



CITY COUNCIL CLOSED & REGULAR SESSION MINUTES

May 7, 2024

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

CLOSED SESSION

A. CALL TO ORDER at 4:30p.m.

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

B. PUBLIC COMMENTS REGARDING CLOSED SESSION

B.1 Conference with Legal Counsel – Anticipated Litigation – significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2), (3) and/or (4)

One potential case

No reportable action.

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

Property: APNs 422-170-008, 422-060-016, 017, 018 and a portion of 422-170-005

Agency Negotiator: City Manager Elizabeth Gibbs or her designee

Negotiating Parties: City of Beaumont as potential purchaser and JRT BP 1, LLC as potential seller

Under Negotiation: Price and terms

No reportable action.

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

Charles E. Webb et. al. v. City of Beaumont et. al, Riv. Co. Sup. Ct. Case No. CVRI2305708

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

To defend the case and file a cross complaint against Cross Town Electrical and a driver that was also involved in the vehicle accident.

Approved by a unanimous vote

- B.4 Conference with Legal Counsel – Anticipated Litigation- Regarding Potential Initiation of Litigation Pursuant to Government Code 54956.9(d)(4)

One potential case.

No reportable action.

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

James Pietronico v. City of Beaumont, U.S. Central District of Cal. Case 5:23-cv-02431

No reportable action.

- B.6 Conference with Legal Counsel Regarding Existing Litigation Pursuant to Government Code Section 54956.9(d)(1):

Braiden Goedhart v. City of Beaumont, U.S. Central District of Cal. Case 5:23-cv-00173

No reportable action.

- B.7 Conference with Legal Counsel Regarding Existing Litigation Pursuant to Government Code Section 54956.9(d)(1):

Shannon Luellen, Gary Blackwell v. City of Beaumont et. al., Riv. Sup. Ct. Case No. CVMV2305331

No reportable action.

- B.8 Conference with Real Property Negotiators Pursuant to Government Code Section 54956.8

Property: South of Cougar Way, West of Beaumont Avenue (APN 404-140-007).

Agency Negotiator: City Manager Elizabeth Gibbs or her designee.

Negotiating Parties: City of Beaumont as potential purchaser and Silva

Family Trust and Bianchi Properties LTD as potential seller.
Under Negotiation: Price and terms

No reportable action.

C. ADJOURNMENT TO CLOSED SESSION

REGULAR SESSION

D. CALL TO ORDER at 6:04 p.m.

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

Report out from Closed Session: *see above*

Action on any Closed Session Items: *see above*

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

Invocation

Pledge of Allegiance

Adjustments to the Agenda

Conflict of Interest Disclosure

E. ANNOUNCEMENTS / RECOGNITION / PROCLAMATIONS / CORRESPONDENCE

E.1 Introduction of Rob Steele, Economic Development Consultant

E.2 Recognition of Retiring Employees, Eileen Rodriguez and Jack Huntsman

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 Lara

Second by Mayor Fenn

To approve G1 - G4 and G6 - G7

Approved by a unanimous vote.

G.1 Ratification of Warrants

Ratify Warrants dated:
April 12, 2024
April 18, 2024

G.2 Approval of Minutes

Approve Minutes dated:
April 16, 2024
April 30, 2024

G.3 FY2023-2024 3rd Quarter Cash and Investment Report

Receive 3rd quarter cash and investment report.

Receive and file report.

G.4 Approval of TriPointe Homes 2016-3 PayGo Funds Reimbursement Request in the Amount of \$1,142,729.60

TriPointe Homes IE-SD, Inc. has submitted a request for the 2016-3 PayGo funds to reimburse TUMF Fees paid in the amount of \$1,142,729.60.

Approve TriPointe Homes 2016-3 PayGo Funds Reimbursement Request in the amount of \$1,142,729.60.

G.6 Downtown Grease Trap Incentive Program – Funding Agreement – 390 W Oak Valley Parkway

Consideration of a Funding Agreement for installation of a grease interceptor at the property located at 390 W Oak Valley Parkway.

Approve the Funding Agreement with Beaumont-Cherry Valley Recreation and Parks District for Grease Trap Improvements for the property located at 390 W Oak Valley Parkway.

G.7 FY2023-2024 3rd Quarter Budget to Actuals Report

Receive and file the 3rd quarter budget to actuals report.

Receive and file report.

G.5 2024 City of Beaumont Financial Policies Manual

Proposed 2024 City of Beaumont Financial Policies with added language.

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

Approve the 2024 City of Beaumont Financial Policies Manual

Approved by a unanimous vote

H. YOUTH COUNCIL REPORT

Next meeting is May 14, 2024.

I. PUBLIC HEARINGS

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

I.1 Public Hearings for the Adoption of Development Impact Fee Nexus Study and Development Impact Fee Schedule

Hold two public hearings for the proposed adoption of the 2024 Development Impact Fee Nexus Study Update and potential adoption of the updated Development Impact Fee Schedule.

Public Hearing opened at 6:41 p.m.

L. Dickinson - Gave service statistics and information about the Library District thanked the City for including fees for the Library District.

B. Blankenship - Representing NAIOPIE ask asked Council to not adopt.

Beaumont Pointe LLC - Asked Council to delay the adoption of the fees.

Desert Valley Builders Association - Asked the Council to postpone the adoption of fees.

Building Industry Association - Asked that Council continue the item and hold a workshop.

Public Hearing closed at 7:01 p.m.

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

To continue both public hearings to June 18, 2024.

Approved by a unanimous vote

I.2 Public Hearing and Consideration of a Resolution for the Fourth Amendment to the City's FY 2024-2028 Capital Improvement Plan

Approval of Resolution to amend the five-year FY 2024-2028 Capital Improvement Plan (CIP).

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

Hold a Public Hearing, and

Waive the full reading and adopt by title only, “A Resolution of the City Council of the City of Beaumont Amending the Five-Year Capital Improvement Plan for Fiscal Years 2024-2028”.

Approved by a unanimous vote

J. ACTION ITEMS

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

- J.1 Agreement for Reimbursement with the Beaumont Cherry Valley Recreation and Park District in an Amount Not to Exceed \$100,000 for Park Improvements Related to the 2024 Cherry Festival Event

Strategic Plan Level 3, Target 1, Goal 3 – Develop Funding Sources for Community Events

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

To approve the draft reimbursable agreement and authorize the City Manager to execute the agreement on behalf of the City.

Approved by a unanimous vote

- J.4 Award a Public Works Agreement to KGG Concrete, Inc. for Construction of the City Hall ADA Ramps

Authorize City staff to award a public works agreement to KGG Concrete, Inc. for the construction of CIP F-03 City Hall ADA Ramps Project (Project).

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

To waive all minor bid irregularities and award a public works agreement to KGG Concrete, Inc. for construction of the City Hall ADA Ramps Project (CIP F-03) in an amount not to exceed \$390,000; and authorize the City Manager to sign change orders up to an additional \$10,000 for a total construction amount of \$400,000.

Approved by a unanimous vote.

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

To approve items J5, J6, J7, J8.

Approved by a unanimous vote.

- J.5 Agreement for Environmental Consulting Services for the Oak Valley Parkway Expansion, Phase II

Award a Professional Services Agreement (PSA) to Jennings Environmental, LLC for Environmental Consulting Services for the Oak Valley Parkway Expansion, Phase II project.

Award a Professional Services Agreement (PSA) to Jennings Environmental, LLC for Environmental Consulting Services for the Oak Valley Parkway Expansion, Phase II project for an amount not to exceed \$124,802.

- J.6 Award a Public Works Agreement to CT&T Concrete Paving, Inc. for Construction of the City Sidewalk Improvement Project – Capital Improvement Project No. R-24

Authorize a public works agreement to CT&T Concrete Paving, Inc. for construction of CIP R-24 City Sidewalk Improvement Project (Project)

Award a public works agreement to CT&T Concrete Paving, Inc. for construction of the City Sidewalk Improvement Project (CIP R-24) in an amount not to exceed \$428,355; and authorize the City Manager to sign change orders up to an additional \$110,381 for a total construction amount of \$538,736.

- J.7 Approve a First Amendment with Albert A. Webb Associates to Provide Engineering Services for the WWTP Improvements Project – Capital Improvement Project WW24-01

First Amendment to Professional Services Agreement with Albert A. Webb Associates.

Approve the First Amendment with Albert A. Webb Associates to Provide Engineering Services for the Wastewater Treatment Plant Improvements Project to add services and compensation in the amount of \$45,359 and authorize the City Manager to approve any contingencies up to 5% of the total sum of the original contract amount.

- J.8 Award a Maintenance Services Agreement to West Coast Arborists for Annual City-wide Tree Trimming Services

To award a three-year contract for tree trimming services with two optional one-year extensions.

Authorize the Mayor to execute the Maintenance Services Agreement with West Coast Arborist for Annual City-wide Tree Trimming in an amount not to exceed \$1,720,000.00.

J.2 Revenue Strategy

Review and provide feedback on the City's Revenue Strategy which is a Priority Level #2 Goal Target #4 Finances/Resources Goal #3 Develop a strategy for revenue development.

Direction to look at use of assets and eliminate the option of a cannabis tax.

J.3 Beaumont Unified School District Pool MOU

A Memorandum of Understanding (MOU) for access and use of swimming pool facilities.

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

Authorize the Mayor to sign a Memorandum of Understanding between the City of Beaumont and the Beaumont Unified School District for the Use of the Facility at Beaumont High School.

Approved by a unanimous vote

J.9 Approve a Professional Services Agreement for Stache Inc. dba The M&M Group For Professional Services For Summer Concert Series In An Amount Not To Exceed \$175,000

The proposed summer concert series will take place in conjunction with Beaumont Summer Nights in June and July of 2024.

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

Authorize the Mayor to execute a Professional Services Agreement with Stache Inc. dba The M&M Group for the Summer Concert Series, and

Authorize Staff to Issue a Purchase Order in the amount of \$175,000.

Approved by a unanimous vote

J.10 Authorize Radio Purchase for Non-Safety Personnel – Capital Improvement Project AD24-01

Complete the radio transition from Eastern Riverside Interoperability Communications Authority (ERICA).

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

Authorize staff to purchase 130 radios from Airwave in an amount not to exceed \$295,000.

Approved by a unanimous vote

K. LEGISLATIVE UPDATES AND DISCUSSION

L. ECONOMIC DEVELOPMENT UPDATE

The committee will meet tomorrow.

M. CITY TREASURER REPORT

There was not a quorum at the last Financial and Audit Committee meeting.

N. CITY CLERK REPORT

No report.

O. CITY ATTORNEY REPORT

No report.

P. CITY MANAGER REPORT

Upcoming compost training event.

P.1 5th District Homeless Symposium Update

Q. FUTURE AGENDA ITEMS

- **Assessment for the need for additional community center(s) (Future)**
- **Annexation Agreement with the County (Future)**

- Arbor report in relation to the WCA contract.

R. COUNCIL REPORTS

Fenn - *Attended the Citizen's Academy graduation, a meeting with the County Treasurer's office.*

Lara- *Will be attending the upcoming Passcom meeting.*

White - *Gave a report out from the IOA championship, report out from the water re-use ad-hoc, attended the LEAC event. Will be attending the RCTC meeting and will be having a tele-town hall event regarding the traffic relief plan.*

Martinez - *Attended the SCAG general meeting and the water re-use ad-hoc. Gave a report out from the RCA meeting.*

Voigt - *Gave a report out from the City Selection meeting.*

S. ADJOURNMENT at 8:46 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 May 21, 2024, at 6:00 p.m. unless otherwise posted.