



CITY COUNCIL CLOSED & REGULAR SESSION MINUTES

June 20, 2023

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

CLOSED SESSION

A. CALL TO ORDER at 5:03 p.m.

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

B. PUBLIC COMMENTS REGARDING CLOSED SESSION

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

Two potential cases.

No reportable action.

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

Property: Southwest Corner of Beaumont Avenue and Cougar Way (APN's 404-140-002 & 003). Agency Negotiator: City Manager Elizabeth Gibbs or her designee. Negotiating Parties: City of Beaumont as potential purchaser and Beaumont Re Holdings, LLC; John J. Sullivan; GW as potential seller. Under Negotiation: Price and terms

No reportable action.

B.3 Conference with Legal Counsel — Anticipated Litigation — significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2) and/or (3)

One potential case.

No reportable action.

REGULAR SESSION

D. CALL TO ORDER at 6:21 p.m.

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

Report out from Closed Session

Action on any Closed Session Items

Action of any Requests for Excused Absence

Pledge of Allegiance

Invocation

Adjustments to the Agenda

Conflict of Interest Disclosure: **Voigt on Item J.2 out of caution of appearance of conflict. Patel on Item J.8 due to the ownership of property in the vicinity.**

E. ANNOUNCEMENTS / RECOGNITION / PROCLAMATIONS / CORRESPONDENCE

E.1 Parks and Recreation Month Proclamation

E.2 Retirement of K-9 Mila

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

L. Deschouttern - *Complaint and concern with the Beaumont Cherry Valley Water District billing.*

Cherry Festival Association - *Presented Council with a plaque of acknowledgment and appreciation.*

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 White**

To approve the Consent Calendar.

Approved by unanimous vote.

- G.1 Ratification of Warrants
Ratify Warrants dated:
May 25, 2023
June 2, 2023
June 6, 2023
- G.2 Approval of Minutes
Approve Minutes dated June 6, 2023.
- G.3 Resolution Acknowledging the Retirement of K-9 Mila and Approving Conveyance Agreement with Ryan Brieda
 Approval of Resolution and Agreement for the Conveyance of K-9 Mila to Ryan Brieda.
Waive the full reading and adopt by title only, “A Resolution of the City Council of the City of Beaumont Approving the Retirement of K-9 Mila and Authorizing the City to Enter into an Agreement for the Conveyance of K-9 Mila to Ryan Brieda”
Authorize the City Manager to sell K-9 Mila to Ryan Brieda for \$1.00.
- G.4 Storm Water Management Facilities Covenant and Agreement
 Approve Storm Water Management WQMP/BMP Facilities Covenant and Agreement for Plot Plan (PP2021-0335), Terra-Gen.
Approve the Storm Water Management WQMP/BMP Facilities Covenant and Agreement for Plot Plan (PP2021-0335), Terra-Gen.
- G.5 Storm Water Management Facilities Covenant and Agreement
 Approve Storm Water Management WQMP/BMP Facilities Covenant and Agreement for Plot Plan (PP2022-00458), 84 Lumber Storage Yard.
Approve the Storm Water Management WQMP/BMP Facilities Covenant and Agreement for Plot Plan (PP2022-00458), 84 Lumber Storage Yard.
- G.6 Memorandum of Understanding between the City of Beaumont and Riverside County Department of Environmental Health for provision of Vector Control Services
 Renewal of a Memorandum of Understanding for a period of five (5) years within the City boundary.
Approve the Memorandum of Understanding between the City of Beaumont and the County of Riverside Department of Environmental Health for a five (5) year period for Vector Control Services.
- G.7 Approval of Fiscal Year 2024 Requisitions

In accordance with the City of Beaumont Purchasing Ordinance (Ord. No. 1160).

Approve the listed requisitions for vendors to receive payment as noted in Attachment A of this report.

G.8 Beaumont Unified School District Fingerprinting Agreement

Request to approve the agreement with the City of Beaumont Police Department to continue providing livescan fingerprinting services for the Beaumont Unified School District.

Approve the agreement with the Beaumont Unified School District for livescan services.

G.9 Fiscal Year 2023-24 Budget Book

Receive and file the FY2023-24 budget book.

Receive and file the FY2023-2024 Budget Book.

G.10 School Resource Officer Agreement

Request to approve a three-year agreement with the Beaumont Unified School District for the Police Department to provide three School Resource Officers.

Approve the agreement between the City and the Beaumont Unified School District authorizing the Police Department to provide three (3) School Resource Officer positions with the total three-year General Fund Cost of \$2,027,443.

Authorize the Finance Department to invoice the District for reimbursement of all salary, benefits, and police vehicle costs associated with providing these services.

G.11 Approval of Trustee Notification Requisition 073 for Use of Bond Proceeds to Reimburse the City of Beaumont for the Fire Station No.106 Project in the Amount of \$853,871.57

Requisition 073 to send to Trustee for disbursement of bond proceeds to the City of Beaumont for Capital Improvement Project 2017-028.

Approve the City Manager to sign Requisition 073 to send to Trustee

G.12 Authorize Employment Contract with Director of Water Reclamation

Restated Director of Water Reclamation Employment Agreement.

Authorize the employment contract with the Director of Water Reclamation.

G.13 Award a Professional Services Agreement to Univar, NALCO and Hasa, Inc. For Chemical Supply Services for the Wastewater Treatment Plant

City Staff is requesting approval of Professional Services Agreements for Chemical Supply Services for the Wastewater Treatment Plant.

Award Agreement to Univar for chemical supply services for the Wastewater Treatment Plant in accordance with the unit pricing within Attachment B, and

Award Agreement to Hasa, Inc., for chemical supply services for the Wastewater Treatment Plant in accordance with the unit pricing within Attachment C, and

Award Agreement to NALCO, Inc, for chemical supply services for the Wastewater Treatment Plant in accordance with the unit pricing within Attachment D.

H. YOUTH COUNCIL REPORT

No report.

I. PUBLIC HEARINGS

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

- I.1 Continued Public Hearing from May 16, 2023 for the Formation of Community Facilities District No. 2023-1 (Fairway Canyon)

A public hearing continued from May 16, 2023, for the formation of CFD No. 2023-1 (Fairway Canyon).

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

To waive the full reading and adopt by title only, "Resolution of the City Council of the City of Beaumont, California, Establishing City of Beaumont Community Facilities District No. 2023-1 (Fairway Canyon) and Improvement Areas Therein, Authorizing the Levy of a Special Tax Therein, Calling an Election Within Each Improvement Area and Approving and Authorizing Certain Actions Related Thereto" and;

To waive the full reading and adopt by title only, "Resolution of the City Council of the City of Beaumont, California, Acting as the Legislative Body of City of Beaumont Community Facilities District No. 2023-1 (Fairway Canyon) Determining the Necessity to Incur Bonded Indebtedness within Improvement Areas Nos. 1 and 2 of City of Beaumont Community Facilities District No. 2023-1 (Fairway Canyon) in an Amount Not to Exceed \$3,500,000 Within Improvement Area No. 1 and \$11,000,000 Within Improvement Area No. 2 and Calling Elections Therein"

Approved by a unanimous vote

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

To waive the full reading and adopt by title only, "Resolution of the City Council of the City of Beaumont, California, Acting in its Capacity as the Legislative Body of City of Beaumont Community Facilities District No. 2023-1 (Fairway Canyon) Certifying Election Results" and;

Approved by a unanimous vote

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

To waive the full reading and introduce the first reading by title only, "Ordinance of the City Council of the City of Beaumont, California, Acting in its Capacity as the Legislative Body of City of Beaumont Community Facilities District No. 2023-1 (Fairway Canyon) Authorizing the Levy of Special Taxes Within Improvement Area No. 1 and Improvement Area No. 2."

Approved by a unanimous vote

J. ACTION ITEMS

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

- J.1 Presentation on the Status of the Stewart Park Improvement Project – 60%-Design Plans

Provide an update on the status of the Stewart Park Improvement Project. Target 5 – Quality of Life/Well Being Goal 6 - Complete Stewart Park Improvement Project – Priority Level 3.

Receive and file the presentation.

- J.2 Discussion and Direction on Fire Apparatus Purchase for Fire Station No. 106 – Capital Improvement Project No. PS-05

Direct staff on purchase of fire apparatus for Station No. 106.

Council Member Voigt recused herself on this item, while not required, for the possible perception of a conflict of interest.

Public Comments:

C. Linneman - *Spoke in favor of the originally presented truck that holds the most equipment.*

R. Roy - *Stated that the new Fire Station should be more eco friendly, and fire policies.*

A. Garcia - *Spoke in favor and support of purchasing a TDA truck over a Quint.*

C. Benson - *Spoke in favor of purchasing a TDA truck over a Quint.*

C. Wetzel - *Spoke in favor and support of purchasing a TDA truck over a Quint.*

J. Morris - *Spoke in favor and support of purchasing a TDA truck over a Quint.*

L. McLaughlin - *Spoke in favor of the purchase of the larger ladder truck.*

Motion by Council Member Lara

To approve the purchase of the Spartan TDA with contingency that the \$400,000 ARPA funds are approved by the county to contribute to the cost and also purchase a squad truck. If funds are not received, then change the purchase to the 100-foot rear-mount ladder truck with a squad truck.

Failed due to lack of second

Motion by Mayor Pro Tem Fenn

To purchase a Spartan 105 Quint TDA in the amount of \$2,259,521.81.

Motion failed due to lack of second

Motion by Council Member White

Second by Council Member Lara

Allow authorization to purchase a Rosenbauer TDA truck not to exceed \$1,939,684 with a 10% contingency. If the new quote is not within an additional 10%, then authorize staff to purchase the Spartan.

Ayes: White, Lara

Noes: Fenn, Martinez

Motion failed

Motion by Mayor Martinez

To purchase the Spartan 105 Quint TDA \$2,259,521.81 with a contingency that the \$400,000 ARPA funds are approved by the County. If not, then the item is brought back to Council.

Motion withdrawn.

Motion by Council Member White

To purchase the Spartan 105 Quint TDA \$2,259,521.81 and give the County until June 30th to commit to paying the difference with the ARPA funds. if no commitment by July 7th, then to go ahead and purchase.

Motion withdrawn.

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

To purchase a Spartan 105 Quint TDA in the amount of \$2,259,521.81.

**Ayes: Fenn, Martinez
Noes: White, Lara**

Motion fails

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

To purchase the Spartan TDA but make a demand from the County to make the commitment of funds to pay the difference. But it is not contingent on the purchase.

**Ayes: White, Lara, Fenn, Martinez
Recused: Voigt**

Motion passes 4-0.

- J.3 Presentation of Recycled Water Facilitator Findings and Recommendation
A Presentation of the Recycled Water Facilitator's Report.

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

Receive and file.

Approved by a unanimous vote

- J.4 Award a Professional Services Agreement to Albert A. Webb Associates to Provide Engineering Services for Wastewater Treatment Plant Site Improvements.

Award a professional services agreement to Albert A. Webb Associates in an amount not to exceed \$264,680.

Public Comment:

R. Roy - *Asked if fire hydrants and parks use treated recycled water and the revenue being received for recycled water.*

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

Award a Professional Services Agreement to Albert A. Webb Associates to Provide Engineering Services for Wastewater Treatment Plant Site Improvements.

Approved by a unanimous vote

- J.5 Approve a Purchase Order for the purchase of a Closed-Circuit Television (CCTV) truck system in the amount of \$232,271.66 from Haaker Equipment Company

Purchase a CCTV truck system as approved in the FY 24 budget.

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

Approve a Purchase Order for the purchase of the Envirosight RovverX CCTV truck system from Haaker Equipment Company in the amount of \$232,271.66.

Approved by a unanimous vote

- J.6 Approve a Purchase Order in an Amount not to Exceed \$5,701,141.10 to Creative Bus Sales for the Procurement of Seven Compressed Natural Gas (CNG) Type H El Dorado National EZ Rider II Buses

Transit Capital Improvement Project (CIP) No. T-21.

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

Approve the Purchase Order in an amount not to exceed \$5,701,141.10 to Creative Bus Sales for the Procurement of Seven CNG Type H El Dorado National EZ Rider II Buses.

Approved by unanimous vote.

J.7 Discussion and Direction on Short Term Rentals

Discussion and direction to staff on development of a short-term rental ordinance.

Consensus to further discuss an ordinance and tax measure and hotel building incentives.

Discuss and provide direction to staff.

J.8 Determination of Use Downtown Mixed Use (DMU) Zone

Recommendation on a determination of use for dog boarding, training, and daycare in the Downtown Mixed Use (DMU) zone.

Treasurer Patel has recused himself on this item due to ownership of property in discussion.

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

Concur with staff's determination of use allowing dog training, daycare and ancillary kenneling subject to a conditional use permit in the Downtown Mixed Use (DMU) and Local Commercial (LC) zones; and

Direct staff to notify the Planning Commission of the determination with footnotes that it not be front facing on 6th or Beaumont Ave.

Approved by a unanimous vote

J.9 Proposed Temporary Construction Easement Agreement for City Owned Property APN 417-110-018

Discussion of a proposed lease agreement between the City of Beaumont and Western National Resources, LLC for a temporary "laydown" yard for construction materials and equipment on City owned property located at the southwest corner of Viele Avenue and Fourth Street.

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

Approve the Temporary Construction Easement Agreement and authorize the City Manager to approve the extensions as provided for in the agreement.

Approved by a unanimous vote

J.10 Approval of City Attorney Invoices for the Month of May 2023

City Attorney John Pinkney recused himself for this item.

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

Approve invoices in the amount of \$99,271.49

Approved by a unanimous vote

K. LEGISLATIVE UPDATES AND DISCUSSION

L. ECONOMIC DEVELOPMENT UPDATE

Economic Development Committee Report Out

M. CITY TREASURER REPORT

Update of new FAC Meeting date.

N. CITY CLERK REPORT

No report

O. CITY ATTORNEY REPORT

No report

P. CITY MANAGER REPORT

Upcoming Freedom Festival. No City Council Meeting on July 4. Upcoming CalCities quarterly meeting will be in Beaumont.

Q. FUTURE AGENDA ITEMS

- Resource for residents to contact local businesses
- City staff first aid and safety discussion
- Truck routes
- Assessment for the need for additional community center(s)
- Sign ordinance

- Processing fee waivers at a staff level
- Commercial landscape enforcement
- Report of warehouse employment, sales, tax revenue and status updates
- Annexation Agreement with the County
- Enforcement of sidewalk food vendors

R. COUNCIL REPORTS

White - *Report out from RCTC*

Voigt - *Reminder of upcoming Gov in the Park*

Lara - *Thanked the Finance Department for their work on the budget book*

Fenn - *Report out from the Passcom meeting and Rotary meeting and Veterans meeting.*

Martinez - *Report out from Rotary meeting attended Fantastic Sams ribbon cutting.*

S. ADJOURNMENT at 10:43 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 July 18, 2023, at 6:00 p.m. unless otherwise posted.