

**REGULAR MEETING  
of the  
CITY OF RIALTO**

**CITY COUNCIL  
City of Rialto, acting as Successor Agency to the  
Redevelopment Agency**

**MINUTES  
December 14, 2021**

A regular meeting of the City Council of the City of Rialto was held in the City Council Chambers located at 150 South Palm Avenue, Rialto, California 92376, on Tuesday, December 14, 2021.

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This meeting was called by the presiding officer of the Rialto City Council in accordance with the provisions of **Government Code §54956** of the State of California.

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**CALL TO ORDER**

Mayor Deborah Robertson called the meeting to order at 5:06 p.m.

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The roll was called, and the following were present: Mayor Deborah Robertson, Mayor Pro Tem Ed Scott, Council Member Rafael Trujillo, Council Member Andy Carrizales and Council Member Karla Perez.

Also present were City Manager Marcus Fuller, City Attorney Eric Vail, and City Clerk Barbara McGee.

City Treasurer Edward Carrillo was absent.

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**CLOSED SESSION**

1. CONFERENCE WITH LEGAL COUNSEL -

EXISTING LITIGATION

Pursuant to Government Code section 54956.9.(d)(1)

Three (3) matters:

- (1) Patricia Delgado v. City of Rialto et al. ,  
US District Court, Case No. 5:20-cv-02609-JGB-SHK
- (2) Beatris Chavez v. City of Rialto et al.,  
SBSC Case No CIVD2024244
- (3) Richard Gomez v. City of Rialto et al.,  
SBSC Case No. CIVDS2009827

2. CONFERENCE WITH LEGAL COUNSEL -

ANTICIPATED LITIGATION

Significant exposure to litigation Pursuant to Government Code section 54956.9(d)(2)

Number of matters: five (5)

3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code section 5495957(b)

Title: City Manager

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**CLOSED SESSION**

Motion by Council Member Trujillo, second by Council Member Carrizales and carried by 5-0 vote to go into Closed Session at 5:06 p.m.

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City Council returned from Closed Session at 6:40 p.m.

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**CALL TO ORDER**

Mayor Deborah Robertson called the meeting to order at 6:55 p.m.

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The roll was called, and the following were present: Mayor Deborah Robertson, Mayor Pro Tem Ed Scott, Council Member Rafael Trujillo, Council Member Andy Carrizales and Council Member Karla Perez. Also present were City Manager Marcus Fuller, City Attorney Eric Vail, City Clerk Barbara McGee and City Treasurer Edward Carrillo.

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**Pledge of Allegiance  
and Invocation**

Mayor Deborah Robertson led the Pledge of Allegiance.

Father Richard Casillas of St. Catherine of Siena.

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Mayor Robertson read a statement related to the police video release of the Post Acute Center incident involving Rialto Fire Department on November 17, 2021.

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**City Attorney's Report on  
Closed Session**

Pursuant to Government Code section 54956.9(d)(2)

1. CONFERENCE WITH LEGAL COUNSEL -  
EXISTING LITIGATION

Pursuant to Government Code section 54956.9.(d)(1)

Three (3) matters:

- (1) Patricia Delgado v. City of Rialto et al. ,  
US District Court, Case No. 5:20-cv-02609-JGB-SHK
- (2) Beatris Chavez v. City of Rialto et al.,  
SBSC Case No CIVD2024244
- (3) Richard Gomez v. City of Rialto et al.,  
SBSC Case No. CIVDS2009827

There was a briefing from the City Attorney's Office. The City Council gave direction on each of the items.

2. CONFERENCE WITH LEGAL COUNSEL -  
ANTICIPATED LITIGATION

Significant exposure to litigation Pursuant to Government Code section 54956.9(d)(2)

Number of matters: five (5)

Completed two of the five matters. The other items will be continued at the January 11, 2022 City Council meeting.

3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code section 5495957(b)

Title: City Manager

Item will continue at the January 11, 2022 City Council meeting.  
No other reportable action.

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**PRESENTATIONS AND  
PROCLAMATIONS**

1. Introduction of New Employees by City Manager Marcus Fuller, Director of Human Resources - Scott Pilch IT Manager - Edgar Trenado
2. Certification of Recognition to Queen Ivie Egiebor Mayor Deborah Robertson
3. Certification of Recognition to RUSD International Healing Garden Fausat Rahman - Davies Mayor Deborah Robertson

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**ORAL COMMUNICATIONS**

Jacqueline Valadez addressed the City Council in regard to the Estate of Christopher Valadez – Wrongful Death.

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Dianna Alvarado addressed the City Council in regard to the Estate of Christopher Valadez – Wrongful Death.

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## **ORAL COMMUNICATIONS**

Eden Enamorado addressed the City Council through Zoom in regard to the Estate of Christopher Valadez – Wrongful Death and is requesting a separate investigation.

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Sal Diaz addressed the City Council through Zoom in regard to the Estate of Christopher Valadez – Wrongful Death

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Monica Fierros addressed the City Council through Zoom in regard to the Estate of Christopher Valadez – Wrongful Death

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Ramon Fierros addressed the City Council through Zoom in regard to the Estate of Christopher Valadez – Wrongful Death

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Alejandra addressed the City Council through Zoom in regard to the Estate of Christopher Valadez – Wrongful Death

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Debbie addressed the City Council through Zoom in regard to the Estate of Christopher Valadez – Wrongful Death

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Mayor Robertson acknowledged receipt of a written communication that will be included in the City Council records.

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Mayor Pro Tem Scott requested City Attorney Vail to address the audience as to why the City Council cannot respond to the speakers who spoke in regard to the Claim of Christopher Valadez.

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City Attorney Vail stated that under the California Law, the Brown Act only allows to address Items that are written on the agenda in our agenda Items before the City or business tonight. Items can be added to the agenda in the future. That is why the City Council Members are not responding to those comments.

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### **City Council to Consider removing or continuing any items on the agenda**

Mayor Robertson abstained from Warrant Resolution No. 21 (11/24/2021) Voucher No. 220991 made out to the National Council of Negro Women.

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**City Council to Consider removing or continuing any items on the agenda**

Mayor Robertson would like to note for the record on E.11 that the City Manager and City Attorney were directed to prepare a report related to deferred compensation. While this is a Receive and File recommendation, she stated this is not a conclusive review of everything. There are some things in the report that will become part of our minutes. An error from 2014 needs to be corrected.

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**A. WAIVE FULL READING OF ORDINANCES**

1. Waive reading in full, all ordinances considered at this meeting.

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**B. APPROVAL OF WARRANT RESOLUTIONS**

- B.1 Warrant Resolution No. 18 (11/04/2021)
- B.2 Warrant Resolution No. 19 (11/11/2021)
- B.3 Warrant Resolution No. 20 (11/18/2021)
- B.4 Warrant Resolution No. 21 (11/24/2021)
- B.3 Warrant Resolution No. 22 (12/02/2021)

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**C. APPROVAL OF MINUTES**

- C.1 Regular City Council Meeting – October 26, 2021
- C.2 Regular City Council Meeting – November 9, 2021

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**D. CLAIMS AGAINST THE CITY**

- D.1 Kenitra Warner – Unpaid Wages
- D.2 Estate of Christopher Valadez – Wrongful Death
- D.3 Bobby Riley - Property Damage
- D.4 Esteban Hernandez - Personal Injury

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**CONSENT CALENDAR**

**E. MISCELLANEOUS**

- E.1 Request City Council to adopt **Resolution No. 7802** Accepting Funding in the Amount of \$20,000 from the Kaiser Foundation Hospitals Community Benefit Grant for the Healthy Rialto Nutrition Program 2022.
- E.2 Request the City Council/Rialto Utility Authority Board: (1 ) Adopt **Resolution No. 7803** Authorizing an Application to the California State Water Resources Control Board for the Lake Rialto Habitat Management and Community Open Space Project; and (2) Adopt **RUA Resolution No. 09-21** Authorizing an Application to the California State Water Resources Control Board for the Lake Rialto Habitat Management and Community Open Space Project.

**CONSENT CALENDAR**

- E.3 Request City Council to: (1) Accept the Cal OES (Governor's Office of Emergency Services) Pass-through Grant Subaward Allocation of \$400,000 for Fire Station Dormitory Improvements; (2) Adopt **Resolution No. 7804** Amending the Fiscal Year 2021-2022 Budget; and (3) Authorize the City Manager to Execute All Documents.
- E.4 Request City Council to Adopt **Resolution No. 7805** Approving Parcel Map 20204 for the Consolidation of Six (6) Parcels of Land into One (1) Parcel to Facilitate the Development of an Industrial Warehouse Building Located at the Northeast Corner of Merrill Avenue and Yucca Avenue.
- E.5 Request City Council to: (1 ) Adopt **Resolution No. 7806** Approving Tract Map 20092 for the Subdivision of Six (6) Parcels of Land into Six (6) Buildable Lots, One (1 ) Remainder Parcel and Thirteen (13) Lettered Lots to Facilitate the Development of the Lytle Creek Ranch Specific Plan Mastered Planned Community, and Approving an Associated Subdivision Improvement Agreement; and (2) Authorize the City Manager to Execute All Documents
- E.6 Request City Council to Adopt **Resolution No. 7807** Approving Parcel Map 20152 Located on the South Side of Casmalia Street between Maple Avenue and Linden Avenue, and Approving a Subdivision Improvement Agreement with CDRE Holdings 14, LLC, a Nevada Limited Liability Company.
- E.7 Request City Council to: (1 ) Adopt **Resolution No. 7808** Approving Parcel Map 20074 for the Subdivision of One (1 ) Parcels of Land into Three (3) Parcels to Facilitate the Development of Three Industrial Warehouse Buildings; (2) Approve a Subdivision Improvement Agreement with Renaissance Commerce Center, LLC, a California Limited Liability Company; and (3) Authorize the City Manager to Execute All Documents.
- E.8 Request the City Council/Rialto Utility Authority Board: 1) Authorize submission of a grant application to the California Department of Water Resources' Urban and Multibenefit Drought Relief Program; 2) Adopt **Resolution No. 7809** Authorizing the Grant Application, Acceptance, and Execution for the Well "City 3A" Groundwater Treatment System Project through the Department of Water Resources' Urban and Multibenefit Drought Relief Program Grant Application; and 3) Adopt **RUA Resolution No. 10-21** Authorizing the Grant Application, Acceptance, and Execution for the Well "City 3A" Groundwater Treatment System Project through the Department of Water Resources' Urban and Multibenefit Drought Relief Program Grant Application.

## **CONSENT CALENDAR**

- E.9 Request City Council/Rialto Utility Authority Board Adopt **Resolution No. 7810** and Rialto Utility Authority Board Adopt **RUA Resolution No.11-21** Approving an Extraterritorial Wastewater Service Agreement with Chandi Enterprises, LLC, for the property located at 10951 Cedar Avenue, Bloomington, Assessor's Parcel Number 0257-101-01-0000.
- E.10 Request City Council to Adopt **Resolution No. 7811** Amending the Citywide Classification and Compensation Plan/Table for Part-time Employees.
- E. 11 Request City Council to Receive and File a Report from the City Attorney regarding Payment of Deferred Compensation to 401(a) Money Purchase Pension and Trust Accounts Due to Eligible Elected City officials serving between July 1, 2014, and the Current Date.
- E. 12 Request City Council Consider and Approve **Resolution No. 7812** Opting-In to the National Opioid Settlements, Approve Direct Receipt of Funds, and Authorize the City Manager to Execute all Necessary Documents.
- E.13 Request City Council to Receive, File, and Make Available to the Public the Development Impact Fee Report for the Fiscal Years Ended June 30, 2019, 2020, and 2021.

Motion by Mayor Pro Tem Scott, second by Council Member Trujillo and carried by a 5-0 vote to Adopt the Consent Calendar.

Mayor Robertson abstained from Warrant Resolution No. 21 (11/24/2021) Voucher No. 220991 made out to the National Council of Negro Women.

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## **PUBLIC HEARING**

### **TAB 1**

**Conduct a Public Hearing for the Placement of Liens for Delinquent Refuse Collection Accounts; Adopt Resolution No. 7813**

Amy Crow, Administrative Analyst, presented staff report to Request City Council to Conduct a Public Hearing for the Placement of Liens for Delinquent Refuse Collection Accounts for the Second Quarter of 2021; and Adopt a **Resolution No. 7813** Authorizing the Filing of Liens Against Certain Properties for Delinquent Refuse Accounts with the San Bernardino County Assessor-Recorder-County Clerk.

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Mayor Robertson requested the addresses listed of the locations cited be repeated.

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Ms. Crow stated in the second commercial table, Line Item 6; 220 S. Date Avenue; \$448.57.

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Mayor Robertson declared the Public Hearing open and asked if anyone wished to come forward to speak.

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**TAB 1**  
**Conduct a Public Hearing for the**  
**Placement of Liens for Delinquent Refuse**  
**Collection Accounts; Adopt Resolution**  
**No. 7813**

Humaira Rashide property owner asking City for assistance and resources regarding a lien on her property for a tenant that has not paid in 18 months. She is asking for asking for commercial property owners who still have to pay mortgage and insurance for properties even if their tenants don't not pay.

**PUBLIC COMMENT**

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Mayor Robertson asked Ms. Rashide if she had made contact with the City prior to addressing the City Council.

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Ms. Rashide stated no. She does know if the City could help. She is talking to everyone to see who can help. She is aware of Federal assistance to landlords for residential properties. But there is no assistance to commercial property owners, and we are still obligated to pay property taxes, insurance and mortgages.

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Mayor Robertson stated these are some of the concerns they have had. There is an item on the agenda that will be addressed in terms of how funds will be allocated for residential, residents and small businesses.

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Mayor Pro Tem Scott asked Ms. Rashide if she had applied for any Federal assistance to small business.

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Ms. Rashide stated the small business assistance does assist with mortgage.

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Mayor Pro Tem Scott stated a landlord can apply for small business assistance loans if they are still available. Contact the Small Business Administration to determine if those loans are forgiven.

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Ms. Rashide stated she reached out to them, and they don't have any loans for rent.

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Mayor Robertson stated she hoped she meets with Deputy City Manager Brown. She stated the property has been pulled off the lien status.

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Motion by Council Member Trujillo, second by Mayor Pro Tem Scott and carried by a 5-0 vote to close the Public Hearing.

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**TAB 1**  
**Conduct a Public Hearing for the Placement of Liens for Delinquent Refuse Collection Accounts; Adopt Resolution No. 7813**

Mayor Robertson stated this is a conversation that has been discussed and requested the concerns be matched with the utility bills with trash with case management being done.

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Motion by Mayor Pro Tem Scott, second by Council Member Trujillo and carried by a 5-0 vote to Adopt a **Resolution No. 7813** Authorizing the Filing of Liens Against Certain Properties for Delinquent Refuse and Utility Accounts with the San Bernardino County Assessor-Recorder-County Clerk.

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**TAB 2**  
**Public Hearing to Consider Appeal of the Planning Commission's Decision to Approve Conditional Development Permit No. 2021-0006 and consider Resolution No. 7814 denying appellant's appeal**

Sean Moore, Director of Community Development, presented staff report to Request City Council to Conduct a Public Hearing to Consider an Appeal of the Planning Commission's Decision to Approve Conditional Development Permit No. 2021-0006, a request to allow the Sale of Distilled Spirits for Off-Site Consumption, in addition to Existing sales of Beer and Wine for Off-Site consumption, from an Existing Convenience market located at 718 E. Foothill Boulevard within the Commercial Pedestrian (C-P) land use District of the Foothill Boulevard Specific Plan. This Project is Categorically Exempt pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines and consider **Resolution No. 7814** denying appellant's appeal.

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Mayor Robertson asked if anyone wished to come forward to speak.

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**PUBLIC COMMENT**

Esai Medanas with Brownie's Liquor Store stated their liquor store business is hurting due to competition and is struggling.

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Representative for Samira Rahim Foothill Beer & Wine stated they are in full compliance with the crime prevention report submitted. There has been no crime reported in the area.

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Captain David Ocasio with West Tech Security stated there hasn't been any crime in the area. No trespassers.

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Motion by Mayor Pro Tem Scott, second by Council Member Trujillo and carried by a 5-0 vote to close the Public Hearing.

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**TAB 2**  
**Public Hearing to Consider Appeal of the**  
**Planning Commission's Decision to**  
**Approve Conditional Development Permit**  
**No. 2021-0006 and consider Resolution**  
**No. 7814 denying appellant's appeal**

Mayor Robertson asked for clarification of proximity to a childcare facility was a matter of concern.

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Mayor Pro Tem Scott stated it was the proper distance and the City Council approved it.

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Mayor Robertson stated there is a childcare 300 feet directly behind the building and residential is across the street.

She also inquired about the hours of operation.

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City Manager Fuller stated Mr. Moore has information.

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Mayor Pro Tem Scott asked if ABC approved this license as far as distances.

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Director of Community Services Moore stated because it is an existing use of Type 21, the City Council, five years ago, changed the distance requirement for existing offsite sales. It is not required to go through the offsite necessity convenience nor meet sensitive receptors such as churches, day care centers. It is exempt from all those requirements because of its existing use.

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Council Member Trujillo stated there is an elementary school around the corner. He wants to make certain there are no State laws prohibiting it.

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Director of Community Services Moore stated the City removed those requirements and is consistent with State law.

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Mayor Pro Tem Scott stated the City Council cannot vote or approve or disapprove on an item based on competition. It is not fair to other businesses in the community. I inquired on calls for service to this location. There were five within the last 11 months. I asked for police calls for services to Brownie's Liquor Store, and there were 40 in the last 11 months.

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Director of Community Services Moore stated that's correct.

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**TAB 2**

**Public Hearing to Consider Appeal of the Planning Commission's Decision to Approve Conditional Development Permit No. 2021-0006 and consider Resolution No. 7814 denying appellant's appeal**

Mayor Pro Tem Scott suggested Brownie's Liquor Store to clean up their act and handle some of those matters.

This business is clearly not posing any risk or threat to the community or having issues that require police or fire services because of bad behavior.

I would move to uphold the Planning Commission's decision and deny the appeal.

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Motion by Mayor Pro Tem Scott, second by Council Member Carrizales and carried by a 5-0 vote to Approve Conditional Development Permit No. 2021-0006, a request to allow the Sale of Distilled Spirits for Off-Site Consumption, in addition to Existing sales of Beer and Wine for Off-Site consumption, from an Existing Convenience market located at 718 E. Foothill Boulevard within the Commercial Pedestrian (C-P) land use District of the Foothill Boulevard Specific Plan. This Project is Categorically Exempt pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act Guidelines and consider **Resolution No. 7814** denying appellant's appeal.

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**TAB 3**  
**Extension of Time for a Non-Conforming Grocery Store and adopt Resolution No. 7815**

Sean Moore, Director of Community Development presented staff report to Request City Council to consider an Extension of Time for a Non-Conforming Grocery Store Located at 1612 West Merrill Avenue to be in Existence and Operate within a Residential Zone and adopt **Resolution No. 7815**.

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Mayor Robertson asked if anyone wished to come forward to speak.

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Motion by Mayor Pro Tem Scott, second by Council Member Perez and carried by a 5-0 vote to close the Public Hearing.

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Mayor Pro Tem Scott stated this matter came before the EDC. It's a store that has been in the community for many years. It's had a lot of support to continue operating in that neighborhood. There are very few mom and pop stores in the community and it should be supported.

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Council Member Trujillo asked if there was a building structure matter with the store.

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Director of Community Services Moore stated it's the land use.

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**TAB 3**  
**Extension of Time for a Non-Conforming**  
**Grocery Store and adopt Resolution**  
**No. 7815**

Mayor Robertson stated the complex was not only mom and pop store. She supports allowing the facility to stay within the residential area. She believes it lends a sense of neighborhood atmosphere.

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Motion by Mayor Pro Tem Scott, second by Council Member Trujillo and carried by a 5-0 approved an Extension of Time for a Non-Conforming Grocery Store Located at 1612 West Merrill Avenue to be in Existence and Operate within a Residential Zone and adopt **Resolution No. 7815**.

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**NEW BUSINESS**

**TAB 4**

**Receive an Update and Confirm the**  
**Continued Existence of and Provide**  
**Further Direction to the Local Emergency**  
**in Response to COVID-19 Outbreak**

Marcus Fuller, City Manager, presented staff report to 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.

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Mayor Robertson asked for an update of COVID-19 testing site availability during the holiday break.

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Council Member Trujillo wanted to make certain COVID-19 permanent memorial will be one of the topics discussed at the COVID-19 meeting agenda.

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Mayor Robertson emphasized the total number of deaths due to COVID-19 has reach 800,000.

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Motion by Council Member Perez, second by Council Member Trujillo and carried by a 5-0 vote to 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.

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**TAB 5**  
**Adopt Resolution No. 7816 Amending**  
**2021-2022 FY Budget with the Purchase**  
**of Sale of City Properties**

Marcus Fuller, City Manager, presented staff report to Request City Council to: (1) Adopt **Resolution No. 7816** Amending the 2021-2022 Fiscal Year Budget Associated with the Purchase and Sale of City Properties; and (2) Authorize the City Manager to Execute All Documents

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Mayor Robertson asked if anyone wished to speak on this Item.

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No one came forward to speak.

**TAB 5**

**Adopt Resolution No. 7816 Amending  
2021-2022 FY Budget with the Purchase  
of Sale of City Properties**

Motion by Council Member Carrizales, second by Council Member Trujillo and carried by a 5-0 vote to (1) Adopt **Resolution No. 7816** Amending the 2021-2022 Fiscal Year Budget Associated with the Purchase and Sale of City Properties; and (2) Authorize the City Manager to Execute All Documents.

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**TAB 6**

**Adopt Resolution No. 7817 Authorizing  
Retention of George Hills as Third-Party  
Administration**

Marcus Fuller, City Manager, presented staff report to Request City Council to: (1) Adopt **Resolution No. 7817** Authorizing Retention of George Hills as the Third-Party Administration for General Liability Claims and Approving a Professional Services Agreement Therefore; and (2) Authorize the City Manager to Execute All Documents.

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Mayor Pro Tem Scott asked about the length of the contract.

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City Manager Fuller stated it is for a maximum of three years. There's a termination clause in it for the City's convenience.

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Mayor Pro Tem Scott requested Item be put on Closed Session at the January 11, 2022 to have George Hills speak about their claims process. He wants to make certain there is a clause in the agreement to terminate them at any moment for failure to perform as directed by the City Council.

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Mayor Robertson inquired about the evaluation panel who evaluated the proposals. She requested the information of panel members be listed on the report.

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City Clerk McGee stated she could provide information on the panel members since she is one of the members herself.

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Mayor Robertson stated the names should be listed on the report.

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City Clerk McGee stated the panel members consisted of Police Chief Kling, Deputy City Manager Brown, Tom Phillips and herself.

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Mayor Pro Tem Scott stated he appreciated that it was a great panel. However, he asked why no one from the City Council is sitting on the panel when it's the City Council who reviews the claims.

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**TAB 6**  
**Adopt Resolution No. 7817 Authorizing**  
**Retention of George Hills as Third-Party**  
**Administration**

City Manager Fuller stated moving forward he will make certain that takes place.

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Mayor Pro Tem Scott stated it makes sense to have a Council Member on the panel. All the Council Members have asked questions about how the claims are being processed and handled and would want to have input from the City Council.

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Mayor Robertson stated she doesn't know how many are on the planning bid process. We're always in closed session looking at this process. Sorry. We need to let people know what our expectations are. Timeframes are very essential for us. We need to have some measurements on how things get delivered to us.

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Jessica Pickering, Claims Manager, with George Hills Company, Inc. stated they would be happy to sit through another interview.

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Mayor Pro Tem Scott stated we have got to change the way we are dealing with these claims. Did George Hills Company, Inc. work for the City of Rialto?

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Ms. Pickering stated it was the City's reinsurer that was administered by George Hills Company, Inc. The City was part of PARSAC, Public Agency Risk Sharing Authority of California.

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Mayor Pro Tem Scott asked PARSAC. That is not good. That's even more reason to come and speak with us.

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Ms. Pickering stated Rialto is now an independent City and matters are handled differently to cities that are not members of pools.

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Mayor Robertson asked if Ms. Pickering was a principal in the company.

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Ms. Pickering stated John Chaquica, the owner of the company was not available and asked Ms. Pickering to come on his behalf.

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Mayor Pro Tem Scott asked if Ms. Pickering was a principal of the company.

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**TAB 6**

**Adopt Resolution No. 7817 Authorizing  
Retention of George Hills as Third-Party  
Administration**

Ms. Pickering stated she is in the management staff working directly for John Chaquica. If contract is approved, she would be the account manager for the City of Rialto.

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Motion by Council Member Carrizales second by Council Member Perez and carried by a 5-0 vote to (1) Adopt **Resolution No. 7817** Authorizing Retention of George Hills as the Third-Party Administration for General Liability Claims and Approving a Professional Services Agreement Therefore; and (2) Authorize the City Manager to Execute All Documents and will have George Hills in Closed Session at the City Council meeting on January 11, 2022.

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**TAB 7**

**Increase to the Annual Budget for On-  
Call Construction Management,  
Inspection and Materials Testing  
Services**

Marcus Fuller, City Manager, presented staff report to Request City Council to Authorize an Increase to the Annual Budget for On-Call Construction Management, Inspection and Materials Testing Services from \$100,000 to \$300,000.

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Motion by Mayor Pro Tem Scott second by Council Member Carrizales and carried by a 5-0 vote to Authorize an Increase to the Annual Budget for On-Call Construction Management, Inspection and Materials Testing Services from \$100,000 to \$300,000.

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**TAB 8**

**Award a Construction to Senitica  
Construction Inc., for Cactus Trail  
Improvements Projects; Award  
Professional Services Agreement to  
Fountainhead Consulting Corporation**

Marcus Fuller, City Manager, presented staff report to Request City Council to: (1) Award a Construction Contract to Senitica Construction, Inc., a California corporation in the amount of \$1,466,200 for the Cactus Trail Improvements Project, City Project No. 170801; (2) Award a Professional Services Agreement to Fountainhead Consulting Corporation, a California corporation in the amount of \$259,855; and (3) Authorize the City Manager to Execute All Documents.

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Mayor Pro Tem Scott stated he spoke to Supervisor Baca and the matter is waiting on approval. He thanked Supervisor Baca for his assistance in the completion of the Cactus Trail without the utilization of Park funds or general funds.

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Council Member Trujillo asked about the parking lot attached to this project. Are they a separate project or included in this project?

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Mayor Robertson stated it would be at Baseline Avenue and Cactus Avenue. It's the County's property. Instead of Foothill Boulevard and Cactus Avenue.

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**TAB 8**

**Award a Construction to Senitica Construction Inc., for Cactus Trail Improvements Projects; Award Professional Services Agreement to Fountainhead Consulting Corporation**

City Clerk McGee stated there is a speaker on this item.

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Mr. Leneau stated the Cactus Trail would be very beneficial, and he is in favor of the project for the City of Rialto.

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Motion by Council Member Carrizales second by Council Member Perez and carried by a 5-0 vote to (1) Award a Construction Contract to Senitica Construction, Inc., a California corporation in the amount of \$1,466,200 for the Cactus Trail Improvements Project, City Project No. 170801 ; (2) Award a Professional Services Agreement to Fountainhead Consulting Corporation, a California corporation in the amount of \$259,855; and (3) Authorize the City Manager to Execute All Documents.

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**TAB 9**

**Adopt Resolution No. 7818 Amending Budget for 2021-2022 from General Fund to General Liability Fund**

Marcus Fuller, City Manager, presented staff report to Request City Council:(1) Adopt **Resolution No. 7818** Amending its Budget for the 2021-2022 transferring \$3,000,000 from General Fund reserves to the General Liability Fund and recognizing the \$250,000 preliminary insurance payment received from the fire at the Public Works building.

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Motion by Mayor Pro Tem Scott second by Council Member Carrizales and carried by a 5-0 vote to 1) Adopt **Resolution No. 7818** Amending its Budget for the 2021-2022 transferring \$3,000,000 from General Fund reserves to the General Liability Fund and recognizing the \$250,000 preliminary insurance payment received from the fire at the Public Works building.

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**TAB 10**

**Approve Final Construction Work Authorization amount to Rialto Water Services for Sycamore Lift Station Project**

Tom Crowley, Utilities Manager, presented staff report to Request City Council/Rialto Utility Authority Board to Approve a Final Construction Work Authorization in the Amount of \$1,056,875 to Rialto Water Services for the Sycamore Lift Station Project; and Authorize the City Manager to Execute All Documents.

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Council Member Carrizales left the dais at 8:27 p.m.

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Mayor Pro Tem Scott stated that this came from the Water Subcommittee, and we recommended that it come before the Rialto City Council for approval.

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**TAB 10**

**Approve Final Construction Work Authorization amount to Rialto Water Services for Sycamore Lift Station Project**

Motion by Mayor Pro Tem Scott second by Council Member Trujillo and carried by a 4-0 vote to Approve a Final Construction Work Authorization in the Amount of \$1,056,875 to Rialto Water Services for the Sycamore Lift Station Project; and Authorize the City Manager to Execute All Documents.

Council Member Carrizales was absent.

0o0

**TAB 11**

**Receive Presentation on Rialto Utility Authority Financial Analysis; Adopt Resolution No. 7819 Amending 2021-2022 FY Budget Transfer from American Rescue Plan Act Fund to Rialto Utility Authority Water Enterprise Fund**

Marcus Fuller, City Manager and Tom Crowley, Utilities Manager, presented staff report to Request City Council/Rialto Utility Authority Board to: (1) Receive a Presentation on the Rialto Utility Authority Financial Analysis, and (2) Adopt **Resolution No. 7819** Amending the 2021-2022 Fiscal Year Budget Authorizing a Transfer of \$4,873,105 from the American Rescue Plan Act Fund (Fund 232) to the Rialto Utility Authority Water Enterprise Fund (Fund 670).

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Council Member Carrizales returned to the dais at 8:34 p.m.

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Mayor Pro Tem Scott stated part of the reason for shortfall is less consumption due to drought tolerant landscaping. Mayor Robertson and I adamantly opposed rate increase on our residents especially during and after COVID-19 and felt the City Council would support us. We had to look through sources of revenue to help shore up the waterfall. The American Recovery Act funds were intended for water usage. So it's a perfect fit. I hope our Rialto Water Services users are happy that we used funds appropriately instead of rate increases.

Mayor Pro Tem Scott is requesting that the next water-related presentation include a comparison of the City's water rates to the surrounding agencies, West Valley, Colton, San Bernardino, and Fontana Water Company.

0o0

Mayor Robertson stated this Item did come before the Water Subcommittee. It came to us, and we made recommendations. I would appreciate that would reflect in the report. This is the second time we go through this effort, and it is not acknowledged we are not making the decision. We are recommending that it comes to the full body, for the body to act on it. We need to be on what we mean when we say "a couple of years". We need to agree on what that couple of years really mean and not needing to go to our before residents with any rate increase. It's a bit vague. But we will move and proceed. The tier structure needs to be re-evaluated. She recommends conservation and drought be re-examined.

0o0

**TAB 11**

**Receive Presentation on Rialto Utility Authority Financial Analysis; Adopt Resolution No. 7819 Amending 2021-2022 FY Budget Transfer from American Rescue Plan Act Fund to Rialto Utility Authority Water Enterprise Fund**

Council Member Perez stated she agrees with the recommendation of the Water Subcommittee. It is a good use of funds as opposed to raising rates for the residents and would like to move for approval.

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Motion by Council Member Perez second by Council Member Trujillo and carried by a 5-0 vote to Adopt **Resolution No. 7819** Amending the 2021-2022 Fiscal Year Budget Authorizing a Transfer of \$4,873,105 from the American Rescue Plan Act Fund (Fund 232) to the Rialto Utility Authority Water Enterprise Fund (Fund 670).

0o0

**TAB 12**

**Adopt Resolution No. 7820; Approve contract with the County of Riverside Department of Animal Services to Extend Animal Shelter Services; Approve Annual Purchase Orders for FY 2021-2022 through 2023-2024**

Anthony Vega, Police Captain, presented staff report to Request City Council to: (1) Adopt **Resolution No. 7820** Amending the 2021-2022 Fiscal Year Budget; (2) Approve the Contract with the County of Riverside Department of Animal Services to Extend Animal Shelter Services Through June 30, 2024; (3) Approve Annual Purchase Orders for the Period Fiscal Year 2021/2022 Through 2023/2024 in the Amount of \$517,384 Each Year; and (4) Authorize the City Manager Execute All Documents and to Increase Annual Purchase Orders for Shelter Services as Needed Based on the Increase of Staffing Levels and Services Provided to the City.

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Mayor Robertson asked if anyone wished to speak on this Item.

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No one came forward to speak.

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Mayor Robertson referenced a YouTube piece by Rialto Animal Control Officer Ramirez and the exotic animal rescue.

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Council Member Trujillo asked if there have been any changes at the previous animal shelter, the San Bernardino Animal Shelter.

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Captain Vega stated there have been discussions about changes, but nothing is planned.

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**TAB 12**

**Adopt Resolution No. 7820; Approve contract with the County of Riverside Department of Animal Services to Extend Animal Shelter Services; Approve Annual Purchase Orders for FY 2021-2022 through 2023-2024**

Motion by Council Member Carrizales second by Council Member Perez and carried by a 5-0 vote to (1) Adopt **Resolution No. 7820** Amending the 2021-2022 Fiscal Year Budget; (2) Approve the Contract with the County of Riverside Department of Animal Services to Extend Animal Shelter Services Through June 30, 2024; (3) Approve Annual Purchase Orders for the Period Fiscal Year 2021/2022 Through 2023/2024 in the Amount of \$517,384 Each Year; and (4) Authorize the City Manager Execute All Documents and to Increase Annual Purchase Orders for Shelter Services as Needed Based on the Increase of Staffing Levels and Services Provided to the City.

0o0

**TAB 13**

**Approve Master Services and Purchasing Agreement with Axon Enterprise, Inc. for Five-Year Term; Approve Purchase of Axon Fleet 3, an In-Car Cameras System; Approve Purchase of AB3 Package; Authorize Financing and Payment of Five-Year Term**

Anthony Vega, Police Captain, and Chris Morton, with Axon Enterprise, presented staff report to Request City Council to: (1) Approve a Master Services and Purchasing Agreement with Axon Enterprise, Inc., a Delaware corporation, for a Five Year Term; (2) Approve the Purchase of the Axon Fleet 3, an In-Car Cameras System, in the Amount of \$387,315.78; (3) Approve the Purchase of the AB3 Package, an Upgrade of the Police Body-Worn Video Cameras, in the Amount of \$848,799.90; (4) Authorize Financing and Payment of the Total Cost of \$1,236,115.68 Over the Five Year Term; and (5) Authorize the City Manager to Execute All Documents.

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Council Member Perez left the dais at 8:52 p.m.

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Motion by Council Member Carrizales second by Council Member Trujillo and carried by a 4-0 voted to (1) Approve a Master Services and Purchasing Agreement with Axon Enterprise, Inc., a Delaware corporation, for a Five Year Term; (2) Approve the Purchase of the Axon Fleet 3, an In-Car Cameras System, in the Amount of \$387,315.78; (3) Approve the Purchase of the AB3 Package, an Upgrade of the Police Body-Worn Video Cameras, in the Amount of \$848,799.90; (4) Authorize Financing and Payment of the Total Cost of \$1,236,115.68 Over the Five Year Term; and (5) Authorize the City Manager to Execute All Documents.

Council Member Perez was absent.

0o0

**TAB 14**

**Introduce Ordinance No. 1664 Amending Rialto Municipal Code Titled “Refuse Collection”**

Marcus Fuller, City Manager and Richard Nino with Burrtec Waste Industries, presented staff report to 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 as Imposed Upon the City of Rialto by the State of California Pursuant to Assembly Bill 341 (2011), Senate Bill 1018 (2012), and Assembly Bill 1826 (2014), and Exposing the City of Rialto to Significant Fines and Penalties for Failure to Adopt Same.

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**TAB 14**

**Introduce Ordinance No. 1664 Amending  
Rialto Municipal Code Titled “Refuse  
Collection”**

Council Member Perez returned to the dais at 8: 54 p.m.

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**PUBLIC COMMENT**

Lynn Summers, master gardener, spoke in opposition to Assembly Bill 341 and spoke about composting and educating the community.

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Mayor Pro Tem Scott agreed with Ms. Summers. This is about education. We are not educating the community. I have a real problem with the State of California, the Assembly and the Senate dictating policy on this City mandating policy and then vote to put it in place. It then looks like we're putting the increased fees and burden on our community when most of us are against it.

0o0

Mayor Pro Tem Scott stated in this case, if we were out educating the community, we wouldn't have these problems. The State of California wouldn't have this. We do nothing to educate our community on how to recycle. Other countries do a great job at it, but California and the United States of America do a terrible job with it. I also have a problem with Burtec doing a presentation when they are waste tolerant. They benefit from these laws. That should not be happening. It's nothing against Burtec, but I have a problem with it. I think it's about education. I think it's about an informed community. I resent the State Assembly and the State Senators imposing this on the City Council, then we have to mandate it on our community when they have already mandate it. If they have a mandate it, put it in place. Why do we have to put in place? I understand that you all have been threatened that you have to vote on this tonight. If you don't vote on it, you will be fined a \$10,000 a day, but I am not voting for this.

0o0

Mayor Robertson stated I don't know who has been threatening who. But I agree wholeheartedly. I don't need to be threatened to be doing what I am already doing at my house. I am not prepared to say that we need to act on it. If we're going to be fined, we're going to have to deal with that fine. On the next Item in January, we are requesting a moratorium.

0o0

Council Member Trujillo stated we are trying to protect the residents from more increased fees as we are trying to assist them with their mortgage and rent. He believed there should be more consideration. He would like to see what other Cities will be doing as well. He hopes State Representatives will realize they cannot pass these fees on to businesses and families. We need to have the residents in mind when we're passing these programs. He agrees with colleagues.

0o0

**TAB 14**

**Introduce Ordinance No. 1664 Amending  
Rialto Municipal Code Titled “Refuse  
Collection”**

Council Member Carrizales agreed with everything that has been said. At what point have our State Legislators brought education programs? Have them be advocates for awareness programs in our City. Have we done that?

0o0

City Manager Fuller stated he is not aware. A lot of Cities have made an issue with it. We were hopeful that this recent legislation would prevail.

0o0

Council Member Carrizales stated we can complain about it all we want but until we figure out a way not to pay that \$10,000 fee, we just need to move forward with it. But it is up to the City Council to decide.

0o0

Mayor Robertson asked about another bill that did not go forward and pass. Do we have a report card on how they chose to vote?

0o0

Council Member Trujillo stated it was supposed to be a relief for residents and the bill was changed at the last moment.

0o0

City Manager Fuller stated there was a matter of delaying implementation of the bill because of COVID-19 beyond January 1, 2022. The language of the bill during the legislative process got changed from delaying it five years to tweaking how they will administer fines and penalties to Cities that don't implement the bill come January 1. It's important to have education. Many people recycle and we need to do a better job of educating them.

0o0

Mayor Pro Tem Scott stated the City needs to do a better job. Ten or 15 years ago, the City promoted recycling. I don't see that happening anymore other than Ms. Summer and her group who encouraging people to recycle. It's easy to do. You just need to teach people how to do it.

0o0

Mayor Robertson asked with recycling efforts, what comes back to the City. How does it affect keeping fees down? She asked Mr. Nino to speak about the outcome of the compost pilot program done by Burritec Waste Industries.

0o0

**TAB 14**

**Introduce Ordinance No. 1664 Amending  
Rialto Municipal Code Titled “Refuse  
Collection”**

Mr. Nino stated the compost pilot program was launched in the throws of the COVID-19 pandemic in September. At the time, they were unable to hold in-person community meetings. There were limitations with conveying information within the program. Mailings and food waste pails and outreach information and reminder postcards were delivered to every resident in the subject pilot area. A lot of education needs to be informed to the community about this initiative. What was learned was that the bag food waste could be recovered, extracted from the green waste pile, separate it, clean it, process it, and reintroduce back into the green waste. As we engage better with the community, we anticipate better results in the future from the community. Those numbers will be the focal point and determine how the City's program is effective.

OoO

Mayor Robertson asked if the Ordinance modification take into account the bill that would hopefully pass.

OoO

City Manager Fuller stated it does not address the recent bill because it related to SB 1383 food waste recycling. We added into the title of the Ordinance rather just amending the municipal code to add the new chapter. But also indicated “Imposed upon the City of Rialto by the State of California pursuant to Assembly Bill 341, Senate Bill 1018 and Assembly Bill 1826 and exposing the City of Rialto to significant fines and penalties for failure to adopt same.” And including several recitals within Cities and Counties throughout the State and the anytime letter Mr. Nino mentioned and referencing the significant fines and penalties that the State can impose as a means in response to Council Member Trujillo showing that this is being imposed upon by the City by the State.

OoO

Motion by Mayor Robertson second by Council Member Perez and carried by a 4-1 vote to table TAB 14 to Introduce Ordinance No. 1664 Amending Chapter 8.08 of the Rialto Municipal code, Titled “Refuse Collection,” to the end of the year and bring back the Item in January 11, 2022. The City Council will hold an emergency meeting should an anytime letter be received to determine which action to take.

The vote was: AYES: Mayor Robertson, Council Member Trujillo, Council Member Carrizales, Council Member Perez.

NOES: Mayor Pro Tem Scott. ABSTAIN: None. ABSENT: None.

OoO

**TAB 15**

**Adopt Resolution No. 7821 Amending Investment Policy of the City of Rialto for 2022**

Edward Carrillo, City Treasurer, presented staff report to Request City Council to Adopt **Resolution No. 7821** Amending the Investment Policy of the City of Rialto for 2022.

0o0

Mayor Robertson asked for clarification on the language on the policy. My only concern is how do we know when we can have by expressed authorization by the City Council when we have something that is not performing. In the past, the City Treasurer has asked to keep and move to its maturity. The City Council has to have a footnote on something not performing and within six months of the maturity. I don't believe we have had that come forward on a regular basis. That is the concern that I am expressing, and I would like to make sure we have some understanding that through our quarterly reports, we will be informed of that. When I made the suggestion, I needed to make certain full City Council was aware of that. Even if the City Council does not want that, as a fiduciary responsible body, I would like to know that is brought forward and made aware.

0o0

City Attorney Vail read language in the policy under the heading Authorized and Suitable Investments as follows: "In the event a quality rating drops below the minimum-allowed rating, --- what I would add there is – the City Treasurer will notify the City Council within 30 days and recommend a plan of action. The plan shall be reviewed by the Director of Finance and City Manager and submitted to the City Council for approval.

0o0

City Treasurer Carrillo stated that would only take place if the City Treasurer chose to keep that investment. Any time an investment has changed or downgraded, those investments are liquidated and reinvested in something that qualifies an acceptable or permissible investment. There is no need to notify the City Council. That would only be if the City Treasurer chose to keep the investment. So if we change the language to indicate there only if we chose to keep the investment.

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Mayor Robertson stated I am concerned that it's never happened but once. But it did, and the explanation was we carried it because it really didn't affect, but it did affect the rating. How do we give expressed authorization if we are not aware that it is occurring?

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City Treasurer Carrillo stated that if there is something that is downgraded, and I choose to keep the investment, I have to come to the City Council to obtain approval in order to keep the investment.

Isn't that what it says?

**TAB 15**

**Adopt Resolution No. 7821 Amending Investment Policy of the City of Rialto for 2022**

City Attorney Vail stated that is what it says. The City Council has expressed preference to be notified of such events. To tweak the language, is to keep the notification requirement, then the City Treasurer will either liquidate the asset or propose a plan to keep it.

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City Treasurer Carrillo asked at what point is the City Council notified. At a regular City Council meeting or by memorandum. Currently, the Chief Financial Officer and the City Manager is notified. Do they notify the City Council?

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Mayor Pro Tem Scott asked how long does it take to liquidate from the time it happens. It is hard to notify the City Council. It is like watching your stock market and your stock starts to drop, you liquidate it.

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Mayor Robertson stated the situation that occurred, that was not the case. We did not liquidate.

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Mayor Pro Tem Scott stated the language addresses if he is not going to liquidate it, then he has to notify the City Council, then it has to come for approval.

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Mayor Robertson stated that is why we are making an amendment that it be included in the statement.

0o0

Mayor Pro Tem Scott stated he is fine with that.

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City Attorney Vail stated he had said within 30 days. Although, it is better to say the City Treasurer will promptly notify the City Council. If the City Treasurer determines the need to liquidate or develop a plan, it is easier to notify the City Council by email.

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City Treasurer Carrillo clarified if the City Council prefers to be notified if he determines to liquidate or keeping the investment.

0o0

City Attorney Vail stated the City Council should be notified anytime an investment is downgraded. And they receive notice if it will be liquidated or a plan developed.

0o0

Mayor Pro Tem Scott asked if the City Council watch those investments closely and do we have a requirement.

**TAB 15**

**Adopt Resolution No. 7821 Amending Investment Policy of the City of Rialto for 2022**

City Attorney Vail stated there is no requirement to do that. If the City Council don't wish to be notified, they don't have to be notified.

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Mayor Pro Tem Scott stated if it happens today and the City Treasurer liquidates it within minutes, why would we be notified of it.

0o0

Mayor Robertson stated the question has been we have had it occur, and it was not liquidated. I was informed we had elected to carry it out to the end of its maturity.

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Mayor Pro Tem Scott stated that was one time. He is not convinced that the City Treasurer needs to notify the City Council every time he needs to liquidate something.

0o0

Mayor Robertson stated he liquidates when it is downgraded.

0o0

Mayor Pro Tem Scott stated if he does not liquidate it, he should notify the City Council. What is the purpose of notifying the City Council if he does liquidate it?

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Mayor Robertson clarified if he does not liquidate it, you want to be notified and the reason why.

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Mayor Pro Tem Scott stated yes.

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Mayor Robertson stated that has not even been stated in the policy. The point is, it was not stated either way.

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Mayor Pro Tem Scott he believed everyone agrees with that. The City Attorney read some language to address the situation.

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Mayor Robertson stated she agrees with the City Attorney Vail's language. She believes the notification needs to occur.

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Mayor Pro Tem Scott stated if he chooses not to liquidate, he will notify the City Council.

0o0

**TAB 15**

**Adopt Resolution No. 7821 Amending Investment Policy of the City of Rialto for 2022**

City Attorney Vail stated if it's downgraded, the City Treasurer will either liquidate it or promptly notify the City Council that he is going to propose a plan to keep the investment.

0o0

Motion by Council Member Trujillo second by Council Member Carrizales and carried by a 5-0 vote to Adopt **Resolution No. 7821** Amending the Investment Policy of the City of Rialto for 2022 to indicate that the City Treasurer will either liquidate or promptly notify the City Council that he is going to propose a plan to keep the investments and state reasons why.

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**TAB 16**

**Approve Program/Projects funded with American Rescue Plan Act; submit required reporting expenditure plan to Department of Treasure, Award Amendment #1 to Avant Garde for Administration of ARPA funds**

Arron Brown, Deputy City Manager and Lissette Montoya with Avant-Garde presented staff report to Request City Council to Approve the Programs/Projects Presented in this Report to be Funded with the American Rescue Plan Act in the Amount \$29,373,105 in Coronavirus State and Local Fiscal Recovery Funds (SLFRF), Submit the Required Reporting/Expenditure Plan to the Department of Treasury, and Award Amendment #1 to Avant Garde for the Administration of ARPA funds in the Amount Not To Exceed \$575,000.00.

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Council Member Trujillo asked if the City programs can be flexible so that landlords can approach the City for these rental programs or does it have to be the renter who can only apply for these programs.

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Ms. Montoya stated the program is structured to where the resident would be the applicant, but the payment is going to the landlord.

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Council Member Trujillo asked if the program is flexible enough where the landlord can apply for the rental assistance on behalf of the renter.

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Ms. Montoya, stated per the ARPA guidelines, the resident has to be the applicant. The landlord would have to be providing the rental assistance themselves.

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City Manager Fuller stated if a landlord approaches the City stating he has problems with a tenant, the City can do the outreach to make certain the tenant is aware and are eligible for assistance.

0o0

**TAB 16**

**Approve Program/Projects funded with American Rescue Plan Act; submit required reporting expenditure plan to Department of Treasure, Award Amendment #1 to Avant Garde for Administration of ARPA funds**

Council Member Trujillo asked if there was a group of uncooperating tenants, if it could be landlord initiated.

0o0

Mayor Pro Tem Scott inquired about the childcare assistance would be going to the family or the childcare agency. My thoughts are they should go directly to a family because we have people who work outside of our City. Parents want to keep children close to their work. The benefit or voucher should be towards the residents not a business and should not matter where the childcare is located.

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Ms. Montoya stated that our recommendation was that we reimburse the resident directly for the cost of childcare services. The County of San Bernardino has a similar program.

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Mayor Robertson asked about the rental/mortgage utility assistance eligibility amount per household.

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Ms. Montoya stated the current recommendation is \$5,300.

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Mayor Robertson asked if property owners could also apply for mortgage assistance assuming they qualify.

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Ms. Montoya stated correct. If you are a resident and need assistance with your mortgage, then you would be reimbursed.

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Mayor Robertson asked about the current status on the application process and outreach with those who had already received resources, and evictions.

0o0

Ms. Montoya stated the program has transitioned to our company. We are assisting City staff in processing the applications. The \$760,000 allocated funds were towards rental/mortgage and utility assistance. There has been \$600,000 spent with a balance of \$159,000.

If providing \$5,300.00 per resident, there are 30 potential more residents to assist with the balance of the CDBG-CV funds. However, there are 40 current applicants to collect information.

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**TAB 16**

**Approve Program/Projects funded with American Rescue Plan Act; submit required reporting expenditure plan to Department of Treasury, Award Amendment #1 to Avant Garde for Administration of ARPA funds**

Motion by Mayor Pro Tem Scott second by Council Member Trujillo and carried by a 5-0 vote to Approve the Programs/Projects Presented in this Report to be Funded with the American Rescue Plan Act in the Amount \$29,373,105 in Coronavirus State and Local Fiscal Recovery Funds (SLFRF), Submit the Required Reporting/Expenditure Plan to the Department of Treasury, and Award Amendment #1 to Avant Garde for the Administration of ARPA funds in the Amount Not To Exceed \$575,000.00.

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**REPORTS**

The City Council gave their reports.

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**ADJOURNMENT**

Motion by Council Member Perez second by Council Member Trujillo and carried by a 5-0 vote to adjourn the City Council Meeting at 10:10 p.m.



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MAYOR DEBORAH ROBERTSON

**ATTEST:**



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CITY CLERK BARBARA A. McGEE