



Staff Report

TO: City Council
FROM: Thaxton Van Belle, Director of Water Reclamation
DATE: September 2, 2025
SUBJECT: Approval of Agreement with Rincon Consultants for Mitigation Monitoring.

Description: Request to approve a Professional Services Agreement (Agreement) with Rincon Consulting to provide Mitigation Monitoring services for an amount not to exceed \$145,896.

Background and Analysis:

On March 3, 2025, the City experienced a significant sewer mainline failure in the Fairway Canyon community due to slope erosion behind homes on Hogan Drive. This resulted in a manhole collapse, a 15-inch sewer line failure, and a raw sewage spill. Emergency measures were immediately undertaken to address the public health threat. The City Council subsequently adopted a resolution on March 4, 2025, declaring a local emergency and authorizing emergency expenditures under California Public Contract Code Section 22050. Staff have provided regular updates, and closeout efforts are now underway.

The City contracted with Environmental Law Group (ELG) for specialized legal support, including mitigation response and environmental permitting. ELG subcontracted Rincon Consultants (Rincon) for environmental permitting and mitigation support. To date, ELG has invoiced the City for expenditures to Rincon in the amount of \$43,910.

In an effort to reduce costs and define scope, ELG and city staff are recommending contracting with Rincon directly.

Beaumont Municipal Code 3.01.1000, A., allows an exception to competitive bidding requirements in Emergencies.

*3.01.100 - Exceptions to competitive bidding on public projects.
In addition to the situations described in Section 3.01.030, competitive bidding, either formal or informal, is not required for public projects in the situations provided for in this section. Under such conditions, the alternative procedure may be used.*

A. *Emergencies. In situations determined by the City Manager to constitute an emergency for repair or replacement of a public project pursuant to Public Contract Code Section 22035 and Public Contract Code Section 22050, the City Council hereby delegates to the City Manager the power to declare a public emergency and take any directly related and immediate action required by the emergency, up to a total of \$200,000.00, pursuant to California Public Contract Code Section 22035 and California Public Contract Code Section 22050. Emergency expenditures of more than \$200,000.00 shall first be approved by the City Council. Work may be performed without the benefit of competitive bidding, either formal or informal, only so long as necessary under those sections. For projects of more than \$60,000.00, a report on the emergency and work performed shall be provided at the next regular meeting of the City Council, and then at every meeting thereafter required by California Public Contract Code Section 22050. At such meetings, the City Council shall determine, by a four-fifths vote, that there is a need to continue the action without the benefit of informal or formal competitive bidding in accordance with California Public Contract Code Section 22035 and California Public Contract Code Section 22050. The City Council shall terminate the emergency action at the earliest possible date that conditions warrant, so that the remainder of the emergency action may be completed pursuant to a formal bidding procedure or other applicable procedure. For projects of \$200,000.00 or less, the City Manager shall determine, on his or her own as the action continues, whether there is a need to continue the action without the benefit of the applicable bidding procedure. The City Manager shall terminate the emergency action at the earliest possible date that conditions warrant, so that the remainder of the emergency action may be completed pursuant to the applicable bidding procedure.*

Rincon has provided a proposal to provide permit compliance services that are intended to address most scenarios that the City may encounter through the process. This conservative approach, listed by task, with some exclusions, allows for reactive adjustments to determinations and requirements issued by the Regional Water Quality Control Board (RWQCB). Any tasks not performed will not be billed.

Fiscal Impact:

The Agreement is for an amount not to exceed \$145,896. These expenses will be charged to Account Nos. 100-1300-7068-0000S and 700-4050-7068-0000, depending on the nature of the services rendered.

The estimated cost to prepare this report is \$200.

Recommended Action:

Approve the Professional Services Agreement with Rincon Consulting for an amount not to exceed \$145,896 for a term of one year and;

Authorize the Mayor to execute the Agreement.

Attachments:

- A. Professional Services Agreement