

**REGULAR MEETING**  
**of the**  
**CITY OF RIALTO**  
**CITY COUNCIL**  
**City of Rialto, acting as Successor Agency to the**  
**Redevelopment Agency**

**MINUTES**  
**February 9, 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, February 9, 2021.

0o0

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.

0o0

**CALL TO ORDER**

Mayor Robertson called the meeting to order at 5:01 p.m.

0o0

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 Acting City Manager Sean Grayson, Interim City Attorney Eric Vail, and City Clerk Barbara McGee.

City Treasurer Edward Carrillo was absent.

0o0

**CLOSED SESSION**

- 1 CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Pursuant to Government Code section 54596.8  
Property: That portion of assessor Parcel Number 026152-34 known as  
"Parcel 5"  
Agency negotiator: Sean Grayson, Acting City Manager  
Negotiating parties: Ayala & 210 Partners, LLC  
Under negotiation: Price and terms of payment

Motion by Council Member Perez, second by Council Member Trujillo and carried by 5-0 vote to go into Closed Session at 5:03 p.m.

0o0

City Council returned from Closed Session at 6:51 p.m.

0o0

## **CALL TO ORDER**

Mayor Deborah Robertson called the meeting to order at 6:52 p.m.

0o0

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 Acting City Manager Sean Grayson, City Clerk Barbara McGee, Interim City Attorney Eric Vail and City Treasurer Edward Carrillo.

0o0

### **Pledge of Allegiance and Invocation**

Acting City Manager Sean Grayson led the Pledge of Allegiance.  
Pastor Bob Ruiz – Calvary Chapel Rialto.

0o0

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

#### **1 CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to Government Code  
section

54956.9(d)(2)

Four (4) matters

Interim City Attorney Eric Vail stated the City Council was briefed, and each matter was addressed and gave direction. There is no other reportable action.

#### **2 CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Pursuant to Government Code section 54596.8

Property: That portion of assessor Parcel Number 026152-34  
known as

"Parcel 5"

Agency negotiator: Sean Grayson, Acting City Manager

Negotiating parties: Ayala & 210 Partners, LLC

Under negotiation: Price and terms of payment

Interim City Attorney Eric Vail stated Council Member Carrizales recused himself due to conflict of interest. The City Council gave direction to the Interim City Attorney Vail and Acting City Manager Grayson. That Item was complete. That concludes City Attorney's Report.

0o0

**PRESENTATIONS AND  
PROCLAMATIONS**

Mayor Robertson stated Joe Flores Jr., with J & J Auto Fabrics passed away and the celebration of life services will be held Saturday, February 13, 2021 at Sunrise Church.

0o0

Council Member Trujillo also recognized the passing of Rialto Postal Worker Hae Sook.

0o0

**ORAL COMMUNICATIONS**

Michael Smallwood inquired how their residence can be connected to the City sewer system connected to the nearby country club.

0o0

Mayor Robertson asked Acting City Manager Grayson and Public Works Department to follow up with Mr. Smallwood.

0o0

June Hayes expressed her concerns with Item F.4 on the Consent Calendar as it relates to the combination role of the City Treasurer and Investment Consultant and gave suggestions.

0o0

Lupe Camacho gave update on task committee and meetings with Interim Fire Chief Park regarding COVID-19 vaccine information. She expressed her concerns with the City's Investment Policy's transparency and gave recommendations to provide clarity and transparency.

0o0

**CONSENT CALENDAR**

**A. WAIVE FULL READING OF ORDINANCES**

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

0o0

**B. APPROVAL OF WARRANT RESOLUTIONS**

B.1 Warrant Resolution No. 29 (01/28//2021)

B.2 Warrant Resolution No. 30 (02/04/2021)

0o0

**C. APPROVAL OF MINUTES**

C.1 Regular City Council Meeting – January 26, 2021

0o0

**D. CLAIMS AGAINST THE CITY**

D.1 Carlos Alberto Lopez – Vehicle Damage

0o0

## **CONSENT CALENDAR**

### **E. SET PUBLIC HEARING**

- E.1. Request City Council to Set a Public Hearing for February 23, 2021 to consider (1) Specific Plan Amendment No. 2020-0003, which is a request to change the zoning designation of 7.00 gross acres (6.94 net acres) of land from Corporate Center (CC) within the Renaissance Specific Plan to Business Center (BC) within the Renaissance Specific Plan, (2) Tentative Parcel Map No. 2020-0006 (TPM 20241), which is a request to allow the consolidation of four (4) parcels of land into one (1) 6.94 net acre parcel of land, (3) Conditional Development Permit No. 2020-0011, which is a request to allow the development and operation of a 135,408 square foot industrial storage warehouse/distribution center building on 7.00 gross acres (6.94 net acres) of land, (4) Precise Plan of Design No. 2020-0015, which is a request to allow the development of a 135,408 square foot industrial storage warehouse/distribution center building on 7.00 gross acres (6.94 net acres) of land, and (5) an Addendum to the June 2016 Renaissance Specific Plan Amendment Subsequent Environmental Impact Report (Environmental Assessment Review No. 2020-0015) prepared for the project, in accordance with the California Environmental Quality Act (CEQA). The project site is located at the northeast corner of Renaissance Parkway and Laurel Avenue.

0o0

### **F. MISCELLANEOUS**

- F.1 Request City Council to Adopt Resolution No. 7697 to Add the Victorville Fire Department as Party to Consolidated Fire Agencies ("CONFIRE") Joint Powers Agreement
- F.2 Request City Council to Adopt Resolution No. 7704 to Revise the Consolidated Fire Agencies ("CONFIRE") Joint Powers Agreement.
- F.3 Request City Council to Award a Professional Services Agreement to Huitt-Zollars, Inc. in the Amount of \$46,500 for Design of the 1193 W. Merrill Avenue Widening Project.
- F.4 Request City Council to Approve the 2021 Amended City of Rialto Investment Policy.
- F.5 Request City Council to Adopt by Second Reading ORDINANCE NO. 1655 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, AMENDING THE CITY'S CONFLICT OF INTEREST ORDINANCE (CITY OF RIALTO CODE OF ORDINANCES SECTION 2.48.140) AND CONFLICT OF INTEREST DISCLOSURE ORDINANCE (CITY OF RIALTO CODE OF ORDINANCES SECTION 2.48.145).

## **CONSENT CALENDAR**

F.6 Request City Council to Adopt Resolution No.7705 Strongly Condemning Acts of Violence in the United States and Affirming Support for the Democratic Process and the United States Constitution.

0o0

Mayor Robertson inquired if F.4 will be pulled for discussion.

0o0

Acting City Manager Grayson confirmed F. 4 will be pulled and will be brought back at the next February 23, 2021 City Council meeting. He stated that staff will only be requesting actions 1 through 3 on TAB 7 of the staff report and withdraw action 4 from consideration.

0o0

Mayor Pro Tem Scott requests Items F.4 and F.5 to be pulled. Items were not made available to the City Council and the public in a timely manner. It would be improper to move forward when the community had not had adequate time to review presentation. He emphasized that the City Council has repeatedly requested a fleet study and one has not been provided. He is requesting the police items at the next City Council meeting to determine what the fleet requirements of the City are.

0o0

Mayor Robertson agrees with Mayor Pro Tem Scott. She agrees this has been an ongoing matter. It has not had priority. She has had conversations with Acting City Manager Grayson. She has no objection to pulling F.4 and F.5. She stressed the importance of presentations being part of the agenda package at the time the agenda is posted. She requested corrections in the adoption of Resolution No. 7705 in F.6. Mayor Robertson is requesting "WHEREAS, the United States of America is defined by the peaceful transition of power that has occurred after every election since our founding" to be reworded.

0o0

Acting City Manager Grayson suggested 'WHEREAS, the United States of America is defined by the peaceful transition of power that should occur after every election.'

0o0

Mayor Robertson and the City Council agreed to corrections.

0o0

Motion by Council Member Trujillo, second by Council Member Perez and carried by a 5-0 vote to approve the Consent Calendar with corrections to F.6. Items F.4 and F.5 will be carried over to the February 23, 2021 City Council meeting.

0o0

## **PUBLIC HEARING**

### **TAB 1**

**Resolution No. 7700; Ordinance No. 1656  
Resolution No. 7701; Resolution No. 7702  
Resolution No. 7703**

Daniel Casey, Senior Planner, presented the staff report requesting the City Council to Conduct a Public Hearing to consider Adoption of (1) Resolution No. 7700 approving General Plan Amendment No. 2019-0004, which is a request to change the General Plan land use designation of approximately 2.92 gross acres (2.77 net acres) of land from Residential 6 to Residential 12, (2) Ordinance No. 1656 approving Zone Change No. 2019-0003, entitled "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, APPROVING ZONE CHANGE NO. 2019-0003 TO CHANGE THE ZONING DESIGNATION OF APPROXIMATELY 2.92 GROSS ACRES (2.77 NET ACRES) OF LAND (APNS: 0250-091-25 & -26) LOCATED ON THE EAST SIDE OF CEDAR AVENUE APPROXIMATELY 630 FEET NORTH OF SAN BERNARDINO AVENUE FROM SINGLE-FAMILY RESIDENTIAL (R-1C) TO MULTI-FAMILY RESIDENTIAL (R-3)" [Reading by title only and waiving full reading thereof], (3) Resolution No. 7701 approving Tentative Tract Map No. 2019-0002 (TTM 20294), which is a request to allow the subdivision of approximately 2.92 gross acres (2.77 net acres) of land into twenty-two (22) single-family lots and two (2) common lots, (4) Resolution No. 7702 approving Precise Plan of Design No. 2020-0005, which is a request to allow the development of a private residential neighborhood consisting of twenty-two (22) detached single-family dwelling units with corresponding improvements, and (5) Resolution No. 7703 approving a Mitigated Negative Declaration (Environmental Assessment Review No. 2019-0033) prepared for the project, in accordance with the California Environmental Quality Act (CEQA)

0o0

Mayor Robertson declared the public hearing open.

0o0

Steve Landis thanked City staff for their assistance in their support in this project.

0o0

### **Public Comment**

Lupe Camacho expressed her concerns regarding limited fire access within the housing development based on the traffic impact analysis report.

0o0

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

0o0

Mayor Pro Tern Scott asked about the development on the northeast and south side being single or two-level homes.

0o0

Mr. Casey stated there are single and two story.

0o0

**TAB 1**

**Resolution No. 7700; Ordinance No. 1656  
Resolution No. 7701; Resolution No. 7702  
Resolution No. 7703**

Mayor Pro Tem Scott expressed his concerns with housing projects and the invasion of privacy it creates and asked if adjustments were made to protect residents' privacy.

0o0

Mr. Casey stated it was designed with that in mind limiting the number of windows on the units adjacent to the surrounding residents.

0o0

Mayor Pro Tem Scott asked how public safety funds are being accounted for and Departments notified of funds once projects are completed.

0o0

Mr. Casey stated that the City Finance Department is coordinating with Community Development to ensure that 64 percent is allocated to the Police and Fire Departments.

0o0

Mayor Pro Tem Scott asked Acting City Manager Grayson and the EDC if proper accounts were being reported.

0o0

Acting City Manager Grayson stated that it will be taken to the Economic Development Committee, and it will be on the agenda for the Mid-Year Budget Workshop Agenda on February 11, 2021.

0o0

Mayor Pro Tem Scott appreciated the community's response. They were very responsive and mostly positive. It's a good project for this location. He complimented Mr. Casey, and he is in support of the project.

0o0

Council Member Carrizales inquired about the 64 percent CFD allocation.

0o0

Acting City Manager Grayson stated 64 percent is a combined percentage for the Police and Fire Department. The allocation is based on the percentage of the general fund budget.

0o0

Council Member Carrizales believed it is a great project and is looking forward to having the project finalized. He thanked the developer for their great work.

0o0

Mayor Robertson asked how the fire access has been addressed.

0o0

**TAB 1**

**Resolution No. 7700; Ordinance No. 1656  
Resolution No. 7701; Resolution No. 7702  
Resolution No. 7703**

Mr. Casey stated the Fire Department was involved in the design of the project from its inception. It also reviewed the project at the former DRC. Fire Code requires one exit for housing units fewer than 20. He described the orientation of the streets and explained the design that justifies the fire access and compliance.

0o0

Mayor Robertson asked about the standard height of the sound walls and expressed concerns over privacy.

0o0

Mr. Casey stated that at a recent Neighborhood Meeting, there were various exhibits for public viewing. He explained differences in wall heights above six feet coupled with retaining walls.

0o0

Mayor Robertson inquired about the project timeframe.

0o0

Mr. Casey stated the project was temporarily put on hold for six months by the applicant due to the COVID-19 pandemic.

0o0

Mayor Robertson asked if the necessary agencies were notified for the surrounding areas.

0o0

Mr. Casey stated that yes they had been.

0o0

Council Member Trujillo inquired about a median, access gate, surveillance system.

0o0

Mr. Casey stated that this project will not include a median in its frontage, and it will be having an access gate. The surveillance system will be coordinated with the Rialto Police Department.

0o0

Mayor Robertson requested grant funds be made available to make certain that housing developments include internet access as a standard as opposed to an accessory.

0o0

Council Member Perez asked about the guest-parking capability, how the access will be and what the impact will be to the surrounding community.

0o0



**TAB 1**

**Resolution No. 7700; Ordinance No. 1656  
Resolution No. 7701; Resolution No. 7702  
Resolution No. 7703**

Mr. Casey explained dwelling parking spaces and allowances as well as signage and conditions for guests.

0o0

Council Member Trujillo also expressed concerns about guest-parking capability.

0o0

Mr. Casey stated there is enough parking for up to 66 cars within the neighborhood which greatly exceeds the amount required by the municipal code.

0o0

Council Member Trujillo asked if Cedar Avenue overcomes parking capacity, could parallel parking be an option.

0o0

Mr. Casey stated that could be a future conversation based on need and safety should the homeowner's association approach the City. If it is the City Council's desire, the condition of approval could be eliminated from the resolution.

0o0

Mayor Pro Tem Scott believed the City Council cannot remove it without going through a process with the Transportation Department, Police and other City Departments. Cedar Avenue is a dangerous street, and there should be no parking. He is very concerned with parking on Cedar Avenue. Before the City Council makes a motion for parallel parking, the City Council needs input from the Public Works, Police, and Planning Departments.

0o0

Mayor Robertson stated more needs to be studied and input from the other residents about traffic concerns needed.

0o0

City Clerk McGee read Ordinance No. 1656 into the record.

0o0

**ORDINANCE 1656**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, APPROVING ZONE CHANGE NO. 2019-0003 TO CHANGE THE ZONING DESIGNATION OF APPROXIMATELY 2.92 GROSS ACRES (2.77 NET ACRES) OF LAND (APNS: 0250-091-25 & -26) LOCATED ON THE EAST SIDE OF CEDAR AVENUE APPROXIMATELY 630 FEET NORTH OF SAN BERNARDINO AVENUE FROM SINGLE-FAMILY RESIDENTIAL (R-1C) TO MULTI-FAMILY RESIDENTIAL (R- 3).

**TAB 1**

**Resolution No. 7700; Ordinance No. 1656  
Resolution No. 7701; Resolution No. 7702  
Resolution No. 7703**

Motion by Mayor Pro Tem Scott, second by Council Member Carrizales and carried by a 5-0 vote to Ordinance No. 1656; Adopt Resolution No.7700; Resolution No.7701; Resolution No. 7702 and Resolution No. 7703.

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

NOES: None ABSTAIN: None. ABSENT: None.

0o0

**NEW BUSINESS**

**TAB 2**

**Urgency Ordinance 1657  
Declaring a Temporary Moratorium on  
the Cultivation of Industrial Hemp**

Alexander Hamilton, Interim Director of Community Development and Interim City Attorney Eric Vail, presented the staff report requesting the City Council to Approve an Interim Urgency Ordinance 1657 Declaring a Temporary Moratorium on the Cultivation of Industrial Hemp by "Established Agricultural Research Institutions" and Others.

0o0

Mayor Robertson inquired about a direction from March 2019 where information was supposed to be brought back to the City Council. She asked Mr. Vail to expound on bringing the conclusion on putting a moratorium and then create a draft to prohibit it without understanding why Federal law has changed.

0o0

Interim City Attorney Vail stated they are only recommending a temporary moratorium. It will be in place for 45 days. It may come back for an extension. This only involves industrial hemp. You currently already prohibit commercial cannabis. This would not impact the City from picking back up and engaging in holistic cannabis operations or industrial hemp. The reason we are recommending a moratorium, is because the City currently has no regulations in place for hemp.

0o0

Mayor Robertson asked to bring back the direction that was given to the former City Attorney and pair with the moratorium to address any matters that may need to be reviewed.

0o0

Interim City Attorney Vail read Interim Urgency Ordinance 1657 into the record.

0o0

**ORDINANCE 1657**

AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIALTO, CALIFORNIA, DECLARING A TEMPORARY MORATORIUM ON THE CULTIVATION OF INDUSTRIAL HEMP BY ESTABLISHED AGRICULTURAL RESEARCH INSTITUTIONS AND OTHERS WITHIN THE JURISDICTIONAL BOUNDARIES OF THE CITY OF RIALTO.

0o0

**TAB 2**  
**Urgency Ordinance 1657**  
**Declaring a Temporary Moratorium on the**  
**Cultivation of Industrial Hemp**

Motion by Council Member Carrizales, second by Council Member Trujillo and carried by a 5-0 vote to approve an Interim Urgency Ordinance No. 1657 Declaring a Temporary Moratorium on the Cultivation of Industrial Hemp by "Established Agricultural Research Institutions" and Others.

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

NOES: None. ABSTAIN: None. ABSENT: None.

0o0

**TAB 3**  
**Agreement with Norton Rose Fulbright for**  
**Counsel Services; Agreement NHA**  
**Advisors LLC/Bayshore Consulting**  
**Group for Municipal Advisor Services;**  
**Delegate Authority to Acting City Manager**

Bob Chandler, Interim Director of Finance, presented the staff report requesting the City Council to 1) Approve an Agreement with Norton Rose Fulbright US LLP for Bond Counsel and Disclosure Counsel Services in Relation to Pension Debt Refinancing in the amount of \$128,000; 2) Approve an Agreement with NHA Advisors LLC / Bayshore Consulting Group Inc. for Municipal Advisor Services in Relation to Pension Debt Refinancing in the amount of \$118,500; and 3) Delegate Authority to the Acting City Manager and City Attorney to Execute the Letters of Engagement and any Required Agreements or Contracts.

0o0

**Public Comment**

Lupe Camacho expressed her concerns and her opposition to the loan and urges the City Council to reconsider.

0o0

City Treasurer Carrillo stated his participation in the January 28, 2021 meeting and expressed his concerns with the lease revenue bond's proposal. His understanding was that other options were going to be considered. He does not believe this is the last resort. The 2019-20 Budget document talked about the Budget Ad-Hoc Committee for the unfunded liabilities and their recommendations and based on that document, it said that the City Council elected to establish a 115 Trust to address the pension unfunded liability. To this day, I still have not been able to identify in order to find this 115 Trust that the City Council supposedly approved to be established. In our current budget document, that former City Manager Rod Foster presented indicated, that City Treasurer and Staff would investigate and research and come back with recommendations to address the unfunded liability. He stated none of that has been done yet. Going through a lease revenue bond does not afford the people of Rialto the opportunity to speak nor to vote on whether they want this \$130 million dollar debt on their backs for our current and future residents. I would urge the City Council not to approve this tonight. We still need to look at other options on how to address the unfunded liability.

0o0

**TAB 3****Agreement with Norton Rose Fulbright  
for Counsel Services; Agreement NHA  
Advisors LLC/Bayshore Consulting  
Group for Municipal Advisor Services;  
Delegate Authority to Acting City  
Manager**

Mayor Robertson asked the Council Members if there were additional comments or wished to have the Item held or pulled. She stated there were a number of things the City Treasurer brought up that were to be reviewed and advised by Staff yet nothing has been brought forward. She agrees it is tied back to the investment policy. I did not read anywhere to determine if it was going to be leased or it was going to be municipal bonds. I thought we were moving forward with people who would advise and then provide us various options.

0o0

Mayor Pro Tem Scott agreed with Mayor Robertson that the experts would direct the City Council in the direction to go. He stated the City Treasurer recommended adding a tax at the gas pump and replace the tax on the tank farm. It was passed at an election, we got sued by the oil companies and we lost and it went all the way to the Supreme Court. So that is not an option unless we get them to voluntarily agree to something. The budget is balanced. The unfunded liability is not part of the general fund budget. To give the impression the budget was balanced previously and not balanced today is inaccurate and that point needs to be made. He is open to other options. The City needs to move forward. The unfunded liability is getting larger and larger. Experts need to be on board to guide us in the right direction. He will not support any more taxes on the backs of the residents especially in the current situation.

0o0

City Treasurer Carrillo quoted that in the background section of the staff report, it specifically states, "We're moving forward with issuing bonds." It is not talking about coming up with recommendations or other suggestions. It specifically says that we are engaging these people to issue bonds. And the only thing that they recommended at the last meeting of the working group was to issue lease revenue bonds. That is the only thing that they are talking about. So we are moving forward? I don't think we're there yet. We should not be in the process of engaging these individuals to move forward in issuing bonds. We need to allow the people of Rialto to hear what the true liability is and discuss other options. I would like to make a correction. I always get misquoted. I never proposed a gasoline tax or a tax on the tank farm. I proposed a .01¢ gas tax at the rack, but it gets misinterpreted. It's been stated that I said it's a one percent tax. It's been said that it is against the oil companies. I never said that. Let me make that perfectly clear. According to consultants, lease revenue bonds is a way to get around voter approval. We have made a commitment to be honest and transparent, and I think the people of Rialto deserve that. The Budget Ad Hoc Subcommittee made excellent recommendations. Based on his knowledge, the 115 Trust has not been established. Recommendations are made, the City Council approves, but there is no follow-through.

0o0

**TAB 3**

**Agreement with Norton Rose Fulbright for Counsel Services; Agreement NHA Advisors LLC/Bayshore Consulting Group for Municipal Advisor Services; Delegate Authority to Acting City Manager**

Mayor Robertson stated recommendations need to be brought forward to everybody. If, in fact, we have a way that we want to have people present themselves and we take it to the vote and we also need to take into the vote understanding why it needs to go to vote and if the decision is not to do anything, then we are going to continue to have a debt. We need to educate everyone. Somehow items brought forward don't get enacted. We are not the ones to implement. We are the policy body. And if we give direction, and if for some reason because there is a change in administration, or change in the direction of the City, nothing moves forward, who do you hold accountable? She welcomes every citizen to tune into the Mid-Year Budget meeting on Thursday.

0o0

Mayor Pro Tem Scott clarified when City Treasurer talked about was a .01¢ tax at the pump. The rack is entirely different. He asked the City Treasurer to give concrete ideas that don't tax the community if there is a better way than what has been proposed. It needs to be done in a transparent, unified, and positive manner. At some point, it is going to catch up with the City. The amount of interest being paid to PERS is ridiculous. There needs to be a solution. We have to lead this City and move forward in resolving this issue. The City Council is very dependent upon the City Treasurer, the City Manager, and the City Attorney who are experts in dealing with this type of issue. The community needs to be told the truth about what it is, how it got there, why it's there, and what we have to do to pay for it. Everybody in this city wants police and fire services but it comes with a cost. And we have to find a way to pay for it. He stated he wanted to hear from all Council Members as to how to move forward. He will not support taxes on the residents.

0o0

Council Member Carrizales asked if by taking on this action they would automatically be refinancing the debt.

0o0

Acting City Manager Grayson stated it does not. The action would bring on the combination of firms. If the City Council would subsequently approve the issuance of bonds, they would be entitled to the money that is in the staff report in relation to their work in issuing those bonds, so the couple hundred thousand in relation to the \$133 million dollars bonds that we would be issuing. The only obligation tonight is the \$9,500 for NHA Advisor LLC/ Bayshore Consulting Group, Inc. They're the municipal advisors. They become our subject-matter experts. They will be presenting on Thursday and will bring all the options possible so the City Council can make a decision. We could not move forward to issue bonds without several additional actions by the City Council. If the City Council ultimately issued bonds, it would be the firms that would be doing the legal work and the municipal advisory work.

0o0

**TAB 3**

**Agreement with Norton Rose Fulbright  
for Counsel Services; Agreement NHA  
Advisors LLC/Bayshore Consulting  
Group for Municipal Advisor Services;  
Delegate Authority to Acting City  
Manager**

Council Member Carrizales asked for clarification on the upfront amount to NHA Advisor LLC/ Bayshore Consulting Group Inc.

0o0

Acting City Manager Grayson stated the existing team is bringing in outside subject-matter experts to advise the City Council on options on refinancing the existing UAL debt. The options are at the discretion of the City Council. The \$9,500 are for municipal advisory consultant services. If bonds are issued, then the full amount indicated will be owed.

0o0

City Treasurer Carrillo asked for clarification and read from the staff report "A working group consisting of the Economic Development Committee and representation from Finance, Treasury and City Administration has met and recommended the City proceed with the issuance of bonds to refinance the City's UAL." What does that mean? Does that mean that we're not issuing bonds? Here, it clearly indicates, we're proceeding with issuing bonds.

0o0

Acting City Manager Grayson stated this is a step in the process to issue bonds or do anything that you chose, but it is a step in the process to issue bonds.

0o0

City Treasurer Carrillo emphasized that the staff report reads "to proceed with the issuance of bonds". He asked Interim City Attorney Vail for clarification.

0o0

Interim City Attorney Vail stated this is taking the initial steps to price out certain options and to provide the City Council with information especially with regard to ongoing volatile interest rates.

0o0

City Treasurer Carrillo stated that all I am questioning is what the staff report says is that the City is proceeding with the issuance of bonds. It does not say that the City is looking into it, or that it is going to review it, or how it is going to look like, or how the intent may be. It specifically says to proceed in the issuance of bonds, "Why can't I get clarification on that?" If we are not proceeding with issuance of bonds, then that should be corrected.

0o0

**TAB 3**

**Agreement with Norton Rose Fulbright for Counsel Services; Agreement NHA Advisors LLC/Bayshore Consulting Group for Municipal Advisor Services; Delegate Authority to Acting City Manager**

Interim City Attorney Vail stated the issuance of bonds is a tremendous step that would involve a lot of different efforts. This action tonight does not actually result in the issuance of bonds.

0o0

Council Member Carrizales asked Interim City Attorney Vail to change the language in the staff report so that the City Council and the public have clarity of what action is being taken.

0o0

Interim City Attorney Eric Vail stated that the essential step regardless of what is provided in the staff report is to bring on NHA Advisor LLC/Bayshore Consulting Group Inc. That's the entity that the Acting City Manager has mentioned will provide municipal financial services for \$9,500. The first step is to bring them on board so they can make a presentation.

0o0

Mayor Pro Tem Scott asked the Acting City Manager if the presentation at the Mid-Year Budget Special Meeting include a sufficient explanation to the community on what exactly unfunded liability is, what it covers, what it pays for, so everybody in this community understands what that money is for, go into the amount that we're currently paying and what we're trying to accomplish by doing what we're doing. It should also have a schedule available showing how much it has increased in the last five years.

0o0

Council Member Trujillo asked that the Pension Advisory Committee PowerPoint presentation be made available to the public as well.

0o0

Mayor Robertson agrees that everything needs to be laid out on the table. At the end of the day, the City Council, collectively, has to make a decision.

0o0

Motion by Council Member Carrizales second by Mayor Pro Tem Scott and carried by a 5-0 vote to Approve to retain NHA Advisor LLC/Bayshore Consulting Group Inc. for municipal advisor services in the amount of \$9,500 which does not commit the City to issue bonds.

0o0

**TAB 4**

**Resolution No. 7706 for the Purchase of Two Type 1 Fire Engines from Pierce Manufacturing Inc.**

TAB 4 was pulled to return at the February 23, 2021 City Council meeting.

0o0

**TAB 5**  
**Purchase Order to Braun Northwest Inc.**  
**For two Demo Ambulances; Life Support**  
**Equipment; Emergency Communications**  
**Installation**

TAB 5 was pulled to return at the February 23, 2021 City Council meeting.

0o0

**TAB 6**  
**Zoll Medical Corp for Medical Equipment**  
**Supplies**

Brian Park, Interim Fire Chief presented staff report Requesting City Council to Approve an Increase of \$40,000 to Purchase Order No. 2021-0409 for a Total of \$55,000 to Zoll Medical Corp for Medical Equipment Supplies for Fiscal Year 2020/21.

0o0

Motion by Mayor Pro Tem Scott, second by Council Member Perez and carried by 5-0 to Approve an Increase of \$40,000 to Purchase Order No. 2021-0409 for a Total of \$55,000 to Zoll Medical Corp for Medical Equipment Supplies for Fiscal Year 2020-21.

0o0

**TAB 7**  
**Frisbie Park Expansion City Project;**  
**Notice of Completion; Release of**  
**Retention to RC Graves Construction**

Michael Tahan, Interim Public Works Director, presented the staff report to Request City Council to Request City Council to 1) Accept the Frisbie Park Expansion, City Project No. 150304; 2) Authorize the Filing of the Notice of Completion; 3) Authorize Release of Retention to RC Graves Construction; and 4) Request City Council to Award a Services Agreement with Securitas in the Amount of \$269,901 for the Installation of a Camera System and the Associated Wireless Communications for the Entire Frisbie Park, all related to the Frisbie Park Expansion; City Project No. 150304.

0o0

Council Member Carrizales asked about errors on the contract change order table on the reroute scoreboard electrical wiring and additional irrigation for existing field.

0o0

Mr. Tahan stated they are field errors done within the field. The additional irrigation recommended by the maintenance department.

Council Member Carrizales asked if the City paid a company to make these assessments. The amount is significant.

0o0

Mr. Tahan stated these were 2017-2018 design issues they were trying to resolve.

0o0



**TAB 7**  
**Frisbie Park Expansion City Project;**  
**Notice of Completion; Release of**  
**Retention to RC Graves Construction**

Council Member Carrizales inquired about the quality of green space in the new park. He stated the park grass is dry and does not look to the standards that it should be expected. The City paid for a product that was supposed to be delivered and was supposed to look nice and the City maintenance department is repairing a brand new item.

0o0

Mr. Tahan stated the maintenance department recommended Bermuda grass because it is more durable, but eventually it will become greener.

0o0

Mayor Robertson asked if there was a maintenance plan in place.

0o0

Mr. Tahan stated the plan establishment began in August through December 2020.

0o0

Council Member Carrizales stated he is disappointed with the outcome of the park. The grass was supposed to showcase all the play areas. There needs to be a better solution to that because the City just paid for brand new grass.

0o0

Council Member Perez asked if there is a warranty in place in the contract.

0o0

Mr. Tahan stated that was part of the design in 2017-18. We can come back to show how the grass will be green. It is currently being worked on.

0o0

Mayor Pro Tem Scott asked if Bermuda grass is used at other parks.

0o0

Mr. Tahan stated not all of them, but Bermuda grass is what was recommended for this grass.

0o0

Mayor Pro Tem Scott asked who is recommending the park.

0o0

Mr. Tahan stated public works staff and maintenance.

0o0

**TAB 7**  
**Frisbie Park Expansion City Project;**  
**Notice of Completion; Release of**  
**Retention to RC Graves Construction**

Mayor Pro Tem Scott emphasized in-house staff is deciding which type of grass is planted in the park when the City spent hundreds of thousands of dollars to a design company to make it an all-year park.

0o0

Council Member Carrizales asked if the grass was not maintained, it would be green and beautiful in the summer.

0o0

Mr. Tahan stated yes, it would.

0o0

Council Member Trujillo commented on the blacktop driveway and was disappointed on the design on the project of the park.

0o0

Mayor Robertson asked about the professional service team agreement and about recourse back to the design team and change orders prior to 2019. We continue to have problems with this group, and we don't continue to address them. We are here, saying we should authorize payment to the contractor?

0o0

Mr. Tahan stated the design was completed in 2017, early 2018 and expressed the same design concerns. We've implemented QAQC quad control quality insurance to make certain designs go through a rigorous review to avoid challenges. We are trying to implement procedures to avoid these challenges in the future.

0o0

Mayor Robertson asked how the design team is accountable for things the contractor hadn't dealt with. Some of this has to rest on it. She is not ready to act on this.

0o0

Mr. Tahan stated that when these change orders were realized, payments to the contractor stopped in July 2020.

0o0

Mayor Robertson inquired how do we hold the designer accountable?

0o0

Mayor Pro Tem Scott stated that the City Council needs to direct the City Attorney to move forward.

0o0

**Tab 7**  
**Frisbie Park Expansion City Project;**  
**Notice of Completion; Release of**  
**Retention to RC Graves Construction**

Council Member Carrizales emphasized the number of errors made by the design team on the staff report. He requested a list of all the errors, who made them, total amount, and perhaps share the cost with the design team. He needs more clarity in the matter. There are a lot of problems with the completion of this project.

0o0

Mr. Tahan stated he can provide the City Council a detailed report that reflects all these issues. He can address this with the designer to determine how much cost can be recovered.

0o0

Mayor Robertson stated all errors need to be viewed to determine who caused them. If we proceed with the expansion project, can we clear the contractor without having to file the notice of completion or will a notice of completion also close it on the design.

0o0

Mr. Tahan stated that the design is a professional service. We have the contract and are withholding invoices since June 2020. We can still go back to the designer and recapture some of the design errors to determine how costs that the City has incurred can be mitigated.

0o0

Mayor Robertson also inquired about the service agreement with Securitas and if it will continue to be monitored until it is integrated into the system.

0o0

Mr. Tahan stated that action 4 from TAB 7 had been pulled by the Interim City Manager.

0o0

Mayor Pro Tem Scott stated that at the EDC meeting the SCADA Security System was discussed. He suggested using Frisbie Park as the first park on that camera system to ultimately have all parks and City facilities on the same camera system and not separate systems that may not integrate.

0o0

Mayor Robertson stated she had three actions to authorize. She didn't receive the notification.

0o0

**Public Comment**

Lupe Camacho expressed her concerns with the errors in the design of the project, City management, City Staff turnaround that causes continuity of information to be lost and quality control data and excess litigation expenses. She offered the City assistance in her financial background and engineering experience.

0o0

**Tab 7**  
**Frisbie Park Expansion City Project;**  
**Notice of Completion; Release of**  
**Retention to RC Graves Construction**

Motion by Mayor Pro Tem Scott, second by Council Member Perez and carried by a 5-0 vote to Accept the Frisbie Park Expansion, City Project No. 150304; 2) Authorize the Filing of the Notice of Completion; 3) Authorize Release of Retention to RC Graves Construction.

4) Request City Council to Award a Services Agreement with Securitas in the Amount of \$269,901 for the Installation of a Camera System and the Associated Wireless Communications for the Entire Frisbie Park, all related to the Frisbie Park Expansion; City Project No. 150304. Has been pulled from the agenda.

0o0

**TAB 8**  
**Wastewater and Water Operating Repair**  
**And Replacement Projects**

Tom Crowley, Utilities Manager, presented the staff report Request City Council/Rialto Utility Authority Board to Approve the Completed Fiscal Year 2019/2020 Wastewater and Water Operating Repair and Replacement Projects and Approve the Anticipated Fiscal Year 2020/2021 Wastewater and Water Operating Repair and Replacement Projects.

0o0

Motion by Mayor Pro Tem Scott, second by Council Member Trujillo, and carried by a 5-0 vote to Approve the Completed Fiscal Year 2019/2020 Wastewater and Water Operating Repair and Replacement Projects and Approve the Anticipated Fiscal Year 2020/2021 Wastewater and Water Operating Repair and Replacement Projects.

0o0

**TAB 9**  
**Continued Local Emergency COVID-19**  
**Outbreak**

Sean Grayson, Acting City Manager, presented staff report to 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.

0o0

Council Member Trujillo stated his concerns with seniors unable to schedule vaccination appointments or have access to resources. He asked if the City Senior Center currently has a planned effort to assist Rialto seniors access vaccines and/or resources.

0o0

Mr. Grayson stated that City staff are making follow-up phone calls to the senior citizens. The virtual community center offers events to the public. He will look further into what other opportunities exist to assist and bring technology more accessible to the senior community and report back to the City Council.

0o0

**TAB 9****Continued Local Emergency COVID-19  
Outbreak**

Mayor Robertson suggested to lend to each city a direct contact person that could assist Rialto seniors with vaccination appointments or help with any other COVID-19 concerns they may have. She stated the African American, Hispanic and Native American senior population are the most underserved community with vaccinations. She requested information at the County level. She stated that only approximately 22 percent of the Rialto CARES ACT funds have been granted. She would like to know how many applications were received, rejected, and approved. She would like to know what it would take to consider for the City to have its own Health Office Department. What has prevented the City from exploring it? She suggested it be put on the City Council agenda for a longer discussion.

0o0

Council Member Trujillo stated Omnitrans is discussing coordinating efforts to transport seniors to vaccination sites. He is hoping the City can coordinate with Omnitrans and connect resources to assist seniors with transportation services including medical transportation.

0o0

Motion by Mayor Pro Tem Scott, 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.

0o0

**REPORTS**

City Council gave their reports.

0o0

**ADJOURNMENT**

Motion by Council Member Carrizales second by Mayor Pro Tem Scott and carried by a 5-0 vote, to adjourn the City Council Meeting at 10:24 p.m.

The City Council adjourned in memory of:

**Joe Flores. Jr.**

**Rialto Resident and local business owner**

---

MAYOR DEBORAH ROBERTSON

**ATTEST:**

---

CITY CLERK BARBARA A. McGEE