

City of Rialto



Regular Meeting

Tuesday, October 26, 2021

AMENDED AGENDA

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, 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.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

Next Ordinance No.1665 Next Resolution No.7793

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 [21-0744](#) **CONFERENCE WITH REAL PROPERTY NEGOTIATOR**
Pursuant to Government Code section 54956.8
Property: 241 South Palm etc.
Agency Negotiator: Marcus Fuller, City Manager
Negotiating Parties: Silva Family Trust and City of Rialto
Under Negotiation: Price and Terms of Purchase

- 2 [21-0745](#) **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
Pursuant to Government Code section 54956.9(d)(1)
Two (2) matters

 Patricia Delgado v. City of Rialto
 USDC Case No. 5:20-cv-02609-JGB-SHK

 Rialto v. State of California Commission on State Mandates
 In Re Test Claim 17-TC-28

- 3 [21-0746](#) **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
Pursuant to Government Code section 54956.9(d)(2)
Two (3) matters

- 4 [21-0747](#) **CONFERENCE WITH LABOR NEGOTIATORS**
Pursuant to Government Code section 54957.6
Agency Designated Representatives: Marcus Fuller, City Manager
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

- 5 [21-0764](#) **CONFERENCE WITH REAL PROPERTY NEGOTIATOR** Pursuant to
Government Code section 54956.8
Property: 428 E Walnut Ave. APN 0264-851-06
Agency Negotiator: Marcus Fuller, City Manager
Negotiating Parties: Estate of Eric Arrington and Shirley Combs-Arrington
Under Negotiation: Modification of Loans

6:30 p.m.

Called to Order By:

ROLL CALL

PLEDGE OF ALLEGIANCE - Council Member Rafael Trujillo

INVOCATION - Pastor Bob Ruiz - Calvary Chapel Rialto

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

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 [21-0738](#) Warrant Resolution No. 14 (10/7/2021)

B.2 [21-0739](#) Warrant Resolution No. 15 (10/14/2021)

C. APPROVAL OF MINUTES

C.1 [21-0740](#) Special City Council Meeting - October 7, 2021

D. CLAIMS AGAINST THE CITY

- D.1 [21-0742](#) Rosa Maria Padilla Soto - Personal Injury

E. SET PUBLIC HEARING

- E.1 [21-0676](#) Request City Council to Set a Public Hearing for December 14, 2021, to Consider the Placement of Liens for Delinquent Refuse Collection Accounts for the 2nd Quarter of the 2021 Calendar Year.

F. MISCELLANEOUS

- F.1 [21-0682](#) Request City Council to: (1) Adopt **Resolution No. 7783** Amending the 2021-2022 Fiscal Year Budget; (2) Accept the California Office of Traffic Safety Selective Traffic Enforcement Program Grant in the Amount of \$246,000; and (3) Authorize the City Manager or designee to Execute All Documents.
- F.2 [21-0684](#) Request City Council to: (1) Adopt **Resolution No. 7784** Amending the 2021-2022 Fiscal Year Budget; (2) Accept the California Office of Traffic Safety "Ride to Live" Motorcycle Education Grant in the Amount of \$29,000; and (3) Authorize the City Manager or Designee to Execute All Documents.
- F.3 [21-0722](#) Request City Council to Receive and File Treasurer's Monthly Report for the month end of August 2021.
- F.4 [21-0678](#) Request City Council to Adopt **Resolution No. 7785** Approving Parcel Map 19945 for the Subdivision of Four (4) Parcels of Land into Two (2) Commercial Parcels at the Northeast Corner of Foothill Boulevard and Cactus Avenue.
- F.5 [21-0748](#) Request City Council to Authorize the Submission of a Grant Application with No Local Match to the United States Conference of Mayors Childhood Obesity Prevention/Environmental Health and Sustainability Awards Grant Program.
- F.6 [21-0685](#) Request City Council to Adopt **Resolution No. 7786** Amending the 2021-2022 Fiscal Year Budget Associated with the City's 2021-2022 Allocation of \$157,129 Through the California Citizens Option for Public Safety (COPS) Funding.

- F.7 [21-0723](#) Request City Council to: (1) Adopt **Resolution No. 7787** Amending the 2021-2022 Fiscal Year Budget; (2) Accept the California Office of Traffic Safety "Traffic Records Improvement Project" Grant in the Amount of \$76,000; and (3) Authorize the City Manager or Designee to Execute All Documents.
- F.8 [21-0750](#) Request City Council to Approve Amendment No. 1 to the Employment Agreement between the City of Rialto and the City Manager.

TAB NEW BUSINESS

- TAB1 [21-0725](#) Request City Council/Rialto Utility Authority Board to: (1) Approve the First Amendment to the Professional Services Agreement with Soto Resources to Provide Additional As-Needed Grant Writing Assistance for the Rialto Utility Authority and Utilities Division in an Additional Amount of \$100,000, for a Total Amount Not to Exceed \$150,250; and (2) Authorize the City Manager to Execute All Documents.
(ACTION)
- TAB2 [21-0709](#) Request City Council to: (1) Adopt **Resolution No. 7788** Amending the 2021-2022 Fiscal Year Budget; (2) Approve an Agreement for Traffic Control Services Between Amazon.com, Inc. and the City of Rialto for the Period November 20, 2021, through December 24, 2021, at a Fee of \$162,332.80; and (3) Authorize the City Manager to Execute All Documents.
(ACTION)
- TAB3 [21-0508](#) Request City Council to: (1) Introduce First Reading of **Ordinance No. 1663** Amending Chapter 10.23 of the Rialto Municipal Code Regarding Parking of Vehicles in Stalls for Electric Charging Purposes, and Adding Chapter 10.30 Regarding "Parking Meters;" (2) Adopt **Resolution No. 7789** Amending the 2021-2022 Budget to Appropriate \$243,287 from the Capital Projects Fund for the Parking Meters Project; (3) Award an Agreement to Cale America, Inc., a Delaware corporation dba Flowbird in the amount of \$172,329; and (4) Authorize the City Manager to execute all related documents.
(ACTION)
- TAB4 [21-0559](#) Request City Council to 1) Approve the Purchase of an Incident Support Fire Apparatus from the City of Loma Linda in the Amount of \$125,000, and 2) Authorize the City Manager to Execute a Purchase Contract and any Related Documents.
(ACTION)

- TAB5** [21-0730](#) Request City Council to Introduce **Ordinance No. 1664** Amending Chapter 8.08 of the Rialto Municipal Code, Titled “Refuse Collection,” to Include Provisions Pertaining to Mandatory Commercial Recycling and Mandatory Commercial Organics Recycling.
(ACTION)
- TAB6** [21-0743](#) Request City Council to Adopt **Resolution No. 7790** Amending the 2021-2022 Fiscal Year Budget to Establish the American Rescue Plan Act Fund (Fund 232) and to Appropriate \$29,373,105 in Coronavirus State and Local Fiscal Recovery (SLFR) Funds into Various Programs and Projects as Determined by the City Council.
(ACTION)
- TAB7** [21-0754](#) Request City Council to: (1) Approve the Acquisition of 87 New and Replacement Vehicles at a Total Cost of \$3,917,497 with Lease-Financing Through Enterprise FM Trust, a Delaware Statutory Trust Via a Master Equity Lease Agreement; and (2) Authorize the City Manager to Execute All Related Documents.
(ACTION)
- TAB8** [21-0701](#) Request City Council to: (1) Receive a Presentation Providing an overview of the Preliminary General Fund Ending Fiscal Year 2020-2021, (2) Adopt **Resolution No. 7791** Amending the Fiscal Year 2021-22 Fiscal Budget, and (3) Adopt **Resolution No.7792** Updating the Citywide Class and Compensation Table for Full-Time and Part-Time Employees.
(ACTION)
- TAB9** [21-0753](#) Request City Council to Receive an Update on and Confirm the Continued Existence of and Provide any Further Direction 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