



CITY COUNCIL CLOSED & REGULAR SESSION MINUTES

November 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 5:02 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 Regarding Pending Litigation Pursuant to Government Code Section 54956.9(d)(1)

One Case: Beaumont v PB 240, LLC; DTOUR Production, Inc.; Shanna Bottoni-Olive; Jamari Olive (Case No: CVRI 2305764)

No reportable action.

B.2 Conference with Legal Counsel Regarding Anticipated/Existing Litigation Pursuant to Government Code Section 24956.9(d)(1) and/or (2) and/or (3)

Worker's Compensation Case Nos. 4A22119G8GN-0001, 4A2207TFW77-0001, and 4A22020WX87-0001.

No reportable action.

B.3 Conference with Labor Negotiators - Pursuant to Code Section 54957.6

City Designated Representatives City Manager Elizabeth Gibbs and Administrative Services Director Kari Mendoza. Employee Organizations:

Police Managers

SEIU

Police Officers Association

Managers/Professional/Technical

Police Managers - No reportable action.

SEIU - No reportable action.

Police Officers Association - Motion by Council Member White, Second by Council Member Voigt to approve the side letter agreement. Approved by a unanimous vote.

Managers/Professional/Technical - Action to be taken in open session.

C. ADJOURNMENT TO CLOSED SESSION

REGULAR SESSION

D. CALL TO ORDER at 6:02 p.m.

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

E. ANNOUNCEMENTS / RECOGNITION / PROCLAMATIONS / CORRESPONDENCE

Recognition of Tanner Marin Williams

Introduction of Brittany Navas, Grant Analyst.

E.1 **Waste Management Recycling All Star Awards**

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

None

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.

Request to pull items G9 and G10 for discussion.

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

To approve items G1-G8 and G11.

G.1 Ratification of Warrants

Ratify Warrants dated:

October 5, 2023

October 12, 2023

G.2 Approval of Minutes

Approve Minutes dated October 17, 2023.

G.3 Second Reading of a Proposed Ordinance Prohibiting the Unlawful Possession of a Catalytic Converter

Second reading of the request to implement an ordinance to prohibit the unlawful possession of a catalytic converter.

Waive the full second reading and adopt by title only, “An Ordinance of the City Council of the City of Beaumont, California, Adding Section 9.42 – Unlawful Possession of Catalytic Converters of the Beaumont Municipal Code Establishing Regulation Prohibiting the Unlawful Possession of Catalytic Converters in the City.

G.4 Second Reading of Proposed Amendments to Beaumont Municipal Code Chapter 17.07 Signs and Chapter 8.50 Outdoor Lighting

Modification to Beaumont Municipal Code Chapter 17.07 Signs for compliance with recent case law pertaining to non-commercial signage and other proposed changes. Modification to Chapter 8.50 Outdoor Lighting for consistency with the Sign Code.

Waive the second full reading and adopt by title only an ordinance of the City Council of the City of Beaumont California Amending Chapter 17.07 Signs of the Beaumont Municipal Code; and

Waive the second full reading and adopt by title only an ordinance of the City Council of the City of Beaumont California Amending Chapter 8.50 Outdoor Lighting of the Beaumont Municipal Code.

G.5 FY2023-2024 1st Quarter Cash and Investment Report

Receive and file the FY2023-2024 1st Quarter Cash and Investment Report.

Receive and file report.

G.6 Improvement Agreement and Security

Improvement agreement and security for sewer improvements for 84 Lumber Storage Yard (Plot Plan 2022-0459).

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

- PP2022-0458/ 107921714 / Sewer

G.7 Performance Bond Exoneration

Performance bond exoneration for survey monuments associated with Parcel Map No. 37938.

Authorize City staff to issue a Bond Exoneration Letter for Performance and Payment Bonds and Accept Maintenance Bonds for (Project / Bond Number / Improvement):

- **Parcel Map No. 37938/ LICX1209830 / Survey monuments**

G.8 Consideration of a Resolution Waiving the Major Special Event Application Deposit for the Sundance Community Association Halloween Event

Strategic Plan Target #5 – Quality of Life/Well-Being, Priority Level 2, Goal #5 *Increase community events, arts and culture.*

Waive the full reading and adopt by title only “A Resolution of the City Council of the City of Beaumont California Authorizing the Waiver of the Major Special Event Permit Application deposit for the Sundance Community Association Halloween Event.”

G.11 Notice of Completion for Citywide Traffic Signal Upgrade (Beaumont Avenue and Sixth Street) – Capital Improvement Program (CIP) R-02

Notice of Completion (NOC) for Citywide Traffic Signal Upgrade CIP R-02, located at the intersection of Beaumont Avenue and Sixth Street (Project).

Authorize the Mayor to execute a Notice of Completion for the Citywide Traffic Signal Upgrade Project (CIP R-02).

G.9 Adoption of Parks and Recreation Committee Policies and Procedures

Adoption of policies and procedures for the creation of a Parks and Recreation Committee.

**Motion by Mayor Martinez
Second by Mayor Pro Tem Fenn**

Adopt the Parks and Recreation Committee Policies and Procedures with amendments to the policy to add alternate members with the ability to vote, and further clarify the tenure of the student member.

Approved by a unanimous vote

G.10 Report out on CalCities Annual Conference 2023

Report of activities from attendance at the CalCities Annual Conference in Sacramento, September 20-22, 2023.

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

Receive and file, with the amendment to correct the error of Fenn being in attendance and replace with Council Member Voigt.

Approved by a unanimous vote

H. YOUTH COUNCIL REPORT

No report, next meeting is November 14, 2023.

I. PUBLIC HEARINGS

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

I.1 Public Hearing for Plot Plan PP2022-0427, Tentative Parcel Map No. 38233 (TPM2022-0010) and Environmental ENV2022-0021 known as "Xenia Apartments" Located Near the Southeast Corner of Eighth St. and Xenia Ave.

A request to construct 16, two-story apartment buildings, totaling 192 multi-family residential dwelling units and one (1) single story community building, on approximately 10.93 acres located on 10.93 acres of Downtown Residential Multiple Family (DMF) zoned properties located south of Eighth Street on the east side of Xenia Avenue. (APNs: 419-160-005, -024, 419-170-016, -017, -018, -022 and -027).

Public Hearing opened at 6:31 p.m.

P. Onofer - *Representing the applicant answered questions of the Council.*

Public Hearing closed at 6:47 p.m.

Motion by Mayor Pro Tem Fenn

Second by Council Member Voigt

Hold a public hearing and,

Adopt a Mitigated Negative Declaration for ENV2022-0021, Approve Plot Plan PP2022-0427 and approve Tentative Parcel Map No. 38233 (PM2022-0010) for a two-year period, subject to the attached conditions of approval.

Approved by a unanimous vote

- I.2 Public Hearing to Amend Sections 2.08.100 and 2.08.150 of the Beaumont Municipal Code Pertaining to Compensation of the City Council, City Treasurer and City Clerk Following the Adoption of Senate Bill 329

Staff was directed by City Council on October 3, 2023, to prepare a draft ordinance amending the salaries of members of the City Council, the City Treasurer and the City Clerk aligning with Senate Bill 329 and applicable law.

Public Hearing opened at 6:50 p.m.

No speakers

Public Hearing closed at 6:50 p.m.

Motion by Mayor Martinez

Second by Council Member White

Waive the full first reading and approve by title only, “An Ordinance of the City Council of the City of Beaumont, California, Amending Title 2, Chapter 2.08, Section 2.08.100 – ‘City Council—Salaries’ and Section 2.08.150 – ‘City Treasurer and City Clerk—Salaries’ of the Beaumont Municipal Code”. with the amendment to the City Treasurer and City Clerk Salaries to be proportionate at \$560.

Approved by a unanimous vote

J. ACTION ITEMS

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

- J.1 Appointment to the Vacant Seats of the Beaumont Planning Commission
Consideration of applicants to the partial-term vacancies on the Planning Commission.

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

To appoint Phillip Southard to the partial term through December 2024.

Approved by a unanimous vote

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

To appoint Mario Garai to the partial term through December 2024.

Approved by a unanimous vote

- J.2 Discussion and Direction on Proposed Amendments to Beaumont Municipal Code Chapter 13.21 Mobile Home Park Rent Stabilization

Periodic review and recommended changes to Beaumont Municipal Code Chapter 13.21 Mobile Home Park Rent Stabilization for the purposes of streamlining processes and consistency with state law.

Public Comment

J. Paule - *Represents WMA and would like to work with staff on the language of the ordinance.*

Direction to staff on amending Chapter 13.21 Mobile Home Rent Stabilization to make minor changes and work with Ms. Paule on recommendations to the ordinance as well as surrounding cities.

- J.7 Authorize an Employment Contract with City Engineer/Public Works Director

Staff is requesting Council review and authorize the City Manager to sign the employment agreement with Robert Vestal appointing him to the position of City Engineer/Public Works Director.

Approve the employment agreement for the City Engineer/Public Works Director and authorize the City Manager to sign the agreement.

- J.8 Authorize Changes to Position Allocation

Staff requests authorization for the position elimination of the Assistant Director of Public Works and the addition of a Senior Engineer.

**Items J7 and J8 were voted on in one motion.
Motion by Council Member White
Second by Mayor Martinez**

Approved by a unanimous vote.

Approve the position elimination of one Assistant Director of Public Works.

Approve the addition of one Senior Engineer.

Approved the amended Compensation Plan.

J.3 Discussion on Special Event Permit Application Fee Waiver Policy

Adopt an objective process for evaluating fee waiver requests for Special Event Permit Application deposits. Strategic Plan Target #5 – Quality of Life/Well-Being, Priority Level 2, Goal #5 *Increase community events, arts and culture.*

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

To adopt the Special Event Permit Application Fee Waiver Policy with direction to staff to bring back an annual report on staff hours spent on waivers.

Approved by a unanimous vote

J.4 Fiscal Year 2024 1st Quarter Budget Update and Financial Status Report

Receive a report on the status of the City's budget and financial status as of September 30, 2023.

**Motion by Mayor Pro Tem Fenn
Second by Mayor Martinez**

Receive and file report.

Approved by a unanimous vote

J.5 FY2023-2024 1st Quarter Budget Amendments

Review the FY2023-2024 recommended 1st quarter budget amendments.

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

Approve the recommended budget amendments except for the amendment to the ESRI software contract.

Approved by a unanimous vote

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

To approve the line item of the ESRI software contract amendment.

Approved

J.6 FY2023-2024 1st Quarter Strategic Plan Update

Update on the progress of the adopted strategic plan.

Receive and file.

J.9 Upcoming Holidays and City Council Meeting Schedule

Discussion for a quorum check with upcoming holidays.

Consensus to go dark on January 2, 2024.

K. LEGISLATIVE UPDATES AND DISCUSSION

L. ECONOMIC DEVELOPMENT UPDATE

Economic Development Committee Report Out and City Council Direction

M. CITY TREASURER REPORT

No report.

N. CITY CLERK REPORT

N.1 Upcoming Vacancies on City Commissions and Committees

Formal notice of upcoming vacancies and application process.

Direction from Council to update the notice to include the added positions on the Parks and Recreation Committee as well as two positions on the Economic Development Committee in which the members have been absent without request of excusal.

O. CITY ATTORNEY REPORT

No report.

P. CITY MANAGER REPORT

Announcement of upcoming Veteran's Day Parade.

Q. FUTURE AGENDA ITEMS

- Assessment for the need for additional community center(s) (Future)
- Annexation Agreement with the County (November)
- Traffic Relief Plan Workshop
- Marketing advertisement on billboards
- Level of Service standards for traffic
- Ordinance amendment for underground utility requirements

R. COUNCIL REPORTS

White - *No report.*

Voigt - *Attended Collaborative Meeting.*

Lara - *Attended the RTA admin meeting, WRCOG executive meeting and Three Rings Ranch ribbon cutting.*

Fenn - *Attended the Citizens Volunteer Appreciation dinner, toured Liberty Village, the Finance and Audit Committee, Pass EDA meeting, TNOW meeting and thanked everyone that attended the litter clean up event.*

Martinez - *Attended the Community Clean Up Event, the Mayor's Breakfast meeting, parks community meeting, the downtown community meeting, the volunteer appreciation dinner and the RCA meeting.*

S. ADJOURNMENT at 10:17 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 November 21, 2023, at 6:00 p.m. unless otherwise posted.