



CITY COUNCIL CLOSED & REGULAR SESSION MINUTES

April 4, 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.

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

B. PUBLIC COMMENTS REGARDING CLOSED SESSION

None.

B.1 Conference with Legal Counsel re Potential Initiation of Litigation Pursuant to Government Code 54956.9(d)(4)

One Potential Case.

No reportable action.

B.2 Conference with Real Property Negotiator Pursuant to Government Code Section 54956.8.

Property Description: Address: 252 W. Fourth Street. Agency Negotiator: City Manager Elizabeth Gibbs or her designee. Negotiating Parties: City of Beaumont as potential lessee and Fourth Street Industrial Park as potential lessor. Under Negotiation: Price and Terms.

No reportable action.

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

Non reportable action.

B.4 Conference with Labor Negotiators Pursuant to Government Code Section 54957.6

Agency designated representatives: Councilmember Jessica Voigt and Mayor Pro Tem David Fenn. Unrepresented Employee: City Manager.

No reportable action.

C. ADJOURNMENT TO CLOSED SESSION

REGULAR SESSION

D. CALL TO ORDER at 6:14 p.m.

Present: 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: **None**

Action of any Requests for Excused Absence: **None**

Pledge of Allegiance

Adjustments to the Agenda: **None**

Conflict of Interest Disclosure: **None**

E. ANNOUNCEMENTS / RECOGNITION / PROCLAMATIONS / CORRESPONDENCE

E.1 One Legacy Donation Month Proclamation

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

A. Eventov - *Representing So Cal Gas Co. Spoke to the rising costs and the discounts and grants available.*

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 Mayor Pro Tem Fenn
Second by Council Member Voigt**

Approved by a unanimous vote.

G.1 Ratification of Warrants

Ratify Warrants dated:

March 20, 2023

March 24, 2023

G.2 Approval of Minutes

Approve Minutes dated March 21, 2023.

G.3 Authorize Changes to Wastewater Department Position Allocation

The Wastewater Department seeks to replace a Wastewater Plant Operator II position with a Wastewater Plant Operator III position.

Approve the elimination of one Wastewater Plant Operator II (WWPII).

Approve the addition of one Wastewater Plant Operator III (WWPIII).

G.4 Second Reading of Proposed Amendments to Beaumont Municipal Code Chapters 13.08.110 and 13.09

Recommended changes to Beaumont Municipal Code Chapter 13.08.110 Maintenance of Sewer Laterals and Chapter 13.09 Fats, Oils and Grease (F.O.G.) Management in Food Service Establishments to implement the F.O.G. program and Sewer System Management Plan (SSMP).

Waive the second full readings and approve by titles only, “An Ordinance of the City Council of the City of Beaumont Amending Chapter 13.08.110 Concerning Maintenance of Sewer Laterals of the City of Beaumont Municipal Code.”; and

“An Ordinance of the City Council of the City of Beaumont, California Amending Chapter 13.09 Concerning Regulating Fats, Oils and Grease (F.O.G.) of the City of Beaumont Municipal Code.”

G.5 Accept Public Improvements and Exonerate Maintenance Bond for Tract No. 37298-1 and Parcel Map No. 36426

Maintenance Bond Exoneration for street improvements associated with Tract Map No. 37298-1 and sewer improvements associated with Parcel Map No. 36426.

Accept the public improvements, authorize the Mayor to sign the Certificate of Acceptance, and authorize staff to issue a bond exoneration letter for maintenance bonds for (Project / Bond Number / Improvement):

- **Tract Map No. 37298-1 / CMS331828-M / Street**

- **Parcel Map No. 36426 / 107506777 / Sewer**

G.6 Set Time, Date and Place for a Special Workshop

Set the time, date and place for a special workshop to discuss the wastewater sewer rate study.

Hold a special workshop on April 10, 2023, from 4:00 – 6:00 p.m.

G.7 National Opioid Settlements – Second Round

Resolution to authorize the City to enter into the participation and allocation agreements for the National Opioid Settlements.

Waive the full reading and adopt by title only, “A Resolution of the City Council of the City of Beaumont Authorizing the City to Enter into the Settlement Agreements with CVS, Allergan, Teva, Walmart, and Walgreens, Agree to the Terms of the Related State-Subdivision Agreements, and Authorize Entry into the Related State-Subdivision Agreements with the Attorney General.”

H. YOUTH COUNCIL REPORT

Beaumont Youth Council Report Out and City Council Direction

I. PUBLIC HEARINGS

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

I.1 Public Hearing to Consider an Ordinance Amending Chapter 3.01 of the Beaumont Municipal Code – Specific Provisions for Bidding, Contracting and Purchases

Adoption of an ordinance amending Beaumont Code Chapter 3.01.

Public Hearing opened at 6:30 p.m.

No speakers

Public Hearing closed at 6:30 p.m.

Motion by Council Member Lara

Second by Council Member White

Hold a Public Hearing; and

Waive the full reading and approve the first reading by title only, “An Ordinance of the City Council of the City of Beaumont, California, Amending Chapter 3.01 to the City of Beaumont Municipal Code.” with changes to include wording that the purchase must have been included in the Council approved budget. As a procedure, a quarterly report will be brought to the the Financial and Audit Committee for review.

Approved by a unanimous vote

J. ACTION ITEMS

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

J.1 Formation of CFD No. 2023-1 (Fairway Canyon)

Adopt by resolution the City of Beaumont's intent to establish City of Beaumont Community Facilities District No. 2023-1 (Fairway Canyon) and improvements therein, and to declare intention to incur bond indebtedness within each improvement area.

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

Waive the full reading and adopt by titles only, "Resolution of the City Council of the City of Beaumont, California, Declaring its Intention to Establish City of Beaumont Community Facilities District No. 2023-1 (Fairway Canyon) and Improvement Areas Therein, to Authorize the Levy of a Special Tax to Pay the Cost of Acquiring or Constructing Certain Public Facilities and Providing Certain Public Services, and Paying for Certain Incidental Expenses and to Pay Debt Service on Bonded Indebtedness" and;

Adopt, "Resolution of Intention of the City Council of the City of Beaumont, California, to Incur Bonded Indebtedness within Each of Proposed Improvement Areas Nos. 1 and 2 of Proposed City of Beaumont Community Facilities District No. 2023-1 (Fairway Canyon)."

Approved by a unanimous vote

J.2 Approval of Fuel Source Technology for the City of Beaumont Transit Zero-Emission Bus Rollout Plan

Review information for discussion and select a Fuel Source Technology to proceed with the Zero-Emission Bus Rollout and Implementation Plans.

**Motion by Council Member White
Second by Jessica Voigt**

Approve the mixed-fleet fuel source technology as the recommended technology in the development of the City of Beaumont Transit Zero-Emission Bus Rollout Plan.

Approved by a unanimous vote

- J.3 Economic Development Committee Appointment
- Consider applicants for the vacant Business Community Member position on the Economic Development Committee.
- Motion by Council Member Lara
Second by Mayor Martinez**
- To appoint Allen Koblin to the business member seat on Economic Development Committee and Annette Vogt as the Alternate Member.**
- Approved by a unanimous vote**
- J.4 Update on Stewart Park Improvement Project – Capital Improvement Project P-10
- Provide an update on the status of the Stewart Park Improvement Project. Strategic Plan Level 3, Target 5, Goal 6
- Motion by Council Member White
Second by Mayor Martinez**
- Receive and file the presentation. Discuss and give direction to staff.**
- Approved by a unanimous vote**
- J.5 Consideration of Approval of the 2023 Fourth of July Entertainment, Production and Stage Rental Agreement with Stache Inc. dba The M&M Group and Fireworks Display with Pyro Spectaculars, Inc.
- Approve purchase orders and execute Professional Services Agreements with Stache Inc. dba The M&M Group and Pyro Spectaculars, Inc.**
- Motion by Council Member White
Second by Mayor Martinez**
- Authorize the Mayor to execute the Professional Service Agreement with Stache Inc. dba The M&M Group; and**
- Authorize staff to issue a Purchase Order in the amount of \$55,000 issued to Stache Inc. dba The M&M Group.**
- Authorize the Mayor to execute the Professional Service Agreement with Pyro Spectaculars, Inc.; and**
- Authorize staff to issue a Purchase Order in the amount of \$30,000 issued to Pyro Spectaculars, Inc.**
- Approved by a unanimous vote**

- J.7 Approve a Purchase Order and Professional Services Agreement with Stache Inc. dba The M&M Group for a Concert in the Park in an Amount Not to Exceed \$110,000

Approve a purchase order and professional services agreement for a summer concert series to include two concerts taking place on Wednesday, July 12 and Wednesday, July 19, 2023.

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

Authorize the Mayor to execute the Professional Service Agreement with Stache Inc. dba The M&M Group; and

Authorize staff to issue a Purchase Order in the amount of \$110,000 issued to Stache Inc. dba The M&M Group.

Approved by a unanimous vote

- J.6 Approve a Purchase Order and Professional Services Agreement with Stache Inc. dba The M&M Group for a Concert in the Park in an Amount Not to Exceed \$55,000

Approve a purchase order and professional services agreement for one summer concert to take place on Wednesday, June 28, 2023.

**Motion by Council Member Voigt
Second by Council Member Lara**

Authorize the Mayor to execute the Professional Service Agreement with Stache Inc. dba The M&M Group; and

Authorize staff to issue a Purchase Order in the amount of \$55,000 issued to Stache Inc. dba The M&M Group.

- J.8 Surplus Frisbee Golf - Parks District Donation

The surplus and donation of current frisbee golf equipment at Nicklaus Park.

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

Approve the disposal and donation of identified City surplus property.

Approved by a unanimous vote

- J.9 Direction to City Staff on Proposed Amendments to Beaumont Municipal Code Section 17.07 - Signs

Review of Code Section 17.07 – Signs for compliance with recent case law.

K. Walton - *Spoke to concerns of temporary signs and placement thereof.*

In depth discussion and direction to staff on changes to research and bring back for a Public Hearing on Municipal Code Section 17.07-Signs.

J.10 Discussion and Consideration of Requested Resolution Opposing Initiative 21-0042A1

Initiative 21-0042A1: A State ballot measure which would restrict voter input and local taxing authority.

Consensus to staff to prepare a letter of opposition.

K. LEGISLATIVE UPDATES AND DISCUSSION

K.1 AB 742

[Bill Text - AB 742](#)

Consensus to direct staff to prepare a letter of opposition.

K.2 AB 1708

[Bill Text - AB 1708](#)

Consensus to direct staff to prepare a letter of support.

K.3 AB 796

[Bill Text - AB 796](#)

City staff will follow this bill.

K.4 AB 804

[Bill Text- AB 804](#)

City staff will follow this bill.

L. ECONOMIC DEVELOPMENT UPDATE

Gave a report out from a recent Downtown Business Meeting. Next EDC meeting will be April 12, 2023.

M. CITY TREASURER REPORT

Finance and Audit Committee Report Out and City Council Direction

M.1 Discussion on Sending the City Treasurer to Washington, D.C. with City Council as Part of the Delegation Team

Discuss adding the City Treasurer to the Washington, D.C. delegation team.

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

To welcome Treasurer Patel to the Washington D.C. Delegation Team if paid for out of pocket.

Noes: Lara

Approved by a 4-1 vote

N. CITY CLERK REPORT

No report.

O. CITY ATTORNEY REPORT

Update of current litigation and current projects.

P. CITY MANAGER REPORT

P.1 Parks Update

P.2 Clean Up Event Recap

Q. FUTURE AGENDA ITEMS

- Resource for residents to contact local businesses
- City staff first aid and safety discussion
- Truck routes
- Cherry Festival Sub-committee/AdHoc
- Short-term rentals
- Research the need for more community centers.

R. COUNCIL REPORTS

Voigt - No report

White - No report

Lara - Upcoming WRCOG General Assembly

Fenn - Attended Morongo Air and Ambulance ceremony, announced upcoming TNOW Meeting.

Martinez - Attended IOA golf tournament, Vietnam Veteran's Event, Banning City Council Meeting, an RCA Meeting, and roundtable meeting with Congressman Ruiz.

S. ADJOURNMENT at 10:26 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 April 18, 2023, at 6:00 p.m. unless otherwise posted.