



CITY COUNCIL CLOSED & REGULAR SESSION MINUTES

March 7, 2023

**Closed Session: 5:00 PM Regular Meeting: 6:00 PM
550 E. Sixth Street, Beaumont, CA**

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

CLOSED SESSION

A. CALL TO ORDER at 5:00 p.m.

Mayor Martinez, Mayor Pro Tem Fenn, Council Member Lara, Council Member Voigt, Council Member White

B. PUBLIC COMMENTS REGARDING CLOSED SESSION

N. Illoputaife - Owner of 1421 stated she would be taking over the construction repairs of the home.

Ruben - Spoke on behalf of the contractor and is looking forward to helping the homeowner to get the construction complete and up to code.

B.1 Conference with Real Property Negotiators Pursuant to Government Code Section 54956.8

Property: 826 Euclid Avenue (APN 415-333-007) , 802 Euclid Avenue (APN 415-333-009) and vacant land described as APN Numbers 415-333 008, 010, 011 and 012) Agency negotiator: Elizabeth Gibbs Negotiating parties: Beaumont Concrete Co./Daniel Thomas. Under negotiation: Price and other terms.

No reportable action.

- B.2 Conference with Legal Counsel Regarding Existing Litigation Pursuant to Government Code Section 54956.9(d)(1):

Megan Reeves v. City of Beaumont et. al. US Dist. C.D. Cal. Case No. 5:22-cv-01910-SB-MRW (cons. w/ 5:22-cv-02021-SB-MRW)

No reportable action.

- B.3 Conference with Legal Counsel Regarding Existing Litigation Pursuant to Government Code Section 54956.9(d)(1):

Ezekwesili Illoputaife et al. v. City of Beaumont et. al., US Dist. C.D. Cal. Case No. 5:21-CV-01452-JWH-AGR; Ezekwesili Illoputaife et al. v. City of Beaumont et. al., Riv. Sup. Ct. Case No. CVRI 2105069

No reportable action.

- B.4 Conference with Legal Counsel Regarding Existing Litigation Pursuant to Government Code Section 54956.9(d)(1):

Omar Ochoa v. City of Beaumont et. al. Riv. Sup. Ct. Case No. CVSW2300674

**Motion to defend the case
Motion by Council Member Lara
Second by Council Member Voigt**

Approved by a unanimous vote.

- B.5 Conference with Legal Counsel Regarding Existing Litigation Pursuant to Government Code Section 54956.9(d)(1):

Juan Gabriel Cazares et. al. v. City of Beaumont, Riv. Sup. Ct. Case No. CVRI2300446

**Motion to defend the case
Motion by Council Member Lara
Second by Mayor Pro Tem Fenn**

Approved by a unanimous vote.

- B.6 Public Employee Performance Evaluation Pursuant to Government Code Section 54957 Title: City Manager

No reportable action.

C. ADJOURNMENT TO CLOSED SESSION

REGULAR SESSION

D. CALL TO ORDER at 6:30 p.m.

Mayor Martinez, Mayor Pro Tem Fenn, Council Member Lara, Council Member Voigt, 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

Invocation

Adjustments to the Agenda: **None**

Conflict of Interest Disclosure: **None**

E. ANNOUNCEMENTS / RECOGNITION / PROCLAMATIONS / CORRESPONDENCE

E.1 Beaumont City Council Disclosure Training

F. PUBLIC COMMENT PERIOD (ITEMS NOT ON THE AGENDA)

No comments

G. 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.

Motion by Council Member White

Second by Council Member Lara

To approve the Consent Calendar.

Approved by a unanimous vote.

G.1 Ratification of Warrants

Ratify Warrants dated:

February 16, 2023

February 23, 2023

G.2 Approval of Minutes

Approve Minutes dated February 21, 2023.

G.3 Storm Water Management Facilities Covenant and Agreement

Approve Storm Water Management WQMP/BMP Facilities Covenant and Agreement for Highland Springs Remodel and G&G Pallets.

Approve the Storm Water Management WQMP/BMP Facilities Covenant and Agreement for Highland Springs Remodel and Development by M3K Highland LLC, and

Approve the Storm Water Management WQMP/BMP Facilities Covenant and Agreement for 202 E. Third Street by Jose Garcia, David Schuelke, and Emeline Schuelke.

- G.4 First Amendment to the Professional Services Agreement for Rogers, Anderson, Malody & Scott, LLP for Professional Auditing Services

Amendment to extend the term of the contract for one (1) year and increased labor costs.

Approve the First Amendment to the Professional Services Agreement with Rogers, Anderson, Malody & Scott, LLP for the first option year in an amount not to exceed \$55,800 for auditing services.

- G.5 Ratification of Emergency Repair Costs for Membrane Bioreactor (MBR) Pump – Capital Improvement Project No. 2017-005

Ratify emergency pump repairs in the amount of \$36,890.52.

Ratify the cost of emergency repairs in the amount of \$36,890.52 payable to DXP Enterprises, Inc.

- G.6 Update to the Economic Development Committee Policy and Procedures

Determination of authorized power of appointment to a voting seat on the Economic Development Committee.

Review and adopt the updated Economic Development Committee Policy and Procedure.

- G.7 Second Reading to Adopt Ordinance Amending Chapter 3.02 of the Beaumont Municipal Code – Procurement of Professional Services

Adoption of an ordinance amending Beaumont Municipal Code Chapter 3.02.

Waive the full, second reading and adopt by title only. “An Ordinance of the City Council of the City of Beaumont, California, Amending Chapter 3.02 to the City of Beaumont Municipal Code.”

H. YOUTH COUNCIL REPORT

Beaumont Youth Council Report Out and City Council Direction

Request to discuss interest in a regional youth committee. Request to have input on design of Stewart Park. Request to help advertise City events at school. Request to discuss the internship program and feedback on the program.

I. PUBLIC HEARINGS

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

I.1 Public Hearing and Consideration of Resolution Adopting an Updated User Fee Schedule

Specific service fees to be updated based on comprehensive user fee study. The adoption of this Resolution is exempt from the California Environmental Quality Act ("CEQA," Public Resources Code Sections 21000 *et seq.*), because it approves and sets forth a procedure for determining fees for the purpose of meeting the operating expenses of City departments, as set forth in Public Resources Code Section 21080(b)(8)(A) and Section 15273 of the California Environmental Quality Act Guidelines.

Public Hearing opened at 6:56 p.m.

No comments

Public Hearing continued to March 21, 2023.

Motion by Council Member White

Second by Council Member Lara

To continue the Public Hearing to March 21, 2023.

Approved by a unanimous vote.

J. ACTION ITEMS

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

J.1 Request to Approve Purchase of Restroom Modular for Police Department – Capital Improvement Project No. PS-08

Request to approve the purchase of a restroom modular to add sufficient restroom facilities to the Police Department, including the installation and connection to sewer and water.

Motion by Council Member White

Second by Jessica Voigt

Approve the purchase of the modular restrooms from Mobile Modular in the amount of \$89,262.53.

Approved by a unanimous vote

J.2 Approve a Purchase Order to GameTime, A Play-Core Company for a New Playground at Shadow Creek Park – in an Amount Not to Exceed \$196,866.14 – Capital Improvement Project No. P-16

Purchase order for playground equipment at Shadow Creek Park CIP No. P-16.

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

Approve a Purchase Order to GameTime for playground equipment in the amount of \$196,866.14 allocated to CIP No. P-16.

Approved by a unanimous vote

- J.3 Agreement for Purchase of Mitigation Bank Credits Associated with Capital Improvement Program (CIP) No. 2017-009 Pennsylvania Avenue Widening

Authorize an agreement in an amount of \$80,000 for purchase of mitigation bank credits associated with CIP 2017-009 Pennsylvania Avenue Widening.

**Motion by Jessica Voigt
Second by Mayor Pro Tem Fenn**

Authorize the Mayor to execute an agreement for sale of credits in an amount of \$80,000 for purchase of mitigation bank credits associated with CIP 2017-009, Pennsylvania Avenue Widening.

Approved by a unanimous vote

- J.4 Discussion and Direction on Sending a Legislative Delegation to Washington D.C. and Sacramento

Discussion and direction to staff on potentially sending a legislative delegation to Washington D.C. and Sacramento to lobby for funding for capital improvement projects.

**Consensus to send Mayor Pro Tem Fenn to the Sacramento Summit.
Consensus to send all Council Members that can attend to Washington D.C. with staff and the City's Legislative Consultant.**

- J.5 Discussion and Direction of Items to be Placed on the City Council's Consent Calendar

Discuss and provide direction to staff on items generally appropriate for the consent calendar.

Table this discussion. Bring to a future meeting an amendment to the ordinance allowing City Manager signing authority on Public Works contracts and maintenance agreements to match the newly adopted

City Manager signing authority of under \$75,000 for Professional Services.

K. LEGISLATIVE UPDATES AND DISCUSSION

L. ECONOMIC DEVELOPMENT UPDATE

Next Meeting is March 8, 2023.

M. CITY TREASURER REPORT

No report.

N. CITY CLERK REPORT

No report.

O. CITY ATTORNEY REPORT

Update of current litigation.

P. CITY MANAGER REPORT

Announced upcoming Shamrock Jam on March 12th.
Three Rings Ranch Playground is under construction.
IOA Golf Tournament is upcoming.

Q. FUTURE AGENDA ITEMS

- Short-term Rental Tax
- Position on the Closing of Jails
- Position on Chuck Walla National Monument

R. COUNCIL REPORTS

White - *No report*

Voigt – *Attended the CalCities New Council Training event*

Lara - *Gave a report out from RCA and announced upcoming General Assembly*

Fenn – *No report*

Martinez – *Attended a PLUS Committee Meeting, Sherwin Williams ribbon*

cutting, Perricone Juice tour, meeting with Sen. Ruiz and Sup. Gutierrez and a County Selection Committee Meeting.

S. ADJOURNMENT at 8:12 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, March 21, 2023, at 6:00 p.m. unless otherwise posted.