Dedication of Easement for Streetlight Maintenance, and approve the Certificate of Acceptance of Streetlight Maintenance.
Approved by a unanimous vote.**

- 13.** Improvement and Credit / Reimbursement Agreement for Transportation Uniform Mitigation Fee's between the City of Beaumont and Pardee Homes for the Oak Valley Interchange Project

Recommended Action:

Approve the Improvement and Credit / Reimbursement Agreement between the City of Beaumont and Pardee Homes for the Oak Valley Interchange Project and authorize the Mayor to execute the agreement.

Council Member White recused himself to avoid any perception of conflict of interest due to campaign funding.

Motion made by Council Member Carroll,

Seconded by Mayor Pro Tem Lara.

Voting Yea: Council Member Martinez, Council Member Carroll, Mayor Pro Tem Lara, Mayor Santos

Voting Abstaining: Council Member White

To approve the Improvement and Credit / Reimbursement Agreement between the City of Beaumont and Pardee Homes for the Oak Valley Interchange Project and authorize the Mayor to execute the agreement.

Approved by a 4-0 vote.

14. Request for Direction on Preparing a Shopping Cart Ordinance

Recommended Action:

Provide staff direction on preparing a shopping cart ordinance.

Discussion and suggestions given to staff to research and present an ordinance for consideration at a future meeting.

15. Provide Direction to Staff on Establishing a Temporary Moratorium Prohibiting Tire Sales and Tire Repair Establishments

Recommended Action:

Provide direction to staff on establishing a temporary moratorium prohibiting tire sales and tire repair establishments.

Direction to staff to do additional research and bring a temporary moratorium for consideration at a future meeting.

16. Opposition Letter – SunLine Transit Agency Proposed Commuter Link Route 10

Recommended Action:

Approve the opposition letter and authorize the Mayor to execute on behalf of the City of Beaumont.

Motion made by Council Member White

Seconded by Council Member Carroll.

Voting Yea: Council Member White, Council Member Martinez, Council Member Carroll, Mayor Pro Tem Lara, Mayor Santos

To approve an opposition letter and authorize the Mayor to execute on behalf of the City of Beaumont.

Approved by a unanimous vote.

17. Authorize the City Manager to Execute Additional Reimbursable Letters of Agreement with the California Highway Patrol Not to Exceed \$50,000 for the SR-60/Potrero Boulevard Interchange Phase I Project for Services Associated with Traffic Control

Recommended Action:

City Council authorize the City Manager to execute additional reimbursable letters of Agreement with the California Highway Patrol in an amount not to exceed \$50,000 each for the SR-60/Potrero Boulevard Interchange Phase I Project.

Motion made by Council Member White

Seconded by Council Member Martinez.

Voting Yea: Council Member White, Council Member Martinez, Council Member Carroll, Mayor Pro Tem Lara, Mayor Santos

To authorize the City Manager to execute additional reimbursable letters of Agreement

with the California Highway Patrol in an amount not to exceed \$50,000 each for the SR-60/Potrero Boulevard Interchange Phase I Project.

18. Wastewater Treatment Plant Expansion/Renovation and Brine Pipeline Installation Project Status Update

Recommended Action:

Receive and file the project updates.

LEGISLATIVE UPDATES AND DISCUSSION

19. January Legislative Update

COUNCIL REPORTS

- **Carroll** - *Gave a report out from the Veteran's Expo and the Women's Club meeting.*
- **Lara** - *Gave a report out from the WRCOG meeting and attended the Brookside Elementary Talent Show.*
- **Martinez** - *Attended the Chamber Installation Dinner and gave a report out from the RCA meeting.*
- **Santos** - *Attended the Veteran's Expo and the Chamber Installation Dinner.*
- **White** - *Reported out from the RCTC meeting and the LEAC committee meeting.*

ECONOMIC DEVELOPMENT UPDATE

Economic Development Committee Report Out and City Council Direction

Gave a update to the new MSJC mobile outreach program being provided monthly in the City Hall public parking lot.

CITY TREASURER REPORT

Finance and Audit Committee Report Out and City Council Direction

Gave a report out from the Finance and Audit Committee meeting.

CITY CLERK REPORT

Gave a status report of Public Records Requests from the month of December.

CITY ATTORNEY REPORT

20. Status of Litigation Report

CITY MANAGER REPORT

Reported out from the reorganization from the Finance and Audit Committee.

FUTURE AGENDA ITEMS

ADJOURNMENT at 8:51 p.m.

The next regular meeting of the Beaumont City Council, Beaumont Financing Authority, the Beaumont Successor Agency (formerly RDA), the Beaumont Utility Authority, the Beaumont Parking Authority and the Beaumont Public Improvement Agency is scheduled for Tuesday, Feb 18, 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