



CITY COUNCIL CLOSED & REGULAR SESSION

550 E. 6th Street, Beaumont, CA

Tuesday, December 07, 2021

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

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

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 5:05 p.m.

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

Absent: Council Member Fenn

Public Comments Regarding Closed Session

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

No reportable action.

2. 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, SEIU and Managers Professional Technical Unit.

No reportable action.

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

No reportable action.

Adjourn to Regular Session

REGULAR SESSION - 6:00 PM

CALL TO ORDER at 6:32 p.m.

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

Report out from Closed Session *see above*

Action on any Closed Session Items: **None.**

Action of any Requests for Excused Absence: **Council Member Fenn**

Pledge of Allegiance

Invocation

Adjustments to the Agenda: **Moving Item 19 up on the agenda after Public Hearings.**

Conflict of Interest Disclosure: **None.**

ANNOUNCEMENTS/ RECOGNITION / PROCLAMATIONS / CORRESPONDENCE

1. Recognition of Current Mayor, Michael Lara
2. Reorganization of City Council, Selection of Mayor and Mayor Pro Tempore

Motion by Mayor Lara

Second by Council Member Santos

To nominate Mayor Pro Tem White as Mayor and Council Member Martinez as Mayor Pro Tem.

Approved by a 4-0 vote.

Absent: Fenn

PUBLIC COMMENT PERIOD (ITEMS NOT ON THE AGENDA)

M. Jenkins - *Asked for Council support against State vaccine mandates.*

A. Brandon - *Asked for Council support against State vaccine mandates.*

M. Torre - *Asked for Council support against State vaccine mandates.*

H. Raley - *Asked for Council support against State vaccine mandates.*

A. Estrada - *Asked for Council support against State vaccine mandates.*

L. Flinn - *Asked for Council support against State vaccine mandates.*

C. Centner - *Asked for Council support against State vaccine mandate.*

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.

3. Approval of Minutes

Recommended Action:

Approve Minutes dated November 16, 2021.

4. Ratification of Warrants

Recommended Action:

**Ratify Warrants dated:
November 12, 2021
November 18, 2021**

5. Accept Security Agreement and Performance and Payment Bond No. 107506778 for Sewer Lift Station Associated with Parcel Map No. 36426

Recommended Action:

Accept security agreement and performance and Payment Bond No. 107506778 for a sewer lift station associated with Parcel Map No. 36426.

6. A Resolution of the City of Beaumont Authorizing the Mayor to Accept the Offer of Dedication for an Easement for Sewer Lift Station and Public Utilities; Approve the Certificate of Acceptance for an Easement for Sewer Lift Station and Public Utilities; and Record the Offer of Dedication Documents with the Riverside County Clerk Recorder's Office

Recommended Action:

Waive the full reading and adopt by title only, "A Resolution of The City of Beaumont Authorizing the Mayor to Accept the Offer of Dedication for an Easement for Sewer Lift Station and Public Utilities" and approve the Certificate of Acceptance for an Easement for Sewer Lift Station and Public Utilities and record the Offer of Dedication documents with the Riverside County Clerk Recorder's Office.

7. Adopt Resolution Acknowledging Receipt of the FY2020/2021 Health and Safety Code (HSC) 13146.4 Annual Inspection Report of Certain Occupancies Pursuant to Sections HSC 13146.2 and 13146.3

Recommended Action:

Receive and file the FY2020/2021 HSC 13146.4 Annual Inspection Report.

8. Resolution of the City Council of the City of Beaumont Declaring Certain Land as Surplus under Govt. Code Section 54220 et. Seq.

Recommended Action:

Waive the full reading and adopt by title only, "A Resolution of the City Council of the City of Beaumont Declaring Certain Land as Surplus under Govt. Code Section 54220 et. Seq."

9. Resolution Regarding the Use of Teleconferencing to Conduct Public Meetings as Provided with Approval of Assembly Bill 361 and Its Amendments to Government Code Section 54953

Recommended Action:

Waive the full reading and adopt by title only, "A Resolution of the City Council of the City of Beaumont Proclaiming a Local Emergency Ratifying the Proclamation of a State of Emergency by Executive Order N-09-21, and Authorizing Remote Teleconference Meetings of the Legislative Bodies of the City of Beaumont for the Period of December 7, 2021, through January 6, 2022 Pursuant to Provisions of the Ralph M. Brown Act."

Motion by Council Member Santos

Second by Council Member Lara

To approve the Consent Calendar

Approved by a 4-0 vote

Absent: Fenn

PUBLIC HEARINGS

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

10. Hold a Public Hearing Tentative Parcel Map No. 38090 (PM2021-0008) for Consideration of a Finance and Conveyance Map to Subdivide 223 Acres into Seven (7) Parcels, One (1) Remainder Parcel, and Two (2) Lettered Lots Consisting of Phase 4B of Tentative Tract Map 31462 within the Oak Valley and SCPGA Golf Course Specific Plan APN: Portion of 413-790-010, -012 and -042

Public Hearing opened at 7:02 p.m.

No comments

Public Hearing closed at 7:02 p.m.

Motion by Council Member Lara

Second by Mayor White.

To approve Tentative Tract Map No. 38090 (PM2021-0008) subject to the Development Agreement and the attached conditions of approval, and direct City staff to prepare a Notice of Determination for the applicant to file with the Riverside County Clerk Recorder.

Approved by a 4-0 vote

Absent: Fenn

ACTION ITEMS

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

19. Resolution of the City Council of the City of Beaumont Opposing the Federal COVID-19 Vaccine Mandate

Public Comments:

P. Wayne - *Spoke in opposition of the resolution.*

R. Geyser - *Spoke in opposition of the resolution.*

G. Stull – *Spoke in support of the resolution*

D. Ellis – *Spoke in support of the vaccine mandate.*

J. Gentry - *Spoke in opposition of the resolution.*

S. Mehlman - *Spoke in opposition of the resolution.*

M Sattley - *Spoke in support of the resolution.*

S. Marocco - *Opposed State mandated vaccinations.*

S. Colchado - *Spoke in opposition of the resolution.*

C. Valdez - *Spoke in opposition of the resolution.*

J. Gentry - *Spoke in opposition of the resolution.*

Motion by Mayor White

Second by Council Member Lara

To table the item to December 21, 2021.

Ayes: Lara, White

Noes: Santos, Martinez

Absent: Fenn

Motion fails due to lack of majority vote.

Motion by Council Member Lara

Second by Mayor White

To adopt the draft resolution by waiving the full reading and adopting by title only, “A Resolution of the City Council of the City of Beaumont, California, Supporting the Position Taken by Numerous States that Have Challenged the Emergency Temporary Standards Adopted by the Occupational Health and Safety Administration (OSHA) Imposing Civil Penalties on Certain Employers Who Do Not Enforce Mandatory Vaccination Requirements by January 4, 2022.”

Ayes: Lara, White

Noes: Santos, Martinez

Absent: Fenn

Motion fails due to lack of majority vote.

11. Appointments to Finance and Audit Committee, Economic Development Committee, and Administrative Appeals Board

Motion by Council Member Santos

Second by Council Member Lara

To appoint Von Lawson to the Economic Development Committee.

Approved by a 4-0 vote.

Absent: Fenn

Motion by Council Member Lara

Second by Council Santos

To appoint Dennis Garcia to the Resident Business Owner position and to appoint David Vanderpool as Resident Member position on the Finance and Audit Committee.

Approved by a 4-0 vote.

Absent: Fenn

Motion by Mayor White

Second by Mayor Pro Tem Martinez

To appoint Christina Sanchez to the Resident Member position on the Finance and Audit Committee.

Approved by a 4-0 vote.

Absent: Fenn

Motion by Mayor White

Second by Council Member Lara

To appoint Caroline Hopkins to the Alternate Member position on the Finance and Audit Committee.

Approved by a 4-0 vote.

Absent: Fenn

12. Approve a Non-Exclusive License Agreement with the Cherry Festival Association to Operate and Maintain an Office and Meeting Room Space in the Albert A. Chatigny, Sr. Community Recreation Center Located at 1310 East Oak Valley Parkway and Request to Waive Fees Associated with Facility Usage

Motion by Mayor White

Second by Council Member Lara

To approve the non-exclusive license agreement with the Cherry Festival Association and authorize the City Manager to execute the agreement on behalf of the City of Beaumont.

Approved by a 4-0 vote.

Absent: Fenn

13. First Amendment to the Public Works Agreement with Mariscal Painting, Inc., for the Repaint and Stucco Project at City Hall (CIP F-01) to Include Repainting of Building B and Building D in the Amount Not to Exceed \$35,200 and Authorize the City Manager to Approve Additional Change Orders up to \$3,520

Motion by Mayor Lara

Second by Council Member Santos

To approve the First Amendment to the Public Works Agreement with Mariscal Painting, Inc., in the amount of \$35,200 for the repainting of Buildings B and D for a total revised contract amount of \$112,566; and authorize the City Manager to approve change orders up to \$3,520.

Approved by a 4-0 vote.

Absent: Fenn

14. Approve Second Amendment to Agreement for an Extension of a Contract with Clinical Laboratory Services of San Bernardino, Inc. to Provide Laboratory Testing Services at the City of Beaumont Wastewater Treatment Plant in an Amount Not to Exceed \$126,800

Motion by Council Member Lara

Second by Mayor White

To approve a Second Amendment to Agreement for an extension to January 2, 2023, with Clinical Laboratory Services of San Bernardino, Inc., to provide laboratory testing services at the City of Beaumont Wastewater Treatment Plant in the amount not to exceed \$126,800.00 per year.

Approved by a 4-0 vote.

Absent: Fenn

15. Contract for Full Cost Allocation Plan and Comprehensive User Fee Study Services

Motion by Council Member Lara

Second by Council Member Santos

To approve a professional services agreement with Revenue and Costs Specialists for full cost allocation plan and comprehensive user fee study services.

Approved by a 4-0 vote.

Absent: Fenn

16. Establish Public Agency Retirement Services 115 Trust – Post-Employment Benefits Trust Program Account and Appoint Plan Administrator

Motion by Council Member Lara

Second by Mayor White

To waive the full reading and adopt by title only, “A Resolution of the City Council of the City of Beaumont Approving the Adoption of the Public Agencies Post-Employment Benefits Trust Administered by Public Agency Retirement Services (PARS).”

Approved by a 4-0 vote.

Absent: Fenn

17. Resolution to Adopt Emergency Operations Plan

Motion by Mayor White

Second by Council Member Santos

To waive the full reading and adopt by title only, “A Resolution of the City Council of the City of Beaumont, California, Adopting the City of Beaumont Emergency Operations Plan.”

Approved by a 4-0 vote.

Absent: Fenn

18. Discussion and Direction on Food Trucks (Motorized, Mobile Food Vendors)

Public Comment:

V. Sternjacob - Spoke in opposition of food trucks and concern for lack of health regulation.

Direction to staff to bring back an ordinance or policy for review.

LEGISLATIVE UPDATES AND DISCUSSION

ECONOMIC DEVELOPMENT UPDATE

Economic Development Committee will meet tomorrow, December 8th.

CITY TREASURER REPORT

Finance and Audit Committee meeting will be postponed until December 20th.

CITY CLERK REPORT

No report

CITY ATTORNEY REPORT

20. Current Pending Litigation

CITY MANAGER REPORT

Gave an update to the outreach City staff has conducted to get up to date information from Caltrans regarding the I-10 tune up and ramp closures.

FUTURE AGENDA ITEMS

- **Development Standards**
- **Youth Council**
- **Downtown Renovation**

COUNCIL REPORTS

Santos - *No report.*

Fenn - Absent.

Martinez - *No report.*

White - *Gave recognition to outgoing Mayor Lara.*

Lara - *Attended a WRCOG meeting.*

ADJOURNMENT at 10:07 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, December 21, 2021, at 5:00 p.m., unless otherwise posted.