



Staff Report

TO: City Council
FROM: Robert Vestal, Director of Public Works
DATE June 4, 2024
SUBJECT: Deferral Improvement Agreement

Description Improvement Deferral Agreement between Franklin Mechanical Systems, Inc., and the City of Beaumont Regarding Delayed Offsite Improvements Associated with the Franklin Mechanical Warehouse Addition (Plot Plan 2019-0174).

Background and Analysis:

On February 12, 2019, the Planning Commission approved Plot Plan 2019-0174 (Project) for a 10,000 square-foot storage building and a 5,400 square-foot tenant building located at 185 W. Fourth Street.

The Project was conditioned (Attachment A) to construct street improvements along California Avenue, Fourth Street, and Walnut Avenue. The future tenant who will occupy the 5,400 square-foot building must vacate their current facility and move their business immediately to their new location at this site.

Due to the immediate need for occupancy, the developer has requested deferral of these improvements for up to one year from the date of issuing the Certificate of Occupancy unless the City Manager grants a time extension as stated in the Deferral Agreement (Attachment B). The requested deferral agreement is in accordance with Beaumont Municipal Code section 17.11.050, which requires City Council approval.

The agreement's terms require the developer to provide improvement security to guarantee the construction and completion of the off-site improvements. The improvement security has already been provided.

Fiscal Impact:

The cost of preparing the staff report is estimated to be \$350.

The developer will maintain all associated improvements during the construction and maintenance period. The City is not liable for public improvement

maintenance until the public improvements are accepted into the City's publicly maintained system.

Recommended Action:

Authorize the Mayor to execute a Deferral Improvement Agreement between Franklin Mechanical Systems, Inc., and the City of Beaumont regarding delayed offsite improvements associated with the Franklin Mechanical Warehouse Addition (Plot Plan 2019-0174).

Attachments:

- A. PP2019-0174 Conditions of Approval
- B. Cooperative Agreement
- C. Improvement Agreement and Improvement Security