

City of Rialto



Regular Meeting

Tuesday, September 14, 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, SEND EMAIL: rialtonetwork@rialto.ca.gov.

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.ca.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.1662**Next Resolution No. 7772**

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 [21-0604](#) **CONFERENCE WTH LEGAL COUNSEL - EXISTING LITIGATION**
Pursuant to Government Code section 54956.9(d)(1)
Four (4) Matters
- (1) Cynthia Balderas v. City of Rialto, et al, SBSC Case No. CIV SB 2105830
 - (2) Jonathan Aguirre-Salazar v. City of Rialto, et al, SBSC Case No. CIV DS 2012385
 - (3) Lawrence Bender v. City of Rialto; et al, USDC Case No. 5:20-cv-012171
 - (4) Betty Vitatoe vs. City of Rialto, SBSC Case No. CIV DS 1922226
- 2 [21-0605](#) **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
- 3 [21-0620](#) **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
Pursuant to Government Code section 54957
Title: City Attorney

6:30 p.m.

Called to Order By:

ROLL CALL

PLEDGE OF ALLEGIANCE - Mayor Deborah Robertson

INVOCATION - Pastor Mark Baur - 1st Baptist Church Rialto

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

- 1 [21-0566](#) Introduction of new employees by Marcus Fuller, City Manager:
Cynthia Alvarado-Crawford, Director of Community Services
Arron Brown, Deputy City Manager
Hector Hernandez, Information Technology Specialist
Steven R. Lopez, Paramedic
John A. Monso, Paramedic
John Carrasco, Paramedic
Eugene Cervantes, Field Service Worker

- 2 [21-0621](#) Certificate for National Tradesmen Day for Arnie Nava - Council Member
Trujillo

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 [21-0582](#) Warrant Resolution No. 5a (7/29/2021)
- B.2 [21-0564](#) Warrant Resolution No. 6 (8/12/2021)
- B.3 [21-0583](#) Warrant Resolution No. 7 (8/19/2021)
- B.4 [21-0594](#) Warrant Resolution No. 8 (8/26/2021)
- B.5 [21-0606](#) Warrant Resolution No. 9 (09/02/2021)

C. APPROVAL OF MINUTES

- C.1 [21-0561](#) Regular City Council Meeting - August 10, 2021

D. CLAIMS AGAINST THE CITY

- D.1 [21-0565](#) Ed Scott - Damages

E. SET PUBLIC HEARING

- E.1 [21-0591](#) Request City Council to Set a Public Hearing for September 28, 2021 to Consider and Approve the City's 2020-2021 Consolidated Annual Performance and Evaluation Report.

F. MISCELLANEOUS

- F.1 [21-0601](#) Request City Council to Adopt by Second Reading ORDINANCE NO. **1660** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA AMENDING SECTION 2.50.060 OF THE RIALTO MUNICIPAL CODE RELATING TO CITY POSITIONS INCLUDED IN THE COMPETITIVE SERVICE OF THE CITY.
- F.2 [21-0576](#) Request City Council to Adopt **Resolution No. 7769** Approving the Industrial Disability Retirement of Robert J. Smith.
- F.3 [21-0579](#) Request City Council to Approve the First Amendment to the Agreement for Professional Communications Services with The 20/20 Network in the Amount of \$42,000.
- F.4 [21-0562](#) Request City Council to Authorize the Release of Request for Bids for the Rialto Cemetery Rehabilitation Project, City Project No. 210209.

- F.5 [21-0600](#) Request City Council to Approve a Fifth Amendment to the Lease Agreement with the County of San Bernardino for the Library site located at 251 West First Street.
- F.6 [21-0587](#) Request City Council to Adopt **Resolution No. 7770** Declaring that Certain 3.39 Acre City-Owned Property Located at the Southeast Corner of Linden Avenue and Miro Way as Surplus Land and Directing the City Manager to Follow the Procedures Set Forth in the Surplus Land Act, California Government Code Section 54220 et seq., as Amended on January 1, 2020, for the Sale of Surplus Land.

TAB PUBLIC HEARING

- TAB1 [21-0551](#) Request City Council to Conduct a Public Hearing for the Placement of Liens for Delinquent Refuse Collection Accounts for the First Quarter of 2021; and Adopt **Resolution No. 7771** Authorizing the Filing of Liens Against Certain Properties for Delinquent Refuse Accounts with the San Bernardino County Assessor-Recorder-County Clerk.
(ACTION)

NEW BUSINESS

- TAB2 [21-0599](#) Request City Council to Provide Direction to Staff on the Use and Allocation of the American Rescue Plan Act (ARPA) Funding.
(ACTION)
- TAB3 [21-0580](#) Request City Council / Rialto Utility Authority Board 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) Receive an Update on and Approve Adjustments to the CDBG-CV Assistance Programs; 3) Approve the Phased Return to the Normal Billing and Interest Accrual Process for Water and Wastewater Services in Conjunction with Support of the Expanded use of the COVID-19 Utility Program; and 4) Provide any Further Recommendations in Relation to the Local Emergency Throughout the City of Rialto in Response to the COVID-19 Outbreak.
(ACTION)
- TAB4 [21-0549](#) Request that the City Council Introduce for First Reading **Ordinance No. 1661**, Amending Sections 2.12.030, 2.12.040, 2.12.050 and 2.12.060 of the Rialto Municipal Code to Adjust the Salary of the Mayor, City Councilmembers, City Clerk and City Treasurer of the City of Rialto.
(ACTION)

- TAB5** [21-0592](#) Request City Council to Approve a Professional Services Agreement for Specialized Audit Services to Moss, Levy, and Hartzheim, LLP for a Not-To-Exceed Amount of \$272,000.
(ACTION)
- TAB6** [21-0527](#) Request City Council to Approve a 10-Year Master Service Agreement with SOMA Global, Inc., a Delaware Corporation in the Amount of \$2,015,331 for Development, Implementation and Maintenance of an Upgraded Computer Automated Dispatch (CAD), Records Management System (RMS) and Mobile Data Software for the Rialto Police Department.
(ACTION)
- TAB7** [21-0440](#) Request City Council to Approve an Amendment to the Contract Services Agreement with GSSi, Inc., on a Month-to-Month Basis, not to exceed Six (6) Months at a Cost of \$38,212.25 per Month, with a Total Contract Amount of \$229,273.50 for Fiscal Year 2022.
(ACTION)
- TAB8** [21-0558](#) Request City Council/Rialto Utility Authority Board to Approve the Water Replacement Order Agreement Extending the Agreement Between the City of Rialto and San Bernardino County for an Additional Two Years, Authorizing County to Continue Utilizing Up to 1,600 Acre-Feet of Water of the City of Rialto's Water Rights, and Authorizing the City Manager to Execute the Agreement and any Related Documents.
(ACTION)
- TAB9** [21-0571](#) Request City Council to Accept Public Improvements; Authorize the City Engineer to File the Notice of Completion; and Authorize the Reimbursement to Liberty Property Limited Partnership.
(ACTION)
- TAB10** [21-0498](#) Request City Council Approve a Contract Services Agreement with Econo Fence, Inc. in the Amount of \$88,705; and Approve the Third Amendment to the Professional Services Agreement with STK Architecture Inc. in the Amount of \$57,015 Associated with Construction of Fire Station 205.
(ACTION)
- TAB11** [21-0588](#) Request City Council to Award a Construction Contract to Sequel Contractors, Inc., a California corporation, in the amount of \$6,482,270 for the Riverside Avenue from SR210 to Foothill Boulevard, City Project No. 210807; Award a Professional Services Agreement to AECOM Technical Services, Inc., a California corporation, in the amount of \$972,443 for Construction Management Support Services, and other related actions.
(ACTION)

TAB12 [21-0584](#) Request City Council to Reject All Bids Received for the Riverside Avenue from I-10 to the City's South Boundary, City Project No. 180807 and Award a Professional Services Agreement to Southstar Engineering and Consulting, Inc. in the amount of \$100,000 for Construction Management Support Services, Phase 1.

(ACTION)

TAB13 [21-0598](#) Request City Council to Delegate Authority to the City Manager to Approve Necessary Services for the Remediation and Reconstruction of the Damaged Public Works Building Located at 335 W. Rialto Avenue up to the Initial Claim Value of \$250,000.

(ACTION)

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY MANAGER:

ADJOURNMENT