

City of Rialto



Regular Meeting

Tuesday, April 27, 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 Interim City Attorney

Sean Grayson Acting City Manager

COMPLYING WITH SOCIAL DISTANCING PROTOCOLS, THE CITY COUNCIL WILL BE PARTICIPATING IN THE MEETING FROM REMOTE LOCATIONS VIA TELECONFERENCE WITHIN THE GUIDELINES OF GOVERNOR NEWSOM'S EXECUTIVE ORDER N-29-20. THE CITY COUNCIL CHAMBERS WILL BE CLOSED TO THE PUBLIC INSIDE THE 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.1659 Next Resolution No.7728**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 [21-0194](#) **CONFERENCE WITH REAL PROPERTY NEGOTIATOR**
Pursuant to Government Code section 54956.8
Property: 241 South Palm Avenue, 238, 239, and 249 South Orange Avenue
Agency Negotiator: Sean Grayson, Acting City Manager; Alexander Hamilton, Interim Community Development Director
Negotiating Parties: City of Rialto and John O. Silva and Agnes B. Silva, Trustees of the Silva Family Trust
Under Negotiation: Price and terms of sale

- 2 [21-0195](#) **CONFERENCE WITH REAL PROPERTY NEGOTIATOR**
Pursuant to Government Code section 54956.8
Property: That portion of Assessor Parcel Number 0264-152-34 known as "Parcel 5" and "Parcel 6"
Agency Negotiator: Sean Grayson, Acting City Manager; Alexander Hamilton, Interim Community Development Director
Negotiating Parties: City of Rialto and Ayala & 210 Partners
Under Negotiation: Price and terms of sale

- 3 [21-0196](#) **CONFERENCE WITH LEGAL COUNSEL - EXISTING LIGATION**
Pursuant to Government Code section 54956.9(d)(1)
Number of Matters: 1 (one)
Name of Case: John Doe, et al v. City of Rialto et al., SBSC Case No. CIVSB2104386

- 4 [21-0197](#) **PUBLIC EMPLOYEE PERFORMANCE EVALUATION**
Pursuant to Government Code section 54957
Title: Interim City Attorney

6:30 p.m.

Called to Order By:

ROLL CALL

PLEDGE OF ALLEGIANCE - Council Member Karla Perez

INVOCATION - Pastor Dr. Victor Nolen - Word In Action Christian Center

City Attorney's Report on Closed Session

PRESENTATIONS AND PROCLAMATIONS

- 1 [21-0169](#) Presentation on the 6th Cycle Housing Element Update Public Engagement Strategy
- 2 [21-0187](#) Cal-Recycle Presentation

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 [21-0188](#) Warrant Resolution No.40 (04/15/2021)
- B.2 [21-0189](#) Warrant Resolution No.41 (04/22/2021)

C. APPROVAL OF MINUTES

- C.1 [21-0190](#) Regular City Council Meeting - February 9, 2021
- C.2 [21-0209](#) Special City Council Meeting - February 11, 2021

D. CLAIMS AGAINST THE CITY

- D.1 [21-0193](#) Catalina Montalvo - Personal Injury

E. SET PUBLIC HEARING

- E.1 [21-0117](#) Request City Council to Set a Public Hearing for May 25, 2021, to Consider the Placement of Liens for Delinquent Refuse Collection Accounts for the 4th Quarter of the 2020 Calendar Year.

F. MISCELLANEOUS

- F.1 [21-0170](#) Request City Council to Adopt **Resolution No. 7725** of the City Council of the City of Rialto, Establishing a Social Media Policy.
- F.2 [21-0175](#) Request City Council to 1) Approve an Agreement with Pyro Spectaculars Inc., and 2) Approve a Purchase Order with Pyro Spectaculars in an Amount Not-To-Exceed \$26,000 for the City July 4, 2021 Holiday Fireworks Presentation.
- F.3 [21-0181](#) Request City Council to Amend Resolution No. 7706 as **Resolution No. 7726** to Include Two Non-Substantive Amendments Related to the Previously Approved Financing of Two Type 1 Fire Engines with PNC Equipment Finance, LLC.

TAB NEW BUSINESS

- TAB1 [21-0174](#) Request City Council to 1) Adopt **Resolution No. 7727** Authorizing the Establishment of a Section 115 Trust to be Used as a Rate Stabilization Fund for the City's Pension Obligations, and 2) Approve as to Form an Agreement for Administrative Services with the Public Agencies Retirement Services (PARS) for Section 115 Trust Administration and Investment Management Services.
(ACTION)

- TAB2** [21-0168](#) Request City Council to Approve the First Amendment to the Agreement by and Between the City of Rialto and Bureau Veritas for Building Official Services for an Additional Amount of \$100,000; for a Revised Total of Not-To-Exceed Compensation Under the Amended Agreement of \$250,000, for a Term of Three Years Commencing on August 11, 2020 and Terminating August 11, 2023.
(ACTION)
- TAB3** [21-0179](#) Request City Council to 1) Receive a Presentation on the Proposition 47 Program from City Staff and the Community Based Organizations (CBO's) and (2) Amend the Proposition 47 Memorandum of Understanding (MOU) Agreements with the Community CBO's to Reallocate Resources to Achieve the Pre-Established Goals of the Prop 47 Program.
(ACTION)
- TAB4** [21-0171](#) Request City Council Approve the Amended and Restated Professional Services Agreement (PSA) with LDM Associates, Inc. to Continue Community Development Block Grant (CDBG) and Neighborhood Stabilization Program (NSP) Consulting Services and Provide Additional Services for the HOME Program Increasing the Contract by \$62,000 for a Total Not-To-Exceed Contract Amount of \$333,950 and Extending the Term to June 30, 2021.
(ACTION)
- TAB5** [21-0121](#) Request City Council to 1) Award a Construction Contract to IVL Contractors, Inc. in the amount of \$637,400 for Restroom Building Demolition and Construction of American with Disabilities Act Site Improvements at Roger Birdsall Park, City Project No. 210304; and 2) Award a Construction Contract and Authorize Issuance of a Purchase Order to Public Restroom Company in the amount of \$669,106 for the Purchase and Installation of a Pre-Manufactured Restroom Building, also at Roger Birdsall Park, City Project No. 210304.
(ACTION)
- TAB6** [21-0123](#) Staff Recommends that the City Council 1) Adopt a Mitigated Negative Declaration; 2) Approve a First Amendment to the Professional Services Agreement to Huitt-Zollars, Inc. in the Amount of \$44,000 for a Not-To-Exceed Amount of \$565,625 for Phase 1; and 3) Authorize the Preparation and Release of a Request for Bid for Phase 1 of the Baseline Storm Drain Extension Project, City Project No. 170700.
(ACTION)
- TAB7** [21-0191](#) Request City Council Receive and File the July 2020 through February 2021 Treasurer's Reports.
(ACTION)

TAB8 [21-0192](#) Request City Council to Receive an Update on, 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.

REPORTS

MAYOR:

COUNCIL MEMBERS:

CITY ATTORNEY:

CITY MANAGER:

ADJOURNMENT