



## CITY COUNCIL CLOSED & REGULAR SESSION MINUTES

November 15, 2022  
Closed Session: 5:00 PM Regular Meeting: 6:00 PM  
550 E. Sixth Street, Beaumont, CA

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### CLOSED SESSION

#### A. CALL TO ORDER at 5:00 p.m.

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

#### B. PUBLIC COMMENTS REGARDING CLOSED SESSION

**Johnson** - Asked questions of a tract map.

##### B.1 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

**No reportable action. Action will be conducted in open session.**

##### B.2 Conference with Legal Counsel - Existing Litigation Pursuant to Government Code Section 54956.9(d)(1)

One Case: Mileena Garcia et al. (Case number 5:22-cv-1629-SSS(KKx))

**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 Related to Threat of Litigation by Representative of Project Applicant for Tentative Tract Map 32850

**No reportable action.**

- B.4 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 Related to Threat of Litigation by Noble Creek Meadows, LLC Related to the Noble Creek Vistas Specific Plan

**No reportable action.**

- B.5 Conference with Legal Counsel Regarding Potential Initiation of Litigation Pursuant to Government Code Section 54956.9(d)(4)

One potential case.

**No reportable action.**

**C. ADJOURNMENT TO CLOSED SESSION**

**REGULAR SESSION**

**D. CALL TO ORDER**

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

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

- D.1 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

**Motion by** Council Member Lara

**Second by** Mayor White

**To authorize the revision to the Police Management MOU and authorize the City Manager to sign off on Side Letter No. 1.**

**Approved by a unanimous vote**

**E. ANNOUNCEMENTS / RECOGNITION / PROCLAMATIONS / CORRESPONDENCE**

**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 Pro Tem Martinez

**To approve the Consent Calendar except for G3.**

**Approved by a unanimous vote**

G.1 Ratification of Warrants

**Ratify Warrants dated:**

**October 25, 2022**

**November 1, 2022**

G.2 **Approval of Minutes**

**Approve Minutes dated November 1, 2022.**

G.3 Second Reading of Proposed Amendments to Beaumont Municipal Code Chapter 17.02 "Administration", Chapter 17.03.120 "Permitted Uses for Base Zone Districts," and Chapter 17.19.120 "Downtown Districts"

Recommended changes to the Beaumont Municipal Code to help facilitate business activity in the downtown area and City wide.

**Public Comment**

**T. Kantzalis - Written comment that asked for a solution for the addition of a metal structure on their property.**

**Motion by** Mayor Pro Tem Martinez

**Second by** Council Member Lara

**To waive the full second reading and adopt by title only, "An Ordinance of the City Council of the City of Beaumont Amending Beaumont Municipal Code Chapter 17.02 "Administration", Chapter 17.03.120 "Permitted Uses for Base Zone Districts", and Chapter 17.19.120 "Downtown Districts."**

**Approved by a unanimous vote**

- G.4 Authorize Staff to Issue a Bond Exoneration Letter for Performance and Payment Bonds, and Accept Maintenance Bonds

Tract Map No 27971-4

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

**Tract Map No. 27971-4 / 1154350 / Sewer / 1154350-M**

- G.5 Receive and File the Fiscal Year 2021-2022 Health and Safety Code (HSC) 13146.4 Annual Inspection Report of Certain Occupancies Pursuant to Sections HSC 13146.2 and 13146.3

**State Mandated Annual Inspection Reporting**

**Receive and file the FY 2021/2022 HSC 13146.4 Annual Inspection Report**

- G.6 Adoption of a Resolution Extending Participation in the Abandoned Vehicle Abatement (AVA) Program

The County of Riverside, which administers the Abandoned Vehicle Abatement (AVA) program, has requested adoption of an updated resolution extending the City of Beaumont’s participation in the AVA program through May 31, 2024.

**Waive the full reading and adopt by title only, “A Resolution of the City Council of the City of Beaumont, Authorizing the Extension of the Service Fee Collected on Behalf of the Riverside County Abandoned Vehicle Abatement Service Authority until May 2024.”**

- G.7 Consideration of Re-Authorizing the Use of Teleconferencing to Conduct Public Meetings

To continue the use of teleconferencing for a 30-day period through December 15, 2022.

**Waive the full reading and adopt by title only, “A Resolution of the City Council of the City of Beaumont Proclaiming a Local Emergency Persists, Re-Ratifying the Proclamation of a State of Emergency by Executive Order N-09-21, and Re-Authorizing Remote Teleconference Meetings of the Legislative Bodies of the City of Beaumont for the Period of November 15, 2022, through December 15, 2022, Pursuant to Provisions of the Ralph M. Brown Act.”**

- G.8 Consider Adopting a Resolution of the City of Beaumont Authorizing the Waiver of Monthly Facility Use Fees at the Albert A. Chatigny, Sr. Community Recreation Center

Request of fee waiver from Beaumont Community Youth Basketball.

**Waive the full reading and adopt by title only, “A Resolution of the City of Beaumont authorizing the waiver of monthly facility use fees at the Chatigny Community Recreation Center (CRC) for Beaumont Community Youth Basketball (BCYB).”**

- G.9 First Amendment to the Professional Service Agreement with EXP U.S. Services, Inc. for Engineering Services for Beaumont Master Drainage Plan (MDP) Line 2, Stage 1 Project (CIP2019-19)

First Amendment to Professional Services Agreement for Engineering Services to EXP U.S. Services, Inc. for Beaumont Master Drainage Plan (MDP) Line 2, Stage 1 Project (CIP2019-19)

**Approve the First Amendment to the Professional Services Agreement with EXP U.S. Services, Inc., in an amount not to exceed \$61,847 for additional Engineering Services for the Beaumont Master Drainage Plan (MDP) Line 2, Stage 1 Project (CIP2019-19).**

- G.10 Ratification of Purchase of Two City Hall Gymnasium Air Conditioning Units and Associated Electrical Upgrades

Emergency purchase in the amount of \$37,760.

**Ratify the costs associated with the installation of new circuit breakers and heating and air conditioning units at the Civic Center in the amount of \$37,760 payable to Burgeson Heating and Air Inc.**

- G.11 Authorization for a Letter of Credit for Mitigation Bank Credits Associated with CIP 2017-009 Pennsylvania Avenue Widening

Authorize City staff to execute a letter of credit in an amount not to exceed \$96,000 for future purchase of mitigation bank credits associated with CIP 2017-009 Pennsylvania Avenue Widening.

**Authorize City staff to execute a letter of credit in an amount not to exceed \$96,000 for future purchase of mitigation bank credits associated with CIP 2017-009 Pennsylvania Avenue Widening.**

- G.12 Discussion on the Creation of a Beaumont Youth Council to Serve as an Advisory Board to the Beaumont City Council

To provide youth engagement and assist in problem solving solutions.

### **Public Comments**

**J. Nucasa and MJ Diaz – Supports the establishment and asked of Council to approve the creation of a Youth Council.**

**Motion by Mayor White**

**Second by Council Member Fenn**

**Approval of Beaumont Youth Council to serve as an advisory board to the Beaumont City Council.**

**Approved by a unanimous vote**

## **H. PUBLIC HEARINGS**

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

### **H.1 Public Hearing to Consider an Ordinance Amending Chapter 15 of the Beaumont Municipal Code**

Adoption of the 2022 California Building Standards Code (California Code of Regulations – Title 24)

**Public Hearing opened at 6:55 p.m.**

**No comments**

**Public Hearing closed at 6:55 p.m.**

**Motion by Mayor White**

**Second by Council Member Santos**

**Waive the full reading and approve the first reading by title only “An Ordinance of The City Council of The City of Beaumont, California, Approving the Adoption of the 2022 Edition of the California Building Standards Code, (California Code of Regulations, Title 24), Parts 2, 2.5, 3, 4, 5, 6, 8, 10 and 11 with Amendments and Amending Portions of Chapter 15 ‘Buildings and Construction’ of the Beaumont Municipal Code.”**

**Approved by a unanimous vote**

### **H.2 Public Hearing and Consideration of Amendments to Chapter 15.20 of the Beaumont Municipal Code**

Adoption of the 2022 California Fire Code (

**Public Hearing opened at 6:58 p.m.**

**No comments**

**Public Hearing closed at 6:58 p.m.**

**Motion by Council Member Lara**

**Second by Mayor White**

**Waive the first full reading and approve by title only, “An Ordinance of The City Council of The City of Beaumont, California, Approving the Adoption of the 2022 Edition of the California Building Standards Code, (California Code of Regulations Title 24), Part 9, 2022 California Fire Code with Amendments and Amending Chapter 15.20 ‘Fire Code,’ of the Beaumont Municipal Code.”**

**Approved by a unanimous vote**

- H.3 Public Hearing and Consideration of CDBG Funding Requests for Program Year 2023-2024

Annual consideration of requests for Community Development Block Grant (CDBG) funding.

**Public Hearing opened at 7:02 p.m.**

**M. Grisham – A representative of the Boys and Girls Club thanked Council for their previous authorization of grant funds and shared the goals of this year.**

**Public Hearing closed at 7:06 p.m.**

**Motion by Mayor Pro Tem Martinez**

**Second by Council Member Lara**

**Approve and authorize staff to submit a CDBG application for the City of Beaumont Downtown Blight Abatement and give authority to the City Manager to reduce or increase the amount funded to the project based on the final amount of funding available to the City of Beaumont, and**

**Approve and authorize staff to submit a CDBG application for the Boys & Girls Club of the San Gorgonio Pass in the amount of the allowable 15% of the grant subject to the conditions of the CDBG program as provided by Riverside County EDA.**

**Approved by a unanimous vote**

- H.4 Public Hearing and Consideration of Amendment No. 2 to the Development Agreement for Beaumont Crossroads II (Hidden Canyon Specific Plan)

Partial assignment of an amended and restated development agreement by and between the City of Beaumont, MPLD II Inland Empire, LLC, MPLD Inland Empire ULC, LLC and MPLD Inland Empire KRB, LLC.

**Public Hearing opened at 7:11 p.m.**

**No comments**

**Public Hearing closed at 7:12 p.m.**

**Motion by Mayor White**

**Second by Council Member Lara**

**Waive the first full reading and approve by title only, “An Ordinance of the City Council of the City of Beaumont, California, Approving a partial assignment of an Amended and Restated Development Agreement by and between the City of Beaumont, MPLDII Inland**

**Empire, LLC and MPLD Inland Empire ULC, LLC and MPLD Inland Empire KRB, LLC.”**

**Approved by a unanimous vote**

- H.5 Public Hearing and Consideration of a Request to Modify Conditions of Approval for Tentative Tract Map 32850 (TM2022-0009) and Consideration of a Third Amendment to a Settlement Agreement Exempt under CEQA Section 15061(b)(3)

This item is continued from City Council meetings on October 18 and November 1, 2022. This is a request to amend the Conditions of Approval for Tentative Tract Map No. 32850 and consider a third amendment to an existing settlement agreement.

**Public Hearing opened at 7:20 p.m.**

**F. Gaines – Representing the applicant asked that Council approve the item.**

**Public Hearing closed at 7:21 p.m.**

**Motion by Council Member Lara**

**Second by Mayor Pro Tem Martinez**

**Approve the modifications to the conditions of approval for Tentative Tract Map No. 32850; and**

**Approve the third amendment to the settlement agreement for Tentative Tract Map 32850**

**Approved by a unanimous vote**

- H.6 Cancelled – Public Hearing and Consideration of a Proposed Development Agreement Related to Development of the Noble Creek Vistas Specific Plan

**This item has been cancelled.**

## **I. ACTION ITEMS**

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

- I.1 Update on Status of Matter Considered at the March 15, 2022, City Council Meeting Regarding Consideration of Possible Amendments to Settlement Agreement, Mitigation Measures, and Conditions of Approval Relating to the Noble Creek Vistas Specific Plan

Follow up item to the previous City Council item related to the Noble Creek Vistas Specific Plan presented at the March 15, 2022, City Council Meeting



**B. Johnson - updated the Council regarding the project and the requests of the Council to coordinate with CVAN.**

- I.2 Discussion on Retaining the Services of an Owner's Representative/Program Manager Services Firm for the New Police Station Capital Improvement Project (CIP PS-07)

Discuss the possibility of retaining a firm to provide an owner's representative/program manager service for the future police station capital improvement project.

**Consensus to direct staff to issue a request for proposal to retain the services of an owner's representative/program manager services firm for the new police station capital improvement project (CIP PS-07).**

- I.3 City Wide Truck Routes

Discussion regarding existing and potential truck routes throughout the City of Beaumont, particularly in the southeast portion of the City.

**Staff direction to research the ability for enforcement, larger signage and future discussion of a sub-committee for truck route decisions including setting hours for truck deliveries.**

- I.4 Third Amendment to the Professional Services Agreement with Moffatt & Nichol

Approve the third amendment to the Professional Services Agreement with Moffatt & Nichol for the Pennsylvania Avenue Grade Separation project in an amount not to exceed \$144,705

**Motion by** Council Member Lara  
**Second by** Council Member Santos

**Approve by four-fifths vote of the City Council the Third Amendment to the professional services agreement with Moffatt & Nichol for the Pennsylvania Grade Separation Project, in an amount not to exceed \$144,705.**

**Approved by a unanimous vote**

- I.5 Approve Third Amendment to Agreement for an Extension of a Contract with Clinical Laboratory Services of San Bernardino, Inc., to Provide Laboratory Testing Services at the City of Beaumont Wastewater Treatment Plant

Staff is recommending an 18-month extension of the current contract through June 30, 2024, with Clinical Laboratory Services of San Bernardino, Inc., to Provide Laboratory Testing Services at the City of Beaumont Wastewater Treatment Plant.

**Motion by Mayor White**

**Second by Council Member Fenn**

**Approval of the Third Amendment to Agreement for an extension to June 30, 2024, with Clinical Laboratory Services of San Bernardino, Inc., to provide laboratory testing services at the City of Beaumont Wastewater Treatment Plant in the amount not to exceed \$191,000.00 if approved by a four-fifths vote**

**Approved by a unanimous vote**

I.6 Approval of City Attorney Invoices for the Month of October 2022

Approve invoices in the amount of \$97,518.15.

**Motion by Mayor White**

**Second by Council Member Lara**

**To approve invoices in the amount of \$97,518.15.**

**J. LEGISLATIVE UPDATES AND DISCUSSION**

*Legislative platform to be brought to Council in January.*

**K. ECONOMIC DEVELOPMENT UPDATE**

*Economic Development Committee Report Out*

**L. CITY TREASURER REPORT**

*Finance and Audit Committee Report Out*

**M. CITY CLERK REPORT**

*Report out of Public Records Requests from the month of October.*

**N. CITY ATTORNEY REPORT**

**O. CITY MANAGER REPORT**

*Upcoming Police Department Promotions and Swearing ins.*

*Upcoming Thanksgiving Dinner delivery.*

*Public Benefit Fee will be brought to Council in January.*

*Discussion to hold the swearing in of new Council Members on December 20, 2022.*

**O.1 Department Project Schedule Updates - October 2022**

**P. FUTURE AGENDA ITEMS**

**Q. COUNCIL REPORTS**

*Lara - Gave a report out from a League Meeting.*

*Santos - Thanked staff for the success of the Veteran's Day Parade.*

*Fenn - Thanked staff for the Veteran's Day Parade, gave a report out from the Pass Com meeting.*

*Martinez - Gave a report out from the Collaborative Agency meeting, a League of Ca Cities and thanked staff for the Veteran's Day Parade.*

*White - Thanked staff for the parade and shared feedback from the public.*

**R. ADJOURNMENT at 8:44 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 December 6, at 6:00 p.m. unless otherwise posted.