



CITY COUNCIL CLOSED & REGULAR SESSION

550 E. Sixth Street, Beaumont, CA

Tuesday, April 19, 2022
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 - 4:30 PM

CALL TO ORDER at 4:34 p.m.

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

Public Comments Regarding Closed Session

None

Interim City Manager, Elizabeth Gibbs recused herself due to conflicts of interest on Closed Session Items 1 and 2.

1. Public Employee Discipline/Dismissal/Release Pursuant to Government Code Section 54957

Motion by Council Member Fenn

Second by Mayor White

To approve mutual separation and settlement agreement with former City Manager, Todd Parton.

Approved by a unanimous vote.

Motion by Mayor White

Second by Council Member Lara

To approve separation and settlement agreement with Assistant City Manager, Kristine Day.

Approved by a unanimous vote.

2. Conference with Labor Negotiators Pursuant to Government Code 54957.6. Agency Designated Representative: Mayor Lloyd White or His Designee. Unrepresented Employee: Interim City Manager

No reportable action.

3. Conference with Legal Counsel Regarding Anticipated Litigation Pursuant to Government Code Section 54956.9(d)(2) and/or (3): Two Claims: (i) Late Claim By Cesar Munoz Delgado; and (ii) Claim of James Gregg

Claim of James Gregg: No reportable action.

Late Claim of Cesar Munoz Delgado:

Motion by Council Member Lara

Second by Council Member Santos

To ratify the denial of application to file a late claim from Cesar Munoz Delgado.

Approved by a unanimous vote.

Motion by Council Member Lara

Second by Mayor Pro Tem Martinez

To defend and indemnify the County of Riverside in the case pursuant to the terms of an existing MOU between the City and County

4. Conference with Labor Negotiators - Pursuant to Government Code Section 54957.6 City Designated Representatives Interim City Manager Elizabeth Gibbs and Administrative Services Director Kari Mendoza. Employee Organizations: SEIU

No reportable action.

REGULAR SESSION - 6:00 PM

CALL TO ORDER at 6:03 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 13 before the Public Hearings**

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.

K. Walton - *Representing the Pass Water Agency introduced himself to Interim City Manager E. Gibbs.*

R. Berg - *Raised concerns regarding the added containers on the mortuary property.*

L. Smilac - *Raised concerns regarding the Banning Point warehouse and its impacts on traffic.*

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.

Request to pull Item 4 for public comment.

1. Approval of Minutes

Recommended Action:

Approve Minutes dated April 5, 2022.

2. Ratification of Warrants

Recommended Action:

Ratify Warrants dated:

**March 24, 2022, and
April 1, 2022.**

3. FY2022 General Fund and Wastewater Fund Budget to Actual through March 2022 and Third Quarter Investment Report and Certification

Recommended Action:

Receive and file attached reports.

4. Accept Security Agreement and Performance and Payment Bonds

Recommended Action:

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

- Tract Map No. 31462-16 / 30152515 / Streets;
- Tract Map No. 31462-26 / 30152512 / Streets;
- Parcel Map No. 37938 / LICX1209830 / Survey Monuments;
- Tract Map No. 31462-20 / 30148216 / Sewer;
- Tract Map No. 31462-20 / 30148220 / Storm Drain;
- Tract Map No. 31462-23 / 30148217 / Sewer;
- Tract Map No. 31462-23 / 30148221 / Storm Drain;
- Tract Map No. 31462-24 / 30148218 / Sewer;
- Tract Map No. 31462-24 / 30148222 / Storm Drain;
- Tract Map No. 31462-16 / 30152514 / Sewer;
- Tract Map No. 31462-16 / 30152516 / Storm Drain;
- Tract Map No. 31462-26 / 30152513 / Sewer; and
- Tract Map No. 31462-26 / 30152511 / Storm Drain.

5. 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. 27971-3 / 1001053556 / Sewer / 1001053556-M,
- Tract Map No. 27971-2 / 1001053555 / Sewer / 1001053555-M,
- Tract Map No. 27971-5 / PB03010405608 / Sewer / PB03010405608-M,
and
- Tract Map No. 27971 / 1001053559 / Force Main Sewer / 1001053559-M.

6. A Resolution of the City of Beaumont Authorizing the Mayor to Accept the Offer of Dedication for Three Easements for Drainage Purposes; Approve the Certificate of Acceptance for Three Easements for Drainage Purposes; 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 Three Easements for Drainage Purposes;" Approve the Certificate of Acceptance for Three Easements for Drainage Purposes; and record the Offer of Dedication documents with the Riverside County Clerk Recorder's Office.

7. Consider Adopting a Resolution Waiving the Facility Use and Staff Fees at the Albert A. Chatigny Sr. Community Recreation Center (CRC) for Beaumont-Cherry Valley Rotary Club Cherries Jubilee Event

Recommended Action:

Waive the full reading and adopt by title only, "A Resolution of the City of Beaumont Authorizing the Waiver of a One-Time Facility Use Fee at the Albert A. Chatigny Sr. Community Recreation Center (CRC) for Beaumont Cherry Valley Rotary Club."

8. Consider Adopting a Resolution Waiving the Facility Use and Staff Fees at the Albert A. Chatigny Sr. Community Recreation Center (CRC) for the Pass Patchers Quilt Guild

Recommended Action:

Waive the full reading and adopt by title only, "A Resolution of the City of Beaumont Authorizing the Waiver of a One-Time Facility Use Fee at the Albert A. Chatigny Sr. Community Recreation Center (CRC) for Pass Patchers Quilt Guild."

9. Authorize the Purchase of KACE Systems Management Appliance Solution with Dell, Inc. in an Amount Not to Exceed \$36,345.88

Recommended Action:

Approve and authorize the issuance of a purchase order to Dell, Inc. for the KACE Systems Management Appliance in the amount of \$36,345.88.

10. Ratification of Emergency Repair Costs to T.E. Roberts, Inc., for the City's Wastewater Collect System Force Main Line Repairs in the Amount of \$34,279.47

Recommended Action:

Ratification of emergency repair costs to T.E. Roberts, Inc. for the City's wastewater collection system force main line repairs in the amount of \$34,279.47.

**Motion by Council Member Fenn
Second by Council Member Lara**

To approve Consent Calendar items 1-3 and 5-10.

Approved by a unanimous vote.

4. Accept Security Agreement and Performance and Payment Bonds

Recommended Action:

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

- Tract Map No. 31462-16 / 30152515 / Streets;
- Tract Map No. 31462-26 / 30152512 / Streets;
- Parcel Map No. 37938 / LICX1209830 / Survey Monuments;
- Tract Map No. 31462-20 / 30148216 / Sewer;
- Tract Map No. 31462-20 / 30148220 / Storm Drain;
- Tract Map No. 31462-23 / 30148217 / Sewer;
- Tract Map No. 31462-23 / 30148221 / Storm Drain;
- Tract Map No. 31462-24 / 30148218 / Sewer;
- Tract Map No. 31462-24 / 30148222 / Storm Drain;
- Tract Map No. 31462-16 / 30152514 / Sewer;
- Tract Map No. 31462-16 / 30152516 / Storm Drain;
- Tract Map No. 31462-26 / 30152513 / Sewer; and
- Tract Map No. 31462-26 / 30152511 / Storm Drain.

Public Comment:

D. Hendrix – *Representative of Meritage Homes, appreciative of staff during this project.*

Motion by Council Member Lara

Second by Council Member Fenn

To approve as recommended.

Approved by a unanimous vote.

13. Authorize Employment Contract with Interim City Manager

Recommended Action:

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

Motion by Mayor White

Second by Council Member Lara

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

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 Approve An Ordinance of the City of Beaumont Regarding Assembly Bill 481 – Military/Specialized Police Equipment Policy and Use

Public Hearing opened at 6:44 p.m.

No comments

Public Hearing closed at 6:48 p.m.

Motion by Council Member Lara

Second by Council Member Santos

To waive the full first reading and approve by title only, “An Ordinance of the City Of Beaumont for the adoption of a Military Equipment Use Policy, otherwise referred to herein as a Specialized Police Equipment Use Policy, Pursuant to Assembly Bill 481 and Government Code §7070 for Beaumont Police Department.”

Approved by a unanimous vote.

12. Public Hearing: Fiscal Year 2022/23- 2024/25 Short Range Transit Plan- Final Draft

Public Hearing opened at 6:44 p.m.

No comments

Public Hearing closed at 6:48 p.m.

To adopt the plan.

Approved by a unanimous vote.

ACTION ITEMS

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

14. FY2021 Single Audit Report

Motion by Council Member Lara

Second by Mayor White

To receive and file attached report.

Approved by a unanimous vote.

15. Financial Training Presentation

Consensus by Council to direct staff to make modifications to the presentation to include financial statement notes and findings.

16. Ratification of Purchase Order Approval for Emergency Repair Costs to Upper Oak Valley Lift Station Pump Repair Payable to Xylem Water Solutions USA, Inc., in an Amount Not to Exceed 44,398.64

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

To ratify the approval of purchase order for emergency repairs completed and payable to Xylem Water Solutions USA, Inc., for an amount of \$40,362.40 plus an additional 10% contingency for additional freight and shipping charges.

Approved by a unanimous vote.

17. Approve the Purchase of a Superior Playground Structure and Shade Sail Structure in the Amount Not to Exceed \$42,100.35 from Kraftsman Commercial Playground and Water Parks, Inc.

**Motion by Council Member Lara
Second by Council Member Santos**

To approve the Purchase of a Superior Playground Structure and Shade Sail Structure in the Amount Not to Exceed \$42,100.35 from Kraftsman Commercial Playground and Water Parks, Inc.

Approved by a unanimous vote.

18. Second Amendment to the Professional Services Agreement for the PLC Upgrade Project with SKM Engineering, LLC in an Amount Not to Exceed \$21,777

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

**To approve the Second Amendment to the Professional Services Agreement for the PLC Upgrade Project with SKM Engineering, LLC in an Amount Not to Exceed \$21,777;
And Item 19: To approve Change Order No. 3 for the PLC Upgrade Project with Southern Contracting Company in an Amount Not to Exceed \$71,531.**

Approved by a unanimous vote.

19. Change Order No. 3 for the PLC Upgrade Project with Southern Contracting Company in an Amount Not to Exceed \$71,531

See above.

20. Approval of City Attorney Invoices for the Month of March 2022

City Attorney, John Pinkney recused himself on this item.

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

To approve invoices in the amount of \$150,902.85.

Approved by a unanimous vote.

LEGISLATIVE UPDATES AND DISCUSSION

ECONOMIC DEVELOPMENT UPDATE

Economic Development Committee Report Out

CITY TREASURER REPORT

Finance and Audit Committee report out from Council Member Fenn.

CITY CLERK REPORT

Gave a progress report of projects and public records requests for the month of March within the City Clerk's office.

CITY ATTORNEY REPORT

No report.

INTERIM CITY MANAGER REPORT

21. Department Projects Update - March 2022

FUTURE AGENDA ITEMS

COUNCIL REPORTS

Lara - *Gave a report out from WRCOG, thanked staff for the Easter Egg Drop event.*

Santos - *Attended the Morongo Outreach event and the ground break for a mobility hub and congratulated E. Gibbs.*

Fenn - *Gave a report out from the TNOW meeting.*

Martinez - *Attended the Student of the Month event, Vietnam Veteran event, Banning Chamber Installation event, and RCA meeting and welcomed E. Gibbs.*

White - *No report.*

ADJOURNMENT at 7:54 p.m.

The next regular meeting of the Beaumont City Council, Beaumont Financing Authority, the Beaumont Successor Agency (formerly RDA), the Beaumont Utility Authority, the Beaumont Parking Authority and the Beaumont Public Improvement Agency is scheduled for Tuesday, May 3, 2022, at 5:00 p.m., unless otherwise posted.