

City of Rialto



Regular Meeting

Tuesday, August 10, 2021

CLOSED SESSION TIME: 5:00 PM

OPEN SESSION TIME: 6:30 PM

**CITY COUNCIL, City of Rialto, acting as Successor Agency to the
Redevelopment Agency, RIALTO UTILITY AUTHORITY, RIALTO
HOUSING AUTHORITY**

City Council

Mayor Deborah Robertson

Mayor Pro Tem Ed Scott

Council Member Rafael Trujillo

Council Member Andy Carrizales

Council Member Karla Perez

Barbara A. McGee City Clerk

Edward Carrillo City Treasurer

Eric Vail City Attorney

Marcus Fuller City Manager

IN RESPONSE TO THE COVID-19 EMERGENCY, AND IN COMPLIANCE WITH SOCIAL DISTANCING PROTOCOLS REQUIRED BY GOVERNOR NEWSOM'S EXECUTIVE ORDER N-29-20 AND THE STATE DEPARTMENT OF PUBLIC HEALTH, THE CITY COUNCIL CHAMBERS WILL BE OPEN TO THE PUBLIC WITH LIMITED SEATING INSIDE THE COUNCIL CHAMBERS. THE PUBLIC WILL HAVE AN OPPORTUNITY TO SPEAK ON ANY ITEM USING THE PODIUM INSIDE COUNCIL CHAMBERS.

MEMBERS OF THE PUBLIC ARE PROVIDED OPPORTUNITIES FOR PUBLIC COMMENT BY SUBMITTING WRITTEN COMMENT TO CITYCLERK@RIALTOCA.GOV OR PROVIDE ORAL COMMENTS VIA ZOOM (5 MINUTE LIMIT). Attend the Meeting via Zoom Webinar: <https://zoom.us/j/94152325262>. YOU MUST SIGN UP BY 6:30PM THE NIGHT OF THE MEETING, GO TO <https://www.yourrialto.com/635/VIRTUAL-CITY-COUNCIL-MEETINGS>

TO VIEW ONLY

Watch live streaming video of the Meeting at <https://www.yourrialto.com/183/Rialto-Network>

Council Meetings are broadcast live on the City's television station, Rialto Network. Spectrum Channel 3 and AT&T Channel 99.

Attend the Meeting via Zoom <https://zoom.us/j/94152325262>. You do not have to speak.

LISTEN ONLY

Call into the Live Meeting: (669) 900-9128 Webinar ID:941 5232 5262

All agendas are posted in the City Hall Administration Building (150 South Palm Avenue, Rialto) at least 72 hours in advance of the meeting. All writings that relate to an agenda item for an open session of a regular meeting of the City Council distributed to all, or a majority, of the Council Members also shall be made available, at the same time but not sooner than 72 hours before a regular meeting, for public inspection in the Office of the City Clerk located at 290 West Rialto Avenue, Rialto, California (909-820-2519) from 7:00 a.m. to 6:00 p.m., Mondays through Fridays, and on the City's website at www.yourrialto.com Any person having a question concerning any agenda item may call the City Clerk's office to make inquiry concerning the nature of the item described on the agenda.

Based upon the open meeting laws (the Brown Act), additional items may be added to the agenda and acted upon by the City Council only if it is considered to be a "subsequent need" or "emergency" item and is added by a two-thirds vote. Matters raised under Oral Communications may not be acted upon at that meeting other than as provided above.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Director of Public Works at (909) 421-7279. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CAR 35.102-35.104 ADA Title II).

Next Ordinance No.1661 Next Resolution No.7769**Called to Order By:****ROLL CALL****Rialto – Entering a Second Century of Progress**

- *Rialto will be a Family First Community*
- *Rialto Shall Attract High-Quality Development and Improve its Physical Environment*
- *Rialto's Economic Environment will be Healthy and Diverse*
- *Rialto will be an Active Community*

All items listed on this agenda are being considered and/or acted upon by the City Council on behalf of the City of Rialto, except for such items as are designated by the "RUA," "RHA," which items are being considered and/or acted upon by the Members of the Rialto Utility Authority or Rialto Housing Authority of the City of Rialto in its separate legal capacity. For convenience and ease of administration only, the agendas for each separate legal body have been consolidated herein

5:00 p.m.

CLOSED SESSION

- 1 [21-0519](#) **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
Significant exposure to litigation Pursuant to Government Code section 54956.9(d)(2)
Number of matters: Nine (9)
- 2 [21-0520](#) **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
Pursuant to Government Code section 54956.8
Property: South East Corner of Linden Avenue & Miro Way; APN 0264-211-15
Agency Negotiator: City Manager Marcus Fuller; City Attorney Eric Vail.
Negotiating Parties: Spraytech; Alexamax, LLC; City of Rialto
Under Negotiation: Price and Terms of potential sale of property
- 3 [21-0539](#) **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
Pursuant to Government Code section 54956.8
Property: 128 N. Willow, Rialto APN: 013019111
Agency Negotiator: City Manager Marcus Fuller; City Attorney Eric Vail.
Negotiating Parties: McLaughlin Development Partners, LLC; City of Rialto
Under Negotiation: Price and Terms of Sale
- 4 [21-0521](#) **CONFERENCE WITH LABOR NEGOTIATORS**
Pursuant to Government Code section 54957.6
Agency Designated Representatives: City Manager Marcus Fuller
Employee Organizations:
- City Government Management Association
 - Rialto Fire Management Association
 - Rialto Mid-Management & Confidential Employee's Association
 - Rialto Policy Benefit Association - Management
 - Rialto City Employee's Association
 - Rialto Police Benefit Association - General
 - Rialto Professional Firefighters of California - Local 3688
 - Executive Management Team
 - Management Unrepresented Employees
 - Unrepresented Employees

6:30 p.m.

Called to Order By:

ROLL CALL

PLEDGE OF ALLEGIANCE - Council Member Karla Perez

INVOCATION - Father Richard Casillas, SVD - St. Catherine of Siena

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

- 1 [21-0518](#) Introduction of new employees by Marcus Fuller, City Manager:
Bradley Fleighmann, Building & Safety Manager
Lei Jim, IT Specialist
Sylvia Yglesias, P/T HR Assistant
Melissa Gamboa, Records Assistant
Maria Diaz, Office Specialist
- 2 [21-0529](#) In Memoriam for Robert Lopez Sr. - Council Member Carrizales
- 3 [21-0526](#) 400 Years of African American History Commission -
Mayor Deborah Robertson
- 4 [21-0543](#) Certificate of Accomplishment and Recognition for Allanah Mouton -
Mayor Deborah Robertson

ORAL COMMUNICATIONS

City Council to consider removing or continuing any items on the agenda

NOTICE TO THE PUBLIC

All matters listed under Consent Calendar are considered to be routine by the City Council and will be enacted by one motion in the following form listed. There will be no separate discussion on these items. If discussion is required, the item will be removed from the Consent Calendar and will be considered separately. Vote may be by roll call.

CONSENT CALENDAR

A. WAIVE FULL READING OF ORDINANCES

The Council hereby waives the full reading of any ordinance to be introduced or approved at this meeting and such ordinance shall be read by title only.

B. APPROVAL OF WARRANT RESOLUTIONS

- B.1 [21-0516](#) Warrant Resolution No.4 (7/29/2021)
- B.2 [21-0517](#) Warrant Resolution No.5 (8/5/2021)

C. APPROVAL OF MINUTES

- C.1 [21-0463](#) Regular City Council Meeting - July 13, 2021
- C.2 [21-0515](#) Regular City Council Meeting - July 27, 2021

D. MISCELLANEOUS

- D.1 [21-0045](#) Request City Council to Approve a Purchase Order in the Amount of \$19,984.74 with PMAM Corporation for False Alarm and Permit Collection Services for Fiscal Year 2021.
- D.2 [21-0504](#) Request City Council to Receive and File Treasurer's Monthly Report for the month end of June 2021.
- D.3 [21-0513](#) Request City Council to Approve the Fiscal Year 2021/2022 Yearly Conference/Travel Expense Schedule for City Council Members.
- D.4 [21-0523](#) Request City Council to Adopt **Resolution No.7764** Setting the Fiscal Year 2021-2022 Special Tax Levy for Community Facilities District 2019-02 (Foothill/Spruce).
- D.5 [21-0528](#) Request City Council to adopt **Resolution No.7765** Amending Resolution No. 7755 to Revise the Fiscal Year 2021-2022 Citywide Classification and Compensation Plan and to Establish the New Classifications of Director of Maintenance and Facilities and Deputy of Maintenance and Facilities, and to Revise Other Existing Classifications
- D.6 [21-0538](#) Request City Council to Approve Contract Amendment No. 1 for Third-Party Administration for General Liability Claims to Carl Warren & Company in an Amount not to Exceed \$26,040.
- D.7 [21-0439](#) Request City Council Approve the Third Amendment to the Professional Services Agreement with Alta Planning + Design, Inc. Related to the Bike Sharing Plan and Implementation Program, City Project No. 170810.
- D.8 [21-0496](#) Request City Council to (1) Accept the Traffic Signal at Pepper Avenue and Winchester Drive/Terrace Road, City Project No. 190802; (2) Authorize an Additional \$5,759.48 for Construction Contract Change Orders; (3) Authorize Filing of the Notice of Completion; and (4) Authorize Release of Retention to KDC, Inc. (DBA Dynalectric).

TAB NEW BUSINESS

- TAB1** [21-0536](#) Request City Council to Adopt **Ordinance No.1660** to Amend Rialto Municipal Code section 2.50.060, and to Adopt **Resolution No.7766** Designating Positions as Exempt from the City's Competitive Service.
(ACTION)
- TAB2** [21-0534](#) Request City Council to Approve a Service Agreement with CPS HR Consulting for On-Call As Needed Recruitment and Selection Services through Fiscal Year 2021-2022 for an Amount Not to Exceed \$90,000.
(ACTION)
- TAB3** [21-0524](#) Request City Council to Approve a Three-Year Professional Services Agreement for Independent Audit Services to Lance, Soll & Lunghard LLP in the Amount of \$217,534 with Optional Extension of Two Years.
(ACTION)
- TAB4** [21-0525](#) Request City Council to Approve a Services Agreement with Advanced Avant-Garde Corporation for Community Development Block Grant (CDBG), Neighborhood Stabilization Program (NSP) and HOME Program Consulting Services in the amount of \$319,090 annually; and Authorize the Extension of the Contract Term for Two Additional Years.
(ACTION)
- TAB5** [21-0506](#) Request City Council to 1) Accept the Public Improvements; 2) Authorize the City Engineer to File the Notice of Completion; and 3) Authorize the Reimbursement to Liberty Property Limited Partnership in the amount of \$315,187.24 in Accordance with the Construction Fee Credit and Reimbursement Agreement by and between the City of Rialto and Liberty Property Limited Partnership.
(ACTION)
- TAB6** [21-0507](#) Request City Council to Award a Construction Contract to EBS General Engineering, Inc. in the amount of \$670,415 for the Easton Street Sidewalk Improvements Project, City Project No. 190811; Adopt **Resolution No.7767** Amending the 2021-2022 Fiscal Budget and Amending the Measure I Five Year Capital Improvement Plan; and Approve Other Related Actions.
(ACTION)
- TAB7** [21-0532](#) Request City Council to Provide Direction to Staff Regarding the Various Federal Funding Requests and Authorization of Required Local Funds for Projects Included in the Federal 2022 Fiscal Year Budget.
(ACTION)

TAB8 [21-0522](#)

Request City Council to 1) Receive an Update on and Confirm the Continued Existence of the Local Emergency Throughout the City of Rialto in Response to the COVID-19 Outbreak; 2) Adopt **Resolution No.7768** Ratifying Emergency Proclamation 2021-01 from the Director of Emergency Services / City Manager to Require Masking of all Persons in City Facilities Consistent with Federal, State and Regional Actions; 3) Approve Actions that Support and Incentivize Community Vaccination; 4) Provide Direction with Regard to Continuing City Events; and 5) Provide any Further Recommendations in Relation to the Local Emergency Throughout the City of Rialto in Response to the COVID-19 Outbreak.

(ACTION)

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY MANAGER:

ADJOURNMENT