



CITY COUNCIL CLOSED & REGULAR SESSION

550 E. Sixth Street, Beaumont, CA

Tuesday, August 02, 2022

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

CALL TO ORDER at 5:00 p.m.

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

Public Comments Regarding Closed Session

None

1. Conference with Real Property Negotiators Pursuant to Government Code Section 54956.8: Property: APNs 418-190-006, 418-190-007; 418-140-028; 418-140-029; and Portions of 418-190-004 and 418-190-005. Agency Negotiator: City Manager Elizabeth Gibbs. Negotiating Parties are City of Beaumont as Seller and 5th Street Development, LLC as Potential Buyer. Under Negotiation are Price and Terms

No reportable action.

2. Conference with Legal Counsel Regarding Existing Litigation Pursuant to Government Code Section 54956.9(d)(1): In the Matter of the Appeal of Membership Determination of James J. Gregg & City of Beaumont, OAH No. 201807055.1

No reportable action.

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

No reportable action.

4. Conference with Legal Counsel – Anticipated Litigation: Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2) and/or(3) Regarding Bid Protest Related to Westside Fire Station Project

No reportable action.

Adjourn to Regular Session

REGULAR SESSION - 6:00 PM

CALL TO ORDER at 6:19 p.m.

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

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

Adjustments to the Agenda: **Move item 22 after the Consent Calendar.**

Conflict of Interest Disclosure: **None**

ANNOUNCEMENTS/ RECOGNITION / PROCLAMATIONS / CORRESPONDENCE

1. Proclamation - Purple Heart Day
2. Cherry Festival Association Presentation to City Council

PUBLIC COMMENT PERIOD (ITEMS NOT ON THE AGENDA)

None

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 July 19, 2022.

4. Ratification of Warrants

Recommended Action:

Ratify Warrants dated:

June 30, 2022

July 11, 2022

5. Accept Security Agreement and Performance and Payment Bonds for (Project / Bond Number / Improvement):

Plot Plan No. 2019-0223 / 674215565 / Streets

Recommended Action:

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

- **Plot Plan No. 2019-0223 / 674215565 / Streets**

6. Authorize Staff to Issue a Bond Exoneration Letter for Performance and Payment Bonds, and Accept Maintenance Bonds

Recommended Action:

Authorize City staff to issue a Bond Exoneration Letter for Performance and Payment Bonds and Accept Maintenance Bonds for (Project / Bond Number / Improvement / Maintenance Bond Number):

- **Tract Map No. 37426 / 0216988 / Street / 0216988-M**
- **Tract Map No. 31462-7 / PB00535000069 / Monuments**
- **Tract Map No. 31462-7/ PB00535000068 / Street, Sewer, & Storm Drain / PB00535000068-M**

7. Adopt Resolution of the City Council Ordering the Collection of Weed Abatement Charges and Directing the County Auditor to Collect Such Fees on the Tax Rolls

Recommended Action:

Waive the full reading and adopt by title only “A Resolution of the City Council of the City of Beaumont, California, Ordering the Collection of Weed Abatement Charges and Directing the County Auditor to Collect Such Fees on the Tax Rolls.”

8. Approve the Second Amendment of the Wastewater Treatment Plant Chemical Supply Contract with HASA, Inc.

Recommended Action:

Approve a second amendment to the Chemical Supply Agreement with HASA, Inc., extending the duration of the contract for one year and agreeing to the adjusted rates as outlined in the amendment.

9. Approve the Second Amendment of the Wastewater Treatment Plant Chemical Supply Contract with NorthStar Chemical

Recommended Action:

Approve a second amendment to the Chemical Supply Agreement with NorthStar Chemical with any non-substantive changes made by the City Attorney consisting of a one-year extension of the existing contract for the supply of the listed chemicals with adjusted quarterly rates as outlined, not to exceed the Producer Price Index by Commodity for chemicals, currently running at 16%.

10. Amendment to the Perricone Juices Pretreatment Facilities Agreement with an Extension until December 31, 2023

Recommended Action:

Approve an amendment to the Perricone Juices Pretreatment Facilities Agreement, granting an extension to December 31, 2023, including a \$3.24/HCF rate for July 1, 2022 through June 30, 2023, and a \$3.41/HCF rate for the period of July 1, 2023 through December 31, 2023.

**Motion by Council Member Lara
Second by Council Member Santos
To approve the Consent Calendar
Approved by a unanimous vote.**

11. Discussion on a Proposed Land Use Management Policy for Logistics, Warehouse, Distribution and Other Similar Industrial Development

Public Comments:

M. Daniel - (written comment) Commended Council on the development of a policy, and pointed out some concerns.

E. Morgan - (written comment) Pointed out specific concerns within the draft.

T. Johnson - Spoke to concerns on new warehouses within the City

B. Blankenship - Concerned with some of the conditions listed within the policy.

S. Mehlman - Asked for additional clarification within the policy.

S. Ramey - Spoke to current traffic concerns within the City.

Discussion and direction to staff to make modifications to the draft policy.

PUBLIC HEARINGS

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

12. Public Hearing to Consider the Placement of Delinquent Sewer Service Charges on The Property Tax Roll

Public Hearing opened at 7:57 p.m.

C. Peters - Protested the sewer charges for his property and protested the placement of his charges on the tax roll.

Public Hearing closed at 8:01 p.m.

**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, California, Authorizing the Collection of Delinquent Sewage Service Fees and Charges on the Property Tax Roll,” with the modification of removing the protested accounts.

Approved by a unanimous vote.

13. Public Hearing to Consider the Placement of Delinquent Solid Waste Handling Service Charges on The Property Tax Roll

Public Hearing opened at 8:09 p.m.

No comments

Public Hearing closed at 8:09 p.m.

Motion by Mayor Pro Tem Martinez

Second by Council Member Fenn

To waive the full reading and adopt by title only, “A Resolution of the City Council of the City of Beaumont, California, Authorizing the Collection of Delinquent Solid Waste Handling Service Charges on the Property Tax Roll.”

Approved by a unanimous vote.

ACTION ITEMS

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

14. Update from Mayor Pro Tem Martinez on Delivering the Letter Regarding “Failure to Represent the Residents of Beaumont” to the County of Riverside Board of Supervisors

Received. No action taken.

15. Authorize Employment Contract with City Manager

Motion by Council Member Lara

Second by Council Member Fenn

To approve the employment agreement with Elizabeth Gibbs and authorize the Mayor to sign the agreement.

Approved by a unanimous vote.

16. Approval of Compensation Plan and Salary Table

Motion by Mayor Pro Tem Martinez

Second by Mayor White

To approve of the Compensation Plan and Salary Table.

Approved by a unanimous vote.

17. Annual Resolution Directing the Riverside County Auditor-Controller to Place the Levy of Special Taxes for the City's Community Facilities Districts on the Fiscal Year 2022-2023 County Tax Roll

Motion by Mayor White

Second by Council Member Fenn

To waive the full reading and adopt by title only “A Resolution of the City Council of the City of Beaumont, California, Levying the Special Tax in Community Facilities Districts No. 93-1, 2016-1, 2016-2, 2016-3, 2016-4, 2018-1, 2019-1 and 2021-1 and Directing the County Auditor to Collect the Same on the Tax Rolls (93-1, 2016-1, 2016-2, 2016-3, 2016-4, 2018-1, 2019-1 and 2021-1).”

Approved by a unanimous vote.

Mayor White recused himself on the adoption of this resolution due to his residence being within improvement area 18.

Motion by Council Member Fenn

Second by Council Member Lara

To waive the full reading and adopt by title only “A Resolution of the City Council of the City of Beaumont, California, Levying the Special Tax in Community Facilities Districts No. 93-1 (IA 18) and Directing the County Auditor to Collect the Same on the Tax Rolls (IA 18)”

Approved by a 4-0 vote

Recused: White

Council Members Fenn and Santos recused themselves on the adoption of this resolution due to their residences being within improvement areas 14 and 14B.

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, California, Levying the Special Tax in Community Facilities Districts No. 93-1 (IA 14 and 14B) and Directing the County Auditor to Collect the Same on the Tax Rolls (IA 14 and 14B).”

Approved by a 3-0 vote

Recused: Fenn, Santos

Mayor Pro Tem Martinez recused himself on the adoption of this resolution due to his residence being within improvement area 9.

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, Levying the Special Tax in Community Facilities Districts No. 93-1 (IA 9) and Directing the County Auditor to Collect the Same on the Tax Rolls (IA 9).”

**Approved by a 4-0 vote
Recused: Martinez**

Council Member Santos recused himself on the adoption of this resolution due to his residence being within improvement area 17A.

**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, California, Levying the Special Tax in Community Facilities Districts No. 93-1 (IA 17A) and Directing the County Auditor to Collect the Same on the Tax Rolls (IA 17A).”

**Approved by a 4-0 vote
Recused: Santos**

18. Award a Public Works Agreement to Kemcorp Construction Inc. for Construction of Westside Fire Station CIP 2018-028

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

To waive all minor bid irregularities and award a public works agreement to Kemcorp Construction Inc. for construction of Westside Fire Station CIP 2018-028 in an amount not to exceed \$7,475,000; and, authorize the City Manager to sign change orders up to an additional \$638,500 for a total construction budget of \$8,113,500.

Approved by a unanimous vote.

19. Update on Veterans and First Responders Memorial Plaza Improvement Project

Consensus to receive and file the concept and authorize staff to proceed with a Request for Proposal for Professional Services of a Landscape Architect for full design of the plaza to include engineered plans and complete construction documents.

20. Banking Services Contract

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

To authorize the Mayor to sign the contract and authorize the City Manager to sign any associated agreements between the City and Wells Fargo to provide continuity of banking services needed to ensure timely processing of financial activities.

Approved by a unanimous vote.

21. Traffic Mitigation Measures for Veile Avenue at Sixth Street

Consensus to use a phased approach with signage of existing truck route and monitor for six months, then report back to City Council.

22. Review and Discussion of Continuing or Rescinding Local Emergency Declaration Established via the Adoption of City of Beaumont Resolution No. 2020-07 Adopted on March 17, 2020

Motion by Mayor White

Second by Council Member Fenn

To rescind Resolution No. 2020-07.

Approved by a unanimous vote.

LEGISLATIVE UPDATES AND DISCUSSION

ECONOMIC DEVELOPMENT UPDATE

No report, next meeting will be August 10th.

CITY TREASURER REPORT

Next meeting will be August 8th.

CITY CLERK REPORT

No report.

CITY ATTORNEY REPORT

No report.

CITY MANAGER REPORT

23. Park Projects at a Glance

FUTURE AGENDA ITEMS

None

COUNCIL REPORTS

Lara – *Attended the Touch a Truck event*

Santos – *No report.*

Fenn – *Attended the Banning Opportunity Village ribbon cutting*

Martinez - *Attended Land Use Mitigation Committee meeting*

White – *No report.*

ADJOURNMENT at 10:51 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, August 16, 2022, at 5:00 p.m., unless otherwise posted.