



## Staff Report

**TO:** City Council

**FROM:** Kristine Day, Assistant City Manager

**DATE:** August 3, 2021

**SUBJECT:** Multi-Jurisdictional Agreement between the City of Beaumont and the City of Calimesa Relating to the Provision of Sewer Services by the City of Beaumont to Certain Property Within the City of Calimesa (Country Club Village Project)

### Background and Analysis:

In December 2002, the City of Beaumont entered into a settlement agreement with Calimesa, Oak Valley Partners, L.P., and Pardee Construction Company regarding the annexation of the Oak Valley SPCGA Golf Course Specific Plan Area (Exhibit B). As an operative provision of a settlement agreement, the City of Beaumont agreed to provide sewer services to certain real property within Calimesa. The properties included in the settlement agreement consist of approximately 90 acres in the Calimesa jurisdiction.

One of the affected properties subject to the settlement agreement is an approximately 30-acre mixed use project titled Country Club Village, located at the intersection of Desert Lawn Drive and Champions Drive as shown below. As entitled, the project consists of a +/- 266-unit senior assisted living/memory care facility, 150 room/56,750 sf hotel, 30,000 sf medical office building, a 17,200-sf market, 7,300 sf of retail space, a 4,800 sf restaurant, and 1,725 sf drive through pad.



Pursuant to Section 1(c) of the settlement agreement, the City of Beaumont issued a sewer Will Serve letter to the Country Club Village project on December 16, 2014, (Exhibit E). The Will Serve letter stated that the details regarding sewer service to the project would be approved by the City Council of the City of Beaumont prior to service being provided to the property. Upon project approval, the applicant approached the City of Beaumont to determine the requirements to obtain the sewer connection. City of Beaumont staff provided the applicant with the following pre-connection requirements:

1. **Sewer study.** The applicant shall submit a sewer study to the City of Beaumont to determine the scope of any physical improvements required to connect to its municipal wastewater system. These improvements may include (but are not limited to) the construction/expansion of lift station facilities, an increased capacity for existing conveyance lines, and/or the installation of new conveyance lines from the point of connection to the wastewater treatment plant. The cost of the improvements shall be borne by the applicant. **Status: The applicant is currently finalizing the sewer study process with the City of Beaumont.**
2. **Local Agency Formation Commission Approval (LAFCO).** Pursuant to California Government Code Section 56133(a), a city may provide new services by agreement outside of its jurisdictional boundary only if it first requests and receives approval from the Local Agency Formation Commission (LAFCO). In a letter dated November 4, 2020 (Exhibit C), LAFCO provided notice that the City of Beaumont may only provide sewer services to the project if the Cities of Calimesa and Beaumont execute a Multi-Jurisdictional Agreement approved by LAFCO. **Status: The applicant is coordinating with the City of Beaumont to prepare and submit the necessary application package to LAFCO. Should both City Councils approve the agreement (Exhibit A), it will be submitted to LAFCO for review and approval.**
3. **Regulatory Approvals.** The City of Beaumont recently obtained authorization to discharge non-reclaimable waste from its wastewater treatment plant through the Inland Empire Brine Line to a treatment plant that is owned and operated by the Orange County Sanitation District. As such, the applicant will be required to enter into a second multi-jurisdictional agreement between the City of Beaumont, City Calimesa, and the applicant. This agreement would authorize the City of Beaumont to perform ongoing code enforcement functions within the project related to wastewater discharge, to require wastewater surveys at the time of business license submittal or change in occupancy, and to enforce its pre-treatment ordinance. **Status: Work has not commenced on this second multi-jurisdictional agreement. It will be considered by both City Councils at a later date.**

**Fiscal Impact:**

All costs associated with this item and annexation into the City of Beaumont Wastewater Service Area are covered by developer deposits.

**Recommended Action:**

City staff recommends approval of the Multi-Jurisdictional Agreement between the City of Beaumont and the City of Calimesa relating to the provision of Sewer Services by the City of Beaumont to certain property within the City of Calimesa (Country Club Village Project).

**Attachments:**

- A. Multi-Jurisdictional Agreement
- B. Settlement Agreement
- C. LAFCO Letter dated November 4, 2020
- D. City of Calimesa Staff Report for August 2, 2021 meeting
- E. Will Serve Letter from the City of Beaumont dated December 14, 2014